Bombay Legislative Council Debates

(From 19th February 1934).

Vol. XXXIX

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TABLE OF CONTENTS.

	PAGES
Agenda for the First Session of 1934	1–21
Supplementary Agenda	1730–32
Monday, the 19th February 1934.	
New Members sworn	25, 78
Nomination of Chairmen of Council	25
Governor-General's assent to Acts	25–26
Reply of Sardar Khan Bahadur Syed Shamsuddin Kadri to reference in Council to the death of late Mr. J. S. Kadri	26
Business of the House	26, 82
Questions and Answers	27–30, 35–78
Address by His Excellency the Governor to the Members of the Legislative Council	30–34
References to deaths of Dewan Bahadur Harilal Desai and Mr. S. A. C. Green, I.C.S.	78–79
Presentation of the Budget	79–82
Tuesday, the 20th February 1934.	
Questions and Answers	85–112
General Discussion of the Budget	113–70
Wednesday, the 21st February 1934.	
Questions and Answers	173–96
General Discussion of the Budget	198–246
Thursday, the 22nd February 1934.	
General Discussion of the Budget	249–302
Friday, the 23rd February 1934.	
Questions and Answers	305–39
Prevention of Gambling Act Amendment Bill (Mr. L. R. Gokhale) ..	340–41
City of Bombay Municipal Act Amendment Bill (Rao Bahadur S. K. Bole)	341
Sind Incumbered Estates Act Amendment Bill (Mr. S. S. Tolani) ..	341–55
Rent Restriction Bill (Mr. R. R. Bakhale)	356–59
Saturday, the 24th February 1934.	
Questions and Answers	362–72
Rent Restriction Bill (Mr. R. R. Bakhale)	373–406
Monday, the 26th February 1934.	
Questions and Answers	409–40
Enquiry into reduction of wages of workpeople employed in cotton mill industry	440–41
Adjournment motion regarding mill strike at Sholapur	441–42
Finance Act Amendment Bill	442–95
Tuesday, the 27th February 1934.	
New Member sworn	498
Questions and Answers	498–517
Finance Act Amendment Bill	518–22

PAGES

Supplementary Grants—
Extension of Pleaders' Chambers in Ahmedabad District Court .. 522
Grant to Regional Committee for exhibition of Modern Indian Art in London 522–24
Asphalting Sholapur-Osmanabad Road 524–27
Additional Assistant Director of Public Health for Central Registration District 527
Appointment of special officers for recovery of dues of co-operative societies 527–38
Expenditure on Flood Relief 538
Grant-in-aid to Nasik Municipality in regard to Sinhast arrangements .. 538
Expenditure in connection with Village Improvement Scheme .. 538–60
Expenditure on account of Maharashtra University Conference held at Poona on 7th and 8th of July 1933 560
Expenditure in connection with Panchgani Town Planning Scheme .. 560–61
Purchase of a sugar-making set for demonstration of sugar-making by open pan process 561–62
Remuneration to Secretary, Western India Turf Club, for collection of betting tax for 1932–33 562
Expenditure under "47, Miscellaneous—Provincial (Reserved)" .. 562
Expenditure in connection with scheme for development of fisheries .. 562–63
Grant-in-aid of Rs. 3,000 to Bombay Presidency Baby and Health Week Association for purchase of cinema outfit for health propaganda in rural areas 562

Grant-in-aid to Mayor's Earthquake Relief Fund Committee .. 563–65
Superannuation allowances and pensions 565–66
Commutation of pensions financed from Ordinary Revenue .. 567
Expenditure on leave salaries and travelling allowances of retrenched personnel 567
Payments of commuted value of pensions charged to capital .. 567–68
Improvements to Begari Canals 568–70
Changing over of the electric installation in Government House, Ganeshkhind, to the Poona Electric Supply Company's mains .. 571

Wednesday, the 28th February 1934.

Demands for Grants—
Loans and Advances by Provincial Government.. 574–89
61, Payments to retrenched personnel 589
60B, Payments of commuted value of pensions 589
60A, Other Provincial Works not charged to revenue 589
60, Capital Outlay for Civil Works (Public Works) 589
59, Bombay Development Scheme 589
56A, Capital Outlay on improvements of Public Health 589
55, Construction of Irrigation Works, Lloyd Barrage and Canals Construction 589–607
Plant Division of Lloyd Barrage and Canals Construction .. 589–607

Friday, the 2nd March 1934.

Questions and Answers 610–58
Petition from Zamindars of Thar Parkar regarding Barrage rates of assessment 658
Adjournment motion regarding Budget proposals of the Government of India 659–60, 672–89
Demands for Grants—
55, Construction of Irrigation Works (Lloyd Barrage and Canals Construction) 660–71

Saturday, the 3rd March 1934.

Demands for Grants—
55, Construction of Irrigation Works (Lloyd Barrage and Canals Construction) 691–709
55, Construction of Irrigation Works (Irrigation except Lloyd Barrage). 709–29
Unproductive—A-Irrigation Works 709–22

PAGES

Monday, the 5th March 1934.

Article in *Bombay Samachar* regarding the Prophet of Islam 732
Demands for Grants—
Expenditure in England 732
52, Extraordinary charges (Reserved) 732
47, Miscellaneous (Reserved) 732–77
Grant for tobacco establishment 733–77
47, Miscellaneous (Transferred) 777–88
Grant to District Benevolent Society 777–79
Grant allotted for village panchayats (omission of) 779–88

Tuesday, the 6th March 1934.

Demands for Grants—
47, Miscellaneous (Transferred) 791–93
Grant allotted for village panchayats (omission of) 791–93
46, Stationery and Printing 793–806
45-A, Commutation of Pensions financed from Ordinary Revenue .. 806–08
45, Superannuation Allowances and Pensions 808
42, Bombay Development Scheme 808–33
Town Duty on Cotton.. 808–33
41, Civil Works (Partly Reserved and Partly Transferred) 833–51
Tolls 833–51

Wednesday, the 7th March 1934.

New Members sworn 854
Sholapur Mill Strike situation 854
Demands for Grants—
41, Civil Works (Partly Reserved and Partly Transferred) 854–908
Tolls 854–66
Deccan Irrigation Circle 866–79
P. W. D. Irrigation Establishment of Sind 879–908

Thursday, the 8th March 1934.

New Member sworn 911
Cerebro-Spinal Meningitis, statement regarding 911–12
Demands for Grants—
41, Civil Works (Partly Reserved and Partly Transferred) 912–52
P. W. D. Irrigation Establishment of Sind 912–36
41, Civil Works (Reserved) 952
37, Miscellaneous Departments (Reserved) 952–66
Grant for Labour 952–66

Friday, the 9th March 1934.

New Members sworn 969
Questions and Answers 969–88
Cerebro-Spinal Meningitis, statement regarding 988
Demands for Grants—
37, Miscellaneous Departments (Reserved) 988–1025
Grant for Labour 988–1024
37, Miscellaneous Departments (Transferred) 1025–40
Backward Class Officer's Establishment 1025–40

Saturday, the 10th March 1934.

Times of India Report on Sholapur Mill Disturbances 1043
Short notice question regarding electricity charges in Poona 1043
Demands for Grants—
37, Miscellaneous Departments (Transferred) 1043–69
Backward Class Officer's Establishment 1043–49
Expenditure regarding Village Improvement Scheme 1049–69
35, Industries (Transferred) 1069–84

PAGES

Monday, the 12th March 1934.

Demands for Grants—
35, Industries (Transferred) 1087–1115
34, Agriculture (Transferred) 1115–40

Tuesday, the 13th March 1934.

New Members sworn 1143
Short notice question regarding hunger strike of a prisoner in Yeravda Jail 1143
Demands for Grants—
5, Land Revenue (Reserved) 1143–96

Wednesday, the 14th March 1934.

Demands for Grants—
5, Land Revenue (Reserved) 1199–1258
6, Excise (Transferred) 1258
7, Stamps (Reserved) 1258
8, Forest (Transferred) 1258
Forest Capital Outlay (Transferred) 1258
9, Registration (Transferred) 1258
9A—Scheduled Taxes (Reserved) 1259
XIII, Deduct—Working Expenses, "15—Other Revenue expenditure financed from ordinary revenues" and "Refunds of Revenue" under the heads "XIII" and "XIV" 1259
19, Interest on Ordinary Debt (Reserved) 1259
22, General Administration—Except Heads of Provinces, Ministers .. 1259
22, General Administration, Heads of Provinces, Ministers 1259
24, Administration of Justice (Reserved) 1259
25, Jails and Convict Settlements (Reserved) 1259
26, Police (Reserved) 1259
27, Ports and Pilotage (Reserved) 1259
30, Scientific Departments (Transferred) 1259
31, Education (Reserved) 1259
31, Education (Transferred) 1259
32, Medical (Reserved) 1259
32, Medical (Transferred) 1260
33, Public Health (Transferred) 1260
Re: Gudi Padwa Holiday 1260–63

Thursday, the 15th March 1934.

New Members sworn 1266
Questions and Answers 1266–89
Rent Restriction Bill (Mr. R. R. Bakhale) 1289–1334

Friday, the 16th March 1934.

City of Bombay Municipal Act Amendment Bill (Mr. Syed Munawar) .. 1337
Wakf Bill (Mr. Syed Munawar) 1337
Prevention of Dedication of Devadasis Bill (Rao Bahadur S. K. Bole) 1337–56
District Municipal Act Amendment Bill (Rao Saheb P. D. Kulkarni) .. 1356
Prevention of Adulteration Act Amendment Bill (Mr. A. N. Surve) .. 1356
City of Bombay Municipal Act Amendment Bill (Dr. J. A. Collaco) .. 1357
City Municipalities Act Amendment Bill (Rao Saheb P. D. Kulkarni) .. 1357
Bill to regulate Money-lending Business (Mr. Syed Munawar) .. 1357
Bill to amend the Law of Adoption (Mr. H. R. Desai) 1357–58
Land Revenue Code Amendment Bill (Rao Bahadur L. V. Parulekar) .. 1358
City of Bombay Police Act Amendment Bill (Mr. A. N. Surve) .. 1359
Bill to remove certain disabilities and inconveniences of Depressed Classes (Mr. R. R. Bakhale) 1359
Land Revenue Code Amendment Bill (Mr. M. M. Karbhari) 1359
Address to H. E. the Governor regarding Reconstitution of Ministry .. 1360–90
Business of the House 1930

PAGES

Saturday, the 17th March 1934.

Election of non-Backward Class Members to Backward Class Board .. 1393
Election of representatives for Railway Advisory Committees .. 1393
Election of a member for the Finance Committee 1394
Maternity Benefit Act Amendment Bill 1394–1417
Statutory Motion regarding Pandharpur Municipal Election Rules .. 1417–28
Business of the House 1428

Monday, the 19th March 1934.

Questions and Answers 1431–47
City of Bombay Municipal Act Amendment (Cotton duty abolition) Bill .. 1447–72
Maternity Benefit Act Amendment Bill 1473
Borstal Schools Act Amendment Bill 1473–75
City of Bombay Municipal Act Amendment Bill 1476–78
Supplementary Grants—
Payment of gratuities to retrenched personnel 1478
Refund of stamp duty on a deed of exchange of stamps between the G. I. P. Railway and the Bombay Port Trust 1478
Additional funds required for Lloyd Barrage and Canals Construction Project 1478–79
Additional expenditure on Irrigation Works 1479–81

Tuesday, the 20th March 1934.

Questions and Answers 1484–95
Elections to Backward Class Board 1495–96, 1510
Elections to Railway Advisory Committees 1496–97, 1510
Elections to Finance Committee 1498, 1511
Primary Education Act Amendment Bill 1498–1507
City of Bombay Municipal Act Amendment Bill 1507–09

Thursday, the 22nd March 1934.

New Members sworn 1513
Questions and Answers 1514–59
Cerebro-Spinal Meningitis, Statement regarding 1559–60
Articles in *Pearson's Magazine* and *Bombay Samachar* attacking the Prophet of Islam 1560–61
Condolence resolution regarding late Sardar Sir Rustom Vakil, Kt. .. 1561–66
Resolution regarding Central Board for Primary and Secondary Education 1566–1608

Friday, the 23rd March 1934.

Short notice question regarding Hunger-strike of political prisoners in Yeravda Jail 1610–11
Resolution regarding Recruitment to Government Service 1611–46
Prorogation of the Council 1646

APPENDICES 1647–1732

AGENDA

Agenda for the First Session of the Bombay Legislative Council commencing at the Council Hall, Bombay, on Monday, the 19th February 1934, at 2 p.m.

I. OATH OR AFFIRMATION OF ALLEGIANCE TO THE CROWN.

II. NOMINATION OF FOUR CHAIRMEN BY THE PRESIDENT.

III. ADDRESS BY HIS EXCELLENCY THE GOVERNOR TO THE COUNCIL.

IV. QUESTIONS AND ANSWERS.

V. INTRODUCTION OF THE BUDGET FOR THE YEAR 1934-35.

VI. GENERAL DISCUSSION OF THE BUDGET.

VII. DEMANDS FOR GRANTS AND MOTIONS TO REDUCE OR OMIT BUDGET GRANTS.

VIII. DEMANDS FOR SUPPLEMENTARY GRANTS.

IX. GOVERNMENT BILLS—

(1) Bill No. XVI of 1933 (A Bill to amend the Bombay Maternity Benefit Act, 1929)—*Second and third readings.*

Notices* of amendments have been received from—

Mr. C. W. A. Turner, C.S.I., C.I.E., I.C.S., M.L.C.

Mr. R. R. Bakhale, M.L.C.

(2) Bill No. I of 1934 (A Bill further to amend the Bombay Borstal Schools Act, 1929)—*First, second and third readings.*

(3) Bill No. II of 1934 (A Bill further to amend the Bombay Finance Act, 1932)—*First, second and third readings.*

Notices* of amendments have been received from—

(1) Mr. J. Humphrey, O.B.E., M.L.C.
(2) Mr. J. B. Greaves, M.L.C.
(3) Mr. A. N. Surve, M.L.C.

(4) Bill No. III of 1934 (A Bill further to amend the Bombay Primary Education Act, 1923)—*First, second and third readings.*

X. GOVERNMENT MOTIONS—

Motion by the Honourable Dewan Bahadur S. T. Kambli, B.A., LL.B., M.L.C.

"That this House do proceed to elect three members of the Bombay Legislative Council from among the non-Backward Class members to represent general interests on the Backward Class Board after the expiry of the term of the present Board on March 31st, 1934."

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* *Note.—Vide* Appendix to the Agenda.

MO-II Bk Hb 140—1

Motion by the Honourable Sir Ghulam Hussain Hidayatallah, K.C.S.I.

"That this House proceed to elect a representative to serve on each of the Local Advisory Committees for the various Railways for the undermentioned periods, the appointments of the members at present sitting on the respective committees expiring on 1st March 1934.

Bombay, Baroda and Central India Railway.—For a period of two years from 2nd March 1934 partly on the present Advisory Committee and then on the new Advisory Committee which will be constituted on or about the 15th February 1935, or till the date of a fresh election during the first session of the next Legislative Council, whichever be earlier.

Great Indian Peninsula Railway.—For a period of two years from 2nd March 1934 partly on the present Advisory Committee and then on the new Advisory Committee which will be constituted on or about the 1st June 1934, or till the date of a fresh election during the first session of the next Legislative Council, whichever be earlier.

Madras and Southern Mahratta Railway.—For a period of two years from 2nd March 1934 partly on the present Advisory Committee and then on the new Advisory Committee which will be constituted on or about the 1st April 1934, or till the date of a fresh election during the first session of the next Legislative Council, whichever be earlier.

North-Western Railway.—For a period of two years from 2nd March 1934 partly on the present Advisory Committee and then on the new Advisory Committee which will be constituted on or about the 15th March 1935, or till the date of a fresh election during the first session of the next Legislative Council, whichever be earlier."

Motion by the Honourable Sir Ghulam Hussain Hidayatallah, K.C.S.I.

"That this House proceed to elect a member to sit on the Finance Committee elected in 1931 in the vacancy caused by the death of the late Mr. J. S. Kadri, formerly a member of the Bombay Legislative Council."

XI. STATUTORY MOTION—

From Rao Saheb P. D. Kulkarni, M.L.C. (adjourned at the last session).

"This Council resolves that the following amendments shall be incorporated in the rules published in the accompaniment to Government Resolution, General Department, No. 9634, dated 10th June 1933. After the word 'Government' occurring in the second line add 'possessing special qualifications in the administration of law and procedure of the municipal government and especially of election matters'. Substitute the words 'shall be the General Board of the municipality' for the words 'may consist of a single individual or more than one individual' occurring in the last but one line of Rule 9 (2).

Substitute the words 'Sub' for the word 'District' occurring in the first line of sub-rule (5) of Rule 9."

XII. NON-OFFICIAL BILLS—

(1) Bill No. IX of 1932 (A Bill further to amend the Bombay Prevention of Gambling Act, 1887)—*Second reading*—Mr. L. R. Gokhale, M.L.C.

(2) Bill No. XXIII of 1932 (A Bill further to amend the City of Bombay Municipal Act, 1888)—*First reading*—Rao Bahadur S. K. Bole, M.L.C.

(3) Bill No. XXIV of 1932 (A Bill further to amend the City of Bombay Municipal Act, 1888)—*First reading*—Rao Bahadur S. K. Bole, M.L.C.

(4) Bill No. XXV of 1932 (A Bill further to amend the Sind Incumbered Estates Act, 1896)—*First reading*—Mr. S. S. Tolani, M.L.C.

(5) Bill No. X of 1933 (A Bill to regulate the rents of premises in the Bombay Presidency)—*First reading*—Mr. R. R. Bakhale, M.L.C.

(6) Bill No. XII of 1933 (A Bill further to amend the City of Bombay Municipal Act, 1888)—*First reading*—Mr. Syed Munawar, M.L.C.

(7) Bill No. XXVI of 1933 (A Bill to provide for the regulation and control of certain Mussalman Charitable and Religious Endowments in the Bombay Presidency including Sind)—*First reading*—Mr. Syed Munawar, M.L.C.

Notice* of amendments has been received from Dr. M. K. Dixit, M.L.C.—

(8) Bill No. XXVII of 1933 (A Bill to prevent the dedication of women to service in Hindu temples in the Bombay Presidency)—*First reading*—Rao Bahadur S. K. Bole, M.L.C.

Notice* of amendments has been received from Dr. P. G. Solanki, M.L.C.—

(9) Bill No. XXVIII of 1933 (A Bill further to amend the Bombay District Municipal Act, 1901)—*First reading*—Rao Saheb P. D. Kulkarni, M.L.C.

(10) Bill No. XXIX of 1933 (A Bill to amend the Bombay Prevention of Adulteration Act, 1925)—*First reading*—Mr. A. N. Surve, M.L.C.

(11) Bill No. XXX of 1933 (A Bill further to amend the City of Bombay Municipal Act, 1888)—*First reading*—Dr. J. A. Collaço, M.L.C.

Notice* of amendments has been received from Dr. J. A. Collaco, M.L.C.—

(12) Bill No. XXXI of 1933 (A Bill further to amend the Bombay City Municipalities Act, 1925)—*First reading*—Rao Saheb P. D. Kulkarni, M.L.C.

(13) A Bill to regulate the Money Lending Business—*Motion for leave to introduce the Bill*—Mr. Syed Munawar, M.L.C.

(14) A Bill to amend the Law of Adoption—*Motion for leave to introduce the Bill*—Mr. H. R. Desai, M.L.C.

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* *Note.*—*Vide* Appendix to the Agenda.

(15) A Bill further to amend the Bombay Land Revenue Code, 1879—*Motion for leave to introduce the Bill*—Rao Bahadur L. V. Parulekar, M.L.C.

(16) A Bill further to amend the City of Bombay Police Act, 1902—*Motion for leave to introduce the Bill*—Mr. A. N. Surve, M.L.C.

(17) A Bill to remove certain disabilities and inconveniences of Depressed Classes—*Motion for leave to introduce the Bill*—Mr. R. R. Bakhale, M.L.C.

(18) A Bill further to amend the Bombay Land Revenue Code, 1879—*Motion for leave to introduce the Bill*—Mr. M. M. Karbhari, M.L.C.

XIII. MOTION UNDER STANDING ORDER XII, 6, TO PRESENT AN ADDRESS TO HIS EXCELLENCY THE GOVERNOR.

By Rao Bahadur G. K. Chitale, M.L.C.

"That the following humble address be presented to His Excellency the Governor of Bombay :—

May it please your Excellency,

We, the members of the Bombay Legislative Council, respectfully pray that your Excellency will be pleased to take early steps to reconstitute the Ministry in a manner which will be in consonance with the spirit of the Montagu-Chelmsford Reforms, in view of the fact that the appointments of the present Honourable Ministers to administer transferred subjects, having been made from a very small group of Council Members, are, in the opinion of this Council, not likely to carry weight and are not in the best interests of the Presidency, and also in view of the fact that the term of the present Council may last for more than two years."

XIV. DISCUSSION OF MATTERS OF GENERAL PUBLIC INTEREST—

Resolution by Mr. B. S. Kamat, M.L.C.

1. "This Council places on record its sense of deep regret at the sad death of the late Honourable Sardar Sir Rustom J. Vakil and its appreciation of his services to the Presidency as Minister for Local Self-Government which were characterised by conspicuous ability, industry and uprightness of mind."

RESOLUTIONS ADJOURNED AT THE LAST SESSION.

Resolutions by Rao Bahadur R. R. Kale, M.L.C.

1. "This Council recommends to Government to constitute a Central Board for primary and secondary education composed of representatives of the Bombay Government, school boards of local authorities, the University, Labour organisations and of educational bodies to advise the Minister of Education in preparing a well-considered scheme, after a thorough revision of the curricula in primary and secondary education,

to give effect to the principles and recommendations laid down and made in the Report of the Committee on Primary and Secondary Education in 1929."

2. "This Council recommends to Government to give early recognition to the Physical Culture Institute of the Maharashtra Mandal, Poona."

Resolution by Dr. P. G. Solanki, M.L.C.

1. "This Council recommends to Government that no recruitment should be made from the advanced and other communities whose quota of percentage is reached or is above the ratio laid down to any posts in the several departments of Government so long as suitable and deserving candidates from amongst the Intermediate, Backward and Depressed (scheduled caste) classes and Mahomedans possessing minimum requisite qualifications for such posts are not equally recruited and represented in all the departments in proportion to the percentage ratio laid down by Government for the recruitment of these classes and communities."

Resolution by Mr. A. N. Surve, M.L.C.

1. "This Council recommends to Government to take immediate steps to check the alarming growth in the gambling which is indulged in Bombay and other cities in the Presidency and which is popularly known as American Futures or Cotton Numbers."

Resolution by Mr. B. P. Wadke, M.L.C.

1. "This Council recommends to Government to take early and drastic steps to stop all kinds of gambling such as American Cotton Futures and sale of Goa lottery tickets as they worsen the economic condition of the people of the Presidency."

Resolution by Mr. L. R. Gokhale, M.L.C.

1. "This Council recommends to Government that a committee consisting of educationalists and other experts be immediately appointed to prepare a scheme for the early establishment of an affiliating and teaching university in Maharashtra providing, *inter alia*, for—

(*a*) research work;
(*b*) industrial, commercial and technical education;
(*c*) adult education;
(*d*) development of physical welfare; and
(*e*) development of Unani and Ayurvedic systems of medicine;

and to make a report within three months."

Resolution by Mr. G. S. Gangoli, M.L.C.

1. "This Council recommends to Government to reduce substantially, i.e., by 50 per cent., the land revenue in the district of Kanara."

Resolution by Rao Saheb P. D. Kulkarni, M.L.C.

1. "This Council recommends to Government the necessity and desirability of giving more comprehensive, direct, detailed and satisfactory answers to questions put by members than hitherto."

Resolution by Rao Bahadur R. S. Asavale, M.L.C.

1. "This Council recommends to Government that they should be pleased to take the following measures for giving immediate relief to the cultivators, viz.

(*a*) to remit one full year's *irrigation dues* to every irrigator out of his dues for 1930–31 or 1933–34;

(*b*) to suspend coercive processes for the recovery of *irrigation dues* at least till the end of the next financial year;

(*c*) to adopt, in consultation with the representatives of the irrigators on the Deccan Canals, a sliding scale of water-rate for sugarcane to be made applicable from the year 1930–31."

NEW RESOLUTIONS.

(Resolutions are arranged according to the order of priority as determined by ballot.)

Resolutions by Mr. V. N. Jog, M.L.C.

1. "This Council recommends to Government that they should take immediate steps to give relief to the agriculturists of the Presidency by granting them remission to the extent of 30 per cent. in the land revenue for the year 1933–34 and by reducing the assessment on land by 25 per cent. for the subsequent years."

2. "This Council recommends to Government that a sum of one crore be set apart for the year 1934–35, for granting small Tagavi loans to agriculturists, at a rate of interest not exceeding 4¼ per cent., repayable within ten years."

3. "This Council recommends that Government be pleased to appoint a committee consisting of official and non-official members, with a majority of the latter, to ascertain the extent of indebtedness of the agriculturists in the Bombay Presidency and to formulate a scheme within six months for the discharge of this liability."

Resolutions by Mr. Syed Munawar, M.L.C.

1. "This Council recommends to Government that they should immediately substitute, in place of the present system of giving by way of bonus one month's average pay to such of the employees in the Government Central Press as have not been absent for more than twenty days for any reason whatsoever during the course of a year, the system of granting leave with full average pay."

2. "This Council recommends to Government to abolish the second class enclosure in the Race course in Bombay."

Resolutions by Rao Bahadur R. S. Asavale, M.L.C.

1. "This Council recommends to Government to issue strict instructions to District Officials and through them to the village officers to bring on the electoral roll for the constituency concerned all persons whom they are bound by law or rules to bring on record and to see that those instructions are strictly carried out by the village officers."

2. "This Council recommends to Government that a mixed committee of officials and non-officials be appointed in each district to see—

(*a*) that all persons entitled to be enrolled as voters at the Bombay Legislative Council elections are properly brought on record by the village officers;

(*b*) that in the case of deceased persons the names of their heirs are properly entered;

(*c*) that the names of the voters are correctly written necessarily with their surnames; and

(*d*) that the proof of the Printing Press is properly scrutinised before the final lists are printed."

Resolution by Sir Shah Nawaz Bhutto, Kt., C.I.E., O.B.E., M.L.C.

1. "This Council recommends to Government to appoint a committee consisting of the following persons, viz.:—

1. Mr. H. Dow, I.C.S.,
2. Mr. W. J. Jenkins,
3. Sir Shah Nawaz Bhutto, Kt., C.I.E., O.B.E.,
4. Khan Bahadur M. S. Khuhro,
5. Syed Miran Mahomed Shah, and
6. Rao Bahadur Hiranand Khemsing

to enquire into the following matters, viz.:—

(*a*) the extent to which the prices of agricultural commodities have gone down in Sind as compared with those prevailing in 1914;

(*b*) the relief to which the zamindars in that province are entitled in respect of land revenue assessment, considering the rates of assessment prevailing in 1914;

(*c*) whether the zamindars are entitled to get remissions in land revenue;

(*d*) whether the rates charged by Government at present for Barrage lands are justifiable and warranted by the present economic condition of the province;

(*e*) whether the instalments fixed for the payment of the price of the Barrage lands require to be lowered; and

(*f*) whether the period for the payment of the full instalments requires to be increased,

and to suggest means and measures for the improvement of the economic condition of the zamindars in Sind."

Resolutions by Mr. J. B. Petit, M.L.C.

1. "This Council recommends to the Government to take immediate steps to ensure that all parts and sections of the Frere Hall Library at Mahableshwar which is vested in them, are kept open for the use of all members of the Library, if necessary even by cancelling the arrangements now existing between the Government and the Club authorities for the maintenance of the Library on certain onerous terms."

2. "This Council recommends to the Government to introduce at the earliest possible moment, preferably during the next session, a comprehensive 'State-Aid to Industries' Bill in the interests of the industrial development of the presidency."

Resolution by Rao Bahadur G. V. Pradhan, M.L.C.

1. "This Council recommends to Government that they should be pleased to suspend the recovery of land revenue in those districts in which the crops have been damaged by the recent frost."

Resolution by Dr. V. G. Vaishampayan, M.L.C.

1. "This Council recommends to Government to appoint a committee consisting of five members of this Council, with power to co-opt, to enquire into the economic distress of the agriculturists in the presidency caused by the abnormal fall in the prices of all agricultural commodities and to suggest means and measures for the amelioration of their present economic condition."

Resolutions by Mr. S. S. Tolani, M.L.C.

1. "This Council recommends to Government that they should be pleased to grant remission to the agriculturists in the current year's land revenue to the extent of 33 per cent. in Sind and 25 per cent. in the Presidency proper."

2. "This Council recommends to Government that the entertainment tax levied under the Bombay Entertainments Duty Act, 1923, in the towns having a population of less than 25,000 be cancelled."

Resolution by Rao Bahadur R. R. Kale, M.L.C.

1. "This Council recommends to Government that they should take immediate steps to give relief to the agriculturists of the Presidency by granting them remissions in the land revenue."

Resolutions by Rao Bahadur N. E. Navle, M.L.C.

1. (As No. 1 of Rao Bahadur R. S. Asavale.)

2. (As No. 2 of Rao Bahadur R. S. Asavale.)

3. "This Council recommends to Government that early steps should be taken to establish a Civil Court for the city of Bombay, having jurisdiction to try suits of a civil nature, valued up to Rs. 10,000, to secure cheap and speedy justice to the citizens and adequate revenue to Government by way of court fees."

Resolutions by Mr. B. P. Wadke, M.L.C.

1. (As No. 1 of Rao Bahadur R. S. Asavale.)

2. "This Council recommends to Government that a mixed committee of officials and non-officials be appointed in each district including Bombay City to see—

(*a*) that all persons entitled to be enrolled as voters at the Bombay Legislative Council elections are properly brought on record by the village officers;

(*b*) that in the case of deceased persons the names of their heirs are properly entered;

(*c*) that the names of the voters are correctly written necessarily with their surnames; and

(*d*) that the proof of the Printing Press is properly scrutinised before the final lists are printed."

Resolution by Khan Bahadur M. A. Khuhro, M.L.C.

1. "This Council recommends to Government to appoint a committee consisting of the following persons, viz.:—

1. Mr. G. F. S. Collins, I.C.S.,
2. Mr. W. J. Jenkins,
3. Khan Bahadur Allahbux, O.B.E., M.L.C.,
4. Mir Bundeh Ali Khan, M.L.C.,
5. Syed Miran Mahomed Shah, M.L.C.,
6. Rao Bahadur Hiranand Khemsingh,
7. Khan Bahadur M. A. Khuhro, M.L.C.,
8. Mr. S. S. Tolani, M.L.C.

to enquire into the following matters, viz.:—

(*a*) the extent to which the prices of agricultural commodities have gone down in Sind as compared with those prevailing in 1914;

(*b*) the relief to which the zamindars in that province are entitled in respect of land revenue assessment, considering the rates of assessment prevailing in 1914;

(*c*) whether the zamindars are entitled to get remissions in land revenue;

(*d*) whether the rates charged by Government at present for Barrage lands are justifiable and warranted by the present economic condition of the province;

(*e*) whether the instalments fixed for the payment of the price of the Barrage lands require to be lowered;

(*f*) whether the period for the payment of the full instalments requires to be increased; and

(*g*) whether, and if so, by how much, the rate of interest charged to the purchasers of Government lands requires to be lowered considering the rate of interest allowed by the banks,

and to suggest means and measures for the improvement of the economic condition of the zamindars in Sind."

Resolutions by Rao Bahadur R. V. Vandekar, M.L.C.

1. (As No. 1 of Rao Bahadur R. S. Asavale.)

2. (As No. 2 of Rao Bahadur R. S. Asavale.)

3. (As No. 1 of Rao Bahadur G. V. Pradhan.)

4. "This Council recommends to Government that a committee consisting of official and non-official members of this Council and other experts, with a non-official majority, be appointed to make enquiry into the economic condition of the agriculturists of this presidency and to suggest measures for the development of both agriculture and industry."

5. "This Council recommends to Government to appoint a committee consisting of officials and non-officials, with a non-official majority, to enquire into the management of the Devasthan Dharmada properties and the use to which they are put and to suggest means and measures to make the occupants and possessors use the properties in the interests of the Devasthan for which they are assigned."

6. "This Council recommends to Government that they should be pleased to grant remission to the extent of thirty per cent. in the land revenue to the agriculturists of the presidency."

7. "This Council recommends to Government that the dates for the payment of land revenue in the various talukas of the presidency be postponed by one month so long as there is world wide depression."

Resolutions by Mr. J. G. More, M.L.C.

1. "This Council recommends to Government that they should be pleased to grant remission of all the past arrears of land revenue as well as a remission of 25 per cent. in the current year's land revenue to the agriculturists of the Presidency."

2. "This Council recommends to Government that they should be pleased to grant remission of all the past arrears of water cess to the agriculturists of the Presidency."

Resolutions by Mr. G. M. Kalbhor, M.L.C.

1. "This Council recommends to Government that they should be pleased to grant relief to the agriculturists of the Presidency by—

(*a*) giving remission of at least 12½ per cent. in the land revenue for the year 1933-34; and

(*b*) revising the land revenue assessment so as to make it suitable for the present conditions."

(As No. 1 of Rao Bahadur R. S. Asavale.)

Resolution by Mr. J. W. Bhurgri, M.L.C.

1. "This Council recommends to Government to appoint a committee consisting of the following persons, viz. :—

1. Mr. H. Dow, I.C.S.,
2. Mr. W. J. Jenkins,
3. Sir Shah Nawaz Bhutto, Kt., C.I.E., O.B.E.
4. Khan Bahadur M. A. Khuhro, M.L.C.,
5. Syed Miran Mahomed Shah, M.L.C.,
6. Rao Bahadur Hiranand Khemsing

to enquire into the following matters, viz. :—

(*a*) the extent to which the prices of agricultural commodities have gone down in Sind as compared with those prevailing in 1914;

(*b*) the relief to which the zamindars in that province are entitled in respect of land revenue assessment, considering the rates of assessment prevailing in 1914;

(*c*) whether the zamindars are entitled to get remissions in land revenue;

(*d*) whether the rates charged by Government at present for barrage lands are justifiable and warranted by the present economic condition of the province;

(*e*) whether the instalments fixed for the payment of the price of the barrage lands require to be lowered;

(*f*) whether the period for the payment of the full instalments requires to be increased; and

(*g*) whether, and if so, by how much, the rate of interest charged to the purchasers of Government lands requires to be lowered, considering the rate of interest allowed by the banks,

and to suggest means and measures for the improvement of the economic condition of the zamindars in Sind."

Resolutions by Mr. R. R. Bakhale, M.L.C.

1. "This Council recommends to Government to appoint, as soon as possible, a committee with adequate labour representation thereon, to suggest ways and means to secure the transfer of the textile industry, particularly in the city of Bombay, to the State and to make recommendations for its improvements."

2. "This Council recommends to Government that they should take immediate steps to protect the industrial workers in the Bombay Presidency against increasing unemployment and reduction of wages."

Resolutions by Mr. Shankarrao Jayaramrao Zunzarrao, M.L.C.

1. (As No. 1 of Rao Bahadur R. S. Asavale.)
2. (As No. 2 of Rao Bahadur R. S. Asavale.)

Resolutions by Dr. M. K. Dixit, M.L.C.

1. "This Council recommends to Government that the tax imposed by them for the purpose of defraying the cost of the additional police employed in Kanara should be remitted."

2. "This Council recommends to Government that the tax imposed by them for the purpose of defraying the cost of the additional police employed in Kanara be recovered in five yearly instalments, that a liberal policy be pursued in the recovery of the same and that no arrests of persons or forfeitures of lands and houses be resorted to to recover the same."

Resolutions by Mr. V. A. Surve, M.L.C.

1. "This Council recommends to Government that the Coronation Day of Shri Shivaji Maharaj, the Founder of the Mahratta Empire, be declared a public holiday in the Bombay Presidency."

2. "This Council recommends to Government that primary education should be made compulsory in the case of the Kunbi caste and the Depressed classes of the Ratnagiri District."

Resolutions by Dr. P. G. Solanki, M.L.C.

1. (As No. 1 of Rao Bahadur R. S. Asavale.)

2. (As No. 2 of Rao Bahadur R. S. Asavale.)

Resolution by Khan Bahadur Sher Muhammad Khan Bijarani, M.L.C.

1. (As No. 1 of Mr. J. W. Bhurgri.)

Resolutions by Mr. A. N. Surve, M.L.C.

1. "This Council recommends to Government to take immediate steps to introduce legislation on the Khoti tenure in the Kolaba and Ratnagiri districts for the purpose of giving relief to the tenants by removing the grievances under which they suffer harassment at the hands of the Khots."

2. "This Council recommends to Government to appoint an advisory committee, similar to the Railway Advisory Committees, to look after the safety, comfort and convenience of passengers travelling by ferry steamers on the western coast of the Presidency."

Resolution by Dewan Bahadur D. R. Patil, M.L.C.

1. "This Council recommends to Government to introduce, as early as possible, a Bill further to amend section 107 of the Bombay Land Revenue Code in the interests of agriculturists on account of the abnormal fall in the prices of agricultural products."

Resolutions by Mr. G. S. Gangoli, M.L.C.

1. "This Council recommends to Government to suspend the operation of the Bombay Special (Emergency) Powers Act, 1932, immediately."

2. (As No. 1 of Dr. M. K. Dixit.)

3. (As No. 2 of Dr. M. K. Dixit.)

Resolution by Mr. N. N. Patil, M.L.C.

1. "This Council recommends to Government that a remission of 50 per cent. in the land revenue should be granted in those talukas of the Kolaba District in which the second revision settlement has been introduced and a remission of 33 per cent. in the land revenue should be granted in those talukas in which the second revision settlement has not been introduced so far."

Resolution by Sardar Rao Bahadur B. R. Naik, M.L.C.

1. "This Council recommends to Government that they should take immediate steps to give relief to the agriculturists of the Presidency by revising the land revenue assessment and granting a flat rate remission of at least 12½ per cent. in the land revenue pending revision of the assessment."

Resolution by Mr. H. R. Desai, M.L.C.

1. "This Council recommends to Government that they should be pleased to grant substantial relief to the agriculturists of the presidency by—

(*a*) giving remission to the extent of 30 per cent. in the current year's land revenue;

(*b*) not collecting this year the suspended revenue of past years;

(*c*) reducing the rate of interest on tagavi loans to 5 per cent. from the beginning of this financial year;

(*d*) the liberal grant of tagavi loans during this year at a rate of interest not exceeding 5 per cent.; and

(*e*) taking effective steps to see that the lands of agriculturists are not sold this year in satisfaction of any debts which may be due either to the sowcars or to the co-operative societies."

Resolutions by Rao Bahadur S. K. Bole, M.L.C.

1. (As No. 1 of Rao Bahadur R. S. Asavale.)

2. (As No. 2 of Rao Bahadur R. S. Asavale.)

3. "This Council recommends to Government to establish birth control clinics in the Government hospitals and dispensaries."

4. "This Council recommends to Government to appoint a committee consisting of officials and non-officials to enquire into the condition of the cottage industries in the Presidency and to suggest measures for their development."

5. "This Council recommends to Government to issue orders to the managers or trustees of the temples that are endowed with Government lands or are receiving cash payments from Government to submit accounts of the income and expenditure of the temples in their charge annually to Government."

6. "This Council recommends to Government to take measures themselves or to invest the Bombay Municipality with powers to control the working of the lifts in the city of Bombay in order to avoid accidents taking place in future."

7. "This Council recommends to Government to direct the select committees, appointed to recommend candidates, for Government service in any department, to make their recommendations in two panels, one from the advanced class candidates and the other from the Intermediate and Backward class candidates."

Resolution by Mr. L. R. Gokhale, M.L.C.

1. "This Council recommends to Government that remission from 10 to 50 per cent. be given according to the prevailing conditions and prices of commodities in the various districts."

Resolutions by Rao Saheb V. S. Patil, M.L.C.

1. (As No. 1 of Rao Bahadur R. S. Asavale.)
2. (As No. 2 of Rao Bahadur R. S. Asavale.)

Resolutions by Rao Saheb P. D. Kulkarni, M.L.C.

1. "This Council recommends to Government that they should grant remission of 50 per cent. in the land revenue payable to Government by the agriculturists of this Presidency for the current revenue year."

2. "This Council recommends to Government that in future suspensions of land revenue payable to Government should be granted on the following lines :—

(*a*) when the fall in the prices of agricultural products is 50 per cent., the whole of the land revenue payable to Government should be suspended ;

(*b*) when the fall in the prices of agricultural products is 33 per cent., half the land revenue payable should be suspended ; and

(*c*) when the fall in the prices of agricultural products is less than 20 per cent., then no suspensions should be granted at all."

3. "This Council recommends to Government that in arriving at the anevari of crops in each village, the opinion of the village panchayat wherever it exists and at other places of the local panchayat of each village specially elected by the local boards and the local municipalities, should be called for and taken into consideration."

4. "This Council recommends to Government that the lands earmarked for acquisition or amalgamation in the forests situated within the demarcation line in the Satara, Poona and Ahmednagar Districts be allowed to be used by their owners, without any restrictions, as ordinary owners of the lands, or without any curtailment of their right of ownership."

5. "This Council recommends to Government that the royalty trees standing on the *malki* lands within the demarcation line in the Satara, Poona and Ahmednagar districts should be given free to the occupants of the *malki* lands."

6. "This Council recommends to Government that the dates fixed for the payments of instalments of land revenue payable in respect of lands assessed for purposes of agriculture only be changed to 1st March for the first instalment and 1st April for the second instalment in the case of villages placed under class I and to 1st April and 1st May respectively in the case of II and III class villages."

7. "This Council recommends to Government—

(1) to issue instructions to local officers, who are concerned with the maintenance of correct weights and measures,

(*a*) not to allow the merchants to sell potatoes without using spring balances,

(*b*) not to allow the merchants to hold the sales of potatoes without first making known the settled rates to the parties concerned, and

(*c*) not to allow an unregistered broker to deal in wholesale sales of potatoes; and

(2) to appoint a committee of officials and non-officials, having a non-official majority, to see that the above instructions are properly carried out in areas where potato sales are effected."

Resolution by Mr. Ghulam Hyder Shah, M.L.C.

1. (As No. 1 of Mr. J. W. Bhurgri.)

Resolutions by Mr. Namdeorao Budhajirao, M.L.C.

1. (As No. 1 of Rao Bahadur R. S. Asavale.)

2. (As No. 2 of Rao Bahadur R. S. Asavale.)

XIII. PAPERS* PRESENTED TO THE COUNCIL—

1. Report of the Select Committee on Bill No. XVI of 1933 (A Bill to amend the Bombay Maternity Benefit Act, 1929).

2. The following rules are placed on the Council table in accordance with section 221 of the Bombay Municipal Boroughs Act, 1925:—

(*i*) A copy of the new Election Rule No. 14A of the Ahmedabad Municipality.

* Kept in Secretary's office.

(*ii*) Revised Election Rules Nos. 2, 6, 10 (1), 13 (2), 14 (1), 22, 23 (1), 24, 26, 27, 28, 31, 33, 34, 36, 37, 38, 39, 40 and Appendices A, B and C and the new Rule 38 (A) of the Ahmedabad Municipality.

(*iii*) Election Rules of the Nasik Municipality.

(*iv*) A copy of the rule made by the Government of Bombay under section 184 (4) of the Bombay Municipal Boroughs Act, 1925, in connection with the Municipality of Hubli.

(*v*) Revised Election Rule 45 of the Poona City Municipality.

3. A copy of Government Notification, Home Department, No. 8171/2, dated the 9th January 1934, containing amendments to the Bombay Children Rules, 1926—(Placed on the Council Table in accordance with section 52 (4) of the Bombay Children Act, 1924.)

4. Report of the Select Committee on Bill No. IX of 1932 (A Bill further to amend the Bombay Prevention of Gambling Act, 1887).

5. A Statement together with notes explaining the excesses in the non-voted provisions sanctioned by Government during 1933-34.

G. S. RAJADHYAKSHA,
Secretary to the Legislative Council
of the Governor of Bombay.

BOMBAY:
19th February 1934.

APPENDIX TO AGENDA.

(*Government Bills.*)

AMENDMENTS TO BILLS.

Bill No. XVI of 1933 (*A Bill to amend the Bombay Maternity Benefit Act,* 1929) *as amended by the Select Committee.*

Clauses.	Amendments.	Name of the Mover.
After Clause 1 of Bom. VII of 1929.	1. (1) After clause 1 insert the following as clause 2 :— "2. After clause (*c*) of section 3 of the Bombay Maternity Benefit Act, 1929, hereinafter called the said Act, the following shall, be inserted, namely :— Amendment of Section 3 of Bom. VII of 1929. (*d*) 'wages' includes the money value of any earned grain concession, and any money paid to cover high cost of living but does not include a bonus given for regular attendance." (2) Re-number existing clauses 2 to 6 as clauses 3 to 7, respectively.	Mr. C. W. A. Turner, C.S.I., C.I.E., I.C.S.
Clause 3 (as re-numbered).	2. In clause 3 so re-numbered— (*i*) delete the words and figures "the Bombay Maternity Benefit Act, 1929, hereinafter called"; (*ii*) insert the following as clause (*a*) :— "(*a*) in sub-section (1), after the word 'day' the words, figures and brackets 'in the cities of Bombay, Ahmedabad and Karachi, and elsewhere at the rate of her average daily wage calculated to the nearest quarter of an anna on the total wages earned during a period of three months immediately preceding the date on which she gives notice under sub-section (1) of section 6, or at the rate of eight annas a day, whichever is less' shall be inserted :" (*iii*) re-letter existing clauses (*a*) and (*b*) as clauses (*b*) and (*c*), respectively.	Mr. C. W. A. Turner, C.S.I., C.I.E., I.C.S.
Clause 3 (as numbered by the Select Committee).	In new sub-section (3) under clause 3, the words "and in accordance with her wishes" shall be inserted after the words "entitled thereto".	Mr. R. R. Bakhale.
Clause 3 (as numbered by the Select Committee).	In the proviso to new sub-section (3) under clause 3, for the word "six" the word "twelve" shall be substituted.	Mr. R. R. Bakhale.
Clause 7 (re-numbered).	3. In clause 7, so re-numbered, for the figures and word "2 and 3" substitute the figures and word "2, 3 and 4".	Mr. C. W. A. Turner, C.S.I., C.I.E., I.C.S.

AMENDMENTS TO AMENDMENTS TO BILLS.

Bill No. XVI of 1933 (*A Bill to amend the Bombay Maternity Benefit Act,* 1929) *as amended by the Select Committee.*

Notice of the following amendments to the amendments tabled by Mr. C. W. A. Turner, C.S.I., C.I.E., I.C.S., M.L.C., has been received from Mr. R. R. Bakhale, M.L.C. :—

1. In Amendment No. 1, clause 2, to be inserted, under (*d*), the words "and any deductions or payments made in respect of fines" shall be added after the words "regular attendance".

2. In amendment No. 2, for sub-clause (*a*) of re-numbered clause 3, substitute the following :—

"(*a*) in sub-section (1)—

(*i*) the words "at the rate of eight annas a day" shall be omitted ;

(*ii*) a comma shall be substituted for the colon at the end of the word and figure "sub-section (2)" and the following words, figures and brackets shall be added thereafter :—

"at the rate of—

(*i*) her average daily wage with a minimum of eight annas a day in the cities of Bombay, Ahmedabad and Karachi, and

(*ii*) elsewhere, her average daily wage or eight annas a day whichever is less.

The average daily wage shall be calculated, without any reference to any deductions or payments made in respect of fines, to the nearest quarter of an anna on the total wages earned during a period of three months preceding the date on which she gives notice under sub-section (1) of section 6 ,"

3. Omit amendment No. 3.

AMENDMENTS TO BILLS.

Bill No. II of 1934 (*A Bill further to amend the Bombay Finance Act,* 1932.)

Clauses.	Amendments.	Name of the Mover.
Clause 2 ..	(1) Add the following words at the end of clause 2 :— , "subject to the following changes". (A) In Part II—Electricity Duty. Second Schedule—Exemptions No. 7 and in Explanation (2) (*a*) and (*b*) substitute the word "twenty" for "twelve".	Mr. A. N. Surve.

Clauses.	Amendments.	Name of the Mover.
	(B) In Part III—Court Fees. In Schedule I—*Ad valorem* Fees—appended to section 13. Column—Proper Fee. "Reduce by 50 per cent. the amount increased over the original fee".	
	(C) In Part IV. Stamp Duties. In Schedule—Column 3. "Reduce by 50 per cent. the amount increased over the original fee".	
New Clause 3 ..	Add a new clause 3 to Bill No. II of 1934 as follows, namely :— "3. The whole of Part II of the Bombay Finance Act of 1932, relating to the Electricity Duty shall be deleted and the remaining sections 12 to 19 shall be re-numbered as sections 3 to 10."	Mr. J. Humphrey, O.B.E.
New Clause 3 ..	Add a new clause 3 to Bill No. II of 1934 as follows, namely :— "3. The whole of Part II of the Bombay Finance Act of 1932, relating to the Electricity Duty shall be deleted and the remaining sections 12 to 19 shall be re-numbered as sections 3 to 10."	Mr. J. B. Greaves.
New Clause 3 ..	Add a new clause 3 to Bill No. II of 1934 as follows, namely :— "3. In clause (*a*) to explanation (2)—for the purpose of exemption (7)—in the the Second Schedule of Part II of Bombay Act No. II of 1932 delete the words 'one or two roomed' before the word 'tenements' in line 3."	Mr. H. M. Rahimtoola.
New Clause 4 ..	Add a new clause 4 to Bill No. II of 1934 as follows, namely :— "4. In clause (*a*) to explanation (2)—for the purpose of exemption (7)—in the Second Schedule of Part II of Bombay Act No. II of 1932 after the word 'tenements' in line 3 add the words 'whether used for residence or any other purpose'."	Mr. H. M. Rahimtoola.
New Clause 5 ..	Add a new clause 5 to Bill No. II of 1934 as follows, namely :— "5. In the Second Schedule of Part II of Bombay Act No. II of 1932, after clause (*b*) to explanation (2)—for the purpose of exemption (7)—add the following clause (*c*) :— '(*c*) For the purpose of determining the number of units used by or in respect of any one tenement, the number of units used by the lights in the passages or open spaces, and in or near the staircases, latrines and washing places in or relating to the building shall be considered as used in respect of the tenements in that building'."	Mr. H. M. Rahimtoola.

AMENDMENTS TO BILLS.

Bill No. XXVI of 1933 (*A Bill to provide for the regulation and control of certain Mussalman Charitable and Religious Endowments in the Bombay Presidency including Sind.*)

Clauses.	Amendments.	Name of the Mover.
Clause 4 ..	Section 4, sub-clause (1). Omit (*a*) and (*b*) and substitute "a President and not less than two and not more than four members, who shall be persons who are qualified to be elected under the law for the time being in force as members of the Bombay Legislative Council".	Dr. M. K. Dixit.
Clause 4 ..	Section 4, sub-clause (2). Omit lines 3 and 4.	Dr. M. K. Dixit.
Clause 4 ..	Section 4, sub-clause (3). In the second line, instead of "twelve" substitute "six".	Dr. M. K. Dixit.
Clause 8 ..	Section 8. Omit the words "on such resignation being accepted".	Dr. M. K. Dixit.
Clause 10 ..	Section 10. Omit first three lines and substitute: "The President or any member of the Board shall cease to hold office who".	Dr. M. K. Dixit.
Clause 10 ..	Section 10. Omit sub-clause (5) ..	Dr. M. K. Dixit.
Clause 11 ..	Section 11 (5). Omit the words "Local Government" and substitute the word "board".	Dr. M. K. Dixit.
Clause 16A ..	Section 16A. Omit from "by sections" in the second line to "this Act" in the fifth line.	Dr. M. K. Dixit.
Clause 21 ..	Section 21. In the line 8, after the word "and" add "if he consents to such alteration or modification".	Dr. M. K. Dixit.
Clause 33 ..	Section 33. In the first proviso, omit the words "as far as possible".	Dr. M. K. Dixit.

AMENDMENTS TO BILLS.

Bill No. XXVII of 1933 (*A Bill to prevent the dedication of women to service in Hindu temples in the Bombay Presidency.*)

Clauses.	Amendments.	Name of the Mover.
Clause 2 ..	Add in Section 2 (*a*) after the word 'temple' 'and shall include a woman dedicated by any form of ceremony performed anywhere outside a Hindu temple to a life of prostitution such as Baswis, Jogtis, Sulis or Murlis among the untouchable classes'.	Dr. P. G. Solanki.
Clause 3 ..	Delete in Section 3 'in a Hindu temple' in last line but-one.	Dr. P. G. Solanki.

AMENDMENTS TO BILLS.

Bill No. XXX of 1933 (*A Bill further to amend the City of Bombay Municipal Act*, 1888.)

Clauses.	Amendments.	Name of the Mover.
Clause 2 (*i*) ..	For sub-clause (*i*) of Clause 2 substitute the following :— "On or about the first day of April 1934, a Schools Committee of 16 members shall be appointed in place of the existing Schools Committee and thereafter as provided in sub-section (1-A) for the purpose of giving effect to the provisions as to primary education hereinafter enacted. Of the 16 members 12 members shall be Councillors elected by the Corporation and 4 shall be Councillors appointed by Government."	Dr. J. A. Collaco.
Clause 2 (*vi*) ..	Add after sub-cause (*vi*) the following :— "Sub-section 3 (*c*) be re-lettered as sub-section 3 (*b*)."	Dr. J. A. Collaco.
Clause 2 (*vii*) ..	Add at the end of sub-clause (*vii*) the following :— "and the sub-section be re-lettered as sub-section 3 (*c*)".	Dr. J. A. Collaco.
Clause 2 (*ix*) ..	In sub-clause (*ix*) insert the following words between the figure "4 (*a*)" and the word "the" "after the word 'appointment' the words 'after each general election' shall be added and that".	Dr. J. A. Collaco.

Monday, the 19th February 1934.

The Council met at the Council Hall, Bombay, on Monday, the 19th February 1934, at 2 p.m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present:

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ADVANI, Mr. P. B.
AMBEDKAR, Dr. B. R.
ASAVALE, Rao Bahadur R. S.
BAKHALE, Mr. R. R.
BANGI, Mr. A. K. J.
BELL, the Honourable Mr. R. D.
BOLE, Rao Bahadur S. K.
CHIKODI, Mr. P. R.
CHITALE, Rao Bahadur G. K.
CLEE, Mr. C. B. B.
COLLACO, Dr. J. A.
COOPER, the Honourable Khan Bahadur D. B.
COVERNTON, Mr. S. H.
DAVIS, Mr. G.
DESAI, Rao Saheb B. G.
DESAI, Mr. S. B.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
D'SOUZA, Dr. J. ALBAN
EWBANK, Mr. R. B.
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GARRETT, Mr. J. H.
GAZDAR, Mr. MAHOMED HASHIM
GHULAM HUSSAIN, the Honourable Sir
GILDER, Dr. M. D.
GOKHALE, Mr. L. R.
GOVER RORA, Mr.
GREAVES, Mr. J. B.
HUMPHREY, Mr. JOHN
JITEKAR, Mr. HAJI IBRAHIM
JONES, Major W. ELLIS
KALBHOR, Mr. G. M.
KALE, Rao Bahadur R. R.
KAMAT, Mr. B. S.
KAMBLI, the Honourable Dewan Bahadur S. T.
KARBHARI, Mr. M. M.
KENNEDY, Mr. T. S.
KULKARNI, Rao Saheb P. D.

Lane, Mr. C. M.
Lely, Mr. W. G.
Mackie, Mr. A. W. W.
Matcheswalla, Mr. G. E.
Maxwell, Mr. R. M.
Meherbaksh, Khan Bahadur S.
Mehta, Mr. M. H.
Mitha, Mr. Mahomed Suleman Cassum
Modak, Rev. R. S.
Modi, Sardar Davar T. K.
More, Mr. J. G.
Naik, Sardar Rao Bahadur B. R.
Namdeorao Budhajirao, Mr.
Navle, Rao Bahadur N. E.
Owen, Mr. A. C.
Parulekar, Rao Bahadur L. V.
Patel, Khan Bahadur A. E.
Patel, Mr. Bhailal Sarabhai
Patel, Mr. C. N.
Patel, Khan Bahadur Vali Baksh A.
Patil, Dewan Bahadur D. R.
Patil, Mr. N. N.
Patil, Mr. V. N.
Patil, Rao Saheb V. S.
Petit, Mr. J. B.
Pradhan, Rao Bahadur G. V.
Prater, Mr. S. H.
Rahimtoola, Mr. Hoosenally M.
Roose, Mr. F. O. J.
Servai, Mr. A. E.
Shaikh Abdul Aziz, Mr.
Shaikh Abdul Majid, Mr.
Shankarrao Jayaramrao Zunzarrao, Mr.
Shinde, Mr. R. B.
Sindha, Mr. Madhavsang Jorbhai
Smart, Mr. W. W.
Solanki, Dr. P. G.
Surve, Mr. A. N.
Surve, Mr. V. A.
Syed Munawar, Mr.
Thakor of Kerwada, Sardar Bhasaheb Raisinhji
Turner, Mr. C. W. A.
Vaishampayan, Dr. V. G.
Vakil, Mr. Pestanshah N.
Vandekar, Rao Bahadur R. V.
Wadke, Mr. B. P.

NEW MEMBERS SWORN.

The following members made the prescribed oath or affirmation of allegiance to His Majesty the King-Emperor, and took their seats in the Council :—

1. Khan Bahadur Vali Baksh Adam Patel,
2. Mr. J. B. Greaves,
3. Mr. Bhailal Sarabhai Patel,
4. Mr. F. O. J. Roose,
5. Mr. C. G. Freke, I.C.S.,
6. Mr. S. H. Covernton, I.C.S.,
7. Mr. J. H. Garrett, C.S.I., I.C.S.,
8. Mr. A. W. W. Mackie, C.I.E., I.C.S.,
9. Mr. P. B. Advani,
10. Mr. A. E. Servai, I.S.O.

NOMINATION OF CHAIRMEN OF COUNCIL.

The Honourable the PRESIDENT : Order, order. I have now to announce the panel of Chairmen for the session. I nominate the honourable members—

1. Rao Bahadur R. R. Kale,
2. Dr. M. D. Gilder,
3. Mr. Hoosenally M. Rahimtoola,
4. Mr. W. G. Lely,

as Chairmen for the session.

GOVERNOR-GENERAL'S ASSENT TO ACTS.

The Honourable the PRESIDENT : The following Acts have received the assent of His Excellency the Governor-General since the close of the last session :—

(1) An Act further to amend the Bombay District Police Act, 1890.

(2) An Act to amend the Bombay Co-operative Societies Act, 1925.

(3) An Act further to amend the Karachi Port Trust Act, 1886.

(4) An Act to amend the law relating to the punishment of Whipping in the City of Bombay.

(5) An Act further to amend the Bombay Children Act, 1924.

(6) An Act to amend the Bombay Port Trust Act, 1879.

(7) An Act further to amend the City of Bombay Municipal Act, 1888, with a view to transfer the powers and duties of the Trustees for the Improvement of the City of Bombay to, and to vest the property and rights vested in the said Trustees in, the Municipal Corporation of the City of Bombay on the dissolution of the Board of the said Trustees.

(8) An Act further to amend the Tobacco Duty (Town of Bombay) Act, 1857.

(9) An Act further to amend the Bombay Irrigation Act, 1879.

(10) An Act further to amend the Bombay Local Boards Act, 1923.

(11) An Act to consolidate and amend the law relating to the municipal Government of the City of Karachi.

(12) An Act further to amend the Indian Registration Act, 1908, in its application to the Presidency of Bombay.

(13) An Act further to amend the Prince of Wales Museum Act, 1909.

(14) An Act to amend the Presidency-towns Insolvency Act, 1909, in its application to the Presidency town of Bombay.

(15) An Act further to amend the City of Bombay Police Act, 1902, and the Bombay District Police Act, 1890.

(16) An Act to provide for the Improvement of live-stock.

REPLY OF THE LATE MR. J. S. KADRI'S BROTHER TO REFERENCE MADE IN COUNCIL.

The Honourable the PRESIDENT : I shall now read the reply which has been received from Sardar Khan Bahadur Syed Shamsuddin Kadri, the brother of the late Mr. J. S. Kadri :—

"I have the honour to acknowledge the receipt of your letter No. 839, dated the 15th September 1933, conveying to me and my family the sympathy of the Bombay Legislative Council in our bereavement caused by the sad death of my brother Mr. Syed Jalaluddin Kadri, and enclosing a copy of the reference made by the Honourable the President.

I request that you will be so good as to convey to the Honourable House my heartfelt thanks for their sympathy in our sad bereavement."

BUSINESS OF THE HOUSE.

The Honourable the PRESIDENT : Now, the House knows that His Excellency is going to address the House. The honourable members are aware that he would arrive here at 25 minutes past two, and I would adjourn the House at 20 minutes past two and await his arrival. Presuming that His Excellency leaves at 3 o'clock, the question arises as to how to proceed after that. I propose, subject to any suggestions from the Honourable the Leader of the House, that the question list may be proceeded with and after that the budget may be presented if the Honourable the Leader is agreeable, after which the House may adjourn. I think we might be able to finish the whole work before tea-time, and the House may adjourn for the day after that, unless the Honourable the Leader wishes to take up any work after tea-time.

The Honourable Sir GHULAM HUSSAIN : I agree to the course proposed just now by you. After His Excellency leaves, we might finish the question list if any questions are left ; then I will proceed with my Budget Speech, and then the House might be adjourned.

STARRED QUESTIONS AND ANSWERS.

MR. THAKARE'S "KHARA BRAHMIN".

*Rao Bahadur S. K. BOLE: Will the Honourable the Home and General Member be pleased to state—

(*a*) whether Mr. Thakare's play "Khara Brahmin" was performed in the Bombay Theatre;

(*b*) if so, whether any objection was taken to the play in Bombay by any section of the public;

(*c*) whether the play is banned by the District Magistrate in Poona: if so, at whose instance and on what grounds?

The Honourable Mr. R. D. BELL: (*a*) Yes.

(*b*) No.

(*c*) No.

Rao Bahadur S. K. BOLE: As regards (*b*), may I know whether any objection was taken by the Sanatanists?

The Honourable Mr. R. D. BELL: The reply is "No".

Rao Bahadur S. K. BOLE: May I know whether it is a fact that the Sanatanists waited upon the Collector in deputation and requested him to ban the play?

The Honourable Mr. R. D. BELL: Which Collector?

Rao Bahadur S. K. BOLE: The Collector of Poona.

The Honourable Mr. R. D. BELL: Part (*b*) of the question is whether any objection was taken to the play in Bombay by any section of the public.

Rao Bahadur S. K. BOLE: Then (*c*).

The Honourable the PRESIDENT: That supplementary question cannot apply to (*c*).

The Honourable Mr. R. D. BELL: The question is whether the play is banned by the District Magistrate in Poona and the reply is "No".

Rao Bahadur S. K. BOLE: Was it suspended for some time by the District Magistrate, Poona?

The Honourable Mr. R. D. BELL: Not that I am aware of.

Rao Bahadur S. K. BOLE: May I know whether the Sanatanists waited upon the Collector and asked him to suspend the play for some time?

The Honourable Mr. R. D. BELL: No, Sir. An application signed by 200 persons was received by the Collector.

Rao Bahadur S. K. BOLE: Was any committee appointed by the Collector to go through the matter?

The Honourable Mr. R. D. BELL: Yes, Sir.

Rao Bahadur S. K. BOLE: Were any passages deleted from the play?

The Honourable Mr. R. D. BELL: Yes, Sir.

Rao Bahadur S. K. BOLE : Is it a fact that the same play was not found objectionable in the city of Bombay ?

The Honourable Mr. R. D. BELL : No objection was made in the city of Bombay.

Rao Bahadur S. K. BOLE : Then why was it that from the play certain passages were made to be deleted in the city of Poona ?

Dr. P. G. SOLANKI : What was objectionable in the original play that certain portions were deleted in Poona while they were allowed in Bombay by the Police Commissioner ?

The Honourable Mr. R. D. BELL : Apparently, the people of Bombay are prepared to receive without protest certain kinds of dialogue in a play which the people of Poona are not prepared to accept.

Rao Bahadur S. K. BOLE : What were the objectionable passages, Sir ?

The Honourable Mr. R. D. BELL : I must ask for notice.

Dr. P. G. SOLANKI : Was there objection on the ground of custom, religion or any obscenity ?

The Honourable Mr. R. D. BELL : Generally they were considered to be objectionable on grounds of caste and religion.

Dr. P. G. SOLANKI : By whom was objection raised, by which particular caste ?

The Honourable Mr. R. D. BELL : By Sanatanists, I think, Sir.

The Honourable the PRESIDENT : Next question.

USE OF KHADDAR AND KHADI CAPS IN KANARA.

*Mr. G. S. GANGOLI (Kanara District) : Will the Honourable the Home and General Member be pleased to state—

(*a*) whether he is aware that the use of Khaddar and of Khadi caps is not freely allowed in Kanara ;

(*b*) whether it is a fact that a list of persons using Khadi is being prepared in Kanara ;

(*c*) whether it is a fact that the police are instructed by a circular to question any traveller and any citizen who uses Khaddar about his whereabouts or credentials ; if so, will the Honourable Member be pleased to place a copy of that circular on the Council table ;

(*d*) whether it is a fact that everybody who is so questioned by any police officer has got to answer all his questions or else he is detained ;

(*e*) the number of police who are specially engaged for this purpose ?

The Honourable Mr. R. D. BELL : (*a*) No.

(*b*) No.

(*c*) No.

(*d*) Does not arise.

(*e*) None.

Mr. G. S. GANGOLI : With reference to (*a*), what are the materials on which the Honourable Member bases his reply ?

The Honourable Mr. R. D. BELL : The official report.

Mr. G. S. GANGOLI : If what I say is a fact, how can I make the Honourable Member believe what I am saying ?

Rao Bahadur S. K. BOLE : May I know whether the honourable member who has tabled this question has done so because he himself was subjected to the treatment alluded to therein ?

Mr. G. S. GANGOLI : Yes, Sir. I can assure him that in my own hand I have entered the information several times.

Rao Bahadur S. K. BOLE : As regards (*c*), is it a fact that the police made enquiries about the honourable member's whereabouts as he is wearing a Khadi cap ?

The Honourable the PRESIDENT : Order, order. Next question.

ROAD DEVELOPMENT SCHEMES.

*Mr. JOHN HUMPHREY (Karachi Chamber of Commerce) : Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) whether, in view of the favourable offer made by the Honourable Member for Finance of the Government of India at the Road-Rail Conference in April, for the financing of road development schemes by means of loans, Government are conducting surveys in the Presidency so as to have road schemes ready at hand before the next Road-Rail Conference which has been convened to consider such schemes ;

(*b*) if not, the reasons therefor ?

The Honourable Khan Bahadur D. B. COOPER : (*a*) The question of selecting schemes for being financed from loan funds is under the consideration of Government.

(*b*) Does not arise.

Mr. JOHN HUMPHREY : Government say that the question of selecting schemes for being financed from loan funds is under the consideration of Government. May I ask whether the public will be given an opportunity of considering the schemes before they are put into effect ?

The Honourable Khan Bahadur D. B. COOPER : They will be placed before the Road Board meeting.

Mr. JOHN HUMPHREY : I gather that the question of selecting schemes for being financed from loan funds is under the consideration of Government. May I gather further from it that it is the intention of Government to apply for a loan from the Government of India ?

The Honourable Sir GHULAM HUSSAIN : As I am concerned with the supplementary question rather than the Honourable the Minister, I will reply to it. Looking to our financial position at present, we are not going to borrow.

Rao Bahadur R. R. KALE: May I know how many surveys have been conducted so far? The question was whether Government are conducting surveys in the Presidency so as to have road schemes ready at hand before the next Road-Rail Conference which has been convened to consider such schemes, and the reply to that is that the question of selecting schemes for being financed from loan funds is under the consideration of Government. May I know how many surveys have been conducted?

The Honourable Khan Bahadur D. B. COOPER: I cannot say definitely the number of surveys but the number of schemes.

Rao Bahadur R. R. KALE: May I know how many surveys have been conducted?

The Honourable Khan Bahadur D. B. COOPER: I cannot tell you offhand, without notice, the number of surveys.

Rao Bahadur R. V. VANDEKAR: May I know whether the surveys in the Presidency are complete?

The Honourable Khan Bahadur D. B. COOPER: No.

Sardar Rao Bahadur B. R. NAIK: From the reply given by the Honourable the Finance Member, I gather that the question of borrowing funds for financing schemes is abandoned altogether. Are we to understand that all the schemes also are going to be dropped?

The Honourable Sir GHULAM HUSSAIN: I definitely said "at present". If the financial position improves, we will consider the schemes again.

The Honourable the PRESIDENT: The House will now adjourn till His Excellency's arrival.

(*The House re-assembled at 2-30 p.m.*)

The Honourable the PRESIDENT: Order, order. His Excellency will be pleased to address the House.

ADDRESS BY HIS EXCELLENCY THE GOVERNOR TO THE MEMBERS OF THE LEGISLATIVE COUNCIL.

Rising to address the Council, His Excellency said: Mr. President and Gentlemen, before I commence my address to you to-day, I believe you would all wish me to say a few words expressing our deep sense of sorrow at the news we have received of the sudden and tragic death of His Majesty King Albert of Belgium. Many of you no doubt met him when he visited this Presidency in 1925, and all of you know how much he contributed to the success of the Allied cause in the War and how devotedly he discharged the duties of his office during the whole of his reign. I am sure, therefore, that you would all join with me in giving expression to our feelings of loss at his sudden and tragic death and of sympathy with the Belgian nation in the sudden calamity that has come upon it. [*Honourable members rose in their places.*]

Conscious as I am of the magnitude of the task that has been put upon me when I was placed at the head of the administration of this Province, I look upon this my first meeting with you as a legislative body as a memorable and significant occasion. I fully realise that it is only with the help of your co-operation that I can achieve any measure of success in the task I have undertaken. I have heard much of the way in which this co-operation was extended to my predecessor in difficult times, and I have every hope that I can rely on its being continued in an equal measure during my period of office. I feel that I am indeed fortunate in assuming office in a greatly improved political atmosphere. I regard this as a vindication of the policy adopted in the past, and I am glad to have this opportunity of expressing my appreciation of the fact that this Council has accorded its support to Government in adopting this policy.

Since your last session it has been decided to renew the life of the Bombay Emergency Powers Act in order that the powers which have proved effective in restoring tranquillity may continue to be available to prevent fresh attempts to disturb the public peace. On the other hand, I have every hope that with the increasing spread of more sober and sensible political ideas the Act will soon cease to be alive except in name. I am very glad to say that since the Act was passed it has been found possible to cancel or modify as many as 587 of the orders issued under section 4 thereof, and a general review is now being made of the possibility of further extension of this policy. The number of prisoners in jail for offences connected with the civil disobedience movement has during the year ending last December decreased from 3,939 to 990.

With the improvement in the political situation has also come some slight relaxation of our financial difficulties. As my honourable colleague, the Finance Member, will be addressing you on this subject this afternoon, I need not touch further on this point than to say how glad I am that we have been able to present to you a balanced budget. This, however, has only been effected by maintaining for another year many of the retrenchments, including the cut in pay, which we have all along known to be impossible to maintain permanently, and for this reason it has not been possible to contemplate at present at any rate any proposals for reduction of taxation.

In this connection one of our taxes that has come in for the strongest measure of criticism is the levy of tolls on our roads. Government convened a conference at Poona on the 4th October, 1933, of representatives both of Government and of local bodies to consider the proposed levying of a compounded tax on vehicles in substitution for the existing tolls on roads and all other forms of provincial and local wheel taxation. The conference was called specially to elicit the views of the local bodies and the trend of the discussion showed clearly that their representatives were mostly strongly opposed to any compounded taxation in interference with the powers vested in the local bodies in this respect. The original proposal has in consequence been dropped and Government are now considering alternative proposals to replace tolls on roads by some other suitable form of taxation. It is, however, improbable that any acceptable solution of the problem on these lines

can be arrived at for some time to come. The tolls on roads will, in the circumstances, have to be continued till some such decision is arrived at.

A matter of grave anxiety to my Government at the present time is the continuance of the economic depression and the strain that this puts on the resources of the cultivator. We have been carefully studying this question and ensuring that our district officers shall keep us in the closest possible touch with the position in the districts. I am not surprised to see from the agenda of your present session that you too, Gentlemen, take the keenest interest in this question, and that many resolutions thereon are down for discussion. I shall await the result of these discussions with interest, and hope that they may produce useful material to enable my Government to supplement the information received from their representatives in the districts, and to evolve a policy suitable to deal with this situation.

Unfortunately the difficulties of the general position have been temporarily accentuated to some degree by the very severe spell of cold weather to which parts of the Presidency have been subjected during the month of January. I regret to say that this has caused appreciable damage to crops in parts of North Gujerat and Sind. The local officers are keeping closely in touch with the situation, and Government is considering the question whether in those areas where damage has been done, any special measures are necessary in the way of modification of the ordinary suspension rules.

Our financial situation, however, regarded as a whole is not without some features of promise. We have noticed indications of a growing demand for land in the Back Bay Reclamation area in the neighbourhood of Church Gate Station. In order to promote sales of land and attract intending purchasers of plots on the Back Bay Reclamation, arrangements are being made for the provision during 1934–35 of metalled roads with surface drainage and lighting arrangements in the vicinity of Church Gate Station in which area there is an active demand for building sites. Provision is also being made for water supply and sewerage in this area, the former by the Bombay Municipality. Rules relating to building regulations in blocks 1 and 2 have been published recently for general information. With a view to serve certain plots in Middle Colaba at the east end of block No. 5, which have been leased to owners of adjoining lands, arrangements are being made for the construction of a metalled road complete with drains, water supply and lighting arrangements to serve this area.

It has also to be recorded that the second year of operation of the Lloyd Barrage Canals in Sind has again been satisfactory and the areas of both kharif and rabi crops exceeded those forecasted. The only unsatisfactory feature has been the occurrence of water-logging in Khairpur State territory on a serious scale. To deal with this problem investigations are in progress with a view to the discovery of an efficient and economical method of curtailing seepage loss and providing an effective drainage scheme.

With the severe retrenchments that we have been compelled to adopt it could hardly have been expected that the past year would have been one of progress for our activities in the matter of education and medical relief. You will, however, I am sure be glad to know that in some directions our efforts to meet the difficulties caused by restricted grants have met with a conspicuous measure of success. The District Hospital Funds which were constituted with the object of supplementing the grants for Civil Hospitals, which had to be cut down, have been remarkably successful, and have resulted in many cases not only in making good the deficit in the Government grant, but even in improving the previous position. In Bombay City, thanks to the generosity of the Western India Turf Club and the successful efforts of the Hospital Maintenance Fund Committee, it has been possible in addition to make a start in reopening the beds that have been closed in some of the Hospitals, and I feel sure that as a result of the Fireworks Display and the H. O. H. Fete further progress in this direction will soon be possible.

In the matter of Education a striking development has been the provision made by the Bombay University for advanced technological education. In this my Government have co-operated by placing at the disposal of the University for a period of five years in the first instance the East Wing of the Royal Institute of Science. We also propose to place before you as a new item in this year's Budget a provision for starting the B.Sc. classes at the Karnatak College, which has hitherto been handicapped for want of facilities for science teaching up to the degree standard.

My Government have also decided to continue the School of Art and to reject the recommendation of the Reorganization Committee to close it down. I regret to say that the Government of India have not found themselves able to accept our proposal to take over this institution, or even to make a contribution towards its cost. I am, however, confident that our decision to maintain the School in spite of that has the support of honourable members.

I would recommend to honourable members also a perusal of the first annual report of the working of the recently constituted Backward Class Department which has just been published. It records slow, but steady progress of the beneficent activities of the Department, which has in its charge the question of the social and economic regeneration of the Backward Classes. I feel sure that the policy which has been adopted by Government in extending their activities in this direction even in these times of financial stringency will have your support, and I hope that in this matter I can count also upon the active and sympathetic co-operation of the advanced communities without which it is impossible for Government to achieve an adequate measure of the desired progress in this direction.

Government had announced in the course of discussion in the Legislative Council at the time of the first reading in August 1925 of Mr. L. B. Bhopatkar's Bill to alter the constitution and to widen the powers of Municipalities, that they contemplated introducing a Bill themselves with regard to Minor Municipalities as early as possible. Government have not, however, been able to take up this question as they had on

their hands heavier and more urgent pieces of legislation, particularly, the Bombay Municipal Boroughs Act, passed in 1925, the City of Karachi Municipal Act and the City of Bombay Municipal (Amendment) Act, passed in 1933. Government are now in a position to take up the preparation of the Bill with regard to Minor Municipalities and propose to proceed with this matter as expeditiously as possible.

I feel that I cannot let this occasion pass without referring to the tragic occurrences of the past year which have deprived this Council of three of its prominent members. The first is Sir Rustom Vakil, late Minister for Local Self-Government. It was not my privilege to know Sir Rustom, but since my arrival in this country I have heard so much of the excellent public work that he had done in so many spheres, and the cordiality of whose relations with honourable members and the appreciation in which he was held both within and without this Council, that I am sure that you will all join with me in expressing our keen sense of loss at his death, and our heartfelt sympathy with his bereaved family. Another sad occurrence was the death of Mr. J. S. Kadri, who expired in the Council Hall during the last Poona session. I know that his sudden death in this manner must have been a severe shock to you all, and I am sure you will wish me to express your keen sense of loss at his death and your sympathy with his family. Equally sad though under less dramatic circumstances has been the death of Mir Mahomed Baloch, a familiar figure in this Council, well known and respected by you all. [*Honourable Members rose in their places.*]

With the improvement that has taken place in the political situation I am glad to see that it has been possible to discern some signs that those who had formerly supported subversive methods of political agitation are now applying their minds to their future programme as members of political parties within the proposed new Constitution. From what I have read and heard of the attitude of this Council in the past I am convinced, Gentlemen, that you are all whole-hearted supporters of the constitutional method of securing progress. I hope, therefore, that I can count upon your support of the policy at present adopted in the matter of constitutional progress in India. I believe that this Council is at heart in favour of what is described as the White Paper policy. I do not mean that it is entirely satisfied with all the details, but that it accepts its general principles. If that is so, I would urge you, Gentlemen, to come out in definite and open support of this policy, and to avoid the idea that by expressing condemnation of the policy as a whole you can secure the desired modifications in detail. To adopt such tactics is merely to put weapons into the hands of the convinced opponents of the policy of His Majesty's Government, and cannot fail to be fraught with danger to the progress of the Reforms, which we all hope to see introduced at an early date. I appeal to you, therefore, Gentlemen, as the elected representatives of the people of Bombay to take the long and statesmanlike view of this question, and to come out openly in support of the constitutional method of progress and the proposed White Paper policy which I am sure is the one best calculated to ensure that progress shall be on sound lines. [*Applause.*]

STARRED QUESTIONS AND ANSWERS—*contd.*

IMPOSITION OF TOLLS.

*Mr. JOHN HUMPHREY (Karachi Chamber of Commerce): Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) whether Government are aware of the tremendous handicap levied on road transport by the imposition of tolls;

(*b*) if so, when they propose to remove it?

The Honourable Khan Bahadur D. B. COOPER: (*a*) No, but Government are aware that so far as fast moving road transport is concerned, tolls are an obsolete form of taxation, except under certain conditions.

(*b*) The question of the abolition of tolls on motor vehicles and the introduction of a single tax on such vehicles is under consideration.

Khan Bahadur ABDUL LATIF HAJI HAJRAT KHAN: What is meant by the words "single tax"?

The Honourable Khan Bahadur D. B. COOPER: It means all sorts of taxes compounded like the vehicle tax, toll tax and so on.

Khan Bahadur ABDUL LATIF HAJI HAJRAT KHAN: I cannot follow the Honourable Minister.

The Honourable the PRESIDENT: Perhaps he means that all these taxes which can possibly be put together would be compounded into one tax.

Khan Bahadur ABDUL LATIF HAJI HAJRAT KHAN: It is given in the answer that the matter "is under consideration". I want an announcement from the Honourable Minister when it will be decided. [No reply.]

Mr. J. B. PETIT: If tolls are an obsolete form of taxation, why were they at all imposed in the first instance? Apparently, the Government must have considered the form to be in vogue! They cannot have it both ways.

The Honourable Khan Bahadur D. B. COOPER: They were imposed in the first instance a number of years ago when it was not considered obsolete form of taxation.

Mr. J. B. PETIT: It is stated in the reply that it may become necessary to impose this tax under certain exceptional conditions. What are those exceptions under which such an obsolete form of taxation may be resorted to? And why was such a tax resorted to?

The Honourable Khan Bahadur D. B. COOPER: Because money is required.

Mr. J. B. PETIT: So, it is not an obsolete form of taxation, but one in fashion!

Rao Bahadur R. R. KALE: Is it a fact that this tax is to be continued till the end of 1934-35?

The Honourable Khan Bahadur D. B. COOPER: Yes.

Mr. J. B. GREAVES: Will Government be pleased to state whether they realise the crushing incidence of this form of taxation on the

agriculturist of this presidency with regard to the transport of his produce by bullock cart or by motor lorry ?

The Honourable Sir GHULAM HUSSAIN : The toll is one of the taxes that have been allowed under the Government of India Act to the local bodies.. In reply to the last speaker, I may inform him that the local bodies who have representatives elected by the agriculturists are themselves in favour of this tax and have been levying it.

Mr. J. B. PETIT : The question is " whether the Government realise the crushing incidence of this tax on the agriculturists " ?

The Honourable Sir GHULAM HUSSAIN : It is the representatives of the agriculturists on the district local boards that have been levying this tax. There cannot be a greater guarantee.

Mr. J. B. PETIT : " Have the Government realised the crushing incidence of this taxation " ? That is the question.

The THAKOR OF KERWADA (SARDAR BHASAHEB RAISINHJI) : Is it not a fact that the agriculturists under the present condition when the prices of agricultural commodities are very low will not be able to bear it ?

The Honourable Sir GHULAM HUSSAIN : I would request the honourable member, who is the president of a district local board, to set an example by abolishing this tax.

Sardar Rao Bahadur B. R. NAIK : Will the honourable member please mention the district local boards which have imposed tolls on their roads ?

The Honourable Sir GHULAM HUSSAIN : A fairly good number.

Mr. M. M. KARBHARI : If the local boards abolish the toll tax, will Government give additional grants to compensate them for the loss ?

The Honourable Sir GHULAM HUSSAIN : No. When Government had plenty of money, they gave grants to some of the district local boards and induced them to abolish the toll tax. Now, Government cannot give any such grants.

Mr. G. S. GANGOLI : Will Government remove the tolls on their roads if the district local boards remove them on their roads ?

The Honourable Sir GHULAM HUSSAIN : I am sure the local boards are not going to remove them.

Mr. G. S. GANGOLI : At least in my district, the local board will be prepared to do so.

The Honourable the PRESIDENT : Next question.

THANA DISTRICT ABORIGINES AND WILD TRIBES : AGRICULTURAL TRAINING.

*Mr. M. M. KARBHARI (Thana and Bombay Suburban Districts) : Will the Honourable Minister for Education be pleased to state whether any attempt is made by Government to impart agricultural education to the aborigines and wild tribes in the Thana District and, if so, what attempt ?

The Honourable Dewan Bahadur S. T. KAMBLI : No regular special classes are conducted for imparting agricultural education to the aboriginal and wild tribes in the Thana District. These people are, however, invited on the occasions of agricultural shows and demonstrations, with a view to impressing on them the various agricultural improvements. At the District Agricultural Shows held at Bordi in 1930 and at Bategaon in 1933 the travelling and feeding charges incurred on account of these people were met from the funds of the Show Committee. An "Agricultural bias" class is maintained by the District Local Board, Thana, but so far no boy belonging to the tribes in question has taken advantage of it.

Mr. M. M. KARBHARI : Are Government aware that the population of the aborigines and wild tribes of the Thana District contribute largely to Government revenue and to the material wealth of the Thana District by their agricultural labour ?

The Honourable Dewan Bahadur S. T. KAMBLI : Other classes of the population also do contribute.

Mr. M. M. KARBHARI : It is a simple question : Do they or do they not contribute to the material wealth of the district by their agricultural labour ?

The Honourable Dewan Bahadur S. T. KAMBLI : They do contribute to the agricultural wealth just as other communities do.

Mr. M. M. KARBHARI : Do they not form the largest population in the district and do they not contribute very largely to the material wealth of the district ?

The Honourable Dewan Bahadur S. T. KAMBLI : I want notice of that question.

Mr. M. M. KARBHARI : I want to know from the Honourable Minister whether the answer he has given is in consonance with the question I have asked. I want to know definitely from Government whether they have made any attempt to impart agricultural education to these people ?

The Honourable Dewan Bahadur S. T. KAMBLI : The printed reply is clear on the point. There is an agricultural school at Bordi, but none of these classes have come forward to take advantage of the education given there. Is it the fault of the Government ?

Mr. M. M. KARBHARI : Is it possible for these people living at a distance to leave their villages to attend this school, which is the only one of the type ?

The Honourable Dewan Bahadur S. T. KAMBLI : It is also stated in the reply that these people were taken at the cost of Government to Agricultural Shows and were shown the various improvements made in agriculture.

Mr. M. M. KARBHARI : I want to know from Government whether they are prepared to spend some percentage of the revenue for the education of these people.

Rao Bahadur R. V. VANDEKAR : Are Government aware that there was an agricultural school at Jambhul which was closed because people from the aboriginal classes from that taluka did not take advantage of it ?

The Honourable Dewan Bahadur S. T. KAMBLI : Yes ; there was a school at Jambhul in the Thana District which had to be closed down because people did not take advantage of it. I may draw the attention of the honourable member Mr. Karbhari to this fact also.

Mr. M. M. KARBHARI : Does not that clearly show that the economic condition of the people is so very low that they cannot forego the services of their children and release them from household labour ?

The Honourable the PRESIDENT : That does not arise at all.

LIST OF TEMPLES PREPARED BY MR. SAKHOPANT PETHKAR.

*Rao Saheb P. D. KULKARNI (Poona District) : Will the Honourable the Revenue and Finance Member be pleased to state whether the list of temples prepared by Mr. Sakhopant Pethkar in 1825, who was ordered by Government to put in writing what allowance is received by a particular idol of each Peth in Poona either from Peshwa Government, the Parvati Sansthan, or the people, contains the names of public temples only or also those of private temples having trusts made for their management ?

The Honourable Sir GHULAM HUSSAIN : The correct name of the writer is " Sakhopant Pethkari ". The list prepared by him does not show whether the temples were public or private.

Rao Saheb P. D. KULKARNI : Will the honourable member be pleased to place the list on the Council table for the information of the members ?

The Honourable the PRESIDENT : What list ?

Rao Saheb P. D. KULKARNI : The list prepared by Mr. Sakhopant Pethkari containing the names of temples in Poona.

The Honourable Sir GHULAM HUSSAIN : It is at Poona ; we will place it on the Council table.

POONA DISTRICT : ALLEGED ADMONITION OF TALATIS AND PATELS.

*Rao Saheb P. D. KULKARNI (Poona District) : Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) whether the Revenue authorities of the several talukas and petas in the Poona District have received any reports from the talatis and patels of villages complaining about the insubordination of Watandar Mahars ;

(*b*) if so, how many such reports were received during the last year ;

(*c*) whether it is a fact that, as a result of making such reports, the talatis and patels were in some cases warned instead of the watandar mahars ; if so, in how many cases ?

The Honourable Sir GHULAM HUSSAIN: (*a*) Yes.

(*b*) 63.

(*c*) No; none of them were so warned.

Rao Saheb P. D. KULKARNI: My information is that such warnings were given to patels at Parinche in Purandhar taluka and Chakan in Khed taluka. Will the Honourable Member be pleased to inquire into that?

The Honourable Sir GHULAM HUSSAIN: As far as my enquiries go, the reply is correct.

Rao Saheb P. D. KULKARNI: I was told that these and some other patels were warned.

The Honourable Sir GHULAM HUSSAIN: We have given warning not to patels but to watandars Mahars. Two watandars Mahars have been fined and one has been suspended.

Rao Saheb P. D. KULKARNI: I am informed that one patel in Chakan and one patel in Parinche were warned. Will enquiries be made in that connection?

The Honourable Sir GHULAM HUSSAIN: To my knowledge that is not correct.

Dr. P. G. SOLANKI: What was the nature of the insubordination of the watandar Mahars?

The Honourable Sir GHULAM HUSSAIN: The honourable member surely knows what insubordination means.

Dr. P. G. SOLANKI: As it is, the Mahars are known to be the most obedient of Government servants.

The Honourable Sir GHULAM HUSSAIN: Sometimes, also those who are usually obedient become insubordinate.

MANUAL OF INAM AND OTHER TENURES.

*Rao Saheb P. D. KULKARNI (Poona District): Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) whether the manual of inam and other tenures is ready for sale;

(*b*) if not, when it will be ready?

The Honourable Sir GHULAM HUSSAIN: (*a*) No.

(*b*) Mr. F. G. H. Anderson, I.C.S. (retired), who was the author of the Revenue Accounts Manual, had intended to bring out the manual referred to in the question, but he has not done so. Government have no present intention of asking any one else to take up the compilation.

A BILL TO AMEND THE COMPULSORY PRIMARY EDUCATION ACT.

*Rao Saheb P. D. KULKARNI (Poona District): Will the Honourable Minister for Education be pleased to state—

(*a*) whether the Bill to amend the Bombay Primary Education Act, 1923, to which reference is made at the end of page 1930 o. Volume XXXVII of the Bombay Legislative Council Debates, is ready;

(*b*) if so, when it is likely to be introduced in the Council;

(*c*) if not, when it is expected to be ready;

(*d*) at what stage it is at present;

(*e*) whether Government have finished their consideration of the Bill;

(*f*) if so, what conclusion they have arrived at?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) No.

(*b*), (*c*), (*d*), (*e*) and (*f*) The draft bill to amend the Bombay Primary Education Act, 1923, is still under the consideration of Government.

Rao Saheb P. D. KULKARNI: There is no reply to (*d*) "if not, when it is expected to be ready?"

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, answer is contained in the reply given. It will be ready when the consideration of the Government is completed.

Rao Saheb P. D. KULKARNI: What approximate time will be taken for that?

The Honourable Dewan Bahadur S. T. KAMBLI: The approximate time will be the time taken in considering it.

Rao Saheb P. D. KULKARNI: The answer is not direct and straightforward. No reply is given also to (*d*): "at what stage it is at present?"

The Honourable Dewan Bahadur S. T. KAMBLI: It is at the stage of consideration.

The Honourable the PRESIDENT: The next question.

Rao Saheb P. D. KULKARNI: There is no answer to my this question also. Is it fair to reply in such evasive way?

The Honourable the PRESIDENT: The next question.

SMALL CAUSE COURT, BOMBAY: NEW SOURCES OF REVENUE.

*Mr. N. N. PATIL (Kolaba District): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether it is a fact that the Bombay Small Cause Court authorities insist upon the payment of an additional duty by way of a Vaklatnama Stamp of rupee one in the case of each suit filed through a pleader;

(*b*) if so, when this practice has been introduced and at whose instance;

(*c*) whether Government have authorised or sanctioned this practice; if so, what are their reasons for doing so;

(*d*) whether Government are aware that this practice entails a heavy strain on the purse of the poor men who mostly take resort to the said court for recovery of wages etc.;

(*e*) whether Government are aware that recently the court authorities have imposed another tax whereby for every decree passed the plaintiff has to pay an extra fee of rupee one;

(*f*) if so, under what authority the tax is imposed;

(*g*) what amount is realised through these new sources?

The Honourable Mr. R. D. BELL: (*a*) and (*b*) Yes. A Vaklatnama falls within the definition of Power of Attorney within the meaning of section 2 (21) of the Indian Stamp Act and is chargeable with stamp duty of Re. 1 under Article 48 (*b*) of Schedule I to the Indian Stamp Act as amended. The Chief Judge, Court of Small Causes, Bombay, directed the levy of the duty from 12th November 1931.

(*c*) Sanction of Government is not required.

(*d*) No.

(*e*) and (*f*) A fee of one rupee is charged under Article 24 of Schedule I of the Indian Stamp Act as amended for a certified copy of a decree supplied on application under rule 20 of Order XX of the Civil Procedure Code.

(*g*) Rs. 28,226 and Rs. 21,870 were realised from stamp duties on Vaklatnamas and certified copies of Decrees, respectively, in the year ending 11th November 1932 and Rs. 30,541 and Rs. 26,341 in the year ending 11th November 1933.

BOMBAY SMALL CAUSE COURT JUDGES: OFF DAYS.

*Mr. N. N. PATIL (Kolaba District): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether it is a fact that the Bombay Small Cause Court Judges enjoy two holidays in a week by turns leaving the staff and the members of the Bar to work on Saturdays;

(*b*) if so, whether Government have considered the advisability of curtailing the off days of the Judges so as to curtail the number of Judges?

The Honourable Mr. R. D. BELL: (*a*) and (*b*) Each Judge of the Bombay Small Cause Court takes one day off every week in addition to Sunday and the judges sit on Saturdays. The off day is devoted to preparing judgments and doing other work out of court which would otherwise have to be done in court hours and Government do not consider it advisable to abolish it.

Rao Bahadur S. K. BOLE: What about the staff and members of the Bar who are made to work on Saturdays while the Judges enjoy a holiday?

The Honourable Mr. R. D. BELL: I suppose they make all the more money.

Rao Bahadur S. K. BOLE: Is it not a fact that in the High Court the Judges have a holiday on Saturday?

The Honourable Mr. R. D. BELL: Yes, Sir.

Rao Bahadur S. K. BOLE: In view of this, do Government intend to issue instructions to the Judges of the Small Cause Court to observe Saturdays as holidays and not take holidays on other week days?

The Honourable Mr. R. D. BELL: No, Sir.

Mr. HOOSENALLY M. RAHIMTOOLA: Why not?

The Honourable Mr. R. D. BELL: Because the circumstances of the two courts are not the same. It is considered that on the whole it is for the public convenience to keep the Small Cause Court open on Saturdays.

MR. GANGOLI'S ADDRESS TO H. E. THE GOVERNOR RE: THE HOLDING OF COUNCIL SESSIONS.

*Mr. J. B. PETIT (Bombay Millowners' Association): Will the Honourable the Leader of the House be pleased to state—

(1) whether he has brought to the notice of His Excellency the Governor

(*a*) the address presented to His Excellency the Governor by the Council on the motion by Mr. Gangoli, as subsequently amended, during the September–October session of 1932, requesting him to hold normally at least three sessions of the Legislative Council during every calendar year at reasonable intervals;

(*b*) the most earnest and respectful desire of the House that the said address be given effect to in the interest of the convenience of the members and the efficiency of the work of the Council;

(2) if so, with what result?

The Honourable Sir GHULAM HUSSAIN: (1) (*a*) and (*b*) Yes.

(2) As the power to appoint times for holding the sessions of his Legislative Council vests in him under section 72-B (2) of the Government of India Act, H. E. the Governor will use his discretion from time to time in the manner which, in his opinion, best serves the public interest and the convenience of all concerned.

Mr. J. B. PETIT: Has the Honourable the Leader of the House drawn the attention of His Excellency the Governor to the earnest desire of the House that the request contained in the address should be given effect to?

The Honourable Sir GHULAM HUSSAIN: That is replied to already.

POLICE COURTS, BOMBAY: DELAY IN DISPOSAL OF CASES.

*Mr. HOOSENALLY M. RAHIMTOOLA (Bombay City): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether it is a fact that great delay takes place in the disposal of cases in the Police Courts of Bombay;

(*b*) if so, what action Government propose to take in the matter?

The Honourable Mr. R. D. BELL: (*a*) and (*b*) It is admitted that delay does take place generally in the disposal of cases in which private parties are concerned, but it is not a fact that the delay is *great* as the question states. In a majority of cases put up by the Police the accused are in custody and the first consideration of the Courts is to see that these cases are disposed of expeditiously. Private prosecutions do suffer in consequence but the delay in these cases is principally due to the lawyers representing the parties concerned freely asking for postponements on grounds which the Courts cannot always refuse. It is felt therefore that

the remedy does not lie with Government and that delay will to a considerable degree be reduced if the lawyers co-operate with the Courts in expediting the trial of cases without applying for postponements.

Mr. HOOSENALLY M. RAHIMTOOLA: Sir, is the Honourable Member aware of the complaint made by the Commissioner of Police almost every year of the delay in the disposal of cases?

The Honourable Mr. R. D. BELL: We know there is a certain amount of congestion in these courts, but it is a question of degree, and the honourable member refers to the delay as *great* delay.

RIGHT TO COLLECT REIMPOSED TOLLS: INCOME DERIVED FROM SALE.

*Mr. HOOSENALLY M. RAHIMTOOLA (Bombay City): Will the Honourable Minister for Local Self-Government be pleased to state the amount of revenue derived by selling the right of collecting the reimposed tolls in each district for the current year and the total?

The Honourable Khan Bahadur D. B. COOPER: The accompanying statement furnishes the information required by the Honourable member.

Statement showing the income derived from sale of the right of collecting reimposed *tolls on Provincial roads in each district of the Presidency Proper (excluding Sind) during the year* 1933–34.

—	District.	Income derived from sale of rights of reimposed tolls.
		Rs.
1	Ahmedabad	6,395
2	Kaira	16,465
3	Panch Mahals	38,656
4	Broach	5,550
5	Surat	24,875
6	Thana	1,07,675
7	Ahmednagar	4,835
8	Nasik	27,525
9	Poona	92,725
10	East Khandesh	No reimposed tolls.
11	West Khandesh	32,940
12	Sholapur	17,000
13	Satara	56,095
14	Bombay Suburban District	No reimposed tolls.
15	Belgaum	1,01,105
16	Bijapur	2,275
17	Dharwar	41,860
18	Kanara	9,430
19	Kolaba	32,255
20	Ratnagiri	3,385
	Total ..	6,21,046

MAHOMEDAN EDUCATION IN SIND: GOVERNMENT POLICY.

*Mr. SHAIK ABDUL MAJID (Karachi District: Will the Honourable Minister for Education be pleased to state—

(*a*) whether the attention of Government has been drawn to the following remarks appearing on page 214, Chapter IX of the Interim Report of the Indian Statutory Commission, viz.—

"But the difficulty of Mahomedan education in Sind would largely disappear if Government frankly realise the fact that the backward rural areas in that province require a specially liberal policy and that they cannot be properly developed by a policy which only assists them to the same extent as other areas. If due attention were paid to the needs of Sind as a Backward area the increased provision of ordinary schools would probably go far to meet the needs of Mahomedans who form 90 per cent. of the rural population;"

(*b*) if so, whether Government have modified their educational policy in the light of above remarks;

(*c*) if not, why not?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) Yes.

(*b*) and (*c*) The Honourable Member's attention is invited to paragraphs 49–50 of the Review of Education—November 1933.

The Hartog Committee have recommended the increased provision of ordinary schools for the rural population of Sind and the payment of Government grants to the District Local Boards concerned at a higher rate than that prescribed in rule 109 of the Bombay Primary Education Rules, *vide* paragraphs 1 and 2 of Chapter XIII of their Report. Until the cut in the primary education grants is fully restored by the Legislative Council, no extra expenditure is possible from that grant.

The annual average cost per pupil in Sind for primary education is Rs. 21–15 as against Rs. 18–5 in the Presidency proper.

Mr. SHAIKH ABDUL MAJID: No reply is given to my question whether Government realise frankly the fact that the backward rural areas in Sind require a specially liberal policy as regards advancement of education.

The Honourable Dewan Bahadur S. T. KAMBLI: The last part of the printed answer is a reply to that question.

Mr. SHAIKH ABDUL MAJID: Am I to understand that the existing resources of the Government of Bombay do not permit spread of education in these backward areas?

The Honourable Dewan Bahadur S. T. KAMBLI: Certainly the resources of Government do not permit the further spread of education at present.

PUBLIC WORKS DEPARTMENT: RECRUITMENT FROM DEPRESSED CLASSES.

*Dr. P. G. SOLANKI: Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) the number of applications received by the Public Works Department in the Northern, Central and Southern Divisions of the

Presidency from the Depressed Class (scheduled castes) candidates from the year 1927 to 1933 for the posts of (*i*) peons, (*ii*) clerks, (*iii*) sub-overseers and (*iv*) overseers;

(*b*) how many of the candidates were given appointments and how many were refused and on what grounds;

(*c*) how many of them are on the waiting list;

(*d*) the castes and sub-castes of the candidates who applied, who were appointed, who were refused appointments and who are on the waiting list?

The Honourable Khan Bahadur D. B. COOPER: The time and labour devoted to the collection of the particulars asked for would be entirely out of all proportion to the value of the information collected. In the circumstances Government regret that they are not prepared to collect the information asked for. The number of members of the Depressed classes at present in Government service, in the Northern, Central and Southern Circles in the three branches of the Public Works Department mentioned by the honourable member, is however given below. Subordinates formerly known as "Sub-Overseers" are now designated "Overseers":—

Name of Circle.	Overseers.	Clerks.	Peons.
Northern Circle	....	....	1
Central Circle	....	....	10
Southern Circle	....	....	2

Dr. P. G. SOLANKI: In reply to my question it is stated: "The time and labour devoted to the collection of the particulars asked for would be entirely out of all proportion to the value of the information collected". May I inform Government that no time or labour was spent over the collection of particulars regarding the recruitment of the Depressed Classes to the Public Works Department so far? Would it be out of place, at this juncture, at least to collect information?

The Honourable Khan Bahadur D. B. COOPER: It would be an expensive enquiry.

Dr. P. G. SOLANKI: The staff is there. How is it expensive?

The Honourable Khan Bahadur D. B. COOPER: The staff in existence at present is so meagre that it cannot devote time to this collection.

Dr. P. G. SOLANKI: Was there ever any reduction from any of these offices?

The Honourable Khan Bahadur D. B. COOPER: Oh, yes.

Dr. P. G. SOLANKI: Even if there was reduction, are the offices so undermanned that they cannot collect this little information regarding the Depressed Classes?

The Honourable Khan Bahadur D. B. COOPER: It is not "a little" information.

Dr. P. G. SOLANKI: It will be little, because their applications will be only one or two and not hundreds. Will the Honourable Minister take this matter into consideration and give me a satisfactory answer?

The Honourable Khan Bahadur D. B. COOPER: I will try.

Mr. R. R. BAKHALE: May I enquire whether the Honourable Minister is satisfied with the number of members of the Depressed Classes employed as overseers, clerks and peons as shown in the table?

The Honourable the PRESIDENT: Which is the table that the honourable member is referring to?

Mr. R. R. BAKHALE: The table on page 8.

SECRETARIAT: RECRUITMENT FROM DEPRESSED CLASSES.

*Dr. P. G. SOLANKI: Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) the number of applications received in the Secretariat Departments from the Depressed Class (scheduled castes) candidates from the year 1927 to 1933 for the posts of—

(1) clerks, (2) superintendents and (3) gazetted officers, such as Assistant Secretaries;

(*b*) how many of the candidates were given appointments and how many were refused and on what grounds;

(*c*) how many of them are on the waiting list;

(*d*) the castes and sub-castes of the candidates who applied, who were appointed, who were refused appointments and who are on the waiting list?

The Honourable Sir GHULAM HUSSAIN: (*a*) (1) 32.

(2) 10.

(3) Nil.

In some of the Secretariat Departments information is available from 1929 to 1933 only as the records for previous years have been destroyed.

(*b*) 6 were given appointments;

3 were refused as there were no vacancies.

(*c*) 26. There were 33 in all on the waiting list but names of 7 applicants were removed because of overage or of employment elsewhere.

(*d*) The following table gives the required information:—

Who applied.		Who were appointed.		Who were refused appointments.		Who are on the waiting list.	
Mahar	22	Mahar	5	Mahar	1	Mahar	13
Chambhar	13	Chambhar	1	Chambhar	1	Chambhar	8
Bandi	1			Unspecified	1	Mukuvan Fisherman.	1
Mukuvan Fisherman	1					Vankar	1
Vankar	1					Unspecified	3
Unspecified	4						

TEACHERS IN THANA DISTRICT.

*Mr. A. N. SURVE (Bombay City, North): Will the Honourable Minister for Education be pleased to state with regard to Thana district—

(*a*) the number of teachers holding taluka charges and the communities to which they belong;

(*b*) the number of teachers drawing postal allowances and the communities to which they belong;

(*c*) the number of transfers of teachers from one place to another made during each of the past three years and the amount spent each year in giving travelling allowances;

(*d*) whether the Educational Department has the power to refuse sanction to the expense incurred over transfers of teachers referred to above;

(*e*) whether some of the teachers are transferred every year from place to place; if so, how many;

(*f*) whether the attendance allowance is to be given to teachers strictly according to their seniority;

(*g*) whether there are any teachers who do not get it; if so, how many and why;

(*h*) whether it is a fact that transfer orders issued to teachers are cancelled immediately after their issue and fresh orders are substituted for them; if so, why;

(*i*) how many transfer orders were so cancelled during this year;

(*j*) what rules the Education Department used to follow when it had the control over the transfers of teachers?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) 13, of whom 11 are Brahmins, 1 Maratha and 1 Somavanshiya Kshatriya.

(*b*) 32, of whom 23 are Brahmins, 2 Vanis, 1 Maratha, 2 Sonars, 1 Prabhu, 1 Mahar, 1 Somavanshiya Kshatriya, and 1 Muhammadan.

(*c*) The subjoined statement gives the information required :—

Year.	Number of Teachers transferred.	Amount spent on Travelling Allowance.		
		Rs.	a.	p.
1930–31	286	783	8	0
1931–32	322	1,218	2	0
1932–33	384	1,326	1	0

(*d*) Yes for purposes of Government grant.

(*e*) About 10 teachers were repeatedly transferred.

(*f*) Generally Head Masters' and 1st Assistants' allowances are given on the basis of seniority and merit.

(*g*) Of the 897 teachers 531 get the allowance. The rest do not get it because either they are working as ordinary assistants, or if they are Head Masters or 1st Assistants they have not put in the minimum period of service to entitle them to an allowance.

(*h*) No. No transfer order is cancelled without specific reasons.

(*i*) Of 384 transfers, 6 transfers were subsequently cancelled during this year.

(*j*) No specific rules were laid down. Transfers were made on grounds of public interest and departmental requirements.

GHODE AND AMBEGAON KOLI BOARDINGS : SUPERINTENDENTS' POSTS.

*Mr. A. N. SURVE (Bombay City, North) : Will the Honourable Minister for Education be pleased to state with regard to Poona district—

(*a*) whether the post of Superintendents of the Ghode and Ambegaon Koli Boardings are held by Kolis ;

(*b*) who are the present incumbents of these posts and what are their qualifications ;

(*c*) what qualifications are usually expected from persons holding the superintendent's charge of these boardings ;

(*d*) whether there are persons holding such qualifications among the Kolis ?

The Honourable Dewan Bahadur S. T. KAMBLI : (*a*) No separate Superintendents are appointed to look after the boarding houses at Ghoda and Ambegaon. The Headmasters of the Local Board schools at those places look after the management of the boarding houses.

(*b*) The present incumbents of the posts and their qualifications are—

(1) Umaji Dhondji Titkare (Koli), 1st year trained Head Master, Local Board School, Ambegaon.

(2) Babaji Gopal Pandkar (Koshti), 3rd year trained Head Master, Local Board School, Ghoda.

(*c*) No special qualifications. A man who is fit to be the Head Master of the Local Board School is considered fit to look after the management of a boarding house.

(*d*) The Chairman, District School Board, Poona, reports that no Koli teacher is at present senior enough to be appointed Head Master of the Local Board School at Ghoda.

ANTI-VENEREAL CLINICS : BOMBAY CITY.

*Mr. SYED MUNAWAR : Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) whether the attention of Government has been drawn to the last report of the Bombay Social Hygiene Council, particularly to their considered suggestions regarding propaganda for combating venereal diseases and for provision of anti-venereal clinics and prophylactic treatment of infected seamen ;

(*b*) if so, what steps Government propose to take in the matter to provide clinics near the docks ?

The Honourable Khan Bahadur D. B. COOPER: (*a*) Yes.

(*b*) It appears from the Report of the Council that they were satisfied with the assurance that special arrangements would be made at the St. George's and the G. T. Hospitals, which are not very far away from the docks, for the treatment of venereal diseases. The necessary arrangements have since been made and it is open to seamen to avail themselves of the facilities for the treatment of venereal diseases provided at these hospitals and at the J. J. Hospital, Bombay, along with the rest of the public. Government have also sanctioned the printing and distribution to seamen of a pamphlet giving information on the dangers of venereal diseases and on the facilities for their treatment which are available in Bombay. They have also sanctioned the printing of treatment cards for distribution free of charge to seamen attending the Venereal Disease Clinics at the St. George's, J. J., and G. T. Hospitals.

Mr. SYED MUNAWAR: With reference to the reply to part (*b*) of my question, may I know if the Honourable Minister is in possession of information as to the number of seamen who have so far taken advantage of these clinics?

The Honourable Khan Bahadur D. B. COOPER: No.

Mr. SYED MUNAWAR: May I know when this provision was made?

The Honourable Khan Bahadur D. B. COOPER: Last year.

Dr. M. D. GILDER: In the last sentence of the reply the Honourable Minister says that Government "have also sanctioned the printing of treatment cards for distribution free of charge to seamen attending the Venereal Disease Clinics at the St. George's, J. J., and G. T. Hospitals." Does that mean that the distribution of cards is confined to seamen, or does it extend to the civilian population also?

The Honourable Khan Bahadur D. B. COOPER: As far as I know, to seamen only.

Dr. M. D. GILDER: May I know why the distribution of cards has not been extended to the civilian population also? Do the Government think that they do not need any information on the dangers of venereal disease?

The Honourable Khan Bahadur D. B. COOPER: I require notice of that question.

Dr. M. K. DIXIT: Are the cards supplied to the civilian population on payment of a fee? It is stated that the cards are supplied free to the seamen.

The Honourable Khan Bahadur D. B. COOPER: I have no information.

Dr. M. D. GILDER: The Honourable Minister says he requires notice in order to answer my question as to whether Government think that the civilian population does not require any information as regards the dangers of venereal disease. Does he still want notice of that question—whether the civilian population does not need any information on the subject?

No reply.

Dr. V. G. VAISHAMPAYAN: May I understand that the civilian population is immune from this disease?

PERSIAN TEACHERS IN GOVERNMENT HIGH SCHOOLS.

*Mr. SYED MUNAWAR: Will the Honourable the Minister for Education be pleased to state—

(*a*) what the biennial increments given to Persian teachers and assistant teachers in the Government High Schools in the Bombay Presidency are;

(*b*) whether it is a fact that it is necessary for the assistant teachers to pass the B.T. examination before they can become entitled to increments, whereas it is not so necessary for the Persian teachers; if so, what are the reasons for this differential treatment;

(*c*) whether it is a fact that the Persian teachers are not given the increments of assistant teachers after passing the B.T. examination;

(*d*) whether it is a fact that the Persian teachers who have put in many years' service are even required to appear for the B.T. examination;

(*e*) whether it is a fact that many of the Persian teachers who have put in long service are not confirmed?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) The scales of pay are as follows:

Persian Teachers.	Ordinary Assistant Masters.
Undergraduate— Rs. 60—5/2—120.	Undergraduate— Rs. 45—4—85—efficiency bar—5—150.
Graduate— Rs. 70—5—120—efficiency bar—5—140—10—200.	Graduate— Rs. 70—5—120—efficiency bar—5—140—10—200.

(*b*) It is not a fact that the teachers who have not passed the B.T. or S.T.C. examinations are held up as a matter of course at the efficiency bar.

(*c*) A graduate Persian teacher is eligible for increments in the same scale and on the same basis, as an ordinary graduate assistant master. The increments in the case of undergraduate Persian and ordinary teachers are different as given in clause (*a*) above.

(*d*) Like other graduate assistant masters a graduate Persian teacher has to pass the B.T. examination before confirmation in the department. A non-graduate Persian teacher is ordinarily required to pass the S.T.C. examination.

As far as possible non-graduate language teachers are no longer recruited.

(*e*) There are only three officiating undergraduate Persian teachers who have put in a service of more than five years in the department. They have not been confirmed for want of clear vacancies.

Mr. SYED MUNAWAR : It is stated that the passing of the B. T. examination is not essential so far as confirmation is concerned. May I know, with reference to the reply to part (*e*) of my question, whether the three officiating undergraduate teachers will continue to officiate until permanent vacancies occur ?

The Honourable Dewan Bahadur S. T. KAMBLI : I cannot say that offhand ; I would ask for notice of that question.

Mr. SYED MUNAWAR : If the Honourable Minister reads his answer, he will see that that is the spirit underlying it. I want to know definitely whether they will be allowed to officiate until permanent vacancies occur.

The Honourable Dewan Bahadur S. T. KAMBLI : It is a new question. I require notice.

Dr. P. G. SOLANKI : Is there any time limit for confirming a teacher ?

The Honourable Dewan Bahadur S. T. KAMBLI : The question is : " Whether it is a fact that the Persian teachers who have put in long service are not confirmed ? " The answer is : " They have not been confirmed for want of clear vacancies."

Dr. P. G. SOLANKI : I want to know whether the authorities have laid down any rule that the teacher should serve for so many years before he can be confirmed ?

The Honourable Dewan Bahadur S. T. KAMBLI : May I know to what part of the question the supplementary question relates ?

Dr. P. G. SOLANKI : It relates to the confirmation of these teachers.

The Honourable Dewan Bahadur S. T. KAMBLI : I do not think it does.

JUDICIAL DEPARTMENT : RECRUITMENT FROM BACKWARD CLASSES.

*Rao Bahadur R. V. VANDEKAR (Nasik District) : Will the Honourable the Home and General Member be pleased to state how many persons from the intermediate Hindu or backward classes are taken up in Government service in the Central Division every year in the Judicial Department since 1927 either as gazetted or non-gazetted officers ?

The Honourable Mr. R. D. BELL : Government regret that they cannot undertake to collect this information on account of the labour and trouble involved.

Rao Bahadur R. V. VANDEKAR : May I know what are the sources of Government to know that there is an adequate representation of the intermediate classes in the Judicial Department ? May I point out to Government that there is a constant cry from the Intermediate classes that they are not adequately represented in the Judicial Department in proportion to their number ?

The Honourable Mr. R. D. BELL : Sir, Government have frequently given information to honourable members in connection with this matter and have, on at least two occasions, obtained information for their own

satisfaction as regards the recruitment of the Intermediate classes in the Judicial Department. The difficulty in answering these questions is that while it is quite easy for Government to give the information to prove their point, honourable members ask for it so frequently and in so many different forms, that the mass of these questions makes it impossible to take up every single one of them; and a year or two ago it was decided in Government circles that the matter had better be allowed to rest for some time. It had been so thoroughly discussed and so much information had been collected in the preceding two or three years that Government were satisfied that their orders were being observed and they decided not to collect any more of this information until two or three more years had elapsed. I can assure the honourable member that Government's investigations prove that their orders are being observed.

PROVINCIAL SERVICES IN THE TRANSFERRED DEPARTMENTS: RULES.

*Rao Bahadur R. V. VANDEKAR (Nasik District): Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) whether Government have completed the framing of rules regarding recruitment, method of selection, qualifications, pay, etc. for the provincial services in the transferred departments;

(*b*) if so, whether he will be pleased to place a copy of those rules on the Council Table?

The Honourable Sir GHULAM HUSSAIN: (*a*) and (*b*) Statutory rules regarding recruitment, method of selection and qualifications for the provincial services were published in 1929 as the Bombay Civil Services Recruitment Rules (Financial Publication No. VI), a copy of which will be found in the Council Library. Revised scales of pay for provincial services in the transferred departments will be found in the statement of revised scales of pay recently laid before the Council.

REIMPOSITION OF TOLLS.

*Rao Bahadur R. V. VANDEKAR (Nasik District): Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) whether Government are aware that the motoring public have been put to great inconvenience and annoyance by the reimposition and extension of tolls in the presidency;

(*b*) whether they are aware that this form of taxation has in recent years been completely abolished in all other provinces of India and that even those few municipalities in the United Provinces that have imposed tolls, are also thinking of abolishing them at the suggestion of the United Provinces Road Traffic Taxation Committee;

(*c*) whether they are aware that even the Report of the Indian Road Development Committee of 1927-28 recommends the abolition of tolls and urges that direct taxation (Provincial) should be substituted for tolls on motor vehicles;

(*d*) whether they are aware of the harassment to traffic of all kinds and of the strong demand that tolls should be altogether abolished;

(*e*) if so, whether they propose to abolish tolls on all traffic as soon as possible and replace them where necessary by some other form of taxation?

The Honourable Khan Bahadur D. B. COOPER: (*a*) and (*d*) No. Government are however aware of complaints made by a section of the motoring public of Bombay against the reimposition of tolls on a few roads on which they were abolished in 1923–25 and imposition of some new tolls. They therefore desire that tolls should be abolished.

(*b*) No.

(*c*) Yes, but partial abolition.

(*e*) The proposal is under the consideration of Government.

Rao Bahadur R. V. VANDEKAR: With regard to (*e*) may I know whether Government have any new proposal to replace tolls by some other form of taxation?

The Honourable the PRESIDENT: That matter has come before the House and has been referred to. Next question.

SURAT AND WEST KHANDESH DISTRICTS: ILLICIT DISTILLATION.

*Rao Bahadur R. V. VANDEKAR (Nasik District): Will the Honourable Minister for Education be pleased to state the number of cases of illicit distillation during each of the last five years in the Surat and West Khandesh districts?

The Honourable Dewan Bahadur S. T. KAMBLI:

	Surat District.	West Khandesh District.
1928–29	32	110
1929–30	32	66
1930–31	5	66
1931–32	21	91
1932–33	4	62

The above are purely actual distillation cases. In addition the following cases of possession of implements used in illicit distillation were detected in the two districts, and they are treated as illicit distillation cases as the possession of such implements is really much the same as the actual distillation:—

	Surat District.	West Khandesh District.
1928–29	126	1,767
1929–30	179	1,199
1930–31	31	918
1931–32	122	1,241
1932–33	110	960

NORTHBROOKE GARDEN, BOMBAY.

* Mr. B. P. WADKE (Bombay City, North): Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) whether Government have considered the desirability of re-considering the conditions under which the Northbrooke Garden was first handed over to the Bombay Municipality in 1875 for its maintenance and proper use by the public;

(*b*) whether Government have ever satisfied themselves as to whether the Bombay Municipality has made adequate provision for recreation material in the garden, e.g., benches, lawns, levelling shrubbery, palm-trees and statuary;

(*c*) the circumstances under which the total subscription of Rs. 25,336 was collected for the purpose of this garden as far back in 1872–73 or thereabouts;

(*d*) whether Government are aware that of late on certain days of the year this garden is used as a cooking and eating place; if so, why no steps are taken to put a stop to such a practice to avoid the chances of any communal riots taking place;

(*e*) whether Government are aware that nowadays this garden is being used as a place of resort by Mavalis (bad characters) as a result of which there is always the fear of disturbances arising;

(*f*) whether Government have considered the desirability of erecting a strong and high pale fencing over the existing compound wall of the garden to improve the condition of the garden;

(*g*) the total expenditure, with the details thereof, incurred by the Municipality during the years 1930–31 and 1931–32 for the upkeep and maintenance of the garden?

The Honourable Khan Bahadur D. B. COOPER: (*a*) No.

(*b*) The Municipality have laid out the ground with turf and planted trees around it. Other amenities may be provided by that body if funds permit, but do not seem to be essential.

(*c*) The amount was raised in 1872 by voluntary subscriptions from the public to commemorate the visit to the City of His Excellency the Right Honourable Lord Northbrooke, the then Viceroy and Governor-General of India.

(*d*) Government understand that during the month of Ramzan, the garden is resorted to in large numbers by the Muhammadan inhabitants of the locality who leave the place early in the morning after breaking their fast. Government do not consider that this practice is likely to lead to the consequences apprehended by the Honourable Member. The question of putting an end to it is one for the Bombay Municipality to consider, as the garden is vested in that body.

(*e*) The garden is situated in a locality in which a number of bad characters live, many of whom visit the garden.

(*f*) No, as the garden is in charge of the Municipal Corporation of Bombay.

(*g*) The expenditure incurred by the Municipality is reported to be as follows :—

	Rs.	a.	p.
1930-31	1,701	15	0
1931-32	1,385	8	0

Details of the expenditure are not available.

Mr. B. P. WADKE : As regards (*d*) was any inquiry made by Government to find out whether only the Mahomedan inhabitants of the locality visit the Garden or whether other outsiders also resort to the Garden ?

The Honourable Khan Bahadur D. B. COOPER : The reply is clear.

Mr. B. P. WADKE : I say from my personal knowledge that not only the Mahomedan inhabitants of the locality gather there, but outsiders such as Pathans come there and make a nuisance of themselves.

The Honourable Khan Bahadur D. B. COOPER : That is a matter of opinion.

Mr. B. P. WADKE : It is a fact what I am telling the Honourable Minister——

The Honourable the PRESIDENT : Order, order. Only a supplementary question, no argument.

Mr. B. P. WADKE : No proper reply is given to my question whether this garden is used as a cooking and eating place. No explanation has been offered and to get this information I had put the supplementary questions. I want to know whether Government have made any inquiry as to whether the people who flock to this garden are only the Mahomedan inhabitants of the locality or whether outsiders also are resorting to it.

The Honourable Khan Bahadur D. B. COOPER : The reply given there is quite clear.

The Honourable the PRESIDENT : Which is the reply the Honourable Minister depends on ?

The Honourable Khan Bahadur D. B. COOPER : The reply to (*d*).

Mr. B. P. WADKE : Subsequently it is stated in that reply that Government do not consider that this practice is likely to lead to the consequences apprehended by the honourable member. For that purpose, may I know whether after the first riot took place in 1932 there was another riot on account of this cooking and hawking, etc., in the garden by mavalis and outside Mahomedans ?

The Honourable Khan Bahadur D. B. COOPER : Not that I am aware of.

Mr. B. P. WADKE : May I know whether it is a fact that police medals were presented to two police officers for the recognition of their services in preventing loss of life during the second riot ?

The Honourable Khan Bahadur D. B. COOPER : That question does not arise.

The Honourable the PRESIDENT : This is more a sermon than a supplementary question.

Mr. B. P. WADKE : But the reply is not properly given.

The Honourable the PRESIDENT : There is no reply to that. The honourable member should rest satisfied or dissatisfied, that is all ; there is no other procedure laid down.

Mr. B. P. WADKE : That is rather funny.

The Honourable the PRESIDENT : Order, order.

UNSTARRED QUESTIONS AND ANSWERS.

THE BOMBAY BOARD OF FILM CENSORS.

Mr. R. R. BAKHALE : Will the Honourable the Home and General Member be pleased to state—

(*a*) how the Bombay Board of Film Censors is constituted ;

(*b*) the qualifications or the rules and regulations for selecting members of this Board and the remuneration paid to them every year ;

(*c*) what the annual income of the Board has been, since its inception, by way of fees for censoring films, and what the total annual expenses incurred for the administration of the Board have been and how the surplus, if any, is utilised ?

The Honourable Mr. R. D. BELL : (*a*) The Board is constituted in accordance with section 7 (1) of the Cinematograph Act, 1918, and consists of the following members :—

(1) The Commissioner of Police, Bombay, President (ex-officio).

(2) The Collector of Customs, Bombay (ex-officio).

(3) Mr. H. Hamill, Principal, Elphinstone College, Bombay.

(4) Mr. N. V. Mandlik.

(5) Mr. S. K. Barodawala.

(6) Sir Byramjee Jeejeebhoy.

(*b*) No particular qualifications or rules have been prescribed for selecting members of the Board. A statement showing the remuneration paid to them every year since 1920 is laid on the Council table.

(*c*) A statement showing the income derived from fees for censoring films and expenditure incurred by the Board since its inception is placed on the Council table. The surplus is credited to a local fund called the Cinematograph Act Fund.

Statement showing the amount of fees paid to members of the Bombay Board of Film Censors.

Year.	Amount.		
	Rs.	a.	p.
1920 (August to December) ..	1,312	0	0
1921	1,624	0	0
1922	1,920	0	0
1923	1,794	0	0
1924	2,276	0	0
1925	2,889	14	0
1926	2,660	0	0
1927	3,782	0	0
1928	3,694	0	0
1929	3,108	0	0
1930	2,982	0	0
1931	4,118	0	0
1932	3,224	0	0

Statement showing the income of the Bombay Board of Film Censors from fees for censoring films and its expenditure.

Year.	Income from fees for censoring films.			Expenditure.		
	Rs.	a.	p.	Rs.	a.	p.
1920 (August to December)	13,245	0	0	9,685	2	0
1921	15,034	0	0	28,043	14	11
1922	12,062	0	0	27,211	2	1
1923	13,962	0	0	23,892	11	7
1924	14,532	0	0	14,782	9	7
1925	13,681	0	0	16,230	11	4
1926	19,105	0	0	15,330	14	11
1927	20,221	0	0	17,177	15	11
1928	24,082	0	0	19,502	12	4
1929	27,753	0	0	20,478	14	9
1930	30,203	0	0	20,804	0	0
1931	27,992	0	0	22,554	14	9
1932	19,730	0	0	23,274	6	6

MALWAN CITY SURVEY.

Rao Bahadur S. K. BOLE: Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) the number of properties in that part of Malwan in the Ratnagiri District which are brought under city survey;

(*b*) the number of properties which are such that the assessment on them cannot be enhanced either owing to their being gavathan or inam lands or being permanently let out by Government;

(*c*) how many appeals were made against the decisions passed by the enquiry officer and how many properties were involved in them;

(*d*) how many decisions of the enquiry officer were reversed or modified by the Collector;

(*e*) whether Government are aware that owing to the ignorance of the general public of the procedure of law, no appeals were made in many cases which deserved to go in appeal;

(*f*) whether it is a fact that the Collector got properties which were more than eight gunthas inspected even in the absence of any appeals regarding them, and whether he modified or reversed the decisions of the enquiry officer regarding these properties;

(*g*) if so, how many properties were inspected and the decisions in connection with how many of them were either modified or reversed;

(*h*) out of the properties thus inspected and that were individually eight gunthas how much land was held to be liable to non-agricultural assessment as being reasonably required for the use of the house as such;

(*i*) how many appeals were made against the decisions of the enquiry officer regarding properties individually more than eight gunthas in area;

(*j*) how many decisions of the enquiry officer which concerned properties individually less than eight gunthas were reversed by the Collector;

(*k*) whether Government had considered the necessity of inspecting properties individually less than eight gunthas even in the absence of appeals regarding them;

(*l*) whether it is a fact that in the case of properties individually less than eight gunthas non-agricultural assessment was levied on them in spite of the standard plantation of trees therein;

(*m*) whether Government are aware that it is the poor and ignorant persons from the backward classes who have to suffer owing to the non-inspection of properties less than eight gunthas;

(*n*) if so, whether Government intend to inspect again all the properties that are individually less than eight gunthas?

The Honourable Sir GHULAM HUSSAIN: (*a*) 4,321.

(*b*) 1,546.

(*c*) 76 appeals were made in which 373 properties were involved.

(*d*) The Enquiry Officer's decisions were modified in the case of 42 properties and reversed in 49.

(*e*) No.

(*f*) and (*g*) Yes. The number of properties reviewed was 608. The Enquiry Officer's decisions were reversed in the case of 95 properties and modified in 151 cases.

(*h*) Land actually built upon *plus* twice its area was subjected to non-agricultural assessment.

(*i*) 26.

(*j*) In respect of 78 properties.

(*k*) No.

(*l*) The term standard plantation of trees is not understood. Land was assessed in the manner indicated in the reply to clause (*h*).

(*m*) No.

(*n*) Does not arise.

DISTRICT COURT, RATNAGIRI: TRANSFER OF SHIRASTEDAR.

Rao Bahadur S. K. BOLE: Will the Honourable the Home and General Member be pleased to state—

(*a*) the name and caste of the present incumbent of the post of Shirastedar in the District Judge's Court at Ratnagiri;

(*b*) for how many years he is holding that post;

(*c*) why he has not been transferred so long;

(*d*) whether it is the Government policy not to keep the same person on the same post for many years;

(*e*) whether Government are aware that the interests of litigants in the court are affected by his retention on the same post for a long time;

(*f*) if so, whether Government intend to transfer him now?

The Honourable Mr. R. D. BELL: (*a*) Mr. D. N. Gole; a Brahmin.

(*b*) 16 years.

(*c*) Government have received no proposal for his transfer to another district.

(*d*) No such policy has been laid down, but transfers are made in the interests of public service, when necessary.

(*e*) No.

(*f*) Does not arise.

DISTRICT COURT, RATNAGIRI: CLERICAL ESTABLISHMENT.

Rao Bahadur S. K. BOLE: Will the Honourable the Home and General Member be pleased to state—

(*a*) the total number of clerks in the District Court, Ratnagiri;

(*b*) how many of them belong to the Advanced and how many to the Backward and the Depressed classes respectively?

The Honourable Mr. R. D. BELL: (*a*) 21.

(*b*) 12 (Advanced classes).
9 (Intermediate, formerly styled Backward classes).
None (Backward, formerly styled Depressed classes).

CONVEYANCE DRIVERS IN HYDERABAD: ALLEGED GRIEVANCES.

Mr. DHALUMAL LILARAM (Eastern Sind): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether the attention of Government has been drawn to the grievances of conveyance drivers against the police high-handedness in Hyderabad;

(*b*) whether it is a fact that a responsible police officer of the town is the father-in-law of the local Sergeant of Public Conveyances;

(*c*) if so, whether it is the intention of Government to transfer one of the officers to some other place for the sake of justice and equity?

The Honourable Mr. R. D. BELL: (*a*) Government were not aware of their grievances until their attention was drawn to them by the Honourable Member. But inquiries since made show that the police have not been guilty of any high-handedness against the drivers.

(*b*) The step-daughter of an Inspector is married to a local Sergeant.

(*c*) No.

GRANT OF LANDS TO RAILWAY COMPANIES FOR RESIDENTIAL PURPOSES.

Mr. M. M. KARBHARI (Thana and Bombay Suburban Districts): Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) the total extent of lands granted by Government to the railway companies for being used for residential purposes by their servants in the towns and villages in the Bombay Presidency;

(*b*) whether Government charge any non-agricultural assessment on these lands;

(*c*) if not, why not;

(*d*) the total annual loss of revenue suffered by Government by not charging non-agricultural assessment on these lands;

(*e*) the aggregate amount of loss of revenue suffered by Government on this account since the introduction of the last Reforms?

The Honourable Sir GHULAM HUSSAIN: (*a*) Government are not prepared to call for this information, as the time and labour involved in its compilation will be incommensurate with the public importance of the question.

(*b*) and (*c*) After land is transferred to a Railway Administration, no assessment is charged on it in accordance with rules framed by the Secretary of State for India in Council. But if acquisition of land for a Railway has occasioned actual loss of revenue to a local Government, the capitalised value of that revenue is debited to the administration.

(*d*) and (*e*) Do not arise.

INCOME FROM THE PETROL TAX.

Mr. MADHAVSANG JORBHAI SINDHA (Broach District): Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) the total annual income received by the Government of Bombay from the Government of India from the 2 annas petrol tax in the Bombay Presidency since the time of the levy of the tax;

(*b*) whether it is a fact that the income derived from this source is received by the Government of Bombay from the Government of India on certain conditions;

(*c*) if so, on what conditions;

(*d*) whether Government intend to utilise this income or a portion thereof towards the improvement of roads in the Presidency; if so, when?

The Honourable Khan Bahadur D. B. COOPER: (*a*)

Year.	Receipts.
	Rs.
1930–31	25,60,000
1931–32	11,60,459
1932–33	20,86,880
	58,07,339

(*b*) Yes.

(*c*) The amount received from the petrol tax is to be utilised on original schemes relating particularly to Class I and Class II roads provided they form part of a consistent plan of road development. These schemes are to be first approved by the Governor General in Council with the advice of the Standing Committee for Roads.

(*d*) The amounts received from the petrol tax have been and are being spent on improvement of roads in this Presidency.

INAM VILLAGES IN PANCH MAHALS DISTRICT: RECOVERY OF AMOUNTS ALLOWED AS *kadim haks*.

Mr. M. H. MEHTA (Panch Mahals District): Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) the number of inam villages in the Panch Mahals District with the amounts allowed for each as *kadim haks*;

(*b*) for what the *kadim haks* were meant and who used to spend the amounts allowed as *kadim haks*;

(*c*) whether it is a fact that Government recover these amounts from the respective inamdars; if so, since when;

(*d*) whether Government spend the amount every year for the purpose for which they were meant;

(*e*) if the answer to (*d*) is in the affirmative, how much amount was recovered during the last five years and how much of it was spent for each of the villages;

(*f*) whether any balance remains with Government from out of these recoveries; if so, how much?

The Honourable Sir GHULAM HUSSAIN: (*a*) 77. *Kadim haks* are allowed in 30 of these villages as detailed in the statement appended.

(*b*) They were meant for the following purposes:—

(*i*) worship of deities;
(*ii*) patel paghri;
(*iii*) liquor to villagers;
(*iv*) molasses to villagers;
(*v*) lighting charges for certain temples, etc.

These *haks* were paid to the holders direct by the inamdars, before the enquiry into the settlement of the *haks* was held.

(*c*) Yes, after the enquiry referred to in the reply to clause (*b*), i.e., since the year 1916–17.

(*d*) Yes, except in cases where the *haks* have lapsed to Government.

(*e*) Rs. 2,707-5-1 were recovered. The amount spent was Rs. 619-7-3. Details of the annual recovery and expenditure for each village are shown in columns 3 and 4 of the appended statement.

(*f*) Yes; Rs. 417-9-2 each year.

Statement referred to in the reply to clause (a) of Mr. M. H. Mehta's question regarding recovery of kadim hak *in inam villages in the (former) Panch Mahals District.*

Serial No.	Name of inam village.	Amount recovered annually as *kadim hak*.	Total annual expenditure.
1	2	3	4
		Rs. a. p.	Rs. a. p.
	Godhra Taluka.		
1	Rasulpur	14 2 1	6 0 0
2	Bhatnu Muvada	6 8 0	1 0 0
3	Taravdi	5 3 0	2 0 0
4	Moro	5 3 9	2 0 0
5	Padardi	13 1 5	6 10 0
6	Dhandhalpur	11 5 6	2 10 0
7	Narsana	13 1 5	2 10 0
8	Vizol	22 11 0	5 4 0
9	Sureli	17 7 3	2 10 0
	Kalol Taluka.		
10	Barola	1 11 10	....
	Halol Mahal.		
11	Kadachla	13 1 5	4 0 0
12	Maghasar	8 11 7	2 0 0
13	Newaria	8 11 7	4 0 0
	Dohad Taluka.		
14	Chosala	26 2 10	11 3 0
15	Brahmkheda	39 0 9	28 0 0
16	Tanachhia	12 3 6	5 4 0
17	Bordi (Inami)	29 15 10	12 7 0
18	Bhat Dungra	6 5 3	4 9 0
19	Nasirpur	22 0 0	....
20	Bhathiwada	34 4 7	....
	Jhalod Mahal.		
21	Hirola	28 0 7	8 15 3
22	Jetpur	18 5 5	....
23	Kaligam	15 11 5	....
24	Karamba	26 0 0	11 0 0
25	Munkhosla	37 0 0	....
26	Parthampur	25 12 0	0 14 0
27	Pavdi	15 11 4	....
28	Pipalia	19 8 0	....
29	Raniar Rajput	20 8 1	....
30	Sampoi	23 14 0	0 14 0
	Total ..	541 7 5	123 14 3

MAHALKARI OF AMBEGAON PETA IN POONA DISTRICT.

Rao Bahadur N. E. NAVLE (Ahmednagar District): Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) whether it is a fact that Mr. M. M. Purandare was a Mahalkari of Ambegaon Peta in the Poona District;

(*b*) whether he was accused of malpractices and whether on an inquiry the charges were held to be proved;

(*c*) whether any departmental action was taken against him and whether he was dismissed from service;

(*d*) the reasons why he was not prosecuted?

The Honourable Sir GHULAM HUSSAIN: (*a*) Yes. The Mahalkari's name is Mr. B. G. Purandare and not Mr. M. M. Purandare.

(*b*) Yes.

(*c*) and (*d*) As a result of departmental inquiry, Mr. Purandare was permitted to tender his resignation from service; this was considered sufficient punishment for his offence in view of his long service and the fact that he has forfeited all claim to pension by his resignation.

EXCISE DEPARTMENT: MUSLIM REPRESENTATION.

Khan Bahadur A. E. PATEL (Northern Division): Will the Honourable Minister for Education be pleased to state—

(*a*) the number of Muslims serving in the Excise Department as Superintendents, Inspectors and Sub-Inspectors;

(*b*) the name of the Muslim Superintendent of Excise, if any;

(*c*) whether Government are aware of the paucity of Muslim representation in the higher grade of the Excise Department;

(*d*) if so, whether they intend to take early steps to remove that paucity?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) Muslims serving in the Excise Department are as follows:—

			Number.
Superintendent of Excise	..	..	1
Excise Inspectors	..	..	12
Excise Sub-Inspectors	..	..	21

(*b*) Mr. J. A. G. Agha.

(*c*) The system of direct recruitment to the cadre of Superintendents of Excise was introduced in 1923 as a result of the recommendations of the Public Service Commission and since that time two Mahomedans were appointed as Superintendents of Excise; the services of one of them were, however, dispensed with subsequently as he was found unfit for the post. There are no Mahomedan Inspectors who are sufficiently senior for promotion to the cadre of Superintendents of Excise.

(*d*) No, no such steps appear possible.

AUDIT FEES IN BROACH DISTRICT.

Khan Bahadur A. E. PATEL (Northern Division): Will the Honourable Minister for Education be pleased to state—

(*a*) whether Government have framed any rules or fixed any scale for the audit fees of Wakf accounts which are required to be submitted to the District Judge's Court in each district;

(*b*) if so, what are those rules or what is that scale;

(*c*) the total annual income derived from audit fees in the District of Broach in 1932-33;

(*d*) whether Government are aware that in Broach the audit fees are levied on income in accordance with a fixed scale without any reference to the volume of work done in auditing;

(*e*) whether Government are aware that Wakf accounts are often very simple and are usually written on two or three pages although the total income and expenditure may be large;

(*f*) whether Government have received any complaints from the Muslims or Mutawallis to the effect that the audit fees levied in accordance with the present fixed scale are very heavy and also disproportionate to the volume of work required to be done in auditing the accounts;

(*g*) if so, whether Government intend to reduce the percentage rates, and also to fix a maximum audit fee having regard either to the pages of account books to be examined or the volume of work to be done?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) and (*b*) The Honourable Member is referred to Government Notification, No. 4815/28, dated 18th November 1931, a copy of which is placed on the Council Table.

(*c*) Rs. 597-4-2.

(*d*) Yes.

(*e*) In some cases although the income and expenditure are large, the accounts are simple.

(*f*) No.

(*g*) Does not arise.

REVENUE DEPARTMENT.

Bombay Castle, 18th November 1931.

No. 4815/28.—In exercise of the powers conferred by section 11 of the Mussalman Wakf Act, 1923 (XLII of 1923), the Government of Bombay is pleased further to amend the Mussalman Wakf Rules, 1925, published in Government Notification in the Revenue Department, No. 214/24, dated the 9th November 1925, as follows, namely:—

After rule 6 of the said rules the following shall be inserted, namely:—

"6-A. *Audit fees.*—No audit fees shall be charged in the case of wakfs the gross annual income of which after deduction of the land revenue and cesses, if any, payable to Government, does not exceed fifty rupees. In the case of wakfs, the gross annual

income of which as aforesaid exceeds fifty rupees but does not exceed two thousand rupees the Court may authorise the levy of an audit fee at a rate not exceeding 3 per cent. of the gross annual income of the wakf as aforesaid and may, in authorizing the levy of such rate, fix a graduated scale of fees if it thinks fit."

By order of the Government of Bombay
(Transferred Departments),

R. D. BELL,

Chief Secretary to Government.

GRIEVANCES OF RAILWAY PASSENGERS IN GUJARAT.

Khan Bahadur VALI BAKSH ADAMBHAI PATEL (Northern Division): Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) whether Government are aware that there are no lights provided in the train which leaves Jambusar at 6-10 a.m. for Broach and also in the train which leaves Dayadra at 6-14 p.m. for Broach;

(*b*) whether Government are aware that in some of the compartments of the trains running between Broach and Kavi and Dehej and Samni, there is no arrangement made for privies;

(*c*) whether Government are aware that there are no benches provided at the flag stations of Kantharia, Vachhanad, Nahiar, etc., for the convenience of the passengers waiting for trains;

(*d*) if so, whether Government intend to move the railway administration to remove these grievances of the travelling public?

The Honourable Sir GHULAM HUSSAIN: (*a*), (*b*), (*c*) and (*d*) It is suggested to the Honourable Member that he should bring the deficiencies complained of to the notice of the representative of the Legislative Council on the Local Advisory Committee of the Bombay, Baroda and Central India Railway, for consideration and necessary action by that body. Local Advisory Committees have been specially constituted for the purpose of dealing with questions of this nature.

TRANSFERS OF SUB-INSPECTORS OF POLICE IN GUJARAT.

Khan Bahadur VALI BAKSH ADAMBHAI PATEL (Northern Division): Will the Honourable the Home and General Member be pleased to state—

(*a*) the total number of Sub-Inspectors of Police in the districts of Gujarat for the year 1933;

(*b*) how many of them were transferred from the police stations after 12 months, 9 months, 6 months and 3 months and how many were transferred within 3 months;

(*c*) what amount of travelling allowance was paid to those who were transferred after 12 months, 9 months, 6 months, and 3 months and also to those who were transferred within 3 months?

The Honourable Mr. R. D. BELL: (*a*) The sanctioned strength of Sub-Inspectors of Police in the districts of Ahmedabad, Kaira, Surat and Broach and Panch Mahals, as it stood on 1st July 1933 was 96.

(*b*) and (*c*) The information required by the Honourable Member is not readily available and the time and labour involved in collecting it would be incommensurate with its value.

THANA AND KOLABA DISTRICTS: ASSESSMENT FOR RICE LANDS.

Mr. N. N. PATIL (Kolaba District): Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) whether there is any difference between the maximum rates of assessment per acre of rice land in the Thana and Kolaba Districts; if so, what are the reasons therefor;

(*b*) whether it is a fact that the Thana District has got better railway and road communication with Bombay than the Kolaba District?

The Honourable Sir GHULAM HUSSAIN: (*a*) Yes. The reason for the variation is that settlement rates are based on various factors such as fertility of soil, prices, marketing facilities, and so on. Sometimes they are limited by the rule fixing the maximum enhancement at each revision. For a comparative study of all these factors in these talukas, the Honourable Member is referred to the respective settlement reports.

(*b*) Yes.

CIVIL HOSPITAL, KARACHI: DR. BHATT'S REFUSAL TO ADMIT A DYING PATIENT.

Mr. SHAIKH ABDUL MAJID (Karachi City): Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) whether it is a fact that as a rule all serious medico-legal cases, specially of head or of internal injuries, whether doubtful or definite, sent by the Police, are admitted at Government hospitals for observation for at least 24 hours;

(*b*) whether Government are aware that one Khamiso, son of Badal, assaulted at Malir and brought by the Sub-Inspector of Police personally in a dying condition with serious head injuries was refused admission into the hospital at Karachi on 3rd September 1932 for treatment as in-door patient, by Dr. Bhatt;

(*c*) if so, what were the reasons for the refusal of such a serious case where the patient was brought from Malir, a village 14 miles from Karachi, where no medical aid for treatment is available, with a severe injury to the head and in a semi-conscious state;

(*d*) whether Government are aware that the patient was taken back to Malir and detained there for about 24 hours without any medical aid and on his condition getting worse, was brought back next day when he was admitted by another doctor on duty;

(*e*) whether it is a fact that the patient succumbed to the injuries in the hospital the same night;

(*f*) whether it is a fact that one Jhumo son of Obhayo, a relative of the deceased, made a petition to the Surgeon General with the Government of Bombay, to take suitable action against Dr. Bhatt for his negligence and carelessness in properly examining the case and refusing admission to the patient;

(*g*) the nature of injuries certified by Dr. Bhatt as well as injuries and the cause of death ascertained by Dr. Hajikhan;

(*h*) whether the House Surgeon was consulted by Dr. Bhatt before he refused admission to the patient;

(*i*) what action has been taken against Dr. Bhatt and what instructions, if any, have been issued to hospital authorities to prevent the recurrence of such incidents;

(*j*) the total number of years for which Dr. Bhatt has served in Karachi in various capacities;

(*k*) whether his transfer from Karachi is under the contemplation of Government?

The Honourable Khan Bahadur D. B. COOPER: (*a*) There is no rule requiring the detention in hospital of a case of injury to head or internal injuries. However, in the case of the Civil Hospital, Karachi, all serious medico-legal cases are admitted in the Hospital for observation for at least 24 hours.

(*b*) and (*c*) Khamiso, son of Badal, was brought to the Civil Hospital, Karachi, with a head injury on 3rd September 1932 at 2-24 a.m. He was conscious at the time and answered questions put to him. The wound was dressed, and he was allowed to go. He was not admitted as an inpatient because Mr. Bhatt, after careful examination, did not consider his case to be serious, as there were no symptoms of serious head injury such as concussion, compression or hæmorrhage.

(*d*) He became worse at Malir and was brought back to the Civil Hospital, Karachi, the next day. He was then admitted.

(*e*) Yes.

(*f*) Yes.

(*g*) The injuries certified by Mr. Bhatt were:—

"A contused wound $2\frac{1}{2}'' \times \frac{1}{4}'' \times \frac{1}{8}''$ on head on left side."

"Probable weapon blunt." "Probable period of recovery about 6 days."

The injuries certified by Mr. Haji Khan at post-mortem examination:—

(1) A septic contused wound $2'' \times \frac{1}{4}'' \times \frac{1}{2}''$ on the left parietal bone;

(2) A small abrasion on the outer side of the right eye.

(3) A small swelling on the lett side of the face.

On opening the scalp the tissues all round injury No. (1) were highly ecchymosed. There was linear fracture of the squamous portion of the temporal bone, left parietal bone, left side of the frontal bone and right parietal bone.

Opinion as to the cause of death given by Mr. Haji Khan:—

"Certified that I have performed the post-mortem examination on the dead body of Khamiso, son of Badal, and from the

examination of the head I am of opinion that the death appears to have been due to 'compression' as a result of hæmorrhage on the brain, with linear fracture of the skull bones and contused wound on the head caused by some blunt weapon used with great force."

(*h*) No.

(*i*) None;

(*j*) 17 years, 1 month and 20 days.

(*k*) He has already been transferred from Karachi.

MEDICAL DEPARTMENT IN SIND: CLERICAL APPOINTMENTS.

Mr. SHAIKH ABDUL MAJID (Karachi District): Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) whether it is a fact that the Sindhi clerks in the Medical Department are also borne on the general seniority list of clerks of the whole Presidency;

(*b*) whether it is a fact that higher clerical appointments in the Medical Department in Sind are not given to Sindhis but are given to non-Sindhis from the presidency?

The Honourable Khan Bahadur D. B. COOPER: (*a*) Yes;

(*b*) No. Appointments are made from the general list according to merit and seniority and Sindhi clerks have received their due share.

KEAMARI INDIAN VILLAGE: PROVISION OF NEW HOUSES AND LATRINES.

Mr. SHAIKH ABDUL MAJID (Karachi District): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether it is a fact that the Port Trust, Karachi, possesses a number of houses in Keamari Indian village which are let by it to the labouring population of Keamari;

(*b*) if so, what is the number of such houses and the total rent realised therefrom;

(*c*) whether it is a fact that these houses were constructed about forty years ago and whether the tenants have been requesting for the last fifteen years for their reconstruction and repairs;

(*d*) if so, what steps have been taken by the Port Trust authorities to meet the demand of their tenants;

(*e*) whether it is a fact that during the recent rains most of the rented houses have been damaged;

(*f*) if so, to what extent damage has been done both to the tenements and the tenants of the Port Trust;

(*g*) whether it is a fact that the tenants of the Port Trust have passed a resolution on 26th July 1933 recommending that the houses should be rebuilt and that pending construction of new houses temporary huts should be provided and house rent remitted by the Port Trust;

(*h*) if so, what the decision of the Port Trust has been in regard to this resolution;

(*i*) whether it is a fact that Karachi Municipal authorities have also written to the Port Trust authorities drawing their attention to the dangerous condition of the houses at Keamari and the necessity of constructing new houses; if so, whether the Honourable Member will be pleased to place on the Council Table all the correspondence that has passed between the Karachi Municipality and the Port Trust on the above question as well as on the question of providing new latrines for the Keamari people;

(*j*) whether Government intend moving the Port Trust authorities to undertake immediately the work of reconstructing their houses and latrines?

The Honourable Mr. R. D. BELL: (*a*) Yes, but the houses are let also to people other than labourers.

(*b*) There are 816 houses and the total rental, excluding rent-free houses, comes to Rs. 55,276 per annum. This rental represents, however, the amount which the Port Trust would obtain if no houses were vacant and the actual realizations are less.

(*c*) A portion of the village was built in 1902-03; a further portion in 1904-05, and a further portion in 1914-15. The reply to the second part of (*c*) is in the negative.

(*d*) Does not arise.

(*e*) and (*f*) The recent exceptionally heavy rains rendered only 3 houses entirely uninhabitable by reason of defects or collapse of portions of the roofing. The verandah roofs of five houses were severely damaged and defects and damage occurred in the roofs of eleven other houses. The roofs of a further fifty houses were slightly damaged. The Port Trust have no knowledge of any injury sustained by any person during the last exceptionally heavy rains. A few complaints were received of damage to property but the extent of the damage done or the value of the property damaged was not stated.

(*g*) Yes.

(*h*) The President of the meeting was informed by the Port Trust that the question of repairs was in hand and estimates were being prepared for improving the roofs of all houses in the village and rendering them watertight.

(*i*) The attention of the Port Trust has been drawn by the Karachi Municipal authorities to the dangerous condition of the houses and to the necessity of repairing them. A copy of a memorandum No. B.S.M. 114/33, dated the 28th July 1933, from the Land Manager and Architect, Karachi Municipality, to the Chairman, Karachi Port Trust, stressing the need of repairs to the damaged houses is placed on the Council Table. There has been no further correspondence between the Municipality and the Port Trust on this subject. The correspondence on the question of providing new latrines is voluminous and it is not proposed to place it on the Council Table. It may however be stated that the construction of new latrines was held up by the Port Trust pending the preparation and construction by the Municipality of a water borne drainage system

for Keamari. As, however, there is no immediate prospect of the Municipality doing this, the Port Trust have now decided to provide ten blocks of latrines with 20 seats each and the work has been taken in hand.

(*j*) No. The Port Trust have already taken the necessary action in the matter in regard both to the houses and the latrines.

Copy of Memo. No. B.S.M. 114/33, dated 28th July 1933, from the Land Manager and Architect, Karachi Municipality, to the Chairman, Karachi Port Trust.

Undersigned has the honour to forward herewith a list of houses in the Indian Village of Keamari the roofs of which have collapsed or been rendered dangerous by the rains. The houses the roofs of which have either collapsed and in which holes have been formed are noted in the list. In fact the remaining houses, except what are called cement chawls in the Keamari village need repairs to their roofs as these leak heavily leaving not an inch of floor that is dry.

These houses belong to the Karachi Port Trust authorities. It is therefore requested to please take steps to put the houses in order.

List of houses in the Indian Village at Keamari the roofs of which have been made dangerous by rains.

3, 5/6, 6, 6/7, 7, 8, 9, 12, 13, 19, 26, 31, 52, 96, 98, 99, 100, 103, 104, 109, 112, 139, 141, 145, 146, 148, 149, 150, 151, 158, 164, 168, 169, 171, 175, 177, 183, 185, 187, 188, 189, 190, 197, 198, 200, 242, 243, 245, 249, 250, 253, 254, 255, 256, 257, 259, 260, 261 262, 267, 268, 269, 273, 274, 275, 277, 281, 282, 291, 300, 329, 349, 351, 353, 354, 355, 358, 359, 360, 362, 365, 367, 369, 370, 374, 375, 376, 417, 418, 419, 420, 422, 423, 424, 425, 426, 427, 428, 430, 435, 436, 437, 438, 439, 440, 444, 445, 465, 476, 478, 479, 486 489, 524, 529, 531, 532, 543, 544, 545, 546, 547, 554, 555, 556, 557, 558, 559, 561, 566, 567, 569, 570.

Plot No. 8 in Sweepers Quarters.

The rafters and the roof of the following plots are also broken :—
2, 3, 6, 8, 26, 31, 245, 476.

Verandah wall of trellis work of plot Nos. 557 and 489 is tilted and the roofs of the same have also sunk.

True copies
(Illegible)
for Superintendent.

ABOLITION OF 'ANKI' IN SIND.

Mr. SHAIKH ABDUL MAJID (Karachi District): Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) whether the attention of Government has been drawn to an editorial article published in the weekly *Ekta*, dated the 20th July 1933, Larkana, recommending to the Commissioner in Sind the necessity to take steps to abolish the practice of "Anki" which is being exacted from the zamindars by the tapedars in the name of the higher officials;

(*b*) if so, whether Government intend to abolish the "Anki" in Sind?

The Honourable Sir GHULAM HUSSAIN: (*a*) Yes.

(*b*) It is impossible for any Government to stamp out "Anki" without the assistance of the public. It is well known that the exaction in question is illegal and it is open to the persons concerned to refuse to pay and to lodge complaints. Government have also issued instructions to their officers from time to time with the object of stamping out this practice as far as possible.

AUDIT OFFICE OF THE LLOYD BARRAGE AND MUSLIM COMMUNITY.

Mr. SHAIKH ABDUL MAJID (Karachi District): Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) whether the attention of Government has been drawn to a letter of Mr. Haji Mir Mahomed Baloch, M.L.C., published in *Muslim Welfare*, dated 10th June 1933, Karachi, under the caption of "Plight of Mussalmans in the Audit Office of the Lloyd Barrage";

(*b*) if so, whether Government have given any consideration to the suggestions made in that letter for safeguarding the interests of the Muslim community in the Audit Office;

(*c*) whether Government intend to accept those suggestions?

The Honourable Sir GHULAM HUSSAIN: As the Audit Office of the Barrage is a Central Government Office, it is not within the competence of the Local Government to reply to this question.

ZAMINDARI ASSOCIATION, MORO TALUKA: COMPLAINTS REGARDING TRANSFER OF AGRICULTURAL LAND ABOVE MORO REGULATOR.

Mr. SHAIKH ABDUL MAJID (Karachi District): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether the local officials have received complaints from the Zamindari Association, taluka Moro, to the effect that ever since the agricultural land above the Moro Regulator has been transferred to the Naushahro Sub-division, the zamindars and the khatedars of Moro taluka below the Noorpur Regulator have been put to unnecessary trouble and expense;

(*b*) if so, whether Government intend to take steps to remove their grievance;

(*c*) whether it is a fact that land below the Noorpur Regulator had its source of water-supply in the Dad Canal and its branches in the Moro taluka;

(*d*) since when the change of peech has been effected and why?

The Honourable Mr. R. D. BELL: (*a*) No.

(*b*) Does not arise. It may however be stated that the area between Noorpur and Moro Regulators, which falls within the boundaries of the Naushahro Sub-division with headquarters at Naushahro and was placed during the kharif season of 1932 in charge of Moro Sub-division with headquarters at Moro as a temporary measure for administrative convenience, has now been transferred to the Naushahro Sub-division.

(*c*) and (*d*) Before the opening of the Lloyd Barrage Canals the major portion of the area between Noorpur and Moro Regulators was settled on the Dad Caual and its branches passing through Moro taluka. With the opening of the Barrage Canals, the old Dad Canal has been abandoned and the lands settled on it are now irrigated from the Dad Branch ex the Rohri Canal.

SIR CHARLTON HARRISON'S CALCULATIONS REGARDING THE WORKING OF THE BARRAGE.

Mr. SHAIKH ABDUL MAJID (Karachi District): Will the Honourable the Home and General Member be pleased to state with reference to the points mentioned in Rao Bahadur Khemsing's letter published in the *Sind Observer*, Karachi, of 24th March 1933 :—

(*a*) whether Government are aware that Mr. Shoubridge, the Chief Engineer in 1923, argued that the Barrage would not affect the canals of Lower Sind materially in the kharif ;

(*b*) whether Government are aware that Sir Charlton Harrison consoled the zamindars that the bed of the river at Kotri gauge during the last ten years was silting one inch every year and on that account the level of water had risen by over one foot at the Kotri gauge during the last ten years and that this procedure of gradual silting would by itself more than compensate the zamindars on the lower reaches of the river for any fall in the level of water that would occur by the working of the Barrage ;

(*c*) whether Government are aware that Sir Charlton Harrison's calculations were almost incorrect and unprofitable to the Lower Sind owing to the fact the river can scour the accumulations of several years ?

The Honourable Mr. R. D. BELL: (*a*) Yes.

(*b*) Government are not so aware. At a meeting convened at Karachi on the 8th June 1932, Sir Charlton Harrison explained that the Indus at Kotri was tending to rise definitely and deductions proved that Mr. Shoubridge's conclusions, as published in his note, were substantially correct. He informed the meeting further that for any given discharge at Kotri river levels are on the rise. Experience of 1933 has further substantiated this.

(*c*) No.

MOLVI HAKIM FATEH MAHOMED SEHWANI'S SINDHI READERS AND COURSE OF RELIGIOUS INSTRUCTION: INTRODUCTION IN MAHOMEDAN SCHOOLS IN SIND.

Mr. SHAIKH ABDUL MAJID (Karachi District): Will the Honourable Minister for Education be pleased to state—

(*a*) whether Government are aware that Molvi Hakim Fateh Mahomed Sehwani has compiled a set of readers in the Sindhi language and a course of oral religious instruction for Mahomedan pupils in primary schools and the same has been approved of by the Educational Department ;

(*b*) whether it is a fact that the above readers as well as the course of religious instruction have been introduced in a number of Mahomedan schools in Sind under the control of Government;

(*c*) whether Government are aware that there is a general desire among the Mahomedan community that the above readers along with the course of religious instruction compiled by the Hakim Saheb should be introduced in all the primary schools for Mahomedan pupils;

(*d*) if so, whether Government intend to introduce them in all the Mahomedan schools under their control and also to ask the local bodies in Sind to introduce the same in their own schools?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) Molvi Hakim Fateh Mahomed Sehwani has compiled the Islamic Infant Primer and Readers I to IV, and a course of oral religious instruction known as the "Diniat-jo-Rasalo," Parts I, II and III. The Islamic Readers (including the Infant Primer) have been sanctioned as text-books for use in purely Muslim primary schools, while all the three parts of the "Diniat-jo-Rasalo" are sanctioned as text-books for Mulla schools.

(*b*) These books have been introduced in some of the Muslim schools recognised by the Educational Department.

(*c*) No. It is open to the managers of purely Muslim schools to introduce the books in question in their schools, if they so desire.

(*d*) No school can be compelled to use any particular set of books. There are other similar books on the sanctioned list.

Local bodies in Sind cannot use these books as text-books as their schools are not purely Muslim schools but are open to children of all communities.

PERSIAN TEACHERS IN GOVERNMENT HIGH SCHOOLS.

Mr. SHANKARRAO JAYARAMRAO ZUNZARRAO (Thana and Bombay Suburban Districts): Will the Honourable Minister for Education be pleased to state—

(*a*) what the biennial increments given to the Persian teachers and assistant teachers in the Government high schools in the Presidency are;

(*b*) whether it is a fact that it is necessary for the assistant teachers to pass the B.T. examination before they can become entitled to increments, whereas it is not so necessary for the Persian teachers; if so, what are the reasons for this differential treatment;

(*c*) whether it is a fact that the Persian teachers are not given the increments of assistant teachers after passing the B.T. examination;

(*d*) whether it is a fact that the Persian teachers who have put in many years' service are even required to appear for the B.T. examination;

(*e*) whether it is a fact that many of the Persian teachers who have put in long service are not confirmed?

The Honourable Dewan Bahadur S. T. KAMBLI: The attention of the Honourable Member is invited to the reply given in the current session of the Council to a similar question* put by Mr. Syed Munawar.

MISHAP TO CHANESAR REGULATOR IN ROHRI CANAL.

SYED MIRAN MAHOMED SHAH (Hyderabad District): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether Government are aware that mishap has lately happened to the Chanesar Regulator in Rohri Canal Division No. 3 of the Rohri Canal Circle and that this is the second Regulator which has been damaged in this Division, the first one being the Phul Fall at Phul;

(*b*) if so, what were the reasons thereof and what expenditure Government had to incur for repairs to this work;

(*c*) who was the Executive Engineer responsible for carrying out this work;

(*d*) whether any action has been taken or is proposed to be taken for the mishap against the said Executive Engineer and the sub-divisional officers both at present in charge and the one who constructed it;

(*e*) whether the Superintending Engineer, Rohri Canal Circle, inspected the site of works and if so what were his remarks;

(*f*) for how many days and from what date water was stopped in the Rohri Canal owing to the mishap to this regulator;

(*g*) whether it is a fact that great damage has been done to the cotton and other crop standing, and, if so, what area is affected thereby and the extent of loss to zamindars on that account?

The Honourable Mr. R. D. BELL: (*a*) Yes.

(*b*) Separation between the masonry and concrete in the downstream pavement of the regulator. The cost of repairing the damage was about Rs. 6,000.

(*c*) Mr. T. S. Mirchandani, B.Sc. (Edin.), I.S.E.

(*d*) No.

(*e*) The work was inspected frequently by the Superintending Engineer, Rohri Canal Circle, both during construction and after its completion. He had no grounds for being dissatisfied with the quality of the work done.

(*f*) For a week from the 19th June 1933.

(*g*) No, the statement is not borne out by the figures of cultivation furnished by the local officers.

BREACHES IN THE MAIN ROHRI CANAL.

SYED MIRAN MAHOMED SHAH (Hyderabad District): Will the Honourable the Home and General Member be pleased to state—

(*a*) how many breaches have occurred in the Main Rohri Canal during the last kharif and rabi season (1932–33) and the current kharif season;

* Printed in to-day's Debates.

(*b*) what were the reasons for such breaches;

(*c*) whether the canal was closed owing to these breaches and, if so, how many days at each such time the canal remained closed;

(*d*) what was the cost to the Government to repair these breaches;

(*e*) whether any of the breaches was due to lack of supervision on the part of the irrigation staff, and, if so, whether any member of the staff was punished for it?

The Honourable Mr. R. D. BELL: (*a*) There were 12 breaches in the head reach and 9 breaches in the tail reach of the canal during the kharif and rabi seasons of 1932–33 and 4 breaches in the head reach and one in the tail reach during the kharif season of 1933.

(*b*) In 1932–33 the canal banks were untested and unconsolidated. Until canal banks have been saturated and consolidated occurrence of breaches in them is a contingency which must be expected.

(*c*) The canal was *partially* closed at head in the case of 15 breaches and *completely* closed at head for a few hours in the case of one breach only. The supply of water was reduced below points of breaches for periods varying from 8 to 30 hours in the case of 15 breaches and for 2 days in the case of one breach.

(*d*) Rs. 23,850.

(*e*) No.

POLICE FORCE IN SIND: PROVISION OF RIFLES.

Mr. S. S. TOLANI (Western Sind): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether Government are aware that Abdul Rahman Brohi and his gang were armed with rifles and had large quantity of ammunition when they committed a dacoity in the village of Buthi;

(*b*) whether Government are aware that the police who pursued them and those that came to encounter them just after the dacoity, had guns with much smaller range than the rifles;

(*c*) whether it is a fact that the police force in Sind has no rifles;

(*d*) if so, whether Government intend to provide the Sind police force with rifles to meet the situation such as created by dacoities of Abdul Rahman?

The Honourable Mr. R. D. BELL: (*a*) Yes.

(*b*) Yes.

(*c*) No. The Sind police are equipped with 317 rifles of ·303 bore in addition to carbines and muskets.

(*d*) Does not arise.

CHARGE SHEET UNDER SECTION 173 OF THE CRIMINAL PROCEDURE CODE: NEGLIGENCE OF POLICE IN SIND.

Mr. S. S. TOLANI (Western Sind): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether Government are aware that the provisions of section 173 of the Criminal Procedure Code, are ignored by the Police especially in Sind;

(*b*) whether it is a fact that the form prescribed by Government for the charge sheet under section 173 of the Criminal Procedure Code requires to be inserted in column 5 thereof the names and addresses of witnesses together with the point which each witness is called upon to prove;

(*c*) whether Government are aware that in Sind since about two years this form is neglected and the police do not show the nature of information in the column prescribed for it;

(*d*) whether it is a fact that Government have issued a notification directing that the nature of information to be shown in the charge sheet need not be shown; if so, under what authority they have issued that notification;

(*e*) whether Government are aware that in 37 Cal. 49 such a practice has been condemned;

(*f*) if so, whether Government propose to issue directions to the police authorities in Sind to incorporate the full nature of information in the charge sheet; if not, why not?

The Honourable Mr. R. D. BELL: (*a*) No.

(*b*) Apparently the Honourable Member refers to column six and not to column five of the charge sheet. In accordance with the form of charge sheet as amended by Government in the year 1928, only names and addresses of witnesses are to be given under column 6.

(*c*) No. The form introduced in 1928 is now used.

(*d*) No. The nature of the information continues to be shown in column 7.

(*e*) Yes.

(*f*) No. See answer to clause (*d*).

MAGISTRATES IN SIND: ATTITUDE TOWARDS PUBLIC AND POLICE PROSECUTORS AND PRIVATE COUNSEL.

Mr. S. S. TOLANI (Western Sind): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether Government are aware that in Sind, especially Upper Sind police invariably make a request in the body of the charge sheet, when sending up the accused to court, that the case be postponed as the prosecution would be conducted by a public prosecutor or a police prosecutor;

(*b*) whether Government are aware that the Magistrates invariably do not hear the cases and many a time do not even take evidence for remanding the accused, and comply with the abovementioned request by forthwith granting an adjournment and remanding the accused to custody;

(*c*) if so, whether Government intend to put a stop to this practice

(*d*) whether Government are aware that even after the first adjournment is granted as stated above, the public or police prosecutors invariably ask for further adjournments in order to get convenient dates for their appearance and the same are granted;

(*e*) if so, whether Government propose to stop such a practice if not, why not;

(*f*) whether Government are aware that the Magistrates in Sind invariably refuse postponements to the accused when they ask for them in order to secure the services of counsel to conduct their cases and also refuse adjournments to counsel when asked for for preparing the case or on account of other engagements;

(*g*) if so, why such differential treatment is given to the public and police prosecutors and private counsel?

The Honourable Mr. R. D. BELL: (*a*) Such a request is made by the police in important cases to get time to secure the services of a public or police prosecutor.

(*b*) Such adjournments are usually granted but the majority of magistrates do record some evidence for the purpose of remand before granting an adjournment and remanding the accused to custody.

(*c*) Government do not intend to stop the practice as described in clauses (*a*) and (*b*) of the answer.

(*d*) No. It is only on unavoidable grounds that a further adjournment is granted.

(*e*) Does not arise.

(*f*) No.

(*g*) Does not arise.

POLICE DIARIES IN SIND: RECORD OF STATEMENTS TO POLICE.

Mr. S. S. TOLANI (Western Sind): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether Government have issued any orders to the Police not to record any statement of witnesses in the course of investigation under Chapter XIV of the Criminal Procedure Code and not to incorporate any such statement or substance thereof in the police diaries;

(*b*) whether Government are aware that the object of section 162 of the Criminal Procedure Code is to enable the accused to confront the witnesses with their previous inconsistent statements;

(*c*) whether Government are aware that since lately the practice of the police Officers in Sind has been not to record the statements of the witnesses and often not even to incorporate the substance thereof in their diaries;

(*d*) if so, whether Government propose to issue instructions to the police to stop such practice; if not, why not?

The Honourable Mr. R. D. BELL: (*a*) Government have issued no such orders. The Commissioner in Sind has, however, directed that statements made by witnesses to a Police Officer in the course of an investigation under Chapter XIV of the Criminal Procedure Code, 1898, should not be recorded unless there are special reasons for doing so.

(*b*) The object of section 162, Criminal Procedure Code, is not as stated by the Honourable Member, but the reverse, viz., to prevent statements made to the police from being used as evidence for the prosecution.

(*c*) The Honourable Member is only partially correct; the substance of the statements of witnesses is usually shown in the police diaries.

(*d*) No. Government do not consider it desirable to issue any such instructions.

CONSTRUCTION OF BOUNDARY MARKS.

Rao Bahadur R. V. VANDEKAR (Nasik District): Will the Honourable the Revenue and Finance Member be pleased to state whether it is the intention of Government in future to serve every khatedar of a village with a notice asking him to supply the necessary number of stones for putting up boundary marks at the time of the operations for the boundary marks of survey villages and to carry out the work under the direct supervision of the survey karkuns ?

The Honourable Sir GHULAM HUSSAIN: No. A general notice is issued to khatedars to repair boundary marks and time is allowed to them to repair the marks before the Circle Inspector makes his inspection. During this inspection the Circle Inspector either points out to the khatedar (if present), the defects in any marks which he finds to be not according to requirements and the places where missing marks must be replaced, or if the khatedar is absent, marks such defective marks and the spots on which missing marks are to be replaced with chunam.

If the khatedar fails to repair or replace marks thus indicated, the Circle Inspector on his second inspection takes the Contractor round and gets him to do what is necessary.

The suggestion made in the last part of the question is both unnecessary and impracticable to carry out as the present arrangements described above are satisfactory and the change proposed would entail an enormous waste of the Circle Inspector's time.

Survey Karkuns are not concerned with repairs of boundary marks but only with measurements and fixing of boundary marks after measurement where they are required.

NEW MEMBER SWORN.

Mr. Mahomed Hashim Gazdar made the prescribed affirmation of allegiance to His Majesty the King-Emperor, and took his seat in the Council.

REFERENCES TO THE DEATHS OF DEWAN BAHADUR HARILAL DESAI AND MR. GREEN, I.C.S.

The Honourable the PRESIDENT: Before we proceed to the next business, I had thought of referring to the sad deaths of several honourable members of this House, but the House has been gratified, I know, to find that His Excellency has already referred to a few of them who died during the last few months and I need refer to them no more——

The Honourable Sir GHULAM HUSSAIN: I understand from some honourable members here that there is going to be another resolution relating to the sad death of the honourable member Mr. Haji Mir Mahomed Baloch.

The Honourable the PRESIDENT: In addition to those who were referred to by His Excellency, there were two other members who were members of this House some time back and who have died recently. They were not referred to by His Excellency and I think I must refer to them now. One is Dewan Bahadur Harilal Desai. He was a member

[The President]

for a long time of this House, and also an able Minister in this House. His loss is a loss of a leader and a great personality to Gujarat and to those friends of his who knew him intimately. He always showed the courage of his conviction and stood boldly for whatever he believed to be right. I am sure this House will permit me to send our condolences to the family of the late Dewan Bahadur.

The next reference that I wish to make is to the sad death of Mr. Green of the I.C.S. He died lately and was cut off in the prime of his life. The House remembers him as an able member of this House and cannot forget his able speech on the Irrigation Bill. I am sure the House would wish me to send condolences to the bereaved family of Mr. Green also, and the House will show respect to the dead by rising in their places. [*Honourable members rose in their places.*]

PRESENTATION OF THE BUDGET.

The Honourable Sir GHULAM HUSSAIN: Mr. President, in rising to present the budget I am in a happier position than has been the lot of the Bombay Finance Member for some years past in that I am able to inform this Honourable House that Government have every reason to hope that the current year's accounts will show a small surplus and the budget which I now present for 1934-35 is a balanced one.

2. Before dealing with the next year's budget I should like to recall to the minds of Honourable Members the progress of the finances of the Bombay Government in the past few years. Up to 1929-30 our finances were organised on a basis of much higher revenues than are current today. In 1930-31 revenue fell to the extent of more than two crores below the figure of the preceding year; and since expenditure could not be immediately adjusted to an extent sufficient to meet that catastrophe the year closed with a revenue deficit of 181 lakhs. Looking back to that position of three years ago, this House will agree that it is no mean achievement that our finances have been so reorganised that we are again able to present a balanced budget. This result has been achieved by the enforcement of drastic economies under the various heads of expenditure assisted by a certain amount of revenue recuperation and some additional taxation. Government servants have had to submit to an emergency cut in pay and provision for debt repayment has been curtailed. Some of the reductions in expenditure which have been found necessary have not been popular but that was inevitable. Government are equally regretful that reductions in some directions have been forced upon them.

3. When I presented the budget a year ago I asked this House to renew the Finance Act, to pass a measure to levy vend fees on the sale of tobacco estimated to realise four lakhs, and now expected to yield five lakhs, and to agree to a budget with a deficit which in the final budget estimates amounted to 28 lakhs, on the understanding that Government

[Sir Ghulam Hussain]

would fully explore every avenue of retrenchment and would concert measures to remove the budget deficit. That promise has been fully carried out.

4. In August last a statement was placed on the table of this House showing the retrenchments which Government had decided to enforce, and the budget deficit of 28 lakhs has been converted into a revenue surplus of nearly four lakhs in spite of the fact that provision has been made in the revised estimates for debt repayment due in the current year amounting to nearly twelve lakhs which had not been provided in the budget. This means a total improvement of nearly 44 lakhs.

5. The expenditure budgeted for next year amounts to 15,22 lakhs as compared with 15,18 lakhs in the current year's budget. But when comparing these figures I would invite the attention of Honourable Members to paragraph 10 of the Secretary's Introductory Note to the Blue Book from which it will be seen that next year's figure has been increased by two items totalling 30 lakhs which appear on both sides of the budget. Omitting these, the figures are 15,18 lakhs in last year's budget and 14,92 lakhs in next year's budget. And if from the latter figures are separated unavoidable increases, such as 13 lakhs in pension charges, it will be found that retrenchments account for the large total of 40 lakhs.

6. Under the head of interest I am glad to be able to report a saving. After some negotiation the Government of India have agreed to pass on to Provincial Governments the betterments that have accrued from their loan conversions in proportion to the loans originally taken by those Governments. This will save 4½ lakhs in next year's interest charges and will also give relief to the Barrage account of 6½ lakhs in that year.

7. The budget estimates provide for remissions and suspensions of land revenue in 1934–35 equal to those granted in 1932–33 and in the current year, and account has also been taken of a probable loss of revenue of about eight lakhs owing to the cold weather of January. But I must here sound a note of warning. This amount of eight lakhs provides only for the probable loss known at the time when the estimates were prepared and it is possible that fuller information of the loss in revenue from the recurrence of cold weather towards the end of January may involve some further worsening of the receipt estimates on that account in both the current and the next years.

Mr. J. B. PETIT: If I may interrupt the Honourable the Finance Member, may I inquire, Sir, whether copies of his speech are to be distributed among the members? If so, will he very kindly order that they may be distributed now, so that we may be able to follow him better? I think this was also done last year.

The Honourable the PRESIDENT: That has not been the practice in the past.

Some Honourable MEMBERS: It has been done.

The Honourable Sir GHULAM HUSSAIN: I do not mind, Sir. Let them have a copy now.

(*Copies of the speech having been distributed*),

The Honourable the PRESIDENT: The Honourable the Finance Member may proceed.

Mr. G. S. GANGOLI: May I know why the speech should again be read over?

The Honourable the PRESIDENT: Order, order. The Honourable the Finance Member may proceed.

The Honourable Sir GHULAM HUSSAIN:

8. Sir, Government have reorganised their finances on a basis of solvency. But they realise as well as do members of this House that this is a budget of attenuation and that much has yet to be done to place their finances on a fully sound basis. Neither the emergency cut in pay nor the suspension of debt repayment can be continued indefinitely. And we are most anxious to provide more funds for those services to the public which have had to be curtailed. There are also other disturbing possibilities. As this House is aware, the mill industry of Bombay is experiencing grave difficulties and the condition of this industry must always have serious reactions upon the general prosperity of the Presidency. In addition, there is evidence of a powerful trend towards the diversion of the cotton and other trade from the port of Bombay to other trading centres and this again, unless checked, will have its effects upon our revenues.

9. The continuance of economic depression throughout the Presidency is a matter of most serious concern to Government and they are examining in concert with other Governments in India what measures are necessary for the alleviation of the distress of the agricultural classes. This is a problem which is today engaging the attention of all Governments in the world, and this honourable House will not expect me to say more today than that the Bombay Government intend to concert such measures as may be possible within the scope of the financial resources at their disposal.

10. In November 1935 a considerable betterment is anticipated from the conversion of the development loan from its 6½ per cent. rate of interest tax-free to a more favourable rate, and with the introduction of the new reforms we expect a very considerable improvement in our financial position owing to the new financial settlement and if Sind is separated. We shall then be in a position to provide for the considerable adjustments which have yet to be made and also, we hope, for a programme of gradual expansion. These future prospects do not however improve the present position. We have achieved the primary purpose of a solvent budget, to confine the expenditure of the State within the current resources, and we are able to carry on for this coming year without asking this House for fresh taxation. I have therefore every confidence

3-30 p.m.

[Sir Ghulam Hussain]

that this House will agree to renew the Finance Act of 1932 and to pass the budget, which I now present. [*Applause.*]

The Honourable the PRESIDENT : I think that the Honourable the Leader of the House is not going to proceed with any other Government Business. This brings us to the end of the day's work.

BUSINESS OF THE HOUSE.

The Honourable Sir GHULAM HUSSAIN : If I may make a brief statement, the general discussion of the Budget will proceed from tomorrow and last for three days. Then Government have allotted two days, that is the 23rd and 24th, for Non-official Business. On the 26th, we will proceed with the Finance Bill, and other Government work if there is any time. Then we will proceed with the Demands for Grants.

It being 35 *minutes past* 3 *p.m., the House adjourned till* 2 *p.m., on Tuesday, the* 20*th February* 1934.

BOMBAY : PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Tuesday, the 20th February 1934.

The Council re-assembled at the Council Hall, Bombay, on Tuesday, the 20th February 1934, at 2 p.m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present :

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ADVANI, Mr. P. B.
AMBEDKAR, Dr. B. R.
AMINUDDIN, Mr. SAIYID
ASAVALE, Rao Bahadur R. S.
BANGI, Mr. A. K. J.
BELL, the Honourable Mr. R. D.
BIRADAR, Sardar MAHABOOBALI KHAN
BOLE, Rao Bahadur S. K.
BULLOCKE, Mr. A. GREVILLE
CHIKODI, Mr. P. R.
CHITALE, Rao Bahadur G. K.
CLEE, Mr. C. B. B.
COLLACO, Dr. J. A.
COOPER, the Honourable Khan Bahadur D. B.
COVERNTON, Mr. S. H.
DAVIS, Mr. G.
DESAI, Mr. H. R.
DESAI, Mr. S. B.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
D'SOUZA, Dr. J. ALBAN
EWBANK, Mr. R. B.
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GARRETT, Mr. J. H.
GAZDAR, Mr. MAHOMED HASHIM
GHULAM HUSSAIN, the Honourable Sir
GILDER, Dr. M. D.
GOKHALE, Mr. L. R.
GOVER RORA, Mr.
HUMPHREY, Mr. JOHN
JITEKAR, Mr. HAJI IBRAHIM
JONES, Major W. ELLIS
KALBHOR, Mr. G. M.
KALE, Rao Bahadur R. R.
KAMAT, Mr. B. S.
KAMBLI, the Honourable Dewan Bahadur S. T.
KARBHARI, Mr. M. M.
KENNEDY, Mr. T. S.

Kulkarni, Rao Saheb P. D.
Lane, Mr. C. M.
Lely, Mr. W. G.
Mackie, Mr. A. W. W.
Maxwell, Mr. R. M.
Meherbaksh, Khan Bahadur S.
Mehta, Mr. M. H.
Mitha, Mr. Mahomed Suleman Cassum
Modak, Rev. R. S.
Modi, Sardar Davar T. K.
More, Mr. J. G.
Naik, Sardar Rao Bahadur B. R.
Navle, Rao Bahadur N. E.
Owen, Mr. A. C.
Parulekar, Rao Bahadur L. V.
Patel, Khan Bahadur A. E.
Patel, Mr. Bhailal Sarabhai
Patel, Mr. C. N.
Patel, Khan Bahadur Vali Baksh A.
Patil, Dewan Bahadur D. R.
Patil, Mr. N. N.
Patil, Rao Saheb V. S.
Petit, Mr. J. B.
Pradhan, Rao Bahadur G. V.
Prater, Mr. S. H.
Rahimtoola, Mr. Hoosenally M.
Resaldar, Mr. A. K.
Roose, Mr. F. O. J.
Servai, Mr. A. E.
Shaikh Abdul Aziz, Mr.
Shaikh Abdul Majid, Mr.
Shankarrao Jayaramrao Zunzarrao, Mr.
Shinde, Mr. R. B.
Sindha, Mr. Madhavsang Jorbhai
Smart, Mr. W. W.
Solanki, Dr. P. G.
Surve, Mr. A. N.
Surve, Mr. V. A.
Thakor of Kerwada, Sardar Bhasaheb Raisinhji
Turner, Mr. C. W. A.
Vaishampayan, Dr. V. G.
Vakil, Mr. Pestanshah N.
Vandekar, Rao Bahadur R. V.
Wadke, Mr. B. P.

STARRED QUESTIONS AND ANSWERS.

FOREST COUPES IN KANARA : CONTRACTS.

Mr. G. S. GANGOLI (Kanara District): Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) whether it is a fact that since 1931, there has been competition in the Kanara forests, Western Division, in obtaining forest coupes on contracts ;

(*b*) whether it is a fact that in spite of repeated protests from some contractors there has not been a uniform practice in accepting tenders ;

(*c*) whether it is a fact that some contracts are given on private treaty ;

(*d*) if so, how many and to whom and why ;

(*e*) whether it is a fact that in one case, a person, who was given a contract on private treaty, was further relieved of the burden of clear cutting, a process of cleansing, which would have cost him an expenditure of about Rs. 1,000 or so ;

(*f*) whether Government are aware that there is a widespread discontent among the people about the firewood depôt at Karwar in the matter of exporting useful timber, stacking dry fuel in thatched sheds, having another depôt, etc. ;

(*g*) whether the sole depôt at Karwar is given to a contractor on private treaty ;

(*h*) whether it is a fact that the said contractor on private treaty has purchased a second-hand motor car of a Forest Officer ?

The Honourable Khan Bahadur D. B. COOPER : (*a*) Yes, except for Karwar firewood depôt coupes.

(*b*) The practice of accepting tenders in Kanara is based on rule 157-A of Financial Publication No. I of the Government of Bombay, which lays down that, *whenever practical and advantageous*, contracts should be placed only after tenders have been openly invited and that in selecting the tender to be accepted the financial status of the individuals and firms tendering must be taken into consideration in addition to all other relevant factors.

(*c*) Yes.

(*d*) The contracts given out in this manner are —

5 in 1931
6 in 1932 and
7 in 1933 ;

the contractors being

Messrs. V. R. Haldipur of Karwar ; K. V. Samant of Jagalbet ; Shaik Kassim Abdul Gani of Kinnar ; N. V. Wagle of Asnoti ; S. M. Naik of Ankola ; S. M. Borkar of Karwar ; S. R. Naik of Arav ; D. V. Samant of Balli ; S. V. Bidikar of Gund ; M. M. Bhujle of Kodibag.

In the case of some of these contracts no tenders were received, though called, while in others it was not practical and advantageous to call for tenders and contracts had to be given out by private negotiation.

(*e*) No.

(*f*) There is no widespread discontent. A complaint engineered by some business rivals of the present Karwar firewood depôt contractor was received both by the Conservator and by the Forest Advisory Committee and was disposed of. Beyond this, no complaints have been received.

(*g*) Yes. It is only with the greatest difficulty that a reliable contractor possessing the necessary capital can be prevailed upon to take up this work.

(*h*) The Forest Officer referred to, before going on long leave, advertised his car for sale in various clubs and it was purchased by the contractor. The permission of the Chief Conservator was obtained previous to the sale, though no such permission was necessary under rule 13 (2) of Financial Publication No. VIII.

Mr. G. S. GANGOLI: With regard to (*b*) and (*d*), in the reply to (*b*) it is stated that the practice is that contracts should be placed only after tenders have been openly invited and this is the rule. In the reply to (*d*) it is stated "while in others it was not practical and advantageous to call for tenders and contracts." So, if the rule were there, is it left to the officer's discretion?

The Honourable Khan Bahadur D. B. COOPER: Yes.

The Honourable the PRESIDENT: Order, order. The reply must be given standing.

Mr. G. S. GANGOLI: The rule is "only after tenders have been openly invited" and another reply is that tenders were not invited. That shows that favouritism was shown. That is my question. In the reply to (*d*) it is said "in the case of some of these contracts no tenders were received, though called, while in others it was not practical and advantageous to call for tenders and contracts had to be given out by private negotiation". So, I ask, if there is a rigid rule like that, can favouritism be shown?

The Honourable Khan Bahadur D. B. COOPER: There was no favouritism shown in this case.

Mr. G. S. GANGOLI: Why were not tenders called for?

The Honourable Khan Bahadur D. B. COOPER: According to the situation of these coupes it was not possible to get any reliable tenderer. In 1928-29 in some cases tenders were invited but no tenderers came forward and so negotiations had to be carried through and people were brought in from other parts of the country.

Mr. G. S. GANGOLI: Even assuming the best of motives in regard to the reply to (*b*), can it be left to the sweet discretion of the officer if the rule is a rigid one?

The Honourable Khan Bahadur D. B. COOPER: No.

The Honourable the PRESIDENT: The reply is not being read carefully.

Mr. G. S. GANGOLI: It is, Sir.

The Honourable the PRESIDENT: Will the honourable member read the reply?

Mr. G. S. GANGOLI: Yes, Sir. "The practice of accepting tenders in Kanara is based on rule 157A of Financial Publication No. 1 of the Government of Bombay, which lays down that, *whenever practical and advantageous*, contracts should be placed only after tenders have been openly invited and that in selecting the tender to be accepted the financial status of the individuals and firms tendering must be taken into consideration in addition to all other relevant factors".

The Honourable Khan Bahadur D. B. COOPER: What about the expression "whenever practical and advantageous"?

Mr. G. S. GANGOLI: That is the difficulty which I wish to get solved. In reply to (*h*) it is stated that one of the contractors purchased an old motor car belonging to the Forest Officer. In the reply to (*g*) it is stated that the sole depot at Karwar is given to the contractor on private treaty, and again in reply to (*d*) it is stated "while in others it was not practical and advantageous" and in reply to (*h*) it is stated that one of the forest contractors happened to be the purchaser of the Forest Officer's motor car. In reply to (*g*) it is stated that some of the forest coupes were given to that particular contractor while in reply to (*d*) it is stated in regard to the same contract it was not found practical to call for tenders.

The Honourable Khan Bahadur D. B. COOPER: These are all the facts as stated in the reply.

Mr. G. S. GANGOLI: They speak for themselves, Sir. With reference to (*h*) may I know what was the sort of advertisement placed in the clubs?

The Honourable the PRESIDENT: It is put up there on the notice boards.

Mr. G. S. GANGOLI: No such thing was put up and there was no advertisement in any newspaper. As regards clubs, I shall come to their number. If there is no club, there is no advertisement.

Dr. M. K. DIXIT: Was the contractor who purchased this motor car from the Forest Officer a member of any one of those clubs?

The Honourable Khan Bahadur D. B. COOPER: I cannot say unless I get notice.

Mr. G. S. GANGOLI: Are there really any clubs there?

The Honourable Khan Bahadur D. B. COOPER: I cannot say unless the honourable member gives me notice.

Mr. P. R. CHIKODI: With reference to (*b*), does the practice mentioned in the reply to (*b*) obtain elsewhere or only in the Kanara District?

The Honourable Khan Bahadur D. B. COOPER: I cannot say. This enquiry was made about the Kanara forests only.

Mr. P. R. CHIKODI: With reference to replies to (*c*) and (*d*), were all the contracts, referred to therein, given to one individual or to several ndividuals?

The Honourable Khan Bahadur D. B. COOPER : To several individuals.

Mr. P. R. CHIKODI : May I know whether any advance is given by the Government to such contractors in respect of contracts by private negotiations ?

The Honourable Khan Bahadur D. B. COOPER : If notice is given, I will find out.

Mr. P. R. CHIKODI : In the reply to (*f*) it is stated that a complaint engineered by some business rivals of the present contractor was received. May I know whether any enquiry has been made and, if so, what are the grounds for the assertion that there has been an engineering of a complaint against the present contractor, and whether it has been found that there has been engineering of a complaint, or is it merely an assertion of somebody ?

The Honourable Khan Bahadur D. B. COOPER : The complaint was sent to the Conservator of Forests and the Advisory Committee and naturally both of them must have made the necessary enquiries before they disposed of the case.

Mr. P. R. CHIKODI : Government must be in the know of the facts.

The Honourable Khan Bahadur D. B. COOPER : If the honourable member gives me notice, I will find out.

CO-ORDINATION OF MEANS OF COMMUNICATIONS.

*Mr. JOHN HUMPHREY (Karachi Chamber of Commerce) : Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) whether Government are giving consideration to the subject of co-ordination of means of communications within the Presidency ;

(*b*) if so, how far does the co-ordinative machinery contemplated by them accord with the proposal of the Simla Road Conference for a Provincial Board of Communications ?

The Honourable Khan Bahadur D. B. COOPER : (*a*) Yes.

(*b*) Government have not received any communication from the Government of India with reference to the resolution passed at the Road Rail Conference regarding the formation of a Central Board and Provincial Boards of Communications. It may however be stated that Government have reconstituted the Road Board with a view *inter alia* to represent the interests of the railways and they have changed its designation to the Board of Communications.

Mr. JOHN HUMPHREY : May I ask if the Board of Communications is intended as a basis for the future Provincial Board of Communications ?

The Honourable Khan Bahadur D. B. COOPER : Yes.

Mr. JOHN HUMPHREY : Is it intended to form a Provincial Board of Communications ?

The Honourable Khan Bahadur D. B. COOPER : Yes.

CENTRAL BOARD OF COMMUNICATIONS.

*Mr. JOHN HUMPHREY (Karachi Chamber of Commerce): Will the Honourable Minister for Local Self-Government be pleased to state the attitude of Government towards the scheme of a Central Board of Communications outlined at the Simla Road Rail Conference ?

The Honourable Khan Bahadur D. B. COOPER: Presumably by the words "scheme of a Central Board of Communications outlined at the Simla Road Rail Conference" the Honourable Member refers to the scheme put forward by the Honourable Mr. E. Miller before the Conference. This Government accepted the scheme at the Conference subject to certain remarks with reference to the functions of the Central Board of Communications and Provincial Boards of Communications. The final attitude of this Government, however, depends on the communication to be received from the Government of India on the resolution adopted at the Conference for the formation of a Central Board of Communications and the Provincial Boards of Communications.

THANA DISTRICT: ABORIGINES AND WILD TRIBES: WATER SUPPLY AND MEDICAL RELIEF.

*Mr. M. M. KARBHARI (Thana and Bombay Suburban Districts): Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) what classes of aborigines and wild tribes are residing in the Thana District and what the population of each of these classes in each taluka or peta is;

(*b*) the death rate and the rate of infant mortality amongst them;

(*c*) how many of them die of snake bites or are killed by wild animals every year;

(*d*) the total number of deaths caused amongst them during the last fifteen years owing to epidemics such as influenza, cholera and small-pox;

(*e*) whether it is a fact that there are many cases of suicide amongst them every year; if so, why;

(*f*) the number of deaths caused by malaria every year;

(*g*) whether it is a fact that most of them suffer from enlarged spleen;

(*h*) whether there are any statistics available to show the causes of their deaths;

(*i*) whether it is a fact that their population is steadily decreasing for want of proper means of subsistence and medical relief;

(*j*) whether Government have taken any steps to extend medical aid amongst these classes and what amount they have spent in that connection;

(*k*) whether it is a fact that there is a great scarcity of water for these classes and their cattle in the large areas inhabited by them; if so, what steps Government have taken or propose to take to improve the water supply and to extend medical relief to these people ?

The Honourable Khan Bahadur D. B. COOPER : (*a*) The different classes of Aboriginal and Hill tribes inhabiting the Thana District and their numbers are as follows :—

	Males.	Females.
Bhil	185	192
Dhodia	6,309	7,287
Dubla	8,214	7,693
Katkari	16,499	15,522
Koli Mahadeo	2,511	2,932
Kokna	4,151	3,923
Nayak or Naikda	279	359
Pardhi Raj	61	60
Thakur	20,048	20,437
Varli	59,830	59,019
	1,18,087	+1,17,424
	Total..	2,35,511

Separate figures showing the population of each tribe in each taluka or peta are not available.

(*b*) The information is not available, as separate statistics are not kept for the aboriginal and hill tribes in this respect.

(*c*) Information showing the number of deaths by snake bite or by wild animals amongst aboriginal tribes separately is not available. The average mortality by snake bite for the whole district is 3·66 per ten thousand of the population.

(*d*) The information is not available, as a separate record of deaths due to epidemics amongst these tribes is not maintained.

(*e*) No.

(*f*), (*g*) and (*h*) The information is not available, as separate mortality statistics for the aboriginal and hill tribes are not kept.

(*i*) No.

(*j*) Government have not undertaken any special measures for the provision of medical relief to these classes, but all the Government and state-aided hospitals and dispensaries in the district are of course open to them.

(*k*) Government understand that there is scarcity of water in many of the villages in the jungle patti area towards the close of the hot season. The District Local Board have been gradually sinking wells in precarious tracts with the aid of the Government grant allotted each year for the purpose. Government are considering a scheme for providing better medical relief in rural areas.

Mr. M. M. KARBHARI : In part (*i*), I have asked whether it is a fact that their population is steadily decreasing for want of proper means of subsistence end medical relief, and the answer is "No." May I know how the Honourable Minister has arrived at this answer ?

The Honourable Khan Bahadur D. B. COOPER : After enquiry.

Mr. M. M. KARBHARI : May I know if the Honourable Minister has taken care to see the figures of the last census and compared them with the figures of the previous census ?

The Honourable Khan Bahadur D. B. COOPER : I have not been able to follow the question.

The Honourable the PRESIDENT : The honourable member has asked whether the population of these people is decreasing on account of want of proper means of subsistence and medical relief, and the reply is, no. The honourable member wants to know whether the Honourable Minister has compared the figures of the last census with those of the previous one and finds that the population has not decreased.

The Honourable Khan Bahadur D. B. COOPER : Government relied on the report called for on the subject.

Mr. M. M. KARBHARI : I want to know whether he has taken the trouble to compare the figures and whether he arrives at the answer after comparing the figures.

The Honourable Khan Bahadur D. B. COOPER : No, Sir.

Mr. M. M. KARBHARI : May I know from the Honourable Minister if he means to suggest that this population of the aborigines and wild tribes has ample means of subsistence and medical relief, and therefore their population is normal ?

The Honourable Khan Bahadur D. B. COOPER : That is a matter of opinion ; I cannot say.

Mr. M. M. KARBHARI : Is the Honourable Minister aware that this population of the Thana district lives on sufferance and is practically a slave population ?

The Honourable Khan Bahadur D. B. COOPER : No ; we have not that information before us.

Mr. L. R. GOKHALE : About the reply to (*i*), there are two questions involved, viz., whether the population is decreasing and whether the population is decreasing for want of medical relief.

The Honourable the PRESIDENT : No. There are not two questions. It is one question, whether the population is decreasing on that account.

Mr. L. R. GOKHALE : Is it admitted that it is decreasing ?

The Honourable Khan Bahadur D. B. COOPER : There may be other causes for that.

Mr. L. R. GOKHALE : I think it contemplates two answers, viz., whether it is admitted that the population is decreasing, and the reasons for it are known to be the ones given in the question.

The Honourable Khan Bahadur D. B. COOPER : If the honourable member wants to know whether the population is decreasing or increasing, if he gives notice of the question, I will find it out. If the question is whether it is decreasing for the particular reasons mentioned in the question, then the reply is that that is not the information before us.

Mr. L. R. GOKHALE : Does the Government mean to say that they do not admit that the population is decreasing ? Is that so ?

The Honourable Khan Bahadur D. B. COOPER : It is not decreasing on that account.

Mr. L. R. GOKHALE : The question is whether this population is decreasing, and if it is decreasing what are the reasons for it ?

The Honourable the PRESIDENT : As to the first part, the Honourable Minister has said that if the honourable member gives notice, he will find out whether the population is decreasing.

Mr. L. R. GOKHALE : Then it comes to this : without knowing whether it is decreasing or increasing, the answer is given as " no".

The Honourable Khan Bahadur D. B. COOPER : No, Sir. The answer is that it is not decreasing on account of the reasons specified in the question.

Mr. M. M. KARBHARI : The answer to part (*j*) is that Government have not undertaken any special measures for the provision of medical relief to these classes, but all the Government and state-aided hospitals and dispensaries in the district are of course open to them. May I know from the Honourable Minister if dispensaries are available in every village ?

The Honourable the PRESIDENT : The honourable member knows they are not available in every village.

Mr. M. M. KARBHARI : What is the reasonable distance that the Honourable Minister expects these poor people to walk in order to get medical assistance ?

The Honourable the PRESIDENT : No reply.

Dr. V. G. VAISHAMPAYAN : How many medical dispensaries are there in this district in the rural areas ?

The Honourable Khan Bahadur D. B. COOPER : I would ask for notice of the question.

FOURTH STANDARD CERTIFICATE IN URDU SCHOOLS IN NASIK DISTRICT : MALPRACTICES.

* Rao Saheb P. D. KULKARNI (Poona District) : Will the Honourable Minister for Education be pleased to state—

(*a*) whether Government are aware that the Deputy Educational Inspector for Urdu Schools, while reporting on Urdu Education in the Nasik District, has observed that for want of Urdu supervisors at Nasik and Malegaon, the annual examinations are not conducted properly, and that corrupt means are used in granting the 4th Standard certificate ;

(*b*) if so, whether the Director of Public Instruction has made enquiries into the matter ;

(*c*) what steps, if any, are taken by the Director of Public Instruction to stop such malpractices ?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) The Deputy Educational Inspector, Urdu Schools, did report that the 4th Standard examinations were not carefully conducted and that it was alleged that certificates were given for a consideration.

(*b*) Enquiries were made by the Director of Public Instruction but there was nothing to show that the examinations were not well conducted or that there were malpractices. An extract from the Educational Inspector's report, dated the 18th March 1933, is printed below (subject to the omission of names) for information. The Deputy Educational Inspector, Urdu Schools, was not justified in basing his remarks on mere hearsay and he has been severely warned for making irresponsible statements.

(*c*) Does not arise.

Extract from the Educational Inspector's report, dated the 18th March 1933.

"I have the honour to say that I made a thorough enquiry into the matter during my last visit to Nasik and found that the allegations made by the Deputy Educational Inspector for Urdu Schools, Bombay Division, Bombay, were unfounded as far as I could see. Two of the persons on whose advice the Deputy Educational Inspector incorporated the allegation in his report about the IV standard certificate being issued for a consideration flatly denied before me having ever heard such cases. Mr. A admitted that he wrote a private letter to the Deputy Educational Inspector at the request of one Mr. B; but he said he had not met the Deputy Educational Inspector in December 1931 as alleged by him. The other Mr. C said that he never complained about this affair to the Deputy Educational Inspector. I also asked the moslem members of the Municipal School Board, and they assured me that there never was such malpractice at Nasik. The Head Master, Anglo-Urdu School, Nasik, assurred me that the boys who came to his school after passing the IV Standard examination, were quite up to the mark.

"2. I have personally visited all the municipal primary schools at Nasik. I should think that the Urdu schools were treated in the same way as Marathi schools in every respect. The Municipality has not got any school building of its own, and most of the hired buildings are not suited for school purposes. But in point of furniture and equipment, the Urdu School for boys was, to my mind, the best of all the municipal schools."

Mr. C. N. PATEL: In the extract from the Educational Inspector's report, Messrs. A, B and C are mentioned. May I know the names of these gentlemen?

The Honourable Dewan Bahadur S. T. KAMBLI: I do not think, Sir, that any public interest would be served by mentioning their names.

URDU SCHOOLS AND DISTRICT SCHOOL BOARD, NASIK.

* Rao Saheb P. D. KULKARNI (Poona District): Will the Honourable Minister for Education be pleased to state—

(*a*) whether it is a fact that the Deputy Educational Inspector for Urdu Schools has reported to the Director of Public Instruction that the Urdu Schools in Nasik are completely neglected by the District School Board, Nasik;

(*b*) if so, what steps are taken by the Director of Public Instruction in the matter to safeguard the interests of the Muhammadans and with what result?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) The Deputy Educational Inspector, Urdu Schools, Bombay Division, reported that some schools were ill-equipped and not well looked after.

(*b*) No action is considered necessary by the Director of Public Instruction in view of the following report from the Educational Inspector, Bombay Division :—

"The District School Board, Nasik, are doing their best to advance education among Muhammadans and Urdu education of Mussalmans has not only not deteriorated but has materially advanced under the District School Board, and the attitude of the District School Board is most sympathetic. I have personally seen some of these schools and am convinced that they are in no way inferior in any respect to Marathi schools."

Rao Saheb P. D. KULKARNI : Is the officer concerned the same gentleman as was referred to in the previous question ?

The Honourable Dewan Bahadur S. T. KAMBLI : Certainly.

PORT OF KHAREPATAN.

* Rao Saheb P. D. KULKARNI (Poona District) : Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) whether it is a fact that the Bombay Steam Navigation Company deducts a certain amount as earmarked for wharfage fund while assessing the commission payable to the agent of the company at Kharepatan ;

(*b*) if so, what amount was so earmarked annually during the last five years ;

(*c*) whether Government are aware that the Dharamshala of the district local board at Kharepatan is about half a mile away from the port and is partly used by the district local board for teaching certain classes in the primary school at Kharepatan and cannot therefore be used by passengers travelling by water from and to Kharepatan ;

(*d*) whether the Wharfage Committee intends to provide for a resting house, any light or any suitable provision for landing or a free supply of drinking water at Kharepatan out of the amount specified in (*b*) above ?

The Honourable Sir GHULAM HUSSAIN : (*a*) and (*b*) Government have no information.

(*c*) The Dharamshala is about half a mile away from the port and is used as a school house for four or five months during monsoon. During this period it cannot be used by passengers.

(*d*) No.

APPLICATIONS FOR COPIES OF RECORD OF RIGHTS : COURT-FEE STAMP.

* Rao Saheb P. D. KULKARNI (Poona District) : Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) whether it is a fact that Government have passed orders directing that a two anna court-fee stamp should be affixed to an application for copies of the record of rights from the village officers ; if so, will the Honourable Member be pleased to place on the Council table a copy of those orders ;

(*b*) whether it is a fact that these orders have been applied to certain districts only and from certain dates ; if so, to what districts and from what dates ;

(*c*) whether Government have taken into consideration the inconveniences caused by the issue of these orders particularly to the people residing in rural areas ;

(*d*) whether Government have made any arrangements to make the stamps available in those villages of the districts to which the orders have been applied ;

(*e*) whether Government have taken into consideration the amount of expenditure the applicants will have to incur in getting the court-fee stamps from the taluka headquarters and in getting the applications written by the petition writers ;

(*f*) the reasons for resorting to such a measure ?

The Honourable Sir GHULAM HUSSAIN : (*a*) No such orders have been issued. But in a pamphlet showing a list of documents requiring court-fee stamps prepared for the guidance of officers a fee of two annas was wrongly shown against applications for copies of record of rights. A revised edition of the pamphlet has been issued in which the requisite correction has been made.

(*b*) to (*f*) Do not arise.

INFERIOR VILLAGE OFFICERS : REGISTER OF WARNINGS AND PUNISHMENTS.

*Rao Saheb P. D. KULKARNI (Poona District) : Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) whether the Revenue Officers such as Prant Officers, Mamlatdars, Mahalkaries and others in the Presidency have personally noticed or received any reports from their subordinates or from the public that the village watandar mahars or the other inferior village officers are negligent in their duties and disobey the orders of their superior ;

(*b*) if so, how many such reports were received during the last three calendar years and in 1933 ;

(*c*) what action was taken on these reports by Government ; and with what result ;

(*d*) whether Government have kept any register for recording the warnings or punishments given to watandar mahars and the other inferior village officers ;

(*e*) if not, whether they intend to maintain such a register as in the case of the superior village officers ?

The Honourable Sir GHULAM HUSSAIN : (*a*) Government are not prepared to collect the information required as the time and labour involved is incommensurate with the public importance of the question.

(*b*) and (*c*) Do not arise.

(*d*) No such specific register is maintained, but warnings and punishments given to mahars and other inferior village servants are recorded when necessary, in the peta khata vahi if the servant concerned is the holder of a cash allowance, and, if not, in the Watan Register.

(*e*) No.

RECOVERIES OF LAND REVENUE IN THE DOHAD AND JHALOD MAHALS.

* Mr. M. H. MEHTA (Panch Mahals District): Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) what the annewari of the kharif and rabi crops was in the Dohad and Jhalod mahals of the Panch Mahals District, in the year 1932-33;

(*b*) who was responsible for this annewari;

(*c*) whether the Collector acted upon this annewari after verifying the same;

(*d*) whether the Collector passed orders for the recoveries of land revenue for the year relying upon this annewari;

(*e*) what amount of land revenue was due to Goverment from the cultivators of these two Mahals for the year and how much of it was realised;

(*f*) what arrears of land revenue were due to Government from them and what portion thereof was realised;

(*g*) when the bulk of the revenue was realised and how long the recoveries continued;

(*h*) whether any coercive steps had to be taken to recover the assessment in any of the two Mahals;

(*i*) if so, in how many cases and what amount of assessment was so recovered;

(*j*) whether the Collector authorised the Taluka officers to adopt coercive measures;

(*k*) whether steps were being taken to recover assessment from the Bhils even in the months of May and June 1933;

(*l*) if so, what amount was recovered in these months?

The Honourable Sir GHULAM HUSSAIN: (*a*)

Dohad.

The annewari of kharif crops was abo
annas and that of rabi crops was eight annas in all the villages except Jesawada village in which the kharif and rabi crops were above four annas and below six annas.

Jhalod.

The annewari of both kharif and rabi crops was above six annas and below eight annas in all the villages.

(*b*) The anna valuations were first made by the Village Committees consisting of the Circle Inspector as Chairman, the Patel, Talati and two representative agriculturists of each village according to the procedure laid down in Administrative Order No. XXX-A printed at page 106 of the Land Revenue Rules. They were tested by the Taluka officers and published by them according to the same Rules. The Prant Officer visited most of the villages before the crops were reaped and checked the anna valuations. The Prant Officer then submitted the final anna valuation statements to the Collector for approval, and they were finally approved by the Collector.

(*c*) and (*d*) Yes.

(*e*)

	Amounts due.	Amounts realised.
	Rs.	Rs.
Dohad	1,15,815	1,14,659
Jhalod	58,725	56,234

(*f*)

—	Amounts of arrears.	Amounts realised.	Amounts remitted.	Amounts re-suspended.
	Rs.	Rs.	Rs.	Rs.
Dohad	1,250	57	264	929
Jhalod	2,265	78	2,187*	....

*Automatically remitted.

(*g*) The bulk of the revenue was realised in the months of January and February. The recovery continued up to the end of July.

(*h*) Yes.

(*i*) *Dohad.*

In 1,096 cases notices were issued under section 152 of the Land Revenue Code and an amount of Rs. 7,036 was recovered. In 7 cases, where the occupants of lands had absconded, major coercive processes were taken and an amount of Rs. 146 was written off and the lands were forfeited.

Jhalod.

In 59 cases notices were issued under section 152, Land Revenue Code, and an amount of Rs. 548 was recovered. No major coercive processes were issued against any occupants.

(*j*) The Taluka and Prant Officers have power to adopt coercive measures when necessary under the Land Revenue Code and Rules.

(*k*) and (*l*) As regards Dohad the reply is in the affirmative, while as regards Jhalod it is in the negative. In Dohad an amount of Rs. 4,694 was recovered in May and June. The late recovery was due to the concession given to some of the occupants who wanted time to reap and sell their rabi crops at a later date. In some cases, where the land revenue dues were not paid on account of the poverty of the khatedars, no coercive measures were taken for the recovery but the dues were allowed to remain as unauthorised arrears. The amount thus allowed to remain as arrears was Rs. 1,414 in Dohad Taluka and Rs. 2,490 in the Jhalod Mahal.

Mr. M. H. MEHTA: With reference to (*a*) and (*b*), I would like to ask whether Government afterwards found the annewari to be false?

The Honourable Sir GHULAM HUSSAIN: The reply is there. Will the honourable member please read it?

Mr. M. H. MEHTA: The reply is that the annewari was 8 annas and 6 annas. I would like to know whether that annewari was afterwards found to be incorrect.

The Honourable Sir GHULAM HUSSAIN: It was not found incorrect.

Mr. M. H. MEHTA: Do the Government know that during that season relief works had to be opened in that area?

The Honourable Sir GHULAM HUSSAIN: Yes.

Mr. M. H. MEHTA: Do Government not see from the fact that scarcity works and relief works had to be opened, the crops were not up to the mark and less than 4 annas?

The Honourable Sir GHULAM HUSSAIN: No, Sir.

CHAPTER PROCEEDINGS IN SHOLAPUR DISTRICT: INSTRUCTIONS OF DISTRICT POLICE OFFICERS.

*Mr. J. G. MORE (Sholapur District): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether it is a fact that the Sholapur District police offices have issued special instructions to all sub-inspectors of police under them to institute chapter proceedings under Chapter VIII of the Criminal Procedure Code against persons within their respective circles;

(*b*) if so, the reasons therefor;

(*c*) when those instructions were issued and what they are;

(*d*) whether such instructions were ever issued in the past;

(*e*) the number of chapter proceedings that have been instituted in each of the talukas of the Sholapur district from 1st October 1932 to 30th June 1933;

(*f*) whether this total number of chapter proceedings in the district from 1st October 1932 to 30th June 1933 had been ever equalled or exceeded in the past during the same period, i.e., during the period of about 9 months; if so, when;

(*g*) the total costs, including police prosecutors' fees, travelling allowances of witnesses, etc., incurred by Government in connection with chapter proceedings from 1st October 1932 to 30th June 1933?

The Honourable Mr. R. D. BELL: (*a*) Yes.

(*b*) Those orders were considered necessary owing to an increase in riot cases due to factions in a number of villages in the District. Action against bad characters was also deemed necessary as the number of offences against property was increasing owing to the general trade depression in the District.

(*c*) In 1932. The orders were issued to all Sub-Inspectors to institute Chapter Proceedings wherever justifiable.

(*d*) Yes, similar orders were issued regularly in the past.

(*e*) Statement 'A' containing the information is placed on the Council table.

(*f*) Statement 'B' showing the total number of Chapter proceedings instituted in the Sholapur District during the last ten years is placed on the Council table.

(*g*) The information required by the honourable member is not readily available and the time and labour involved in collecting it would be incommensurate with the value of information.

STATEMENT A.

Statement 'A' showing the number of Chapter Proceedings instituted in each of the Talukas of the Sholapur District from 1st October 1932 to 30th June 1933.

Serial No.	Name of Taluka.	Number of Chapter proceedings instituted in each Taluka.	Remarks.
1	Sholapur City	9	The figures show the number of persons proceeded against. The number of cases is much smaller, as gangs of three or more are generally dealt with simultaneously.
2	Sholapur Taluka	33	
3	Barsi	17	
4	Pandharpur	27	
5	Karmala	10	
6	Sangola	9	
7	Malsiras	7	
8	Madha	18	
	Total ..	130	

STATEMENT B.

Statement 'B' showing the number of Chapter Proceedings instituted in the Sholapur District during the last ten years.

Serial No.	Year.	Number of Chapter proceedings instituted.	Remarks.
1	1923	96	The figures show the number of persons proceeded against. The number of cases is much smaller.
2	1924	103	
3	1925	40	
4	1926	61	
5	1927	40	
6	1928	56	
7	1929	23	
8	1930	66	
9	1931	35	
10	1932	99	
	Total ..	619	

Mr. J. G. MORE: With regard to (*a*) and (*b*), will the Honourable Member be pleased to place copies of the orders on the Council table?

The Honourable Mr. R. D. BELL: No, Sir.

Mr. J. G. MORE: May I know whether the order strictly refers to the villages where riots have occurred?

The Honourable Mr. R. D. BELL: No, Sir.

Mr. J. G. MORE: Is it a fact that Government keep registers of bad characters in each and every taluka?

The Honourable Mr. R. D. BELL: Yes, Sir.

Mr. J. G. MORE: Is that order directed against bad characters in the register or against others as well?

The Honourable Mr. R. D. BELL: Against all bad characters.

Mr. J. G. MORE: Against all bad characters mentioned in the register, I hope?

The Honourable the PRESIDENT: What is the question?

The Honourable Mr. R. D. BELL: I think the honourable member is asking whether this order was specifically directed against or limited to bad characters appearing in the bad characters' registers in the villages. So far as I am aware, it was not limited to those.

Mr. J. G. MORE: Are Government aware that the police are making indiscriminate use of this order?

The Honourable Mr. R. D. BELL: No, Sir.

Mr. J. G. MORE: Will Government be pleased to make an enquiry into that fact?

The Honourable Mr. R. D. BELL: No, Sir.

Mr. J. G. MORE: May I know why Government will not make enquiries when I specifically point it out?

The Honourable Mr. R. D. BELL: So far no reason has been shown for making enquiries.

AHMEDABAD MUNICIPALITY AND REVENUE AUTHORITIES: ARRANGEMENT REGARDING BUILDING PERMISSION.

*Mr. A. K. RESALDAR (Ahmedabad and Surat Cities): Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) whether it is a fact that by Government Resolution, No. L.C. 412 of 19th November 1925, Government have invested such local authorities as have framed by-laws under section 48 of the Bombay District Municipalities Act, 1901, with the sanction of the Government, with the powers regulating the grant of permission to build under section 65 of the Bombay Land Revenue Code;

(*b*) whether it is a fact that the Ahmedabad Municipality is invested with such powers under the said Government Resolution;

(*c*) whether it is a fact that an arrangement was arrived at between the local revenue authority of Ahmedabad City and the Ahmedabad Municipality that whenever the municipality granted permission to build, it should forward a copy of the sanctioned plan together with a copy of the permission granted to the applicant to the Collector to enable him to fix or enhance the non-agricultural assessment;

(*d*) whether it is a fact that the abovementioned arrangement was followed up to the beginning of 1933;

(*e*) whether it is a fact that now the Collector of Ahmedabad though he receives copies of the sanctioned plan and the permission granted to the applicants by the municipality, fines such applicants under section 66 in total disregard of the arrangement arrived at with the municipality?

The Honourable Sir GHULAM HUSSAIN : (*a*) Yes, but the Collector's power under section 65, Land Revenue Code, to grant permission to use agricultural land for a non-agricultural purpose has not been transferred to any local authority.

(*b*) Yes.

(*c*) Yes.

(*d*) Yes.

(*e*) No departure has been made from the arrangement made with the Ahmedabad Municipality. Fines have been levied in suitable cases in which the previous permission of the Collector as required by section 65, for the conversion of agricultural land to non-agricultural use, was not obtained.

Mr. BHAILAL SARABHAI PATEL : Are Government aware that the Collector of Ahmedabad has passed orders in pursuance of this resolution—the resolution in clause (*a*) of the question ?

The Honourable Sir GHULAM HUSSAIN : Will the honourable member specify the matter with regard to which the Collector has passed orders ? Which matter ?

Mr. BHAILAL SARABHAI PATEL : As to what powers were reserved to himself and as to what powers were transferred to the municipality.

The Honourable Sir GHULAM HUSSAIN : The reply reads : " Yes, but the Collector's power under section 65, Land Revenue Code, to grant permission to use agricultural land for a non-agricultural purpose has not been transferred to any local authority." That power of turning agricultural land into non-agricultural land is with the Collector. It is not with any local authority or municipality. The municipality has merely to regulate building.

Mr. BHAILAL SARABHAI PATEL : My question is whether the Collector has passed any such office order in pursuance of this Government Resolution.

The Honourable the PRESIDENT : To what effect ?

Mr. BHAILAL SARABHAI PATEL : My information is that the Collector reserved to himself only the power of assessing non-agricultural land and the power to grant permission for change of use from agricultural to non-agricultural is given to the municipality.

The Honourable the PRESIDENT : The Honourable Member said " No ".

Mr. BHAILAL SARABHAI PATEL : Yes or no. I ask him whether there is any office order of the Collector in pursuance of this Government Resolution.

The Honourable Sir GHULAM HUSSAIN : Government are not aware of that. I do not think that the Collector could have issued such an order.

Mr. BHAILAL SARABHAI PATEL : Are Government aware that this Government Resolution as well as the Collector's orders have been subjected to judicial interpretation in the Ahmedabad court ?

The Honourable Sir GHULAM HUSSAIN : Government are not aware.

EXCISE DEPARTMENT: RECRUITMENT FROM DEPRESSED CLASSES.

*Dr. P. G. SOLANKI: Will the Honourable Minister for Education be pleased to state—

(*a*) the number of applications received by the Excise Department in the Northern, Central and Southern Divisions of the Presidency from the Depressed Class (scheduled castes) candidates from the year 1927 to 1933 for the posts of (1) peons, (2) clerks, (3) sub-inspectors, (4) inspectors, and (5) superintendents;

(*b*) how many of the candidates were given appointments and how many were refused and on what grounds;

(*c*) how many of them are on the waiting list;

(*d*) the castes and sub-castes of the candidates who applied, who were appointed, who were refused appointments and who are on the waiting list?

The Honourable Dewan Bahadur S. T. KAMBLI: It is not possible to answer this question without detailed scrutiny of the records of a large number of offices over a period of six years. Government have defined their policy in this matter in a number of circulars issued from time to time and have no reason to suppose that these orders are not being observed in offices in the Excise Department. In the circumstances they regret that they are not prepared to collect the information asked for.

SELECT COMMITTEE ON KARACHI MUNICIPAL BILL: PLACE OF MEETING.

*Mr. A. N. SURVE (Bombay City, North): Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) whether it is a fact that meetings of the Select Committee on Bill No. III of 1933 (A Bill to consolidate and amend the law relating to the municipal government of the City of Karachi) were held at Mahableshwar in 1933; if so, how many meetings were held, and on what dates and what are the names of honourable members who attended them;

(*b*) where the headquarters of Government were when these meetings were held—at Poona or Bombay;

(*c*) whether there are any precedents to show that meetings of the Select Committee were held at places other than at the headquarters of Government;

(*d*) the reasons for holding the meetings of this Select Committee at Mahableshwar;

(*e*) which of the officials not being members of the Select Committee together with their staff were required to be present at Mahableshwar in connection with the work of this Select Committee;

(*f*) what amount of extra cost was incurred by reason of taking such officials together with their staff to Mahableshwar, which would not have been incurred if the meetings of the Select Committee had been held at the headquarters of Government;

(*g*) whether any understanding was arrived at with the non-official members of the Select Committee with regard to their allowances, if so, what understanding;

(*h*) whether any saving was effected as a result of this understanding; if so, in respect of which item or items of the allowances;

(*i*) what advantages were derived by holding the meetings of the Select Committee at Mahableshwar instead of at the headquarters of Government?

The Honourable Khan Bahadur D. B. COOPER: (*a*) Yes; the meetings were held from 8th to 13th and 15th to 18th May 1933. A list of members present at those meetings is appended.

(*b*) During the period from the 8th to 13th May the headquarters of Government were at Bombay. After that period, at Poona.

(*c*) No.

(*d*) To meet the wishes of the non-official members who anticipated difficulty in dealing with so heavy a piece of legislation in Bombay in the hot weather.

(*e*) Secretary, Legislative Council, Additional Deputy Secretary, Legal Department, and Assistant Secretary (Legislation), Legal Department.

(*f*) About Rs. 770.

(*g*) Yes. It was agreed that their allowances should not exceed the amount that would have been payable to them had the meetings taken place in Poona.

(*h*) No.

(*i*) More rapid and efficient disposal of work owing to the cooler climate and the quiet surroundings.

List of Members present at meetings of the Select Committee on the Karachi Municipal Bill.

1. The Honourable Sardar Sir Rustom J. Vakil,
2. The Honourable Sir Ghulam Hussain,
3. Mr. J. N. R. Mehta,
4. Mr. H. Dow,
5. Khan Saheb Allahbaksh Gabol,
6. Rao Bahadur R. R. Kale,
7. Mr. Haji Mir Mahomed Baloch,
8. Khan Bahadur M. A. Khuhro,
9. Syed Miran Mahomed Shah,
10. Mr. Shaikh Abdul Majid,
11. Mr. Gover Rora,
12. Mr. S. S. Tolani,
13. Rao Bahadur G. K. Chitale,
14. Rao Bahadur R. S. Asavale,
15. Rao Bahadur S. K. Bole,
16. Mr. A. Master,
17. Mr. G. Davis,
18. Mr. R. B. Ewbank,
19. Dr. P. G. Solanki,
20. Mr. P. N. Vakil.

POONA DISTRICT: UNTRAINED PRIMARY TEACHERS.

*Mr. A. N. SURVE (Bombay City, North): Will the Honourable Minister for Education be pleased to state with regard to Poona District—

(*a*) the pay given to an untrained primary teacher before and after he is made permanent;

(*b*) the period of time after which an untrained teacher is made permanent?

The Honourable Dewan Bahadur S. T. KAMBLI:

(*a*) Temporary untrained teacher .. .. Rs. 15 per mensem.

Permanent qualified but untrained teacher .. Rs. 20—1/3—23—*E.B.—1/3—25—½—30 per mensem.

*Efficiency bar.

(*b*) The Chairman, District School Board, Poona, reports that no period of time has been fixed by the Board for the confirmation of untrained teachers. The attention of the Board has been invited to rule 56 of the Bombay Primary Education Rules and it has been advised by the Director of Public Instruction to confirm as far as possible all untrained teachers who have put in a service of more than three years.

CO-OPERATIVE SOCIETIES, CENTRAL DIVISION: RECOVERY OF DUES.

*Mr. A. K. RESALDAR for Mr. SYED MUNAWAR: Will the Honourable Minister for Education be pleased to state—

(*a*) the total number of co-operative societies in the Central Division;

(*b*) how many of them have recovered their dues without assistance from Government;

(*c*) how many of them have recovered their dues through the mamlatdars as arrears of land revenue;

(*d*) whether it is a fact that in this Division execution of awards as arrears of land revenue has been started very recently;

(*e*) whether it is a fact that this facility is very often denied by the Revenue Department to co-operative societies?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) 2,176 in the Revenue Central Division.

(*b*) and (*c*) The time and trouble involved in the collection of the information required is so considerable that Government regret that they are not prepared to call for it.

(*d*) No.

(*e*) No.

JUVENILE SMOKING BILL FOR BOMBAY PRESIDENCY.

*Mr. A. K. RESALDAR for Mr. SYED MUNAWAR: Will the Honourable the Home and General Member be pleased to state—

(*a*) whether his attention has been drawn to the correspondence recently published in the *Times of India*, Bombay, emphasising the need for legislation to check the evil of smoking among children in this Presidency;

(*b*) whether he is aware that legislation to the above effect has already been passed in several other provinces in India;

(*c*) if so, whether Government intend to undertake similar legislation here?

The Honourable Mr. R. D. BELL: (*a*) Yes.

(*b*) Yes.

(*c*) No.

MASSAGE INSTITUTES, BOMBAY CITY.

*Mr. A. K. RESALDAR for Mr. SYED MUNAWAR: Will the Honourable the Home and General Member be pleased to state—

(*a*) whether he is aware of the fact that women of questionable character are working in the so-called "massage institutes" and "baths" in the Bombay City, and are carrying on prostitution in a disguised form;

(*b*) whether any attempts have been made by the City police to exercise control over them under the Bombay Prevention of Prostitution Act, 1923;

(*c*) if so, what attempts; if not, why not;

(*d*) whether the number of these massage institutes and baths is increasing or decreasing;

(*e*) whether Government have considered the necessity and desirability of including such institutes and baths within the definition of "brothel" as given in Bombay Act No. XI of 1923?

The Honourable Mr. R. D. BELL: (*a*) Yes.

(*b*), (*c*) and (*e*) A test case under the Bombay Prevention of Prostitution Act, 1923, filed by the police against one of these so-called Turkish Baths was unsuccessful, as it was not possible for the police to produce evidence such as was required by the law courts. The police could not therefore take any further action against these establishments. Government thereafter considered the question whether these establishments could not be controlled by the grant of licences under the City of Bombay Municipal Act, 1888, by an amendment thereof, if necessary. But in view of the practical difficulties in the way and the futility of proceeding in the manner proposed, the question was finally dropped.

(*d*) The number remains stationary, though some old places have closed down and new ones sprung up.

NUMBER OF INDIAN I.C.S. OFFICERS IN THE PRESIDENCY.

*Dr. V. G. VAISHAMPAYAN (Sholapur City): Will the Honourable the Revenue and Finance Member be pleased to state what the total number of Indian I.C.S. officers in the Bombay Presidency is at present?

The Honourable Sir GHULAM HUSSAIN: A reference is invited to the Bombay Civil List corrected up to 1st January 1934 a copy of which is available in the Council Library. However, to save trouble to the honourable member, I may inform him that about 46 are Indians out of 136. Out of 136 some Europeans are on deputation, some are serving the Government of India, and some are serving Indian States.

Mr. G. S. GANGOLI: Is it necessary to go to the Council Library for the Civil List?

The Honourable the PRESIDENT: It is evident. Honourable members should bear in mind that a question for which they can get information from easy sources should not be asked. Government should not be asked to prepare that for them. For instance, for this very question the total number can be seen at a glance. As for the other information as to how many are on deputation, that is also mentioned in the Civil List.

Mr. G. S. GANGOLI: With the permission of the Chair the point in asking this question is that we should be supplied with all these publications. At the last session an assurance was given and still we are not supplied——

The Honourable the PRESIDENT: That is a different matter. It is for the House to decide, because it is a matter which entails an expenditure.

Mr. P. R. CHIKODI: With regard to the reply given here, may I ask whether the Government expect that members in the mofussil should go to either Poona or Bombay to get this information?

The Honourable the PRESIDENT: The Civil List is available everywhere.

Mr. P. R. CHIKODI: Where should we go?

The Honourable the PRESIDENT: Next question.

LOCAL BOARDS IN NASIK DISTRICT: VESTING OF TANKS, WELLS AND ROADS.

*Rao Bahadur R. V. VANDEKAR (Nasik District): Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) whether Government are aware that although tanks, wells and minor roads in villages do not vest in local boards, still they are repaired and maintained by those bodies;

(*b*) the total number of tanks, wells and minor roads in the villages in the Nasik district which are repaired and maintained by local boards though they do not vest in the said boards;

(*c*) whether it is a fact that the District Local Board of Nasik has made a representation to Government for vesting them in the local boards;

(*d*) if so, what Government propose to do in the matter?

The Honourable Khan Bahadur D. B. COOPER: (*a*) It is true that in some districts tanks, wells and minor roads, although they do not vest in local boards, are repaired and maintained by them.

(*b*) A statement furnishing the necessary information is placed on the Council table.

(*c*) No.

(*d*) Does not arise.

Statement showing Information about the Number of Wells, Tanks and Minor Roads in the Nasik District which do not vest in Local Boards but which are repaired and maintained by them.

Serial No.	Name of Taluka.	No. of Wells.	No. of Tanks.	No. of Minor Roads.	Remarks.
1	Peint ..	..	..	..	
2	Baglan ..	..	..	..	
3	Chandor ..	..	..	..	
4	Nandgaon ..	..	..	..	
5	Dindori ..	4	..	2	
6	Igatpuri ..	..	..	..	
7	Niphad ..	2	1	4	
8	Kalwan ..	14	11	..	
9	Malegaon ..	..	..	..	
10	Sinnar ..	1	..	7	Figures given for repairs done in 1932–33.
11	Nasik ..	68	1	18	
12	Yeola ..	..	..	..	
13	District Local Board.	..	2	5	
		89	15	36	

HOUSING SOCIETIES: LOANS.

*Rao Bahadur R. V. VANDEKAR (Nasik District): Will the Honourable Minister for Education be pleased to state—

(*a*) whether it is a fact that Government have ceased to advance loans to the housing societies;

(*b*) if so, whether they intend to reconsider the question of renewing these loans in view of the better condition of the money market?

The Honourable Diwan Bahadur S. T. KAMBLI: (*a*) Government have decided not to advance loans to new housing societies or to old housing societies for new commitments. Loans which Government have already undertaken to advance will be advanced.

(*b*) No.

EXCISE DEPARTMENT: RECRUITMENT.

*Rao Bahadur R. V. VANDEKAR (Nasik District): Will the Honourable Minister for Education be pleased to state—

(*a*) how many persons were recruited in the Excise Department since 1927;

(*b*) of these how many were from the advanced classes, how many from the intermediate Hindu or backward classes, how many from the Mahomedan and how many from the depressed classes?

The Honourable Diwan Bahadur S. T. KAMBLI: The Honourable Member is referred to the reply to Dr. Solanki's similar question† on the subject.

† Printed in to-day's Debates.

PROVINCIAL SERVICES: CONSTITUTION OF COMMITTEE FOR RECRUITMENT.

*Rao Bahadur R. V. VANDEKAR (Nasik District): Will the Honourable the Revenue and Finance Member be pleased to state—

(a) whether it is a fact that of late no selection committees have been constituted for some of the Provincial Services in the Presidency;

(b) if not, what those committees that were constituted since the year 1926 were;

(c) what the composition of each of those committees was;

(d) what the tenure of office of the members of those committees was;

(e) whether the recommendations of such committees are binding on Government;

(f) whether Government had any occasion to differ from the recommendations of such committees; if so, how often and when;

(g) whether it is a fact that every year one or two persons from the advanced communities are recruited to the Provincial Services, whereas no person from the backward communities, although being available and possessing equal qualifications, is recruited?

The Honourable Sir GHULAM HUSSAIN: (a), (b), (c) and (d) Permanent Boards of Selection are constituted under the Bombay Civil Services Recruitment Rules. For rules regulating the constitution and functions of Selection Boards reference is invited to Appendix G of the Bombay Civil Services Recruitment Rules, a copy of which is available in the Council Library.

(e) The orders of Government are as laid down in Government Resolution No. 5552 dated 4th October 1930, a copy of which is placed on the Council Table.

(f) Yes; in four cases—

2 in 1930,
1 in 1931,
1 in 1932.

(g) No.

Provincial Services Selection Boards:

Establishment of a convention for acceptance of recommendations of—

GOVERNMENT OF BOMBAY.

FINANCE DEPARTMENT.

Resolution No. 5552.

Bombay Castle, 4th October 1930.

RESOLUTION OF GOVERNMENT.

The permanent Boards of selection constituted under the Bombay Civil Service Recruitment Rules are only advisory bodies and the recommendations made by them are not binding on Government under the Recruitment Rules. Government however have been pleased to establish a convention that the selection by such a Board of candidates

for nomination to the Public Service should be accepted, save in exceptional circumstances and subject to any special directions (e.g., regarding preference for certain communities) that may be given beforehand to the Board.

By order of the Governor in Council
and of the Government of Bombay
(Transferred Departments),

R. D. BELL,
Chief Secretary to Government.

To

The Private Secretary to His Excellency the Governor,
All Departments of the Secretariat (except the Separate Department).

No. of 1930.

Copy forwarded for information and guidance to

WATER RATES IN NASIK DISTRICT: REMISSIONS.

*Rao Bahadur R. V. VANDEKAR (Nasik District): Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) whether it is a fact that remissions in *patbandhara* water rates were given to certain villages in the Niphad, Satana and Malegaon talukas of the Nasik District in the years 1930, 1931 and 1932;

(*b*) if so, what amount was due on account of such water rates and what amount was remitted?

The Honourable Sir GHULAM HUSSAIN: (*a*) Remissions of *patbandhara* water rates were given only in Niphad Taluka during the revenue years 1930-31, 1931-32 and 1932-33. No such remission was granted in the Malegaon and Satana talukas during these years.

(*b*) The amount due and the amount remitted in Niphad Taluka is specified below:—

Taluka.	Year.	Amount due on account of water rates.	Amount remitted.
		Rs. a. p.	Rs. a. p.
Niphad ..	1930-31 ..	17,392 0 0	485 0 0
	1931-32 ..	17,392 0 0	484 15 9
	1932-33 ..	17,392 0 0	484 15 9

DISTRICT LOCAL BOARD, NASIK: TEACHERS AND MISTRESSES.

*Rao Bahadur R. V. VANDEKAR (Nasik District): Will the Honourable Minister for Education be pleased to state—

(*a*) the number of teachers and mistresses, permanent and temporary, serving under the District Local Board, Nasik;

(*b*) how many of them are Urdu trained;

(*c*) how many of them are Marathi trained;

(*d*) the percentage of trained Urdu teachers and mistresses to the total number of teachers and mistresses;

(*e*) whether Government are aware that the number of Marathi and Urdu trained mistresses is not adequate in the district;

(*f*) what special measures were taken by the District School Board to recruit large number of Urdu and Marathi trained mistresses?

The Honourable Diwan Bahadur S. T. KAMBLI: (*a*) 995.

(*b*) 32.

(*c*) 574.

(*d*) 3·2. But the percentage of trained Urdu teachers to the total number of Urdu teachers is 60. There are no trained Urdu mistresses.

(*e*) The number of Marathi trained mistresses is adequate. Of the 65 Marathi mistresses 33 are trained. There are 3 Urdu mistresses only, of whom two are under training.

(*f*) About five Marathi mistresses are deputed to the First Year training class and 1 or 2 to the Second Year class. Qualified Urdu Mistresses are not freely available. This year 2 Muhammadan girls are under training in the Junior First Year Class.

UNSTARRED QUESTIONS AND ANSWERS.

CONSTRUCTION OF ROAD FROM KUDUS TO KANCHAD IN THANA DISTRICT.

Mr. SHANKARRAO JAYARAMRAO ZUNZARRAO (Thana and Bombay Suburban Districts): Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) whether Government are aware that a road from Kudus to Kanchad in Wada taluka of the Thana District would lessen the road distance to Ahmedabad by about 10 miles;

(*b*) whether Government are aware that a public contribution of Rs. 10,000 with an offer of free lands is likely to be made towards the construction of such a road;

(*c*) if so, whether Government propose to undertake its construction;

(*d*) if so, when; if not, why not?

The Honourable Khan Bahadur D. B. COOPER: (*a*) The distance of the through route from Bombay to Ahmedabad would be reduced by less than 7 miles on account of such a road.

(*b*) No.

(*c*) Does not arise.

(*d*) Owing to present financial stringency, Government do not intend constructing the road in question.

KIDNAPPING OF HINDU WOMEN AT SHIKARPUR.

Mr. S. S. TOLANI (Western Sind): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether the attention of Government has been drawn to the various cases of kidnapping of Hindu women at Shikarpur as reported in the local reports;

(*b*) whether it is a fact that during the course of the past few months some such other cases have also occurred;

(*c*) whether Government are aware that one of the kidnapped women was murdered in the early hours of 2nd May 1933 in a thickly populated part of the town;

(*d*) whether Government are aware that the complainant in this case definitely pointed out to the police a tomb on Garhi side where the woman was supposed to have been buried by the alleged murderer with the help of his relatives;

(*e*) if so, whether the police opened the tomb and ascertained the facts; if not, why not;

(*f*) whether it is a fact that in another case a woman has been kidnapped along with her infant daughter;

(*g*) whether it is a fact that the infant daughter has been killed in a scuffle while the woman tried to make good her escape;

(*h*) what steps have been taken to bring back the woman from the offender;

(*i*) what steps Government propose to take to check this growing evil?

The Honourable Mr. R. D. BELL: (*a*) Yes.

(*b*) Yes. Four such cases are reported to have occurred.

(*c*) There is no evidence to this effect.

(*d*) and (*e*) One of the witnesses produced by the complainant pointed out a grave in the Sheikhs graveyard as he happened to pass that way on the day following the woman's abduction and suspected it to be where the body of the kidnapped woman might have been buried. Enquiries, however, showed that the relations of the deceased had freshly plastered the grave during the Moharrum and as there was no positive evidence otherwise the grave was not disinterred.

(*f*), (*g*) and (*h*) No such case has been reported or has come to notice.

(*i*) The police investigate such cases and the assistance of the Sind C.I.D. officers is obtained whenever necessary.

DACOITIES OF ABDUL RAHMAN IN LARKANA AND UPPER SIND FRONTIER DISTRICTS.

Mr. S. S. TOLANI (Western Sind): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether Government are aware that a daring dacoity took place on the night of the 11th March 1933 in a village called Buthi in Taluka Mirokhan of Larkana District;

(*b*) if so, how many dacoits had formed themselves into a looting gang and for how long they remained in the village to carry out their looting business;

(*c*) whether Government are aware that a similar dacoity was also committed by the same gang on or about 29th of May 1933 in a village called Karimbux of Upper Sind Frontier District;

(*d*) whether Government are aware that the ringleader of the gang was the notorious Abdul Rahman who has committed a number of dacoities before the Buthi and Karimbux dacoities;

(*e*) whether Government are aware that the dacoities of Abdul Rahman have created great consternation in the minds of the village populace;

(*f*) if so, what steps have been taken or proposed to be taken by Government to create confidence in the people of the villages as regards the safety of their lives and property ?

The Honourable Mr. R. D. BELL : (*a*) Yes.

(*b*) About 25 armed men and they were in the village from 7 p.m. till about 11 p.m.

(*c*) Yes.

(*d*) Yes.

(*e*) Yes.

(*f*) The necessary steps to restore confidence among the people were taken by the local authorities. Full assurance was given to the people concerned that all possible steps would be taken by Government to ensure the safety of their lives and property and that the offenders would be severely dealt with.

ESCAPE OF DACOIT ABDUL RAHMAN FROM POLICE CUSTODY.

Mr. S. S. TOLANI (Western Sind) : Will the Honourable the Home and General Member be pleased to state—

(*a*) whether it is a fact that the notorious dacoit, Abdul Rahman, was once convicted and sentenced to undergo rigorous imprisonment of 21 years ;

(*b*) if so, how long he was in jail ;

(*c*) whether it is a fact that he escaped from police custody while he was being taken by the police in connection with some other dacoity ;

(*d*) whether Government are aware that Abdul Rahman is considered as a very dangerous man by the general public ;

(*e*) if so, why proper precautions were not taken to ensure his safe return to jail ;

(*f*) what action, if any, was taken against those who were responsible, for his flight ?

The Honourable Mr. R. D. BELL : (*a*) The information available with Government is that Abdul Rahman was serving sentences amounting to 28 years but it has not been ascertained to what extent they were concurrent.

(*b*) The exact period is not known to Government but it is understood to have been less than two years.

(*c*) He escaped from police custody while he and six other undertrial prisoners were being escorted back by train to Sukkur District prison after having been produced before the court of the City Magistrate, Shikarpur.

(*d*) He was so considered until his death.

(*e*) and (*f*) The Sukkur police guard, in charge of Abdul Rahman and his convict associates, did not follow the rules and regulations laid down for such occasions ; the head constable in charge of the police party and two constables under him, who were chiefly responsible for the escape of Abdul Rahman and others, were dismissed from Government service for negligence in the performance of their duty.

The Honourable the PRESIDENT: Order, order. Before proceeding further, I may inform the House—I forgot to mention the fact yesterday, before adjourning the House—that, owing to the mourning on account of the demise of the King of Belgium, the Government House garden party is cancelled.

I have received a letter from the Mayor of Bombay asking me to adjourn the House to enable honourable members to attend the party which he is going to give to His Excellency. It is for the House to decide and not for the Chair. I will read out the letter:

"My Garden Party to His Excellency the Governor and Lady Brabourne has been fixed for Wednesday, the 28th instant, at 5-30 p.m. (Standard Time). Besides many prominent citizens I am inviting all the Honourable Members of the Executive Council, the Honourable Ministers and Members of the Legislative Council and also many Government officers to the Garden Party. I should feel grateful to you if you will be so good as to adjourn the Council Meeting on that day at 5 o'clock so as to enable all the invitees to attend the Party and meet His Excellency and Lady Brabourne thereat. On hearing from you that you will be pleased to accede to my request, I shall inform accordingly such of the Members of the Legislative Council and Government officers as have expressed their inability to accept my invitation on account of the Council Session and request them to honour me with their presence at the Party."

Now the honourable House knows what the purport of the letter is, and it is for the honourable members to approach the Chair in regard to that in proper time.

2-30 p.m.

Rao Bahadur G. V. PRADHAN: I find that the Council is not sitting on the 28th.

The Honourable the PRESIDENT: It is sitting. I find "Demands for Grants" against that date. The "Holi" holiday is on the 1st March.

Regarding the general discussion, honourable members are aware that the usual rule is that each member will, for the first day, get 20 minutes, and later on we will see whether that time should be reduced. But honourable members who speak first can, as I have stated before, help the honourable members who follow by curtailing their remarks and not repeating arguments already placed before the House.

GENERAL DISCUSSION OF THE BUDGET.

Rao Bahadur R. R. KALE (Bombay University): Sir, while fully appreciating the efforts made by the Honourable the Finance Member to present what he calls a balanced budget, I feel I cannot bring myself to agree that it is either a good budget or that it is an achievement to his credit.

The Honourable Sir GHULAM HUSSAIN: In comparison with the past ones?

Rao Bahadur R. R. KALE: I am also not prepared to concede that to him it is a legacy of the past, because as a member of Government, he was a participant in the sins of commission and omission that took place even in the past. I should call the budget that has been presented as a precariously made-up budget. We would however have congratulated him if it had given any relief to people from taxation. The new taxes imposed in the past were resorted to with a view to meet a deficiency

[Rao Bahadur R. R. Kale]

in the past budgets. We were told that they were only temporary and would be discontinued after one year or so. As it is, Sir, I am constrained to observe that I do not feel to be in a position to offer any sort of congratulation to the Honourable the Finance Member.

In his speech, which is very short, the Honourable Member has made an attempt to refer to certain points, with some of which I propose to deal at present. In the second paragraph wherein he refers to the cut in the salaries of Government servants he seems to regret the continuation of the cut of 5 per cent. I should have thought that the cut would be restored to its original size of 10 per cent. I wish also to state here that the recommendations of the Retrenchment Committee have not been given full effect to in fixing the scales of new salaries and in some other matters. Government have not fulfilled popular expectations in this matter. So far as the existing servants are concerned, what is the history of the increases in their salaries? We find it actually stated in Volume V (1922) that the salary was then increased because the cost of living had increased, and that when conditions improved the salaries would be lowered. That was stated by the then Finance Member. That being so, may I know why there should be any compunction in the mind of the present Finance Member to continue the cut in salaries? The point is, today the low prices have had the effect of lowering the cost of living all round and also in giving lower prices to the agriculturists. I hope to deal with the plight of the peasantry later on, as I fear that the head of Land Revenue may not be reached this year owing to the arrangement for the discussion of demands for grants.

Dealing with the question of the new scales of salaries, I find that the inclination has been to lower the salaries of the subordinate and the clerical staff more than those of the Provincial Services. The salaries of the Provincial Services seem to have been fixed in relation to the pay of the All-India Services.

The recommendations of the Thomas Committee have not been given full effect to. I hope that the Honourable the Finance Member and Government are still considering them, and that the statement issued in August last is not the last word on the subject. For instance, I may refer to the reduction in the number of Secretariat officers and the transfer of some of the activities of the departments to Poona. Then, again, take the proposal to reduce the rent concessions to Government officers, and the recommendations contained in paragraphs 171, 176, 181 and 182 of the Report. We have not been told what has been done in relation to them. With regard to Government arts colleges, although we have been told that one college would be closed, we have not been told what the general policy of Government in regard to them is. I hope, therefore, Sir, that the Honourable the Finance Member and Government will go into those questions hereafter.

Then, I turn, Sir, to paragraph 7 of the Honourable Finance Member's speech, which deals with the question of remissions and suspensions of land revenue. That, no doubt, discloses Government's anxiety and concern in the lot of the distressed agriculturists. The same note is

[Rao Bahadur R. R. Kale]

visible in paragraph 9. His Excellency the Governor was also pleased yesterday in his speech to call for our opinions in order to enable Government to come to definite proposals in regard to the future. I would like, Sir, to say a few words on that important subject. I find that the taxation Acts of Government are being given effect to rigorously. For instance, the rules under the Tobacco Act have been framed and put into force. There is already a complaint that these rules have not been properly framed and are being worked very harshly against the growers and the licensees. Government have been very prompt with the rules under the taxation Acts, whereas in regard to the Weights and Measures Act and the Village Panchayats Act, which were passed some time ago, they have not been so prompt. No rules have yet been published and no action yet taken in these matters. However, that is another matter. The case for a really liberal remission in the land revenue today depends mainly on the consideration that the level of the prices is an extremely important factor all over the Presidency. Recently we saw in the papers that Government had issued a *communique* which was not even supplied to us, the members of the Legislative Council. No doubt the practice of furnishing honourable members with the reports of Government has been discontinued, but I think such important *communiques* at least should be sent to us——

The Honourable Sir GHULAM HUSSAIN: May I point out to the honourable member that it was printed in all the papers, and I suppose that every honourable member of this House reads at least one of the important papers?

Rao Bahadur R. R. KALE: But newspaper reports are not taken as authoritative announcements.

The Honourable Sir GHULAM HUSSAIN: It was a press note of Government. If you disbelieve the press notes, there is no remedy.

Rao Bahadur R. R. KALE: No doubt it was published in the papers, but the note was so brief that one was not able to make it out. For instance, so far as the Central Division was concerned, it consisted of three lines. We thought that it was an abridged statement and we were looking forward to a detailed statement and hence it is that we were not able to follow the press note published in the papers.

Another important matter I must refer to in this connection is the resolution of Government about the anewari concessions. The three Commissioners were pleased to call three honourable members of this House—I was one of them—and discuss matters. They made some suggestions and Government issued a resolution adopting some of them. That resolution also is not communicated to me. I tried to have a look at it in the Library and with great difficulty I succeeded. I wanted to find out whether anything which has been incorporated in Order XXXI of the rules under section 214 has been done in the villages this year. Even the officers do not seem to know it—I cannot say whether through ignorance or something else. But I was told that no changes were made in the anewari calculations——

Dewan Bahadur D. R. PATIL : What are the changes ?

Rao Bahadur R. R. KALE : Do you know them ?

Dewan Bahadur D. R. PATIL : No.

Rao Bahadur R. R. KALE : My honourable friend Dewan Bahadur Patil was one of the three members invited by the Commissioners. He says he does not know the decisions arrived at by Government. Courtesy required that at least the members who were invited should be informed to what extent it was possible for Government to accept their suggestions. It was due to us that a copy of the resolution should be sent to us. Probably it was the intention that anything contained in the resolution should not be widely known, because so far as my district is concerned, nothing contained in the resolution has been given effect to during the present season.

Now, reverting to the question of the level of prices, in the preamble of the *communique* reference has been made to the low level of prices of agricultural produce. The general level of prices is a common factor throughout the Presidency. The remarks which refer to rice crops or some other particular crops may be irrelevant so far as the level of prices is concerned. Therefore, my submission is that so far as the Central Division is concerned, there has been no concession whatever. What does the *communique* say ? It says that collections of arrears should follow the anewari, provided that in no case more than one and one-half assessment be collected as a total collection of arrears and current dues. No concession is given so far as the price level is concerned. That is the grievance. The price level is particularly important, because revision settlements were effected in this part from the year 1915 to the year 1925. In the revision settlement reports you will find that most of the revision settlements have taken account of the rise in prices. One of the important factors that was taken into consideration in effecting these revision settlements was the rise in prices. The present agricultural depression has been one of the severest all over the world, and the sharp decline in prices especially of agricultural produce since 1929 has made the position of the peasant proprietor all over the world extremely grave. As a result of these conditions steps have been taken in other countries, in every important agricultural country by the Government of that country, to relieve this distress. For instance, an examination of the fall in prices in various countries based on index number shows that in Britain and in India the prices have had almost a precipitous fall during the last three years, but while in Britain the producers get at least the pre-War return for their goods, what the Indian producer receives is as much as 13 points below the pre-War level. In Japan, the prices recovered in September 1933 the level of the prices of 1930 and were 36 points above the pre-War level. France, the United States of America, Japan and Great Britain have all taken steps to raise the agricultural prices, whereas in this country nothing has been done in that direction. I am not going to deal with the currency or other questions which have made it possible for those countries to help the agriculturists. These are matters for the Central Government. What has the Bombay

[Rao Bahadur R. R. Kale]

Government done in this matter? As a matter of fact in some provinces of this country, something has been done in that direction. In the United Provinces, the agrarian trouble forced the question on the Government in 1929 and they immediately appointed a committee and the question is under consideration and some formula is being evolved. Not only are reductions in demands being made in certain provinces, but in Madras and in the Punjab they have actually given some concessions on the general ground, the common ground, of the fall in prices.

The Honourable Sir GHULAM HUSSAIN: May I know what concessions they have given? Have they reduced the assessment in Madras?

Rao Bahadur R. R. KALE: They have given a concession of some per cent. remission according to whether the assessment is revised assessment or unrevised assessment. As I said in the beginning, in this Presidency almost all the revision settlements took place between the years 1915 and 1925——.

The Honourable Sir GHULAM HUSSAIN: I want to know whether Madras or the Punjab, to which provinces the honourable member referred, have reduced the assessment or given remissions or suspensions. What have they done? That will help this honourable House to consider the question properly.

Sardar Rao Bahadur B. R. NAIK: They have given a remission of 50 lakhs.

Rao Bahadur R. R. KALE: There has been no reduction in the rates of assessment but remissions have been given.

The Honourable Sir GHULAM HUSSAIN: Only remissions. This Government have also given remissions.

Rao Bahadur R. R. KALE: No, this Government does not give remissions on the score of low level of prices.

The Honourable Sir GHULAM HUSSAIN: We have given remissions on the score of low prices.

Rao Bahadur R. R. KALE: So far as I know, not in the Central Division, and therefore I say it is no concession at all.

My point here is that Government should do something on the lines of other Provincial Governments and arrive at a formula by which automatically there is some remission or some concession made to the ryots in respect of the rigidity of collections and the manner of the annawari. The resolution passed only last year provided for rules being made for making the annawari and I understand that some rules have been made, but they are not known even to me, much less to the villagers or to the people in rural areas. We know how the annawari is made on traditional lines. That being so, my demand is that there should be some policy laid down by which automatically, when the level of prices has gone down, there will be some concession shown to the people.

[Rao Bahadur R. R. Kale]

Before concluding, I may point out that it will be remembered that owing to the American Civil War in the sixties revisions in certain talukas took place at higher rates owing to rise in prices due to that War and immediately after that the rise in the demand of Government gave rise to what is called the Deccan Riots and as the result of that Government had to appoint a commission which led to modification in the Government demand in order to give some relief to the ryots. Now, here also there is a somewhat similar situation. Owing to the Great War prices had gone up when revisions took place and naturally that factor was taken into account in enhancing the old survey rates but now that the prices have continuously kept low, the time is come when it is for consideration whether Government should not think about the whole question again. The ryot is a poor and a humble man who does not care to agitate in the way in which perhaps the educated people are agitating, but I warn Government that this is a very important matter and therefore I would leave it to them to bring about some declaration of policy with a view to give the ryots some measure of ease and happiness or rather to prove to them that Government are really anxious for the good of the ryots. That is, I submit, an important point.

Now, Sir, there is only one other point I would like to refer to, and that is, the question of village panchayats. The sum of Rs. 25,000 was sanctioned last year for organising a machinery to establish and foster the growth of village panchayats, but nothing has been spent, and this year no provision is made for that purpose and yet it is stated as regards the annawari that members of panchayats should be taken to assist in the annawari. When there are no Panchayats and no efforts in this direction have been made, although we must feel thankful and grateful to His Excellency Sir Frederick Sykes for inaugurating and giving a stimulus to the movement of rural uplift by, among other things, the establishment of panchayats and a suitable organization as stated by the late Sardar Sir Rustom Vakil, the then Minister in charge, was expected to be brought into being, but nothing so far appears to have been done .....(*Bell rung.*)

Sardar Rao Bahadur B. R. NAIK (Surat District): Sir, yesterday, while presenting the budget, we were told by the Honourable the Finance Member that he had been able to present a balanced budget and it was natural that his statement should have been greeted and applauded by this side of the House, because after a series of deficit budgets when the Honourable the Finance Member was able to produce a balanced budget, this side of the House felt relieved that, after all, the Presidency is not going to be insolvent. But, Sir, to my mind it is not always true that a balanced or a surplus budget by itself is a good budget or that a deficit budget is always a bad budget, because the merits of a budget depend on various factors. At the risk, therefore, of repeating what has been said by previous honourable members, I think there are certain points which honourable members would like to emphasize, viz., first of all, as to how the budget has been balanced and what relief has been given

[Sardar Rao Bahadur B. R. Naik]

to the taxpayers, also whether any further amenities are provided for or existing ones curtailed and that the provisions are made for statutory liabilities.

The Honourable the Finance Member said in his speech that in the year 1930–31 there was a deficit of over 2 crores. I admit from the face of the masses of figures that have been presented to this side of the House that there was a deficit, but a prudent financier would not take only one or two years into consideration for comparison. If the Honourable the Finance Member were to take three years prior to the year 1929–30 and another three years after 1930–31, he would find that there was no deficit between revenue and expenditure of two crores as was said yesterday. So, I say it was not proper to show to this side of the House the deficit of over Rupees two crores by taking only one year's revenue and expenditure.

The Honourable Sir GHULAM HUSSAIN: May I correct the honourable member? Does he mean to say that before 1931 there were two crores more for expenditure than is provided in this budget? I challenge that statement.

Sardar Rao Bahadur B. R. NAIK: I do not say that. The Honourable the Finance Member cannot take only one preceding year.

The Honourable Sir GHULAM HUSSAIN: Take the three preceding years.

Sardar Rao Bahadur B. R. NAIK: I say if you take three preceding years it is less than one crore. I will request the Honourable the Finance Member to work out the figures for three preceding years prior to 1930–31, leaving aside the two years 1930–31 and 1929–30 which he has taken for comparison, and also take three years after that.

The Honourable Sir GHULAM HUSSAIN: The honourable member forgets that that was a legacy left to me, which I could not avoid.

Sardar Rao Bahadur B. R. NAIK: I am not going to blame the Honourable the Finance Member.

The Honourable Sir GHULAM HUSSAIN: There is nothing to my credit?

Sardar Rao Bahadur B. R. NAIK: I was going to point out that there has been a deficit of one crore, if you take about the total of 8 years. May I ask after 1922, how many lakhs of rupees have been collected in the form of new taxes?

The Honourable Sir GHULAM HUSSAIN: That I replied to last year.

Sardar Rao Bahadur B. R. NAIK: What was the balance left by your predecessor's legacy in 1924? About 4 crores of rupees. I therefore say that the statement that the Honourable the Finance Member has balanced the budget is not true in fact and that the budget presented is not a balanced budget.

[Sardar Rao Bahadur B. R. Naik]

Now coming to the note of the honourable member the Finance Secretary, he has pointed out here on page 13:

"The comparison illustrates (*a*) the large rise in unavoidable charges (debt and pensions) and (*b*) that the fundamental cost of administration (mainly general administration and law and order departments) has been much reduced and that much of that decrease has been transferred to expenditure on beneficent activities (education, medical, public health and agriculture)."

Now, Sir, what is the increase in the transferred departments? In the year 1922-23 the expenditure after education was 1 crore, which to-day is 116 lakhs, i.e. 16 lakhs more. In secondary and higher education, there is a *minus* figure of 7 lakhs, i.e. less than what it was in the year 1922, and so there is an increase of 9 lakhs in a total expenditure of 180 lakhs. My contention is that no substantial amounts have been allotted to the nation-building departments by reducing the expenditure on the establishment charges of the Government of Bombay.

The Honourable Sir GHULAM HUSSAIN: The honourable member himself just now read out otherwise.

Sardar Rao Bahadur B. R. NAIK: What does this increase of 16 lakhs represent? Increase in the pay of primary teachers in the year 1924-25 to the extent of 20 lakhs——

The Honourable Sir GHULAM HUSSAIN: At whose instance?

Sardar Rao Bahadur B. R. NAIK: Whether at the instance of this Council or at the instance of Government I say there is no expansion made by opening new schools or by increasing the number of teachers or Supervising Staff for primary education. If the increase of 20 lakhs in teachers' pay is deducted, a deficit of 4 lakhs instead of any increase in primary education, will be found. What I mean to say is that apart from what Government are trying to do what they think they possibly can in the interest of balancing the budget, I will now come to paragraph 7 of the speech made yesterday by the Honourable the Finance Member who told us that he had set apart Rs. 8,00,000 to give relief to the agriculturists of the presidency on account of the damage caused by cold wave and frost, and that he has not yet received any information from the various districts of the presidency about the actual loss caused by frost or cold wave and that he was waiting for the information from the various district officers. In my opinion he has not provided adequate sum for giving relief due to those who have suffered losses, but I think I may say for his information that before he will get the information from the various districts of the presidency, the land revenue dues may have been collected. As you know, Sir, so far as Gujarat is concerned, the first instalment becomes due in the beginning of February. I know also that the Collectors have issued orders to collect land revenue in full without giving any relief. I believe the same must be the case with the other parts of the presidency.

There is one other point, Sir, which I want to bring to the notice of the honourable member the Finance Secretary to kindly explain to me

[Sardar Rao Bahadur B. R. Naik]

because I do not easily understand what he says. Here at page 14, he shows an increase of 171 lakhs in Unavoidable Charges made up of 106 lakhs for Interest charges and 65 lakhs for Pensions to be met from revenue. At another page, page 10, he shows the net burden of interest on the presidency as 1,74,34 thousand, out of which 86 lakhs come from revenue and 87 from capital. There is a total of 292 lakhs interest charges and he has I presume deducted in this book, receipts shown against various debt heads. Thus on one page it is 174 and on other page it is 178. Moreover at one place it is 292 gross and at other 178. I want to know from the honourable member the Finance Secretary how he has arrived at these figures, because I do not understand the intricacy of these figures. As I say it is only 86 lakhs shown from the revenue at page 10, while the amount of 178 lakhs shown on page 14 from revenue does not tally and I want an explanation.

3 p.m.

Now I come to paragraphs 8 and 9 of the Honourable the Finance Member's speech.

Paragraph 8 says the substance of which is that he—the Honourable the Finance Member—himself is not satisfied with this budget, that he will be obliged to ask for a moratorium in respect of the instalments that this Presidency has to pay to the Central Government in repayment of its debts. He says that he has not been able to restore even the 5 per cent. cut. He also admits that he has not been able to restore the cuts made in the grants for primary education, communications and other nation-building departments. Then he reminds us that the trade of Bombay is being diverted on account of the town duty of Rs. 2 per khandi i.e., Re. 1 per bale of cotton. Then in paragraph 9 he says that Government understand that the economic condition of the ryots is going from bad to worse from year to year, and therefore, in concert with the other provincial governments of this country, this Government intend to take some remedial measures. This is the paragraph on which I want to speak. Apart from the question of damage caused on account of frost or the cold wave, Government are aware, as well as every honourable member of this House, that on account of the low prices of agricultural commodities agriculture does not pay, that the agriculturists are hard hit and could not pay the high revenue fixed on high level prices.

The Honourable Sir GHULAM HUSSAIN: May I interrupt the honourable member? It is not only on account of the cold wave. I have mentioned that larger concessions were given to the agriculturists on other grounds as well.

Sardar Rao Bahadur B. R. NAIK: Remissions for what?

The Honourable Sir GHULAM HUSSAIN: Read the whole paragraph.

Sardar Rao Bahadur B. R. NAIK: Paragraph 9 is about the general economic condition of the agriculturists and of the whole world. Nothing is mentioned about remissions.

The Honourable Sir GHULAM HUSSAIN: Will the honourable member read the whole paragraph? It mentions a loss of 8 lakhs of revenue on account of the cold weather. It is in paragraph 7.

Sardar Rao Bahadur B. R. NAIK: I want to know, remissions, on account of what?

The Honourable Sir GHULAM HUSSAIN: On account of the fall in prices and every other factor.

Sardar Rao Bahadur B. R. NAIK: I want to know whether it is on account of the fall in prices alone, or on account of the cold wave and other reasons. The amount is not adequate.

The Honourable Sir GHULAM HUSSAIN: It is for all reasons. Will the honourable member read the paragraph?

Sardar Rao Bahadur B. R. NAIK: You have said that the probable loss of revenue on account of the cold wave in January is 8 lakhs.

The Honourable Sir GHULAM HUSSAIN: There is something before that. Will the honourable member read the whole passage?

Sardar Rao Bahadur B. R. NAIK: It is stated that remissions and suspensions to the extent of 8 lakhs have to be given.

The Honourable Sir GHULAM HUSSAIN: That is not the only thing. There are other remissions and suspensions also. Will the honourable member read the whole paragraph?

Sardar Rao Bahadur B. R. NAIK: It says: "The budget estimates provide for remissions and suspensions of land revenue in 1934–35 equal to those granted in 1932–33 and in the current year——". That is on account of the fall in prices?

The Honourable Sir GHULAM HUSSAIN: Yes.

Sardar Rao Bahadur B. R. NAIK: And 8 lakhs on account of the cold wave?

The Honourable Sir GHULAM HUSSAIN: Yes.

Sardar Rao Bahadur B. R. NAIK: I repeat the amount is not at all adequate. I am referring to paragraph 9, about the general economic condition of the agriculturists. There is no doubt that in agriculture one cannot at present make both ends meet. Taking a normal crop, apart from other considerations, assuming that there is no damage on account of frost or other causes, and that the annewari is sixteen annas or twelve annas in the rupee, even taking the index of prices as the pre-war index, agriculture does not pay. That has been admitted by Government as well as by private individuals. Therefore, the Honourable the Finance Member says that Government are intending to take some remedial measures for the amelioration of the agriculturists. I say it is a good measure to be adopted. It is necessary, and it should have been taken up earlier. But apart from the loss caused by frost or the cold wave, as I said, agriculturists are not in a position to-day to meet the Government assessment, on the basis which was fixed when the prices were very high. The previous speaker has already laid stress on this point and I again lay emphasis on it, that in other countries,

[Sardar Rao Bahadur B. R. Naik]

countries like America, they have had to make a fundamental change, a great change in their currencies in order to raise the prices of agricultural produce, so that the agriculturists may be able to live. Sir, it is not necessary for me to remind the Government that the sturdy yeomanry is the backbone of any State, and if that backbone is once broken, it will be difficult to heal it.

Mr. G. S. GANGOLI: Does it remain to be broken?

Sardar Rao Bahadur B. R. NAIK: Therefore, it is the most urgent measure which Government ought to have taken long ago, and if even yet Government will make up their minds to take it as immediately as possible, it will be to the interest not only of the people themselves but in the interest of the State also.

Coming to the general aspect of the budget, the Honourable the Finance Member knows, and he has just now admitted, that the prices of materials have considerably gone down and when the people are not in a position to pay Government dues, Government are giving suspensions and remissions, wherever necessary. If that is the condition, I ask, is it wise to burden the people with fresh taxation? Land revenue has not been decreased. It is idle to say that there is a decrease in land revenue. Of course, when you suspend the revenue this year, it is collected next year. Sometimes, there are small remissions, and that of course is a loss to the Government and a relief to the ryot. But with suspensions, the land revenue is hardly decreased. What is due this year is allowed to be paid next year, and what is due next year is allowed to be paid the year after, and so on.

The Honourable Sir GHULAM HUSSAIN: It saves the agriculturist from the necessity of resorting to the money-lender.

Sardar Rao Bahadur B. R. NAIK: But next year the agriculturist has to borrow twice from the money-lender and pay the same or perhaps a higher rate of interest. I generally would rather prefer little remissions than larger suspensions. Suspensions do not give any benefit to the agriculturist; on the contrary, sometimes it does harm to the agriculturist. That is our experience.

The Honourable Sir GHULAM HUSSAIN: Therefore, we should not give suspensions?

Sardar Rao Bahadur B. R. NAIK: You should give suspensions, but I would rather prefer remissions to suspensions. When you do not want to give any remissions, then suspensions will be better than nothing.

Then there is the question of the cotton trade of Bombay. We all know that the town duty of Rs. 2 per khandi or Re. 1 per bale of cotton ultimately falls on the grower of cotton. Now, when it is the time to give relief to the agriculturists, the taxes instead of being lightened are being increased every day, and that is why it is very difficult for the agriculturist to make both ends meet. There are so many taxes: there is the tobacco tax. There is a cry from some parts of Gujarat about this tobacco tax. The tobacco tax which is now being levied is

[Sardar Rao Bahadur B. R. Naik]

injurious to the interest of the growers in some parts of Gujarat. Of course the district which I represent does not grow so much tobacco, but in other parts of Gujarat a large amount of tobacco is being grown, and there is a cry against it. This is also a tax which ultimately falls on the grower.

The Honourable Sir GHULAM HUSSAIN : It is not a new tax.

Sardar Rao Bahadur B. R. NAIK : The Honourable the Finance Member has come forward with a surplus or a balanced budget. I say, it is not a budget that we can call a good budget, when we know that this is a time of depression, when we know that everywhere, not only in India but all over the world there is a depression. It is very hard for the people to live, and if you cannot give any relief, in any sort of taxation, which would be beneficial to the masses, of course nobody can say that it is a good budget. That is my point. This budget ought to have given some relief to the cultivators. If that could not be done, then the beneficent departments ought to have been allotted more money than has been done in the present budget, but that has not been done. The cut in the grant for primary education has not been restored. For communications the grants are not increased; for medical relief the allotment has not been increased, and so also is the case with regard to the Veterinary Department. What I mean to say is that the budget does not give any benefit in the form of amenities of life to the public, nor does it provide relief from taxation to the general public. Like a commercial firm, Government ought to keep the debit side well under control, and that can be done in various ways. You can balance the budget in various ways. Suppose you issue a circular tomorrow intimating that Government do not intend to pay salary to Government servants for 12 months, as some of the Indian States are doing, then you will be able to show a great surplus, but you cannot call it a surplus budget nor a balanced budget. Therefore, what I mean to say is that though it is a balanced budget, it is not a satisfactory budget in that it does not give any relief to the masses, to the population over whom Government rules.

Mr. C. N. PATEL (Kaira District) : Sir, I am afraid I cannot congratulate the Honourable the Finance Member for presenting this budget. I wish I could have done that.

The Honourable Sir GHULAM HUSSAIN : You will never do it.

Mr. C. N. PATEL : I am told I would never do it, but I wish I could do it. If only the Honourable the Finance Member would care to understand the mentality of members on this side of the House, the mentality of the vast masses of the people over whom he wields the reins of Government, if he could understand what the vast majority over whom he has the pleasure and the privilege to rule are thinking about this sort of budget and these sorts of burdens that he is laying upon their heads, I am quite sure he would have given us a much more balanced and better budget. The whole difficulty lies in the mentality of the framer of the budget. If the Honourable Member had been sitting on this side of the

[Mr. C. N. Patel]

House and had been entrusted with the work of framing this budget, I am sure the budget would be quite different. He does not know the real masses whose interest he has to look to. Being on the Government benches, perhaps he thinks that he has only the Government to please, and perhaps a separate function to perform.

The Honourable Sir GHULAM HUSSAIN: I can assure the honourable member that I know the masses as well as anyone else, and am always trying to do everything possible for them.

Mr. C. N. PATEL: Mere protestations will not help him. I assure the Honourable the Finance Member that if he really had taken into consideration the condition of the people on whose shoulders all these taxes fall, then this budget would not have come into existence. A glance at the budget will show that most of the taxes, at any rate the chief items of revenue for the presidency, are excise and agriculture. The expenses also have got to be regulated mostly from the income derivable from these sources. The income from excise and the income from land revenue are derived from the poorest of the poor in this presidency; the burden does not fall on the well-to-do, it falls on the toiling masses. It is labour which pays the excise revenue; it is the agriculturist who gives the land revenue. Have you ever cared at the time of framing these budgets to know how these people's own budgets in their own homes are working? I put it to the Honourable the Finance Member to answer me with his hand on his heart whether or not the condition of these people is pitiable. If he feels that it is pitiable, I ask him as to what he has done to ameliorate their condition and lessen the burdens that are falling on their shoulders. Only last year the Tobacco Duty Act was passed, and we were then given an assurance that it will not fall on the shoulders of the agriculturists. One year's working of the Act has shown it quite clearly, at any rate to me, that it has fallen on the shoulders of the agriculturist. The license holders who are going out to purchase tobacco from the people are reducing the payments to be made to the agriculturists by 1 per cent., and that 1 per cent., they have been characterising as money payable for their being made to pay the license fees. The Honourable the Finance Member would do well to enquire if what I have stated is a fact or not, and then to realise as to where ultimately the burden of taxation falls. The condition of the agriculturists in the whole of the presidency is simply deplorable. The prices of materials have fallen so abnormally that, as a matter of fact, very few agriculturists make out a living income. Coupled with that, from the year 1927 and the years thereafter, we have had natural calamities in one form or another. There were the floods of 1927 and thereafter almost every year there have been cold waves with the result that money crops are being practically destroyed. Government have got their own age-old system of assessing the putturn, namely, what is popularly known as the annewaries which are made in the months of November and December. These winter or money crops alone fetch something by way of cash into the pockets of the agriculturists. The

[Mr. C. N. Patel]

annewaries are made in November and December at a time when there is no fixed data on which this assessment could be made. The real danger to these crops comes in the months of January and February. Further, the work of making this annewari is entrusted mostly to circle inspectors, village patels and talatis, who are Government servants. Very few villagers are taken into confidence. If Government would deny the statement, I make bold to say that in very few villages people know that the annewari is being made. In this state of things, the real situation of the crops is rarely brought to the notice of Government. When such calamities like the cold wave occur, in view of the fact that Government must have a certain income, circulars and private orders are sometimes issued warning the village officers that in case they attempt to lower down the annewari below a particular minimum, they will be liable to punishment. It may look heretic to make that statement. Even this year, police patels in my district have been served with notice signed by the mamlatdars inthe different talukas to the effect that there has been a move on the part of the village headmen to artificially lower down the annewari and that if any attempt is made by them to induce the people to put the annewari less than what is fixed by the talatis and circle inspectors, it would bring them into the clutches of their masters. They would be penalised if they did so. This is an indirect hint to the village headmen that they should try to convince the villagers that the annewari made by the Circle Inspector is correct. This is the way in which annewaries are made and as a result of this even in times of calamity the ryots are denied the remissions and suspensions to which they are entitled. This being the state of things, my complaint is that the budget has over-valued the return that they are going to get from land revenue and in getting the sanction of this House for the various expenditure they should take into consideration whether they will derive this income which they have estimated. Once we sanction this expenditure, the question will be, how are we to make up the income? When you have to make up that income you will have to give a go-by to the just and proper claims of the agriculturists. Fortunately, thank God, my taluka has not been so hard hit as the others. The Thasra, Kapadvanj and Matar talukas have been very hard hit. Even if these calamities were not there, the Matar taluka is proverbially poor. Even a portion of the Mehmedabad taluka is affected. I have seen an area of 500 bigas of land where the cotton crop is practically destroyed. 99 per cent. of this 500 bigas was sown with cotton. The Honourable the Finance Member would perhaps consider it a strange thing that the owner of that plot is being asked to pay up immediately his quota for the first instalment. Just imagine the instance of an agriculturist of this type. On this 500 bigas he has invested a lot of money and labour and he had high hopes of getting a nice return. His crops are destroyed. But the Honourable the Finance Member knows as a matter of fact that payments will be insisted upon from these people. If Government want to do justice to these people, they can postpone the dates of payment till the time they get the necessary materials. If they really want to

[Mr. C. N. Patel]

give relief to deserving people, what is the good of pressing them to make payments now? If the Honourable the Finance Member has got facts and figures to gainsay what I am saying, I would be very glad to learn the same. If these are the facts, I ask honourable members whether it is not a pitiable story I am relating to them. Is it not worthy of consideration where our agriculturists would get their money from? If we are not going to realise as much as we estimate from land revenue, is it not necessary that we should spend so much less? The Honourable the Finance Member said that the five per cent. cut cannot remain permanently. Why not? Instead of 5 per cent. why should we not make a cut of 20 per cent.? You stand to gain because the prices have decreased and the standard of life has gone down. The increases were given at a time when the prices were high and now the prices have gone down. On the top of this the Honourable the Finance Member says that the five per cent. cut cannot continue permanently. At the same time you cannot expect the agriculturists to go on paying as you are exacting for ever. When you look at it from that point of view, the Honourable the Finance Member will see that my remarks are justified. This year we are assured that there will be a remission of about 8 lakhs as a result of the cold wave. What is 8 lakhs? I would certainly like to have figures from the Honourable the Finance Member of the total value in money of the damage that has been caused in Gujarat. There have been unprecedented cold waves on the 12th, 19th, 20th and 21st of January. Of course, the dates differed in different places. We have had four cold waves successively in one month. If the crop did not suffer in the first spell of the cold wave, it suffered in the next. The agriculturists of Gujarat have suffered damage to the extent of crores of rupees. If my estimate is right, I would ask the Honourable the Finance Member to suggest some way——

The Honourable Sir GHULAM HUSSAIN: What parts of Gujarat has he visited?

Mr. C. N. PATEL: I have visited Thasra taluka, Matar taluka, Nadiad taluka and Anand taluka. Wherever I had gone, the whole cotton crop was destroyed.

The Honourable Sir GHULAM HUSSAIN: On professional duty or to see the crops?

Mr. C. N. PATEL: Purposely to see the crops. I am sure the Honourable the Finance Member can imagine that there are people who would spare time for such things. I am afraid he is not able to think anything beyond professional duties. I have gone round the talukas to see the crop. My professional work is in towns. I have visited the affected talukas and gone out in cold sometimes along with the mamlatdar. I have taken care to give a bit of my mind and my sense of duty to them. However, my main submission is that Government do not care to have an idea as to the damage done to the crops in my side of the presidency. If they had really done that, prompt measures would have been taken

3-30 p.m.

[Mr. C. N. Patel]

to suspend, at any rate, the collection of revenue in the most affected areas.

The Honourable Sir GHULAM HUSSAIN: The honourable member Rao Bahadur Naik said that suspensions are no good.

Sardar Rao Bahadur B. R. NAIK: He advocates suspension for the time being in order to find out ultimately whether or not to give remission.

Mr. C. N. PATEL: It is remission I am claiming and clamouring for. If you force them to go to a sowcar now——

The Honourable Sir GHULAM HUSSAIN: Afterwards they will go to the sowcar and borrow at a higher rate of interest——

The Honourable the PRESIDENT: The honourable member suggests that the revenue collections made at present may be suspended until the Honourable the Finance Member is in possession of facts and figures on which he can decide one way or the other.

Mr. C. N. PATEL: Suspend for the present the collection of land revenue and then on facts and figures come to the conclusion as to whether remission should be given or not. To collect it now and refund it afterwards very few people do. People are already suspicious as regards the good motives of Government when they are forced to pay from whichever quarter they can to fill the coffers of Government. The hope that money will be refunded later on is not cherished by most people.

We have been asked year after year to hope for better times and to go on passing Finance Bill after Finance Bill, in order to make provision for the expenses of Government. Hope deferred maketh the heart sick. Our hopes have been deferred too long. This time Government have seen the futility of it because it has gone on too long. What we want is better results than hopes. With these words, I hope the Honourable the Finance Member will enquire into this aspect of the question I have placed before the House.

Mr. J. B. PETIT (Bombay Millowners' Association): Mr. President, I regret that I am unable to compliment the Honourable the Finance Member upon the budget that he has presented to us to-day, for the simple reason that it painfully lays bare to us once more the same unsatisfactory state of affairs as characterised our finances during the last few years. Although he is able to show a paltry sum of Rupees one lakh on the credit side and therefore call it a "*balanced-budget*", I submit, Sir, that it is really and truly a *deficit-budget*, for it cannot be forgotten that in striking this balance, he has coolly taken into account the proceeds of the "*scheduled-taxes*" amounting to Rs. 18·5 lakhs, as though the entire acceptance of the finance bill by this honourable House was a foregone conclusion. Having regard to the composition of this House and the manner in which it has dealt with such important questions in the past, perhaps he is not wrong in coming to such a conclusion. But I do not think it is therefore correct to say that he has presented to us

[Mr. J. B. Petit]

a *balanced-budget*. I submit, Sir, with all respect to him, that he has no right to do so, particularly in view of the fact that these taxes were sanctioned by this Honourable House, in the first instance, for one year only, and subsequently continued from year to year, on the clear and distinct understanding that they should be removed at the earliest possible moment and on the further undertaking of the Government that they would make a serious and desperate endeavour to make two ends meet, if not from their ordinary resources, at least with the help placed at their disposal by the valuable recommendations of the Thomas Committee Report. It was on this strict understanding and on the definite assurance of the Government that they would carry it out that the House was induced about this time last year to sanction the *scheduled-taxes* for one year more in order to enable the Government to carry on. This I regret to say they have not done; and I do not think there is any excuse which the Honourable the Finance Member has advanced which would justify the acceptance by this honourable House of these taxes in their entirety, the necessity for the continuance of which would not have arisen, had the Government applied themselves to the task of giving effect to the recommendations of the Thomas Committee to the extent to which they should have done, and which I submit was absolutely practicable for them to do. I feel, Sir, that if all the recommendations of the Thomas Committee Report had been given the consideration that they deserved and if they had been received by the Government in the spirit in which they were made, it would have been possible for them to come to the House with a balanced budget, without taking into account the proceeds of the "*scheduled-taxes*" and the *road-tolls*.

The Honourable Sir GHULAM HUSSAIN: May I interrupt the honourable member, Sir? Does the honourable member know that the Council is against the reduction of the salaries of the schoolmasters, against the constitution of the Boards, against the proposal that local bodies should raise an additional sum by way of taxation and that we should cut down their grants accordingly, against the other recommendations regarding the co-operative movement, the abolition of the colleges, etc.? If you take all of these, they will bring us nearly 80 to 90 lakhs. If the House is prepared to do so, Government will consider them favourably. It is no use blaming Government.

Mr. J. B. PETIT: I am not blaming the Government alone. I am sure honourable members are quite prepared to take their proper share of the blame, if any. But, I cannot help repeating that there are numerous directions in which it would certainly have been possible for the Government to make greater retrenchments than they have done, without impairing efficiency in the slightest degree, in order to obviate the necessity of the continuance of the taxes covered by the finance bill, from year to year. I hold in my hand a copy each, both of the *ad interim* and *final* reports of the Government on the action taken by them on the recommendations of the Thomas Committee; and I can point out

[Mr. J. B. Petit]

therefrom with facts and figures many instances which all go to show that this was not only possible but even absolutely obligatory upon them, having regard to the pledge that they had practically given, to which I have already referred. On going through the list, I find at least 25 items which are still under the consideration of the Government, whereas over a dozen items appear to have been arbitrarily rejected, either out of regard for vested interests, or for very insufficient and unconvincing reasons. I submit, Sir, that in many of these decisions, the Government have allowed themselves to be influenced by considerations other than the interests of the Presidency and I think it is therefore absolutely necessary that they should examine the report again and reconsider their decisions in the light of these observations in order to effect further retrenchments in directions which are still capable of this treatment. I am prepared to convince the House of the accuracy of every one of my conclusions, by openly dissecting and examining all these instances item by item. But I refrain from taking the time of this House by referring to them in detail, for I am sure that all of them are as well known to the Honourable the Finance Member himself as they are to members of this honourable House. For all these reasons, I welcome the amendments of my honourable friends Messrs. Humphrey and Greaves for the omission of the entire revenue from the Electricity Bill. I beg to assure them of my most cordial support in their effort to cut out this item, and I trust that they will similarly get the whole-hearted co-operation of this honourable House. So far as the other items contained in the finance bill are concerned, viz., the continuance of the Entertainment, Stamp and Court Fees Acts, even these should be completely omitted. Every one of them is an obnoxious tax; and they all strike at the root of the necessities of life. They are a nuisance; and if I had my way, I would strike them all out with a big thick stroke of the pen as absolutely unnecessary and irritating. But failing that, I hope that the House will do at least the next best thing and that is to reduce two of them, viz., the Stamp and the Court Fees Acts, at least by 50 per cent. as has been proposed by my honourable friend, Mr. Surve, representing Bombay North.

Speaking on the subject of additional taxation, I am afraid, Sir, that the Government do not seem to realise the fact that the taxable capacity of this province has long been reached, and that for some years past, its resources and resisting power are being strained to the utmost possible extent, almost to breaking point. The productive capacity of the province, its trades and industries, and its general economic condition are now already so low, that it is most dangerous for any Government with a sense of proportion and with an adequate realisation of their own responsibility to the people, to come to the Council again as the Honourable the Finance Member has done, practically with a *deficit budget*, and ask it once more to continue the re-imposition of the "*scheduled-taxes*", amounting roughly to Rs. 20 lakhs, which had been agreed to in the first instance only as a strictly temporary and emergency measure,

[Mr. J. B. Petit]

to say nothing of the proceeds of Rs. 8 lakhs from the road-tolls put on the credit side, which were appropriated by the Government to themselves with indecent haste immediately the Thomas Committee recommended them. If that item were not to be taken into account, it would increase the deficit to Rs. 28 lakhs.

It must not, however, be forgotten that even this result, bad and unsatisfactory though it is, has been obtained by a policy of continued retrenchment and emergency taxation, which has necessitated not only the suspension of our debt-charges but also the neglect even of our most important and necessary services. As the Honourable the Finance Member has himself very aptly put it, the statement presented by him to the House this year, is at best "*a budget of attenuation*". I would also like to invite the attention of honourable members, again in the Honourable the Finance Member's own words, to the fact that "*neither the emergency cut in pay nor the suspension of debt-repayment can be continued indefinitely*". But, Sir, the most distressing aspect of the whole question, which at once arrests our attention, is the fact that in this make-shift arrangement of carrying on the administration with the help of improvised taxation,—however urgent and however necessary,—the best and most vital interests of the province are being continually famished from year to year, resulting in a total and lamentable neglect of all the constructive, progressive and nation-building activities of the Government. It is apparent that this ruinous process cannot go on for all times and must be stopped at once, if a catastrophe is to be averted.

The appalling indebtedness of the agricultural classes who form the bulk of the people, which was estimated during the debate on the subject in August last at the huge figure of nearly a hundred crores, has to be relieved; and means have to be found to attain that end. The Government have also to bear in mind the capacity of the agriculturists to pay land-revenue. If we light-heartedly throw away opportunities for making retrenchment, how will it be possible for the Honourable the Finance Member to give any assistance to these classes?

The Honourable Sir GHULAM HUSSAIN: I have asked the Council to suggest what should be done.

Mr. J. B. PETIT: Then, Sir, as you are aware, in this country the Government alone are responsible for higher education; and the growing claims of this very important branch of our activities have to be considered and satisfied if we are to keep pace with the times. In their zeal to economise, they are thoughtlessly closing down old and historical educational institutions of great value like the Deccan College; and we, in our desire to help them out of their financial embarrassment, are, I am afraid, a bit too readily endorsing this short-sighted policy. By acquiescing in this process of destruction, I am afraid we are tamely surrendering our hard-earned rights and privileges; and are striking at the very foundation of our accepted policy of educational progress, so well and

[Mr. J. B. Petit]

truly laid down by the stalwarts of the old days. So far as medical relief and the public-health activities of the Government are concerned, we have allowed the free treatment of poor patients to be largely curtailed in our public hospitals; and have otherwise ruthlessly cut down our grants to medical institutions and the activities of the Government for the maintenance and preservation of public health. In the realm of trade and industries, we are doing next to nothing. We cannot possibly do anything without the sinews of war. To add to our difficulties, the Government have imposed the road-tolls, thereby very seriously crippling the already scanty transport facilities of the province, which have materially added to the handicaps under which our trade and industries were already suffering. The Government have repeatedly pleaded their inability to this day owing to stringency, to remit to the textile mills in Bombay even in their present parlous condition, 50 per cent. of the existing cotton-tax on proof of consumption, as recommended by the Tariff Board. The result is that the cotton trade of Bombay is now gradually being driven away elsewhere, chiefly owing to this tax and our other heavy city charges. We in this city are thus fast losing, both our cotton-trade and our supremacy in the textile industry, which circumstance is bound in due course to have a still more serious and prejudicial effect upon the finances of the province than we have experienced hitherto. The sum-total of all this is that our productive and nation-building activities must continue to be famished and neglected if the present state of affairs is not remedied at the earliest possible moment. If we are to successfully emerge from the morass and are to come into our own again, this suicidal policy of carrying on the administration with improvised taxation must therefore stop for once and for all.

But I think the House has only to thank itself for this state of affairs. If it only knew its own mind and had strength enough to enforce its decisions, the Government would not dare to continue year after year in this manner and trade upon the want of solidarity, so deplorably apparent among the members. I remember, Sir, the Council of the first three years under the Montford Reforms, of which I happened to be a member, when the Government similarly ignored the sentiments and wishes of the public by bringing forward a deficit budget and insisted upon the House supplying them with additional revenue by fresh taxation to fill up the gap. In those days, the House was more solid than it is to-day and knew how to deal with the Government under such circumstances. It promptly threw out one of the most important of the Government's taxation bills, and finally succeeded in compelling the Government to make a lump reduction of 60 lakhs of rupees in the budget,—a remedy which the Government in their despair were only too ready to accept. The Honourable the Finance Member cannot be unaware of this incident, as he was himself one of the three Ministers at the time. The power of the purse is very largely and, as far as the transferred departments are concerned, almost entirely in the hands of

[Mr. J. B. Petit]

this honourable House; and if it has enough self-respect and strength to do so, my humble recommendation to it, is to throw out the finance bill in its entirety; or failing that, at least to support the amendments of our honourable friends Messrs. Humphrey, Greaves and Surve. That is the least that this House should do; and I hope my appeal will not fall on deaf ears. I repeat that the Honourable the Finance Member has not made out a case for the renewal of these taxes; and that therefore the House would be perfectly entitled to reject them, although I am certain, that having regard to its present composition, there is not the ghost of a chance of my recommendation being accepted.

Mr. G. S. GANGOLI (Kanara District): Sir, I can compliment the Honourable the Finance Member for a short speech. Perhaps it is the shortest written speech delivered while presenting the Budget. We wish we were able to compliment him for his large mind and also his bold hand. I say a large mind because I want him to come to the relief of the agriculturists and I assert that it should be a bold hand because he must retrench in the matter of salaries. His only regret is that the 5 per cent. cut cannot be removed just at the present moment, but he feels that he must remove it as soon as possible. He forgets that every one or two years the Government servants get increments, while the agriculturists instead of getting increments go on suffering year after year. In addition, there are the additional taxes. In both the addresses—one by His Excellency the Governor and the other by the Honourable the Finance Member—we were advised to help the White Paper, to support it and then to wish for something after two years.

The Honourable the PRESIDENT: The statement of His Excellency referred to the support of the policy underlying the White Paper.

Mr. G. S. GANGOLI: Not only the White Paper, but the Government knows that even if it were a Black Paper, it would be welcomed in this House. The Government knows that.

That apart, Sir, the Honourable the Finance Member tells us that after two years, when Sind is separated and when the new Reforms come into force, we will have a balanced budget. Let us hope so. Let us also hope that the Finance Member will be here to present such a budget to us.

An Honourable MEMBER: How can he be here when Sind is separated?

Mr. G. S. GANGOLI: Is he attached to Sind? I do not think so.

Now, Sir, what are the items presented to us? We are again taken to the Back Bay Scheme. That is one item. Another is the separation of Sind. There is nothing about village reconstruction, village uplift, help to the agriculturists, about which so much was made four or five months ago. Government members should come to the help of the

[Mr. G. S. Gangoli]

agriculturists. That is the point I am driving at. "Out of sight is out of mind." Because His Excellency can see the Back Bay from the Secretariat Buildings, that item comes first. Of course, he as a bold man wants to help the agriculturists. Had he only gone into the interior and travelled through all the villages as the last Governor did, he would have come to the help of the agriculturists. That is one point.

So far as this budget is concerned, and so far as the different departments of Government are concerned, in one word it is a blind man leading the blind. Government members do not try to understand what the real villages are like, and we, the representatives of the villagers, are not given the necessary information to know what the state of affairs is like. I will just make myself clear. Yesterday during question time, there was an emphatic denial that there was any molestation of persons wearing white caps. Everybody knows that it is not so. Every male, female and child knows that every motor car is held up and the person wearing a Khaddar cap is required to give his whereabouts or credentials. That is not confined to Kanara alone. It is done in Dharwar also. I made bold and asked how I could convince the Honourable the Home Member. To my great surprise, Sir, the Honourable the Home Member said that I could not convince him. What can I do if he refuses to be convinced? That is how Government is conducted. In the last Poona session we said that Government publications should be supplied to us. We are kept entirely in the dark. Even the Civil List is not supplied to us, and we do not know how the administration is conducted.

So, these two things put together, I can only say that it is a case of a blind man leading the blind. Only three days are allowed for us to make any criticisms and healthy suggestions. Even those three days would have been curtailed if not required by Montford Scheme. Before I proceed further, I want to know whether this Budget includes the 5 per cent. cut. So far as I can see, it only contains one month's provision for the cut. Am I correct? Instead of doing something to restore the educational grant, or to help the poor agriculturists, we are directed again to the Back Bay Scheme. My honourable friends who preceded me have referred to the remissions and the changes in the anewari system. My grievance is not against the piece of legislation that is passed here. My grievance is against the rules made under the Act. The land revenue rules are so amended that even if there is no crop, land revenue can be fully exacted, because, while granting remissions or suspensions, the factors taken into consideration are the circumstances or resources of the landholder. So long as he has got an iota of land, one tola of gold, one piece of furniture or anything of that sort, that property will be taken into consideration, and unless he becomes an out and out insolvent, every pie will be recovered. So, why are you making so much fuss about the anewari? The concession is nominal. In addition to the Back Bay Scheme, what have we got? More police. I want to know why more police are necessary when people are becoming insolvent. Specific grievances will be brought to the notice of the Honourable

[Mr. G. S. Gangoli]

Members of Government when demands for grants are moved, but there are some general grievances and I want to bring them to the notice of Government. I do not think the Chair will object to that.

The year before last we handled the budget grants from the last, 4 p.m. and last year from the middle and this year we should have taken up the budget grants from the beginning—that is, Land Revenue, then Forests, and so on. Even His Excellency is anxious to ascertain the views of the honourable members on this side of the House in regard to the demands of the agriculturists. In justice, Land Revenue should have been handled first. I learn that that item will be handled last, if at all. Last year we could not find time to reach Land Revenue in the 12 days allotted.

The Honourable the PRESIDENT: The honourable member is making a definite statement that this time the demands for grants will be taken from the end upwards.

The Honourable Sir GHULAM HUSSAIN: It has been the practice to take up the grants from the beginning in one year and from the end in another year, and so on.

Mr. G. S. GANGOLI: Exactly, last year we started from the middle and this year we should start from the beginning.

The Honourable Sir GHULAM HUSSAIN: That is not correct.

Mr. G. S. GANGOLI: That is a correct statement. So in all propriety and justice we should have started with Land Revenue this year.

The Honourable the PRESIDENT: I think the Honourable the Leader of the House will consider that point and begin from the beginning.

Mr. G. S. GANGOLI: His Excellency the Governor is also anxious to know what the view is so far as agriculture is concerned. What we find is that they have decided already to take up the grants from the end. However, as they will reconsider that decision, I thank the Honourable the Leader of the House for the assurance.

Dr. M. K. DIXIT: Is it an assurance from the Chair? It has not come from the Leader of the House so far as I can see.

The Honourable the PRESIDENT: The Honourable the Leader of the House is going to consider that point, as far as I understand.

The Honourable Sir GHULAM HUSSAIN: We have completed three years and have got an extension. Therefore we go on from the end.

Mr. G. S. GANGOLI: But we are entitled to ask that we begin at the beginning. For the last three years we have not been allowed to discuss land revenue.

The Honourable Sir GHULAM HUSSAIN: That is far from the intention of Government. If they want to discuss Land Revenue, let them discuss it. Government do not wish to come in their way.

Dr. M. K. DIXIT: Do we begin from Land Revenue or from the bottom? We want an assurance from somebody, and the Chair said it was from the Finance Member.

The Honourable Sir GHULAM HUSSAIN: We have decided—the Finance Committee also decided—to follow this procedure. As honourable members are anxious to discuss every subject, we give them 12 days for the purpose. They can discuss Land Revenue on any day. When we were dealing with the demands from the beginning, the House used to say that they wanted to discuss the Development Department which was at the end. They have 12 days in which to discuss every subject.

Mr. G. S. GANGOLI: If we get two days for land revenue and two days for forests, three or four days——

The Honourable Sir GHULAM HUSSAIN: Not two days for land revenue.

Mr. L. R. GOKHALE: According to the practice prevailing, this year we ought to begin from the beginning. I do not really see why the practice should be changed. Ordinarily speaking, I take it to be that we have to begin from land revenue and I do not see anything in the procedure to show that we can change it at any time as we like.

The Honourable Sir GHULAM HUSSAIN: If he wants us to start with land revenue, we will do so. What more does the honourable member want?

Mr. L. R. GOKHALE: Giving land revenue is one thing and the procedure is another thing. I understand the procedure is to begin this year from the beginning.

The Honourable Sir GHULAM HUSSAIN: Not this year.

Mr. L. R. GOKHALE: Does that make a change?

The Honourable Sir GHULAM HUSSAIN: It makes no difference.

Mr. L. R. GOKHALE: Take us to be a Council brought in under the new constitution and begin from the beginning.

The Honourable Sir GHULAM HUSSAIN: Not necessary.

Mr. G. S. GANGOLI: If really any healthy criticism is wanted, there should be another chart in the Budget to show as to what is the actual percentage spent on the nation-building departments. What is the exact sum, the actual percentage of income spent on the nation-building departments such as the Education, Health, Medical, etc. etc? No indication of that is forthcoming.

Now, Sir, if the Honourable the Finance Member will be broad-minded and bold enough, I would request him to place us where we were before this reform period. Let him take us to the pre-reform times. After the reforms, what has the agriculturist got? All taxation, nothing else. Year after year, he is taxed not only by Acts but by rules, and in addition to so many taxes, he is taxed all the more by rules, such as process fee rules, tolls, motor rules, registration fee rules, tobacco rules

[Mr. G. S. Gangoli]

and so many other things and there is not a single item left where he could have been taxed and he is not taxed. What remains to be taxed is only a birth and a death. Again he comes before the Council and says that he has balanced the budget. But how has he reached that result? Aden is separated, the Political Department is separated, Dangs are separated. All that is now given to other administrations. And yet he says the expenditure is entirely the same and again he says that he has balanced the budget. In addition to taxes in the shape of Acts, rules and tolls, the agriculturist gets cuts in education, cuts in medical grants etc. etc.——

The Honourable Sir GHULAM HUSSAIN: Those have not been cut. That is not a correct statement.

Mr. G. S. GANGOLI: Will the Honourable Member be pleased to relieve even one anna per head from the burden on the agriculturist? So far as that little Kanara is concerned, I know the introduction of one anna has brought down medical relief by 47 per cent. in the dispensaries because the attendance has gone down owing to the people's inability to pay that one anna.

Now, Sir, there is one item, namely, the question of the Indianization of the services. There is a big clamour that there should be Indianization and that there should be no distinction at least among the I. C. S. people. I must thank Government this time for having appointed, though for a temporary period of six months, Mr. Madan as Revenue Secretary. But I wonder why the Commissioner of Police in Bombay, or any Commissioner of Revenue or any other Secretary should never be an Indian in the Bombay Presidency alone, because in other Presidencies there are even Indian Governors——

Mr. L. R. GOKHALE: We expect one in this Presidency also.

Mr. G. S. GANGOLI: Last year by a stroke of the pen the Honourable the Home Member got 7 lakhs from the Official Receiver's Act and this income at least should be made use of for education and other heads. Instead of that and when so much is made of village uplift, the work is given the go-by, so much so that I am tempted to ask whether we are really going back to the Back Bay Scheme. Of course, His Excellency the Governor is not to blame, because he could not see the state of affairs in the villages. It was the business of his advisers to state what the actual state of affairs in the villages is. So, Sir, I will conclude where I began, namely, it is only one blind man leading the other and out of sight is out of mind. If only an inquiry is made into the manner of the collection of land revenue in the last two or three years, much will come to light. One gentleman said the backbone will be broken. I ask whether there is still a backbone to be broken; it has been already broken.

Now, Sir, about the Forests, we are told that the Forest Enquiry Committee has gone into the matter and redressed several grievances. What have they actually done? There was one Chief Conservator as

[Mr. G. S. Gangoli]

the head of the Enquiry Committee and non-official members of this House. He was given option to co-opt wherever a Conservator was available. He co-opted all the four Conservators and so there were four Conservators and the Chief Conservator. These four Conservators had, of course, to subscribe to whatever the Chief Conservator asked them to. They produced a report, but the majority report was of the non-official members of this House. That majority report was given the go-by. The Chief Conservator's report was accepted and what little was accepted even is again being given the go-by in the actual working. Apart from that, the Forest Department is a mercantile department as it were. It is not a nation-building department. What is the expenditure on the department? Much more than the revenue. If only the prices of timber or the prices of grass or grazing fees were removed, then the entire income that is derived from the Forest Department is spent on salaries——

The Honourable Sir GHULAM HUSSAIN: May I ask him besides timber what other forest produce there is?

Mr. G. S. GANGOLI: Timber is a wild growth and is grown in selected forests. Give them on contract. No forest official is required to charge grazing fees. Even the mamlatdars can do that and no forest official is required to charge grazing fees where even grass does not grow, and as regards attachments, that also can be done by the mamlatdars and so the forest department is not necessary. If you omit these two items, then you see that the entire income is spent on forest officials themselves and up till now there has been no enquiry into the matter. In spite of a decrease in the forest income from 103 lakhs to nearly 40 lakhs, the expenditure is the same because they have never decreased the expenditure on the forests establishments who justify their existence by cooking up cases and saying that the Forest law is infringed here and broken there, and the poor agriculturists are hauled up.

Let me conclude, Sir, by giving a solemn warning to this Government that unless they come to the real help of the agriculturists in the near future, there will be a mass agrarian movement which all the might of this Government will not be able to check. (*Bell rung.*)

Mr. M. M. KARBHARI (Thana and Bombay Suburban Districts): Sir, I should be failing in courtesy if I do not offer my sincere congratulations to the Honourable the Finance Member for having given us a balanced budget for the coming year. But if the balancing of the budget was the only thing that mattered, I should have stopped with my congratulations and said nothing further about the matter. But, Sir, alas, the balancing of the budget is to my mind a mere flea-bite. To my mind the whole conception on which this budget is framed is wrong and erroneous. It is topsy-turvy. As I stated in my budget speeches in the last two years, I am justified in repeating once more that though the agriculturist contributes most to the Government revenue, he gets the least benefit out of it. Last year, Sir, I had expected that this budget would be the last under the Montford Reforms, but it now seems that it

[Mr. M. M. Karbhari]

will take a considerably more time for the reforms to materialise and I do not know what may happen by that time. There are ominous signs on the horizon. The position in the world is fast changing, all attempts to reconcile differences between Nations and Nations through economic and other conferences have become futile, and before the new brand of provincial autonomy begins to function, a world conflict may arise and the whole reforms scheme may be shelved, and the Indian political conditions may be demoralised and may be similar to those that existed in Ireland during the years 1917 to 1920. For if the reforms are yet far off and if the issue in Parliament is uncertain, what is really certain is that the Government is in no way conciliatory but keeps up a militant attitude by preserving on the statute-book that hateful and unconstitutional piece of legislation containing the ordinances——

The Honourable Mr. R. D. BELL: Passed by this House.

Mr. M. M. KARBHARI: Yes, Sir. You might have killed the civil disobedience movement, but do you not think that it has demoralised the public life of the country? Peoples' tongues might be screwed up tightly, but their heart is gnawed; and let me remind you, Sir, that there is a deep-rooted discontent among the masses which may break out any time.

I now return to the charge that this budget does not fulfil the most important, or, I should say, the chief governing test by which a budget should be judged in this country. There are more than 70 per cent. of the population who live by agriculture. May I know what does the budget provide for them? The countryside is absolutely neglected. The agriculturist is the chief source of revenue. Sir, I know that in recovering the revenue Government show an extraordinary energy. May I know if any of Government's officers have ever taken care to enquire into the ability or otherwise of these agriculturists to pay the assessment at all? Government are profuse in their words of lip sympathy, but do they know that the poor agriculturist has got to sell away the whole of his crops to pay off the assessment with hardly anything left for himself and his family? How can Government contemplate such a position with equanimity? You say you have been giving remissions. May I know what they amount to in actual fact? Let us look at the result. Take the instance of the Siddapur taluka in the Kanara district. It is said that in this taluka the population is dwindling on account of the forest laws and forest excesses. May I know if it is true that some of this population is now migrating into the Mysore territory on account of the fact that their position became unbearable through the excessive zeal of your revenue officers to collect the revenue from the people who were virtually unable to pay the assessment? This is about land revenue.

Now what about the other measures that are necessary for the protection of the agriculturists? Take, for instance, the question of 18*d.* ratio, which has during the last ten years practically ruined the agriculturist. By taking assessment only in coin and not in kind, you are

[Mr. M. M. Karbhari]

taking from the agriculturist through the over-valued rupee much more than what is due to you and thus you are increasing the agriculturist's indebtedness. I know, Sir, that ratio and exchange are central matters, but surely it is the duty of this provincial Government, who are in close touch with the agriculturists, to protest against the Central Government's policy or at least to represent to it how the agriculturists' interests are adversely affected by this ratio. The provincial Government in this respect seems to me to have been grossly negligent.

Similarly, Sir, you are aware that there are imports of rice from Burma and that these imports are increasing in this presidency and which imports have made the cultivator's holding almost uneconomic. May I know what action Government have taken to protect the interests of the agriculturists against these in-roads? The Government of Goa, which we think is a very backward Government, has very recently taxed heavily the imports of Burma rice by heavy duties, thus giving protection to their own agriculturists, but our own civilized Government does not feel impelled to do anything in the matter. The fact of the matter is that Government have no heart and their administration appears to be devoid of sympathy and love for the people committed to their charge.

And what about the forest policy pursued by Government? In his Despatch the Secretary of State for India in the year 1863 clearly stated that in the management of the forest, the ease and contentment of the people is an object of greater solicitude to Government than the realisation of forest revenue. The same principle was enunciated and accepted by the Government of India in their Resolution in the year 1894, and they said that the forest policy shall be so directed that it shall serve agricultural interests, and that the claims of cultivation were superior to the claims of forest preservation. It is an established fact that Government have consistently ignored these principles. And if you want to know the results of it, I will give one instance, and that instance is of the district of Kanara, a district rich in natural resources, but which is being slowly turned into a desert by the forest policy of Government.

Now, Sir, the countryside is crying for water, the countryside is crying for education, the countryside is crying for sanitation and medical relief. May I know if this budget has made any provision for the extension of any of these most necessary services to the countryside? The countryside is being crushed under the heavy load of indebtedness. The idea has never yet occurred to this Government that a moratorium is called for in the present most disheartening circumstances. Nay, this Government feels not the slightest compunction in giving executive aid to co-operative credit societies for the recovery of the loans due to them by coercive processes, a course of action which is contrary to the spirit of co-operation.

The Honourable Sir GHULAM HUSSAIN: They asked for it in the conference of co-operators.

Mr. M. M. KARBHARI: Now, Sir, coming to a nearer district, my own district of Thana, the forest policy has been equally detrimental to the agriculturist. I may refer briefly to one question, and that is the question of teak growth in *malki varkas* lands. That the right to trees goes with the right to the land is a well recognised principle in jurisprudence, and the State has also in the past accepted this principle by their various resolutions and also in the Land Revenue Code. But the greedy eyes of some Government officers wanted to confiscate this right by a stroke of the pen from the poor villagers, and by the later addition of an invidious rule this right was taken away from them. We have been agitating on this question for the last 50 years, and have adopted almost all the constitutional means which we had at our disposal for the redress of this grievance. For the last three years we have been very active, and we had expected that Government would give us proper justice in the matter. But, Sir, only last December, when I had the opportunity of leading a deputation to the Revenue Member, Sir Ghulam Hussain Hidayatallah, he absolutely refused to consider even a compromise which, I thought, was most reasonable under the circumstances.

The Honourable Sir GHULAM HUSSAIN: That was against the law.

Mr. M. M. KARBHARI: Now, Sir, I would ask this Government one categorical question, and it is this. The Royal Commission on Agriculture, which reported some five years back, has made certain important suggestions for revising the forest policy with a view to agricultural advancement. May I know if any of these suggestions have been given executive action by this Government? India, Sir, from the past, has learnt to think that the best profession or the best occupation for man is agriculture, and there is a proverb in almost every language in India which says that agriculture as a profession is the best, next comes business, and last comes service or Government service. But to-day everything has become topsy-turvy, and we find that Government service has become the best profession, next comes business and the last and the most inferior profession or occupation is agriculture. For instance, supposing I am a Government servant drawing a salary of about Rs. 500 per month, I would at the most lose Rs. 25 per month on account of the 5 per cent. cut, but being an agriculturist my income is more than halved owing to fall in the prices of agricultural produce, and yet I get no abatement in the assessment which I pay to Government.

Sir, our last Governor, Sir Frederick Sykes, on the eve of his retirement, gave a big push to the idea of village reconstruction. I have read all the literature on the subject published by Government through and through, but I find therein no indication of any means or any sources whereby to finance such a scheme. Personally, I think that Government are beginning at the wrong end. They want to appoint District Committees, whose chairman would be the Collector, and who would be empowered to appoint a secretary, either an official or a non-official. I fail to see how such committees can work hand in hand or in unity with the various local self-governing bodies that have come into existence

[Mr. M. M. Karbhari]

and developed after the Reforms were introduced into this presidency. It would be but natural to find a conflict between these various bodies already in existence on one side and the new District Committees which would be established on the other, and it will make confusion worse confounded. What is really needed is that we should bring the village population under proper discipline and we should create in them the idea of common weal and citizenship. I have myself prepared a scheme, which I am going to submit to Government, and I hope they will duly consider it, and as it comes from an unsophisticated agriculturist like myself, I hope they will kindly adopt the principle underlying that scheme. I will read out my scheme when I finish my speech.

Before I conclude my remarks, I am constrained to refer to one important aspect of Government policy, which has been specially prominent in recent years. It is the fact that communalism has been introduced into every nook and corner, making real citizenship practically an impossibility. Whether in the Karachi Municipal Act or in the Village Panchayats Act, communalism has been given the upper hand. Even in the formation of the ministry, Government gives scant courtesy and recognition to the claims of broadly based national parties, but exaggerates the importance of narrow sectionalism. The result has been that we have made no political progress in the national direction in this country. And then, what do we find? We find that men who would otherwise be struggling for their very existence are enjoying positions of importance and merit through their communalism, which otherwise——

The Honourable the PRESIDENT: Order, order. Has the honourable member any specific example?

Mr. M. M. KARBHARI: No, Sir. I mean to say——

The Honourable the PRESIDENT: That is too general an assertion—to say that men struggling for existence have been given important positions.

Mr. M. M. KARBHARI: What I mean to say is that, if the Government had considered the claims of the other parties as well, these places would surely have been adorned by men of merit and ability.

The Honourable the PRESIDENT: What places?

Mr. M. M. KARBHARI: Any places. Well, Sir——

The Honourable Dewan Bahadur S. T. KAMBLI: May I know whether the honourable member aspires to adorn one of them?

Mr. M. M. KARBHARI: Now, Sir, I would merely read my scheme, which is very short. Any scheme of village uplift must take into consideration the following village conditions: firstly, the extreme illiteracy and backwardness of the village population; secondly, the exploitation of the village population by higher classes by virtue of their birth and position, sanctioned by traditional superiority, superstition, suspicion and orthodoxy, inadvertently and indirectly encouraged for reasons of State administration. This is the scheme——

The Honourable the PRESIDENT : Order, order. How is it relevant to the budget discussion ?

Mr. M. M. KARBHARI : It is relevant. It is relevant in so far as the villages have got to be provided for, and their uplift is quite essential. For the benefit of the future, I am going to suggest a measure to Government which, through the exertions of the villagers themselves, will be able to bring about their own uplift. In order to suggest ways and means I am bringing out the facts, and then I am suggesting the methods.

The Honourable the PRESIDENT : The honourable member has only two minutes.

Mr. M. M. KARBHARI : I will not take more than two minutes.

The Honourable the PRESIDENT : I will give him the two minutes after the tea interval.

The House then adjourned for tea till 5 p.m.

(*The House re-assembled after tea at 5 p.m.*)

Mr. M. M. KARBHARI (Thana and Bombay Suburban Districts) : Now, Sir, I will read my scheme :

(1) The want of better communications resulting in the complete isolation of the villages from modern forces of civilization, and absence of State help and protection.

(2) The apathy of the State to develop the population on sound economic and social regulations and laws.

(3) The want of proper housing accommodation and inadequate water-supply and medical relief.

(4) Their extreme poverty for want of economic adjustment between the agricultural population on the one side and trade, commerce and industry on the other.

(5) The narrow and unhealthy outlook on life due to want of education, their isolation, poverty and other circumstances.

Village uplift must start with the realisation, that the man power of the village is the real wealth of the country. This means the enrolment of adult members of the village, men and women, as members of the village uplift association, who may make their contributions to the scheme either in money, kind or labour voluntarily or compulsorily, according to circumstances. Money in the village is a rare commodity. Few people possess cash as such, but they have ample leisure owing to restricted employment, and they would willingly contribute their labour for the success of village improvement. The whole scheme must be based on this principle that nobody will be compelled to pay hard cash.

This Association must map out the urgent needs of the village and make a plan, say, for a period of three years, and then organise the resources of the village for such purposes as follows :

(*a*) Adequate water-supply.

(*b*) Better housing.

(*c*) Larger educational facilities.

(*d*) Sanitation.

[Mr. M. M. Karbhari]

(*e*) Medical relief.

(*f*) Improving the moral, social and economic outlook of the villagers on life.

(*g*) Getting them the best return for their products.

(*h*) The supply of their necessaries at lower prices.

(*i*) Supplementing their income in spare time—

(i) by encouraging poultry, goat farming;

(ii) by teaching them carpentry, and giving them such other technical training useful for their purposes;

(iii) by improving and supplying the cattle breed, by making it possible for them to have grazing lands and fodder supply;

(iv) by encouraging systematic forest growth on the land and growing of fruit trees.

(*j*) Creating a granary for their food supply when necessary; and the supply of better seed.

(*k*) Providing scope for recreation.

(*l*) Adequate safety from money-lenders.

(*m*) Introduction of insurance scheme as against accidents and deaths.

(*n*) The development of corporate life.

The village should be treated as a unit for the economic as well as the political advancement of the country. All departmentalism in the village should cease, and all the activities must be co-ordinated to the one end of village uplift.

Mr. BHAILAL SARABHAI PATEL (Ahmedabad District): Sir, if nobody is going to congratulate the Honourable the Finance Member for the figure work which we have been made to study, I, as a new member, would take the opportunity of congratulating him at least for the Statement C wherefrom I can show to the House the particular difficulties of the division which you represent and to which my district belongs. I will show that this statement shows that even after the reforms that particular district or division has not had the least benefit, and it has been made to share the burden which is increased to a point which is now taking us to breaking. You will be pleased to see from page 8 that at the time of the Reforms, about the year 1921, there was a total debt of 9 crores which now has gone up to 74 crores and odd, which will be seen from column 5 of that statement. Out of this new debt, you will see under two heads—the Bombay Development Scheme and the Sind Scheme—that they have between themselves swallowed something like 39 crores. They have appended notes to them. Particularly the Main Irrigation Works would show that, in the past, Deccan and Sind have between themselves got the benefit of about 11 crores as investments on irrigation, whereas Gujarat got only about 13 lakhs. These are the figures which honourable members would find from page 34 to page 37. I do not want to trouble the House on this point any further.

[Mr. Bhailal Sarabhai Patel]

So far as the revenue policy is concerned, I will show to the House that in the actual administration of the revenue laws—I know more of my district, the city of Ahmedabad which stands as an independent unit and the rural area—the revenue policy has been pressing hard. I will give you only one instance. In the urban area in the olden times a field now covered by a cotton mill was leased out in perpetuity, the owner bearing the non-agricultural assessment. The non-agricultural assessment on that land was Rs. 360 and the rent was Rs. 960. Under the new regime, that land is assessed to Rs. 1,060, that is Rs. 100 over and above the rent to be realised from the tenant mill. This shows that the land revenue policy of Government is no good to the owner as ownership under this policy means an annuity of Rs. 100 to Government from other sources.

The Honourable Sir GHULAM HUSSAIN: There is a misunderstanding on the part of the honourable member. The party in question is not the owner. Government are the owners. The honourable member refers to owners.

Mr. BHAILAL SARABHAI PATEL: I am so thankful to the Honourable Leader of the House. For the first time, we are told that Government is the owner of the land.

The Honourable Sir GHULAM HUSSAIN: That is the law passed by this House. In the Land Revenue Code, it is so laid down.

Mr. BHAILAL SARABHAI PATEL: I know in the old edition of Anderson's Manual this theory of Government ownership of land was printed. But the Government took care to add a foot-note that they did not share that theory. In the revised Manual that foot-note is not to be found. Even on the theory that Government is the owner of the land and can drive out any occupant, the case for Government is worse. It is evident that you are paying the least regard to the people who are working on the soil. That is one side of it.

Then, coming to the other side, on the same subject, we have in Ahmedabad a first class civil hospital, Wadilal Sarabhai Hospital and Maternity Home, which covers an area of 22 acres of land very recently purchased by the municipality. When the municipality made an application to the Government to forgo the enhanced revenue, Government declined to do it for reasons which at least the land revenue rules do not make clear. Then, Sir, Ahmedabad has been universally condemned as a very unhealthy place, overcrowded place. The municipality has undertaken as many as 3 or 4 schemes, one of the biggest being to the west of the river which has an area of 1,800 acres. That scheme has been going on for the last 8 or 10 years. The assessment is prepared in advance and it is in force also. The Government are having the benefit out of it. I should not be considered to be clannish, though if put to choice of evil I would like to be provincial in my outlook rather than be communal. A city like Poona can boast of bridges to cross a river, but a city like Ahmedabad has no such amenity to boast of

[Mr. Bhailal Sarabhai Patel]

though the population is many times greater than that of Poona. Half the population of the district lives in the city. The municipality developed all these lands and the Government are earning the enhanced revenue. I can multiply instances like this. If Ahmedabad is healthier, it is because the municipality is providing for better life by incurring debts to the tune of 75 lakhs. The municipality has not been getting any grants for several years, and the city, so to say, has been self-reliant.

Then, go to the rural area. It is a district with about 3,800 square miles of land, half of which is owned, in revenue parlance, by proprietors who are called talukdars. The very first Governor of this presidency propounded the theory of equal distribution of public burdens, and that privileged class who were brought under Government by express treaty, has now to share that proportionate burden from which their brethren in other districts are exempt. They between themselves cover about 1,800 square miles of land, particularly part of the Viramgam taluka, almost the whole of Sanand and Dhandhuka, and part of Dholka. I ask the officials who have toured in these places whether in Viramgam, Sanand and Dholka there are even ten miles of good road to the west of the railway passing through these talukas. That is an area most of which is waterlogged. Has anybody ever cared to drain it properly? Then, on the top of this, in this particular year, it is just the area most seriously affected by the spell of cold weather. The attacks have been as many as four or five. The Honourable the Finance Member has, in paragraph 7 of his speech, made a general reference to this. It seems that the information he got was only of the first attack or the first and the second attacks. The earliest was on the 12th or 15th of January. That one attack has, according to him, compelled him to be prepared for a remission of about 8 lakhs, as I said. I made a very simple request to the Collector, and that request was only this. Anyhow, these instalments had fallen due in some of the villages in January and in the rest on the 5th of February. If the annawari is to be revised in view of the calamity, then it is due to the people that the revision should be made before the collections. Then, if you admit that there is damage, if you are honestly making an enquiry into the extent of the damage, why not admit the people to the enquiry? Those requests were also submitted by me to Government, the Commissioner, N. D. The Collector, of course, wrote to me that he was revising, but on the other two points there has been no reply, although he was addressed again. In the meantime, I get news from every quarter that people are being pressed for payment of the dues. I asked two persons specially from Dhandhuka to make a very reasonable offer, and that was: all right, anyway there are two instalments in a year; collect only the first one so far as Dhandhuka town is concerned. I do not know what answer was vouchsafed to those two persons. That is the length to which the revenue policy has been carried. I submit that anybody who chooses to move in this district would see that, whatever be the past of this territory, now there is nothing but penury. The talukdars as a class, with two or three exceptions—I make those exceptions not because they

[Mr. Bhailal Sarabhai Patel]

have been financially able to keep up their traditions, but because they are housed in *pukka* houses—the talukdars as a class are living in mud and thatched houses, although those places may be called "darbars." You have to imagine the condition of the people in those vast areas. Government themselves admit that they may have to give remission. My proposal is simple. Pending that investigation, whatever it is, without committing themselves to any line of policy, Government should postpone the collections. I have not been met with an assurance that it will be suspended. This is a matter which is so very important and urgent from the people's point of view that, but for being a new member, I would have sent in a motion for adjournment of the House. Even now, if orders are not passed to suspend the collection of revenue, even after the remark contained in paragraph 7 of the Finance Member's speech, one may feel it one's bounden duty to move an adjournment of the House at any time. In fact, we have come here for co-operation. If we were not out for co-operation, we had no business to be in this House. I know that. In my days I have co-operated, and I am willing to co-operate. But when I put forward a simple proposition, that certain people should be admitted into your enquiry, have you the goodness to write to me, "Yes, that will be done?"

Then, another aspect of the same story is this. Ever since 1921 up to 1923–24, there were a large number of dacoities. As a public prosecutor I myself conducted about 25 cases for the Crown. Now, Sir, if you move in Gujarat, you will find a lot of policemen watching empty houses of the Congress. The dacoities are now reappearing. If you want people to lay by something, you must protect them properly; if you do not protect them, when your tax collector goes, how will they pay the taxes? In the budget before you, you will find a proposal, 104 officers, namely, deputy superintendents and inspectors. Under the new scheme, deputies are given sub-divisions like prant officers on the revenue side, and each deputy has a reader. I fail to understand the place for the inspector between the deputy superintendent and the sub-inspector. In all investigations they travel together. Generally they investigate one case and then go to another place in company. They move together. That, I say, is superfluous. If you want extended service, you must increase the constabulary, and not the number of officers. You must station regular parties of constables at different centres from one end of the country to the other. Otherwise, I would not be quite surprised if the conditions of 1921–23 recur and dacoities occur everywhere.

Then, I come to another department. We are told that in Stamps and Court-fees and Registration fees we have some good sources of revenue. I beg to differ. At least Stamp and Registration fees are sources of revenue which directly affect the land. If your General Stamps sales increase, it only means that more immoveable properties change hands. In view of the existing sentiment in favour of immoveable property, can you infer a state of solvency when immoveable properties change hands in large numbers? Then, I come to court-fees.

The Honourable the PRESIDENT: The honourable member has only two minutes more.

Mr. BHAILAL SARABHAI PATEL: I am only placing facts as they are. I may be differing from all my seniors in complimenting the Finance Member, but I feel that Gujarat has always been treated in a step-motherly manner. In fact, I am afraid, when under the new constitution Sind is separated, Gujarat will have to move heaven and earth to make a free gift of the Town and Island of Bombay to the Royal family, because that would be another burden which Gujarat will have to bear.

Therefore, I submit that this Blue Book has only served to call attention to a state of crisis. You have to meet that crisis, and the only way of meeting it is by drastic retrenchment. I suggest, with confidence, that the Honourable the Leader of the House should, rather than retain the new taxes, effect retrenchment. He had better try to be cruel to the establishments rather than be cruel to the tax-payer.

Mr. B. S. KAMAT: Mr. President, some of the speakers who have preceded me while making their observations demurred on the question whether the Honourable the Finance Member really deserves congratulations on the balanced budget which he has presented to us this year. Some of them argued that the level of taxation had not been reduced, no relief had been given either to the tax-payer or to the agriculturist in particular who has suffered losses this year. Personally, Sir, taking the fairest view of the budget, I have not the slightest hesitation in saying that the Honourable the Finance Member and the Government deserve every congratulation. And for several good reasons, partly personal, partly constitutional. I can quite realise that my honourable friend the Finance Member, being associated with the Bombay Government or the Bombay cabinet almost since the reforms, has seen the various vicissitudes of Bombay's finances during the last 12 years. It is some satisfaction to this House that it has fallen to his lot at the end of 12 years to emerge from a very difficult position with a balanced budget. For that reason, at any rate, the House ought to congratulate him. The second reason, which to me is the more important one, is this. We are on the eve of constitutional reforms. One of the first conditions for the conferment of provincial autonomy is a balanced budget. It is a matter of great satisfaction to me that the Honourable the Finance Member has after a series of deficit years been able to make both ends meet on the eve of the next instalment of constitutional reforms. From that point of view, it is certainly an achievement, and I have not the slightest hesitation, on that score, to congratulate him. There is a third reason also. The presidency is entering upon the next five years of administration under a new Governor, and it is some satisfaction indeed that the new Governor will be in a position, not entirely to write on a clean slate, but to begin with a balanced budget, so that he can apply his mind to the various problems of the development of the presidency with more ease than his predecessor was able to do. And it is to be hoped now that

5-30 p.m. this House is presenting to the new Governor a balanced budget, he will find means to develop the Presidency in various directions.

[Mr. B. S. Kamat]

Those who are grudging the Honourable the Finance Member the fullest measure of congratulations have no doubt in their minds one or two factors, and when I weigh these two factors, I confess there is some ground to believe that this Budget should have been better in some respects. If I might so put it, I feel that the Honourable the Finance Member has every reason to feel taller this year, although not so tall as the Nelson's column. I shall explain why. Although he has balanced the Budget, those who will analyse it carefully will see that no provision has been made for debt repayment to the extent of Rs. 12 lakhs and if that item, which is a legitimate liability, were to be placed on the expenditure side for 1934-35, instead of having a so-called balanced budget, there will be a nominal deficit. That is no doubt a minor point, but still, speaking from a strictly financial point of view, there is something wanting in making the Budget a real balanced Budget. That is a point which has been missed perhaps by many of the speakers who preceded me. If that 12 lakhs of rupees for the repayment of the debt to the Central Government were debited, we would not be so better off as the Budget apparently shows us to be.

Then, again, there is another aspect of the question. People either begin to congratulate or to blame merely by looking to the financial position of the Government for the next 12 months. I think the proper way to look at the financial position of the Bombay Government is to take a longer view and see whether Government have placed their finances on a more secure basis after taking a longer view. Judged from that standard, there is something which is deficient in the Budget with which we have been dealing to-day, and I shall attempt to show what I mean when I say that the Budget is deficient in certain respects, if you take a very long view of the matter. The Budget has been balanced by cuts in salaries, by drastic retrenchments in certain departments and so on,—things good in themselves, but things which are not maintainable for any length of time; and anything which is not maintainable for a very long period is really not a very sound and a safe basis for congratulations, that you have after all placed your finances on a most solid footing. The honourable member the Finance Secretary in one of the paragraphs has pointed out how we have to face certain replacements in the coming years. For instance, the salary cut will have to be restored as it cannot be maintained for ever. Then there are certain educational grants which have to be restored. Taking the Civil Works, the Public Works Department, you cannot go on with a cheese-paring policy like this without damaging your buildings and roads; and various other items have been shown, thereby indicating that if you have to restore many of the cuts which you have effected under the emergency circumstances this year or during the last few years, at any rate during the next few years you will have to face an expenditure to the extent of 62 lakhs of rupees, to place the Presidency on a proper footing. That is one aspect of the question.

Then, again, take your debt position. The Government of Bombay have incurred debts, either for productive or unproductive purposes,

[Mr. B. S. Kamat]

to the extent of not less than 75½ crores of rupees including the Barrage debt of 25 crores; the interest and sinking fund charges—what are called the debt charges—on that huge debt come to something like 2¼ crores per annum—interest payable on debts incurred for Government purposes alone. That is not a very comfortable position to my mind. If you face these facts, it only means that you can congratulate yourself only if you have your revenue side a very strong one. I do not consider that merely cutting down expenditure on the emergency basis is a solid and a secure basis for congratulation. You have not increased your revenues permanently. Unless you increase your revenue by some method, by some source, you are not in a position to congratulate yourself.

That brings me to a point which I know is a very debatable one and on which I know many of my non-official friends are very sensitive. I have been thinking whether the prohibition policy of the Government of Bombay, a policy which was laid down by this House for the guidance of Government in 1925, is a policy which should be continued for ever. [*An Honourable Member:* "Is it continued?"] That policy affects the revenue side of the Government of Bombay to a very material extent. Those who have read the Excise revenue receipts and expenditure side know fully well that the loss to revenue, if you compare the revenue figures of 1925 and earlier years, is something between 40 and 50 lakhs of rupees, if not more. How much of this is due to the present depression I cannot say. We have lost this revenue under, as I called last year, a fetish that we are making the Presidency dry within 20 years. I made it plain last year, while we were discussing the question of prohibition. To my mind to attempt to make the Presidency dry within 20 years is a dream—it is an attempt to reach the moon. You can rather reach the moon perhaps earlier (if some scientists invent some method of sending a rocket there) than you can make the Presidency dry. That is my own personal view. Last year I raised also the question of the privilege of this House. That policy has been laid down for the guidance of the executive by this House, and if it is to be changed, then the executive has to come before the Legislature to get that policy revised, and I do honestly think that the time has come for Government to take a longer view of the finances, to come before the House and ask the House if they are prepared to revise the prohibition policy. Are we wise in foregoing a revenue of 40 to 50 lakhs every year in an attempt to make the Presidency dry? Or are we allowing illicit distillers to pocket that amount of 40 to 50 lakhs? I personally think rather than allow that 40 to 50 lakhs to go to the pockets of illicit distillers and smugglers, it is much better to devote that amount, if you can get it, to the betterment of the masses of the people by spending some amount on their education and on village improvement or the improvement of public health. And I beg to point out to this House that there is this source of revenue if only the House will take the trouble to look at the facts boldly and courageously, and see whether this revenue is not leaking out into the wrong channels and whether the time has not come to revise the policy of prohibition.

[Mr. B. S. Kamat]

That is one source of revenue which I wish to point out in an attempt to place the finances of the Presidency on a better footing in the long run.

The second main issue, a question involving policy, to which I shall address myself, is the question of the debt position of the Government of Bombay, to which I have just now referred. I personally think that, rightly or wrongly, the Bombay Government has been landed during the last 10 or 12 years, into a very bad debt position. A great part of that debt—about 6½ crores—is more or less unproductive. It is for this House to give guidance to the Government and tell the Government whether they are to go on further incurring debts and paying interest. I think it right, on behalf of the non-official side, to tell Government that the time has come to cry halt and that there should be no more expansion by borrowings at prohibitive rates of interest, unless and until the programme for which the borrowing has been done is really productive and economically sound. To refer to some of the figures of interest which we are paying, I just now quoted that we were paying 2¼ crores of rupees as interest on debt alone. To my mind, considering the income of the Bombay Presidency, which is about 14 to 15 crores, 2¼ crores is a very great charge on your revenues to pay to your creditors.

Now, that brings me to the question whether the Government of India who are charging us interest for our borrowings, have been fair to us, the provincial Governments, so far as the recent conversion operations go and so far also as their policy of allowing provincial Governments to raise their own loans goes. On these two points I would like to have some information from the opposite side. As a result of the conversion operations of the Government of India, we have been given this year some relief in the rate of interest, and we must be thankful to the Government of India for the small mercies. I do not deny that. But are you satisfied with small mercies which have been shown to us by the Central Government? They have reduced the rate of interest on recent borrowings by three quarters of a rupee per cent., that is to say, where it was 6¼ per cent., it has been reduced to 5½ per cent. and where it was 5¾ per cent. it has been reduced to 5 per cent. Considering the state of the money market and the rate at which the Government of India can raise their own loans, I would like to know from the Government of Bombay whether they are satisfied with the relief given to them by the Government of India and whether they wish or do not wish for further relief in this direction—a direction in which I think we should expect some sort of relief from the Government of India for the simple reason that to-day, at any rate, the money market is very cheap and the Government of India are able to convert their old loans at a profitable rate of interest, a rate of interest which the Government of India ought to pass on to us.

The second point in connection with the debt position of the Government of Bombay in relation to the Government of India to which I wish to refer is the question whether provincial Governments, especially the Government of Bombay which has landed itself in a very bad debt

[Mr. B. S. Kamat]

position, should or should not be allowed to raise their own loans, if we can raise these loans at a very profitable rate of interest much to the relief of the tax-payer and of the finances of this Presidency. I find while going through the budgets of other provincial Governments that, so far as precedent is concerned, the Government of the Punjab is allowed by the Government of India to raise provincial loans in the open market. If the Punjab Government is allowed to do that, I am unable to see why the Government of Bombay should not be allowed to do the same. If in this direction this Government tries to press the problem on the attention of the Government of India and if we are able to raise our own loans either for the purpose of fresh borrowings or for the purpose of conversion of old loans on remunerative lines, I do think that so far as our interest charges are concerned, we shall be able to make a great deal of profit and thereby give relief to the tax-payer.

The third point to which I wish now to address myself is the question regarding co-operation to be offered by this House to Government, a point which was made the subject of an appeal by His Excellency yesterday in the address which he was good enough to give to this honourable House. We are entering upon a more peaceful situation in the Presidency. Everyone in this House, I am sure, everyone who has entered the Legislative Council, is by conviction a constitutionalist in the sense that he has complete faith in the constitutional method of political advance and he has come here to co-operate. These are not mere words. We have established our own good faith during the last four or five years in various directions—financial and constitutional—financial in the sense that this House has allowed the Honourable the Finance Members—the present Finance Member and his predecessors—to pass such measures of additional taxation as were necessary for Government. To quote some figures—I am speaking from memory—I believe this House has since 1921 given to the executive additional sources of taxation to the extent of 60 to 70 lakhs per annum out of which the transferred departments as against the reserved have not derived the fullest benefit. If that statement is challenged, I should like to refer for my authority to page 14 of the Blue Book, Statement C, prepared by the honourable member the Finance Secretary in which he has shown the increase or the decrease as compared with 1922-23 for the beneficent departments, departments which are called in this country the nation-building departments, but which in England are called the Social Services—and there is a column in which he has shown how much the transferred departments have benefited since 1922-23. Speaking from recollection again, the total betterment of these transferred departments is only 29 lakhs out of the additional taxation of 60 to 70 lakhs granted by this House. That I consider is the amplest proof how this House is prepared to tax itself and even to surrender a portion of the additional taxation which is the legitimate due of the beneficent departments under the charge of the Honourable Ministers. The Education Department, which I think is the pet department of the non-officials, has received betterment to the extent of only 9 lakhs since 1922-23; the Public Health has received

[Mr. B. S. Kamat]

9 lakhs; the Agriculture Department has received 3 lakhs; the Industries Department has received only one lakh and I think the Medical Department has received three lakhs, making altogether nearly 25 lakhs, out of a total of 60 or 70 lakhs which we gave you, thereby showing that we have surrendered to the Bombay Government nearly 35 to 45 lakhs out of an additional taxation which we granted to them to place their finances on a stable footing. That I consider a very ample proof of the co-operation, good faith and goodwill of this House.

Having given the proof, it only remains for me to add that we are receiving the new Governor with confidence, a Governor who has assumed charge at a time when the budget is balanced, when the situation about law and order has improved, and when the people's minds are in a state of great expectancy about the next instalment of reforms. It is a great pleasure to this presidency and to this House to know that the new Governor has been intimately connected with the Secretary of State, who has shown recently in his cross-examination before the Joint Parliamentary Committee conspicuous ability and a full understanding of the Indian position. A man connected with such an able Secretary of State is bound to my mind to realise the Indian aspirations far more than a man who comes to the presidency with an entirely unstudied mind.

Now, speaking about co-operation and the policy underlying the White Paper, that policy means transfer of power, judging by the announcement of the Prime Minister at the first Round Table Conference; and all that we are now trying to see when we discuss the details is to see whether that transfer of power is real and substantial. If that is hedged in by excessive safeguards left in the hands of the Governor, probably it will detract from the transfer of power which may not be real. Provided the transfer of power is real and substantial, I do think the feeling of everyone in this House is to offer that co-operation so as to make the White Paper policy as beneficent for this country as it possibly could be —— [*Bell rung.*]

Rao Bahadur G. K. CHITALE (Ahmednagar District): Sir, apart from the usual conventionalities of congratulations or otherwise, it will be my duty to analyse the budget as it is presented to us. I maintain, and very strongly maintain, that the budget is not a balanced budget. A balanced budget in its proper sphere means that the sources of revenue have been increased in a manner which is least felt by the population and the administration is carried on in as smooth a manner as the people are entitled to expect and to which they are entitled. Looking at it from that point of view, Sir, for the last 12 years the House will be struck by the fact that the administration charges stand at present according to page 14 at 621 lakhs, that is to say, in the last 12 years there has been a retrenchment in the administration charges of only 54 lakhs. The point that I am making is that having regard to all that is said with respect to the retrenchment proposals, the personal effort of my esteemed friend the Honourable the Leader of the House and the rest, I must say,

[Rao Bahadur G. K. Chitale]

Sir, that in any civilized country in which popular control is meant to be a real control, where the administration charges are almost half of the total amount of revenue which is put here somewhere at 1,397 lakhs, any critic will put that down as an extravagant expenditure which ought not to be allowed to go on for a day longer. And I appeal to this House that, had it not been for our effort at co-operation, meek co-operation, in giving the sinews of war to the Government for the last 12 years by lengthening the period of several taxation proposals and if we had only put our feet down and made up our mind and said, "No, the administration charges must be cut down to a particular sum," I say that this presidency would have had a really balanced budget long ago.

Apart from these facts, Sir, I must say that much of the criticism of the distinguished authors of the Montagu-Chelmsford Report, viz., that this administration is wooden, is justified, but in this sense, namely, that the load of taxation by way of scheduled taxes which come to about 75 lakhs (not 60 or 70 lakhs) and the small subtle ways in which by means of the power of rules they can increase the taxation such as even the driving licences of motors from 5 to 6 rupees in the case of private owners and in the case of taxi-owners 20 to 25 rupees by a mere rule, I should think, is not taken into account at all. May I point out why I call this administration wooden? Have they felt the effect of the rules with which the tobacco tax is being administered? The same article which is manufactured in Nagar is taxed four times and, above all, the person who levies the tax is also the appellate authority. I have never seen in any civilized country that the man who imposes a tax is also the revising authority. I will explain what I mean. What I mean is that no doubt the tobacco tax was passed at a late stage, the rules took some time and the rules had to be enforced, perhaps the rules had the sanction of our popular Minister, but he did not then feel its consequences in all their aspects. Coming as I do from a poor district, in which this trade is carried on, I will explain to the House as to how the article is charged four times. We have got small wage-earners, earning about 1½ annas a day on this bidi work. They go on from morning to evening, get about 2½ annas. When those bidies are prepared, that man becomes the manufacturer and has to pay a levy in some cases more than the income tax which he pays. Then again, he sells it to a retail dealer who sells the bidies about 8 annas or 10 annas worth a day, and then they are taxed somewhere between Rs. 30, Rs. 15 and Rs. 50. He goes to a market which we have in this country, viz., a weekly market, to sell that article there, and there he becomes a hawker and then he has to pay additional taxes. Now, Sir, may I put it to this House whether all these implications were really considered by the honourable member the Abkari Commissioner or the Honourable the popular Minister? I am quite sure that they had not the slightest inkling that this tax was being enforced in that manner and that it would yield more than what they themselves estimated, because when they tried to obtain the Council's sanction to the tobacco tax they put down the revenue at only 4 lakhs,

[Rao Bahadur G. K. Chitale]

whereas it is somewhere between 5 and 6 lakhs. Now look at the manipulation of the population basis rules. The House will remember that the population of a town was considered to be a unit. The rules stated that particular rates would apply to a town of so much population, say, 50,000 paying a higher amount of taxation. Then they joined together the town of Ahmednagar and the cantonment authority, which operation gave them 50,000 souls. Therefore, they added up the population of another cantonment authority, which operation again took the total population beyond 50,000 and to enforce the very maximum rate of Rs. 150. I should think that this is a matter which should appeal strongly to this side of the House and that we, as the representatives of the people, have a right to voice our feelings to such an extent as would give us an early remedy. In fact, Sir, an early relief is absolutely necessary because my district of Ahmednagar happens to be a district in which the prant officers are abolished and under these rules these officers are the taxing authority in several places, but there being no prant officer in Ahmednagar that duty of levying this tax falls on the Collector, so that while in every other place the Collector becomes the revising authority, here in Ahmednagar the Collector is both the sanctioning and the revising authority combined in one. The same must be the case of every other district from which the post of prant officer has been abolished. This, Sir, is a sad state of things, and I say this although I know that my cry is sure to prove a cry in the wilderness. We are now finishing the month of February and the collection of the tax has got to be made, and that is why I call the administration wooden. There is no real affection between the rulers and the ruled. I may put it from the other point of view also. It appears to me, Sir, that my friend the Honourable the Leader of the House will give me this much credit that we all wanted to see that the sources of revenue were increased. We sat in committee. I myself moved a resolution, and we sat in committee in order that our irrigation revenue in the Deccan should be increased. Due to our labours and also to the particular circumstances, four sugar factories have been planned, and at least three will be erected in the near future. But again the administration must be wooden. Why? Because the irrigation authorities say that the lands which have been taken up are not fit for sugarcane cultivation. Again, in my own district (Ahmednagar) there was disforested land about 1,800 acres in extent, which could not be sold for some time. But a gentleman came along to buy the land, and it was sold to him at the rate of Rs. 30 an acre or so. He bought it, never knowing that after he became the owner, or the occupant as my honourable friend would put it, of the land he would be asked to pay a drainage tax of Rs. 15 an acre from the 15th of February 1934. Not only that, but the drainage systems are yet to be made, and yet this drainage tax of Rs. 15 per acre is being enforced. Then again he is told "What are you doing? Sugarcane will not grow on this land." It grows on the lands of the Belapur Syndicate all right, even on black soil of 9 inches depth. But here they must insist upon a depth of

6 p.m.

[Rao Bahadur G. K. Chitale]

12 inches of black soil. These poor people have taken up the land, and they find no relief. Mr. Kamat's committee recommended that there should be negotiations carried on with the owners or occupants of the land. Still, Sir, it is said that that will not do, that they must keep three survey numbers apart, and then plant the sugarcane. I say, please do not put in these conditions. If you do it, you drive the people to desperation, and one of the industries which we want to start will not survive these shocks. These are departmental shocks. Departmental shocks, I know, are not brought to the notice of the Honourable Member in charge. There the machine is wrong. Of course, the people will fight, but we know that it is very difficult when the authorities say that when an order is made, it must stand, that once an order is made there is an end of it. That is my grievance No. 2.

The Honourable Sir GHULAM HUSSAIN: May I know which Department has passed that order?

Rao Bahadur G. K. CHITALE: The Irrigation Department.

The Honourable Sir GHULAM HUSSAIN: That the soil is not fit for sugarcane cultivation?

Rao Bahadur G. K. CHITALE: Yes. The next point that I wanted to make is that we have heard a great deal about frost and sympathy for the poor agriculturists. But what is sauce for the goose is apparently not sauce for the gander. I find that in Nasik district, taking into consideration the present conditions, Government have shown the cultivators of rice lands some consideration. But in my poor district in which these Kolis and Thakurs live, which is only a few miles distant, in Akola and the Dangs, not a penny is remitted. I put it to this House whether it is right and proper that the rules should make a distinction between losses due to frost and losses due to the general depression. Because the rice crop does not bring in the same price, or even half or one-third, that kind of relief was given. If that is so, may I make an appeal to the Honourable the Revenue Member and ask him as to why the same concession is not shown to the poor Thakurs and Kolis, who have only small patches of land, and they have to pay the full revenue? So far as the Central Division is concerned, I do not know what sins they have committed, but so far in the matter of the general relief which is intended to be given as regards land revenue assessments I do not think we will get any. Let me say to my distinguished friend the Leader of the House that my honourable friend the Deputy President and I put in certain applications last year, it was about the end of February, for suspension of land revenue, but we found by the time we returned to our places that the whole collection was made.

That is not the way in which this House, which is willing to co-operate, ought to be treated. By all means, when you answer our questions, treat us with the contempt that we deserve, because we are not prepared to enforce our will on this side of the House, neither can we take their place. I know our criticism suffers from that point of view, because

[Rao Bahadur G. K. Chitale]

we do not bear the responsibility, but if we were placed on the Government benches, perhaps our criticism would be more sober, because then we will have to find the revenue. We will not be so wild in saying that the land revenue should go and the other sources of revenue should disappear. Then we will have to shoulder the burden. Even then, we have certain feelings. If we were in a position to enforce our will, then my distinguished friend the Leader of the House, with the trained steel-frame behind him would not have been able to snap his fingers at this part of the House. He would have had to go along with us, and I wish, Sir, the day is much nearer, and I hope that it will be nearer still, when, truly speaking, he presents us with a balanced budget, with that desire, namely, that it should be really balanced, and I am sorry that it is not. I am sorry that I have not got sufficient time to elaborate the other points which I wanted to press upon the attention of the Government, because this is the only opportunity that we have of doing it, the only opportunity in the whole year, within the framework of the rules. You, Sir, have to see that those rules are obeyed. We are given only 20 minutes, and within that time we have to fire all our shots at all the conceivable departments contained in these two big volumes, which none of us understand properly. (*Laughter.*) I am not laughing. I say that in itself is a training which we ought to get. The Honourable the Finance Member has been in the Government for the last 15 years, but I am sure he has not mastered these books. If he were to come on our side, we will see that he will fumble just like ourselves. The point that I am making is that the budget and the other things are framed in such a manner that the rules are changed. We find that the Finance Secretary says, "Oh, do not compare 1921–22 with the other years; the figures of no two years will agree, because the rules have been changed". But the Finance Secretary may not continue to hold the office for a number of years, and when a new Secretary comes along, unless the office puts up explanatory notes, he will also fumble. Under the circumstances, the way in which this budget is being presented is not the proper way. I should think it ought to be much simpler; at any rate the Honourable the Finance Member should have the courtesy of making a more elaborate speech, explaining matters to us as he would explain them to school boys, so that we might understand the figures.

The Honourable Sir GHULAM HUSSAIN: Then you will not listen to me patiently.

Rao Bahadur G. K. CHITALE: A four-page speech, from my distinguished friend the Finance Member, introducing a budget totalling an expenditure of about 15 crores of rupees, I should think, is a huge joke. Apart from what I have stated, I am quite prepared to give due credit to my distinguished friend the Finance Member and also to the Finance Secretary for having prepared the budget so elaborately and industriously.

But in such a huge budget, a retrenchment of Rs. 40 lakhs is nowhere. The total retrenchment from the year 1921-22 ought to have come up

[Rao Bahadur G. K. Chitale]

to over several crores. I do not know if anybody here has understood the table of retrenchments in several directions, but the total betterment is only Rs. 40 lakhs. It is certainly a very intricate matter, but I do submit that Government have taken from the people more than what they have given them back. That is the burden of my song, and I should appeal to the Treasury benches to see that at least the agriculturist gets back something.

One word more before I resume my seat. A lot is said about rural uplift. The whole thing is absolute moonshine. Government do not mean anything by it, and we also realise it. And what is now intended and what takes my breath away is that the Collector is to be given the assistance of a person of the position of a head karkun, on a salary of about Rs. 50-105, and he is to control all this rural uplift work. It would be much better if the whole thing is shut up. We do not want this sort of work by the Collector looking after rural uplift and having the necessary picture about it through a small officer on Rs. 100 per month at the most. I should think this House must put its foot down, when a demand is made for the grant for this purpose—I believe the demand will come from the new Minister. I am quite prepared to say that that is a proposal which ought not to go through at least in this House, if we want to be at all serious.

Dr. J. ALBAN D'SOUZA (Bombay City, South): I rise, Sir, on this occasion, which is probably the penultimate if not the ultimate Budget Session of the Council, to take a survey of the Budget Proposals for this Presidency as outlined so briefly and sweetly by the Honourable the Finance Member, with a conscience that boldly prompts me to feelings of buoyancy and unfeigned optimism.

On more occasions than one, Sir, during the various Sessions of this Council I have, even at the cost of earning thereby the cognomen "*Silver Lining*," felt it my bounden duty, despite the awful gloom cast time and again over this Council by circumstances and even more so by speeches, to remind this Honourable House that it had nothing to lose but on the contrary everything to gain by a sound, healthy and genuine belief in the good old saying "*Every cloud has a silver lining.*"

In the year 1931, when a dark and massive cloud in the form of a deficit of 1,81 lakhs was hanging over this Presidency, I was practically the only one to strike a note of optimism. I then exhorted this Honourable House "to let the dead bury their dead." I then entreated honourable members "not to dig up transactions we could not alter." I then appealed to them to give up their sack-cloth and ashes, and to hope for better times as better times were surely ahead!

The only solace I then received, after the sort of rough handling my optimism was more or less subjected to, was at the hands of Mr. Wiles, the then Finance Secretary, who expressed himself in no indefinite terms as being in hearty unison with the optimistic view I had then taken of the financial outlook of the Presidency.

[Dr. J. Alban D'Souza]

I may be told, Sir, as I surely expect to be told by one or other or more of the inveterate Jeremiahas of this Honourable House that we are yet far from being out of the woods where hungry lions and ferocious tigers in the guise of trade depression, economic breakdowns, possible no-tax campaigns, unemployment with all its concomitant sequelae etc., may yet tear the none too strong fabric of our finance to shreds!

Whatever may be said by honourable speakers who follow me and in whatever manner my optimistic view may be construed, I cannot and will not concede that these so called lions and tigers lurking in the woods of our financial commitments will now do what they did not or could not when their hunger and their ferocity were at the highest.

That this Honourable House may not run away with the idea that optimism is something merely temperamental with me, something merely sentimental with me, I shall now proceed to point out to the Honourable House a few indications that impel me to take a decidedly optimistic view of the Budget conditions of this Presidency for the ensuing year.

I wish to inform this Honourable House that these indications are based on the one hand on significant current trade and economic conditions, and on the other on facts and figures detailed in the Blue Book presented to us by the Finance Department.

The first significant trade conditions I shall refer to is taken from a comprehensive Market Review of a highly reliable firm that sums up year after year the financial and industrial history of this country. Even though the year 1933 has been marked down as year of "Thwarted endeavour," there are clear evidences that India and along with India the Presidency, despite her many and serious difficulties, presents in common with all the other members of the Common-wealth, a picture of relative stability. This Review tells us that whereas in the year 1932 the commercial balance of trade was no more than *5* crores of rupees, in the year 1933 there has been a commercial balance of trade of no less than *33* crores of rupees. This, Sir, it may be admitted, surely indicates not only that the worst of the trade depression is passed, but that the balance of trade is gradually coming into its own.

The next indication I wish to put forward in support of my view in regard to the financial future of the Presidency is based on a recent report of the Director of Posts and Telegraphs concerning the Finances of his Department. Whereas the financial situation of the Posts and Telegraphs Department in regard to revenue and expenditure was most depressing during the years 1931 and 1932, the situation during the current year 1933 is declared to be considerably heartening. What is even more reassuring is that the report informs us not only of an increase in the volume of traffic, but also of the absence of deterioration as compared with previous years. This is clearly an indication that the improvement that has occurred is one that is going to last. Further, the Director is of the opinion that "there seems to be some ground for entertaining the hope that the lowest point of the depression has been passed, if it has not been traversed."

[Dr. J. Alban D'Souza]

There are yet other indications that support the view I have taken. Why, Sir, almost at our very doors, thanks to a valuable legacy bequeathed unto this Presidency by our late Governor Sir Frederick Sykes, we have a comprehensive and well-directed scheme, which if worked and pursued to its legitimate end, will be immensely helpful not only in pulling the Presidency round the corner of financial embarrassment but also in establishing it effectively on the high road to definite prosperity.

I am referring, Sir, to the scheme which is now within the grasp of Government and within the knowledge of every honourable member of this Honourable House. This scheme comprises several activities:—

In the first place, there is the movement for village improvement with the object of improving the conditions of the growing masses of this Presidency.

There is then the reorientation and reorganisation of the factors concerned with some of the vital trades of the Presidency such as:—

(1) the stimulation of the fishing industry,

(2) the stimulation of fruit and vegetable products with provision of improved marketing and transport facilities for the same, and

(3) the improvement of live-stock, a direction in which the Bombay Presidency has given a notable lead to the rest of the country.

Sir, whilst I am on the subject of the improvement of live-stock and of other rural improvements, I would very strongly urge the appointment, as soon as the finances of the Presidency permit, of a Director of Rural Reconstruction. The reason why I suggest this appointment is because the possibilities in this field are simply immense! Col. Oliver, the Animal Husbandry Expert with the Government of India, estimates that the cash value of animal products in British India alone is 1,500 crores of rupees,—a staggering figure, which probably no other country in the world with available statistics can boast of.

Calculating, on the basis of the inclusion of the Indian States of this Presidency, that 1/10th of this cash value can be claimed by this Presidency, we have in this Presidency more than a 100 crores of rupees worth of animal products for purposes of further future exploration. The Honourable House and Government, I trust, will now realise the importance of my suggestion regarding the appointment of a Director of Rural Reconstruction.

There is yet another suggestion I would like to offer in the interest of the industrial and trade conditions of this city. There is a leaf we could take with advantage from the Book of the Punjab Government. The Punjab Government publishes a monthly review of statistics in connection with the industrial and commercial conditions prevailing at the time in their Province. I would suggest that the same should be done in Bombay by the Director of Industries, with the help of the various Commercial organisations in the city. This review could be published through the Director of Information. Such a review, I feel, would keep the varying trade conditions of the Presidency constantly before the eye of

[Dr. J. Alban D'Souza]

Government and the eye of the public, with the result that remedial measures could be adopted before diseases became chronic.

Sir, these are a few significant signs I have put up in justification of my optimism in regard to the future of this Presidency and I may say that they correspond with many signs of the same kind in other directions. To mention only one, I might refer to the increase in the earnings of the Railways reported some time back in one or other of the dailies of Bombay.

All these signs confirm the congratulatory and optimistic note His Excellency the Viceroy sounded when he reviewed the economic and political situation in India before the two Houses of the Central Legislature and also when he opened the Industries Conference at Simla.

Coming now, Sir, to facts and figures as laid down for us in the Blue Book, a prominent and outstanding feature, from my point of view, is that after eight years of negative unrevised Budgeting we have, after all, arrived at a positive unrevised Budget even though its positivity is indicated by so small a sum as ·7 lakh of rupees. I quite concede that no occasion has arisen for unrestrained hallelujahs, but I would submit that even a small thankfulness for small mercies is surely a good way of tempting Providence into granting us greater mercies.

A little inspection into the unrevised and revised Budget conditions and also into the closing balances indicates that there is again clear evidence that the lean years have probably come to an end and that now we have started to trend on firmer ground.

As table A in the Introductory Note of the honourable member the Finance Secretary shows, we have had up to 1931-32 with one single exception, six years of deficit revised Budgets. The year 1932, however, rings a welcome change, which is kept up by the year 1933. In both these years although the unrevised Budgets indicated a loss, the revised Budgets indicate a surplus.

The same welcome change has occurred in the closing balances. In 1931, the closing balance was only the Famine Fund, but in 1932 and 1933 there were 12 and 14 lakhs, respectively, in excess of the Famine Fund.

Sir, I do fervently hope that the honourable House will at least concede that the financial situation of the Presidency is in no way disheartening. Personally I look forward with great optimism and confidence to a disclosure that will bring joy to this honourable House in February next when the revised figures for the year 1934 are handed in to us by the Honourable the Finance Member.

Having come thus far, Sir, it may be meet and proper to enquire as to where the credit goes for what I at least am convinced is a satisfactory state of affairs. To cut the cackle and get at the horse without any further ado, the honours I think are evenly divided. Leaving aside all details, it has been a case of due pressure duly exerted in the interests of the Presidency and a due response duly made in the interests of the same Presidency.

The Honourable the PRESIDENT: The honourable member has only two minutes more.

Dr. J. ALBAN D'SOUZA: Before I resume my seat, I do hope you will give me just a little time to get off my chest an obsession which obsesses me seriously despite even the large fund of optimism Dame Nature has so graciously placed at my disposal. What obsesses me is the Vampire of Unemployment—the Vampire that is just now creating untold misery in minds, constitutions, families, villages, provinces and, I may even add, continents. No one here will deny that our own Province is deep under its baneful effects.

I almost hear a whisper, Sir, asking me why my optimism does not argue that with betterment of trade and economic conditions the wings of the Vampire may not be shorn. For the simple and obvious reason, Sir, that no amount of economic and trade revival could ever stand the tide of the rate at which year in and year out Matriculates, B.A's., M.A's. etc., are turned out in this Presidency without the remotest idea of preventing terrible educational wastage by establishing the utmost intimacy possible between education and the industries of the Presidency.

Sir, to cut matters short, I have a humble suggestion to make in the matter of this overpowering evil of Unemployment. Tersely put, my suggestion is: A thorough cutting down of what I have referred to as Educational Waste combined with a vigorous "Back to the Land" Movement. Sir, the Presidency has 83 lakhs of acres of arable land, of which only 40 per cent. is now under cultivation and 60 per cent. remains uncultivated. It is, therefore, evident that there is vast scope yet for a "Back to the Land" Movement. (*Bell rung.*)

6-30 p.m.

Dr. V. G. VAISHAMPAYAN (Sholapur City): Sir, I am afraid I am unable to associate myself with those who have praised the Honourable the Finance Member for having produced a balanced budget. Looking to the fact that the people of this presidency have been taxed to the utmost capacity and the suicidal economy and ruthless retrenchment even in the most vital and nation-building departments and with no serious commitments to make, I had a hope of seeing a fat budget instead of a lean one. No doubt one can heave a sigh of relief that the rot has been stopped, even though only temporarily. After a long period of financial paralysis we are in a position at least to make a slight movement. But we must take care that there is no relapse, as many devitalising symptoms are still present.

With one side crippled in finances by the Sukkur Barrage, we have to tide over our difficulties. This Sukkur Barrage will remain a paralysing force on all our activities, so long as Sind is not amputated from the presidency.

The Honourable Sir GHULAM HUSSAIN: May I correct the honourable member? The Sukkur Barrage has separate accounts.

Dr. V. G. VAISHAMPAYAN: Accounts are separated, but as a member of the Finance Committee I know the facts and that is why

[Dr. V. G. Vaishampayan]

I am making particular allusion to it. If we look to the expenditure side, we find that more than 7 or 8 lakhs have been spent on the Sukkur Barrage——

The Honourable Sir GHULAM HUSSAIN: That is loan money; that is shown separately.

Dr. V. G. VAISHAMPAYAN: Whatever it is, we have to pay.

The Honourable Sir GHULAM HUSSAIN: You have not to pay the debt. If the presidency proper wants to pay that debt, I have not the least objection.

The Honourable the PRESIDENT: The honourable member will proceed.

Dr. V. G. VAISHAMPAYAN: I make this statement though I expect to be blamed by my Nationalist friends outside the Council. But I am sure those who know the Council working and have an idea about Government machinery will join with me in one voice in recommending the separation of Sind. The Hindu population there will hold its own, with their inborn vigour and sufficient safeguards, weightages and reservations. Unless we part company with Sind, we will have but a limping progress throughout history, with a dead burden, and we shall have to look for relief from some supernatural interference or calamities like earthquakes——

The Honourable the PRESIDENT: Order, order. May I point out to the honourable member that the question of the separation of Sind is not before the House?

Dr. V. G. VAISHAMPAYAN: Sind finances are before the House, and so I am talking of it.

The Honourable the PRESIDENT: But the honourable member has not replied to the point made by the Honourable the Finance Member that the Sukkur Barrage accounts are separate and therefore would not affect the finances of the presidency.

Dr. V. G. VAISHAMPAYAN: May I point out to the Honourable Member that they are included in the present budget?

The Honourable Sir GHULAM HUSSAIN: Under separate accounts—all loan money.

Dr. V. G. VAISHAMPAYAN: They may be separated later on, but they are included in the present budget. That is what I have shown in the Finance Committee and what I am showing here.

Rao Bahadur S. K. BOLE: Now, he is talking of earthquakes!

Dr. V. G. VAISHAMPAYAN: If we are to continue to remain in the present condition, let us have at least a Sukkur Barrage Relief Fund with Lord Lloyd as the Chairman. Everything is strange about this brainy project. Its income, as was anticipated, does not even pay for its upkeep charges. On the top of this, engineers have been appointed to advertise, pack and sell the machinery there, and their appointment

[Dr. V. G. Vaishampayan]

though made for one year is being prolonged from year to year. May I point out to the Honourable Member that this question was raised by me in the Finance Committee? I am raising that point again in the course of the general debate. When we ask the explanation of the Honourable the Finance Member he says that they only know how to pack and sell this machinery, and this subject is a sealed book to other engineers! Instead of wasting more money on such a delusive, ruinous project, it will be better if we bid good-bye to all these experts as we have already had an overdose of their advice.

It is solemnly reported by Government that 80 per cent. of the population of India are agriculturists and that illiteracy is appalling. What has Government done to relieve these agriculturists of the burden of the heavy land revenue? Toiling all the year round with his wife, children and other dependants, the agriculturist does not even get two square meals a day. The produce is not even sufficient to meet the land revenues. It will be better if, instead of indulging in such showy affairs as durbars and village uplift *tamashas*, some small relief is offered to the cultivators in the way of remission of the land revenue.

What of education? After about a century of rule by the British, the most enlightened nation in the world, that education should be so low only shows that the Government has failed in its primary duty. Even the little show of zeal and activity made in the past has been withdrawn. Government made a show of passing an Act for compulsory primary education, but when some local bodies wanted to take advantage of that, Government somehow or other have shirked their responsibility. Are Government afraid of imparting education as there would be more fault finders to challenge the credentials of the *Ma Bap Sarkar* as working in the interest of the masses? At present the policy is retrograde. Fees have been increased so that it is impossible for ordinary persons to give higher education to their children. The grants given to colleges and schools have been reduced. And a definite move seems to be in progress to discourage higher education. Colleges have been closed down, and schools have met the same fate. I do not know if this is the zeal for progress in the cause of education.

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, may I just interrupt the honourable member? I want to know from him, Sir, "how many colleges have been closed, as he used the plural word 'colleges'"?

Dr. V. G. VAISHAMPAYAN: I am coming to that. An old and honoured institution like the Deccan College has been scrapped.

The Honourable Dewan Bahadur S. T. KAMBLI: Only one.

Dr. V. G. VAISHAMPAYAN: That one is not a small item.

The Honourable Dewan Bahadur S. T. KAMBLI: You used the word "colleges." I want to know how many colleges.

Dr. V. G. VAISHAMPAYAN: Surely the Minister for Education should have seen, being an Education Minister, his main business was

[Dr. V. G. Vaishampayan]

to promote education and not to close down institutions. He should not have fallen a supine victim to adopt such unbecoming retrenchments only to preserve his monthly pay. Instead of falling a prey to such measures, it would have been better for him to have resigned and shown his disapproval.

Rao Bahadur S. K. BOLE: And made room for our friend?

Dr. V. G. VAISHAMPAYAN: The same is the case with hospitals and dispensaries. The accommodation, medicines and even the diet of patients, have been cut down, and a fee of one anna for out-door and two annas for in-door patients has been levied. Is it human to take money from such persons who do not get sufficient food to eat? Those who can pay seldom go to these civil hospitals under the civil surgeons; they go always to the private practitioners. It seems that these hospitals are kept as a matter of show. There are competent, qualified and efficient Indian surgeons and physicians who can be had on low salaries or even on honoraria. Then why maintain these white elephants of I.M.S. civil surgeons, most of whom having served in the Military have no knowledge and have to learn in the civil hospitals? Why are such places as Sholapur and other towns specially reserved for European civil surgeons? Why this difference?

Owing to the gradual disruption of the joint family system and the little spread of education, many Indian ladies prefer maternity homes. Instead of opening such facilities, hospitals and wards are being closed. In short, the whole policy in regard to this is inhuman.

Coming to the Public Health Department, the same show is practised, without doing any material service to the public. The Assistant Director collects statistics from his sub-assistant surgeons and compiles a report and sends it to the Government for information—a work which any sub-assistant surgeon can do. I do not mean to say that the assistant directors are wholly inactive. At the time of big fairs and other shows, they do visit these places, stay at a respectable distance and collect information from the sub-assistant surgeons there. And when there are big functions, like *pansuparis*, they offer their necks for being garlanded. And after attending such functions, they send a report to Government and march off to the headquarters and prefer a bill of travelling allowance.

The Department of Industries has not done much in the way of promoting cottage industries. How much have Government spent over this? What steps have they taken? What particular industries have been introduced in this presidency which is so well fitted for industries of this nature?

Coming to the Co-operative societies, they work like machines with all the punitive powers. A Pathan will wait for some time, a Bania will give a day of grace, but this machine without heart will go on with its ruthless course without minding that these are bad days for debtors, money is very tight and corns fetch the lowest selling prices. I hope Government will infuse some human element in the working of this

[Dr. V. G. Vaishampayan]

and will not harass the debtors like the Pathan till the troublous times are over. There has been too much interference from Government in this department. Although the societies are expected to be run by elected members, they are expected to do the bidding of Government, and if they disobey, then the societies are wound up.

Leaving these nation-building and vital departments, we notice that there has been unrestricted expenditure over the Police Department. The police force and expenditure over it has increased enormously. This department has recently been in much favouritism with Government. Any complaints against their subordinates are disregarded. The police have become quite arrogant and uncontrollable, knowing full well that a forgiving Government, especially in times of civil disobedience and non-co-operation will overlook their faults, with the result that these police people with the whole armoury of ordinances and other laws at their back have been a source of trouble to many. Cases of corruption are reported. Much intimidation is abroad and decent-minded men are afraid, as one false report will undo them once and for all.

Only breathe in the ear of an Englishman the name of Gandhi, civil disobedience, and it will turn him against reason, sense of fairplay and justice, and make him follow blindly these unprincipled men. The lathi charge method has blunted their conscience and they have become used to smash the heads of women, children and unresisting persons which no noble soldier would do, with the result that even in these days they do not forget the lathi charge days and roughly handle any person even without a warning. Has Government made any inquiry? What amount of harassment and corruption has been caused by them? The sooner these uncontrolled bloodhounds are bridled the better it will be for Government. Is the maintenance of such a police force necessary when there has been no increase in crime? Are these meant for the civil disobedience movement?

On an equal footing—or even a worse footing—stand the Abkari people. This department is the preserve of the prodigal sons and unqualified relatives of Government favourites. The Department, I am ashamed to say, being a transferred subject, is the most nauseating and provoking. In the matter of corruption its subordinates will teach a lesson to their Police brethren. The Abkari Inspector and his subordinates with an army of vicious rough characters under their control and with the money of the contractors cause any amount of trouble.

The Honourable Sir GHULAM HUSSAIN: Is this in order or parliamentary, Sir?

The Honourable the PRESIDENT: It is a mixture of all.

Dr. V. G. VAISHAMPAYAN: The Abkari method of corruption is more systematic. Every liquor shop and ganja shop pays a monthly tribute of about Rs. 25 or so to the Abkari men. There are also the annual payments and big *dallis*. The income of some of these, especially of the Inspectors, sometimes is more than that of the Abkari Commissioner or of the Governor. If you want to ascertain this, you

[Dr. V. G. Vaishampayan]

will have to see the property registers of these people or scrutinise their bank accounts. They sometimes have this money entered in the names of their wives or other relatives and outwardly they show some indebtedness.

Then, these Abkari men have to show the detection of offences. With them it is very easy. The contractors have the men ready to play the role of offenders. Bogus cases are put up. The offenders are fined. These fines are paid by the contractors.

The Honourable Sir GHULAM HUSSAIN : I object to these remarks strongly. Will he prove all that he has been saying ?

Dr. V. G. VAISHAMPAYAN : I am not referring to any individual officer. That is the general complaint of the public at large.

The Honourable the PRESIDENT : It is very difficult for me to stop the honourable member. As I said, he is delivering a speech which is a mixture of severe attacks, and in some particulars I must say unparliamentary, and the rest tolerably good criticism. But what the Honourable the Leader of the House wishes to know is, if after the general remarks the honourable member is called upon to point out one instance to prove the truth of his remarks against any of these branches, will he be able to do so ?

Dr. V. G. VAISHAMPAYAN : I shall try my best to do that. I am paying him in the same coin. I am following in the footsteps of Government.

The Honourable the PRESIDENT : The honourable member has only one minute more.

Dr. V. G. VAISHAMPAYAN : My chief object in pressing this point is that Government had enunciated a policy some time ago of making this Presidency dry and instead of that they are going to make it wet. That is the chief point I am making. I think that a reshuffling of this Department is necessary in the interest of Government also. With these remarks——(*Bell rung.*)

The Honourable the PRESIDENT : Can the honourable member finish his speech within 10 minutes ?

Dr. P. G. SOLANKI : Yes, Sir.

Sir, I rise to offer my congratulations to the Honourable the Finance Member. Year after year I have heard complaints about a deficit budget. The Members and Ministers of Government were blamed by this honourable House. Even to-day, when the Honourable the Finance Member has come before us with a balanced budget with a surplus of about 1 lakh or Rs. 70,000, we are running him down. It appears to be the custom of this House, particularly of one section of the House, to run down the Government in season and out of season for some imaginary grievances which they may have in their minds. The present occasion is not an occasion for harsh criticisms of the doings of some of the officers who may or may not be in the House, who may have left these shores

[Dr. P. G. Solanki]

long since. It is not fair that for the sins of commission and omission of these officers we should take to task the present officers of Government.

Sir, most of the departments of Government came under the fire of criticism. But I look at the question from a different point of view. First I take education. I say that higher and secondary education has made so much advance and is so much saturated in the members of the advanced classes, that I should think that a limitation should be put on higher and secondary education to the members of most advanced classes and primary education should be helped to the greatest possible extent, amongst the masses. I am of opinion that primary education is being starved year after year in order to support and satisfy the hunger of the advanced classes for university and higher examinations. My honourable friend Dr. D'Souza told us a few minutes ago that there are so many B.As., M.As., B.Scs. and others without employment and that a serious situation has arisen all over the country. Government will have to put their heads together and find some solution because it is a very dangerous position to see so many thousands of graduates unemployed. They mostly come from the advanced classes and the upper middle classes and are highly intellectual classes. It is they who try to bring down the Government or to bombard the Government and try to prepare explosives and try to end the existing rule. Sir, if the British Government had educated the depressed, the backward classes and the masses in general along with the advanced classes from the very beginning when the Government laid down their education policy 80 years ago, I think this dangerous position would have been avoided and we would not have been confronted with these increased number of so many unemployed men and such discontent amongst the advanced classes. There are many agencies which have brought about he civil disobedience movement, to which my honourable friend Dr. Vaishampayan alluded.

Sir, so far as medical relief is concerned, I agree with some of my honourable friends that we should pay more attention to the rural areas. My honourable friend Mr. Karbhari was voicing the grievances of the wild tribes in Thana District in jungles. What about the villages? How many hospitals and dispensaries have been provided in the villages throughout the Presidency? We find that large contributions to H.O.H. Fete and Hospital Maintenance Funds are made by Parsi and European ladies to help the hospitals in Bombay. What portion of this money will go to rural areas? If there is any very great need for medical relief, it is in the rural areas. The poor villagers, the tillers of the soil, need it most. I know of instances where fathers and mothers and relations go to the fields for work and to attend to their daily work leaving their ailing children and relations suffering from diseases at home. These children and relations suffer from typhoid or malaria or some other dread disease and are left to the mercy of fate with nobody to bring them medicines or even to attend to them and they die a premature death. Who is responsible for all these sad things? Unfortunately, this

[Dr. P. G. Solanki]

financial stringency has appeared owing to the misdirected activities of agitators or to the world-wide depression in trade and commerce. So, the urgent necessities of the poor people are not cared for in the mofussil areas and rural areas of the Presidency.

Coming to the Excise Department, the honourable member Dr. Vaishampayan ran down the department. Another honourable member (Mr. Kamat) advocated the discontinuance of the prohibition policy and wanted the Government to lay down a fresh and new policy. (*An honourable Member:* "As in America".) The Americans tried to make their country dry but failed miserably. Steamer loads of brandy, whisky and other intoxicants were brought in and smuggled into the country. I would like to ask the honourable member Dr. Vaishampayan whether he would like that state of affairs in this country or whether he would like to give free choice to the people and do what they think the best for them. I am aware that the high class people among the Hindus are addicted in these days to this vice of drinking who are strictly prohibited by their religion and custom. There are hundreds and thousands of such high caste people of those classes in Bombay and Poona and other big cities in the Presidency. I am ashamed to say that my friends of the so-called high classes of the Hindus put to shame the intermediate and the backward classes in drinking. I would advise my honourable friend to go to such people and tell them that this habit of drinking is bad for them and their religion and custom do not permit them to drink. It is a sin for them to drink. If that is done, the battle will be won at least to some extent. The money from this source goes to the benefit of higher education of the advanced classes. It is really cruel on the part of Government to be partial to the advanced classes. They have been partial to the powerful majority, throughout in the past. They have neglected the Mahomedans, the depressed and the backward classes and always cared to look after the education and advancement, in every possible way, of the advanced classes in the past.

Before I resume my seat, I will refer to the Backward Classes Board. The Board has been working for the last two years. That Board was constituted as a result of a resolution which I brought forward, and I am thankful to the Government for having acceded to my request, and created this Board for the uplift of the Untouchables in particular. But what is the actual working of this Board? The Criminal Tribes Settlement Officer is the Backward Class Officer. Naturally, his sympathy would be for the criminal tribes and he would like to see his pet work successful. The result is that the interests of the untouchables and the backward classes are neglected. I have been asking for supervisors in each district from amongst the depressed or untouchable classes to look after the primary education and their progress in this direction. Sir, the Backward Classes Board is not doing the work for which it was appointed and if the Government is really anxious to do something substantial for these untouchable classes, then I would suggest to them

[Dr. P. G. Solanki]

that these criminal, aboriginal tribes, other backward classes and the wandering tribes should be grouped together and put under one independent officer, and the untouchables all grouped together should be put under another special and independent officer with his staff solely under him. Their budgets should be separated so that at the end of the year we may get a separate report specially for the "Untouchables" as in the case of the Mahomedans it is done in the Government reports annually. In that way we will be able to know how far we have progressed, in the betterment and uplift work all round in case of the untouchable classes. With these words, I resume my seat.

It being 7 p.m., the House adjourned till 2 p.m., on Wednesday, the 21st Februdry 1934.

BOMBAY : PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Wednesday, the 21st February 1934.

The Council re-assembled at the Council Hall, Bombay, on Wednesday, the 21st February 1934, at 2 p.m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present:

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr. A. B.
ADVANI, Mr. P. B.
AMBEDKAR, Dr. B. R.
AMINUDDIN, Mr. SAIYID
ASAVALE, Rao Bahadur R. S.
BAKHALE, Mr. R. R.
BANGI, Mr. A. K. J.
BELL, the Honourable Mr. R. D.
BIRADAR, Sardar MAHABOOBALI KHAN
BOLE, Rao Bahadur S. K.
BULLOCKE, Mr. A. GREVILLE
CHIKODI, Mr. P. R.
CHITALE, Rao Bahadur G. K.
CLEE, Mr. C. B. B.
COLLACO, Dr. J. A.
COOPER, the Honourable Khan Bahadur D. B.
COVERNTON, Mr. S. H.
DAVIS, Mr. G.
DESAI, Rao Saheb B. G.
DESAI, Mr. H. R.
DESAI, Mr. S. B.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
D'SOUZA, Dr. J. ALBAN
EWBANK, Mr. R. B.
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GARRETT, Mr. J. H.
GAZDAR, Mr. MAHOMED HASHIM
GHULAM HUSSAIN, the Honourable Sir
GILDER, Dr. M. D.
GOKHALE, Mr. L. R.
GOVER RORA, Mr.
JITEKAR, Mr. HAJI IBRAHIM
JOG, Mr. V. N.
JONES, Major W. ELLIS
KAMAT, Mr. B. S.
KAMBLI, the Honourable Dewan Bahadur S. T.
KARBHARI, Mr. M. M.

LANE, Mr. C. M.
LELY, Mr. W. G.
MACKIE, Mr. A. W. W.
MAXWELL, Mr. R. M.
MEHERBAKSH, Khan Bahadur S.
MEHTA, Mr. M. H.
MITHA, Mr. MAHOMED SULEMAN CASSUM
MODAK, Rev. R. S.
MODI, Sardar Davar T. K.
MORE, Mr. J. G.
NAVLE, Rao Bahadur N. E.
OWEN, Mr. A. C.
PARULEKAR, Rao Bahadur L. V.
PATEL, Khan Bahadur A. E.
PATEL, Mr. BHAILAL SARABHAI
PATEL, Mr. C. N.
PATEL, Khan Bahadur VALI BAKSH A.
PATIL, Dewan Bahadur D. R.
PATIL, Mr. N. N.
PATIL, Mr. V. N.
PETIT, Mr. J. B.
PRADHAN, Rao Bahadur G. V.
PRATER, Mr. S. H.
RAHIMTOOLA, Mr. HOOSENALLY M.
RESALDAR, Mr. A. K.
ROOSE, Mr. F. O. J.
SERVAI, Mr. A. E.
SHAIKH ABDUL AZIZ, Mr.
SHAIKH ABDUL MAJID, Mr.
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SHINDE, Mr. R. B.
SINDHA, Mr. MADHAVSANG JORBHAI
SMART, Mr. W. W.
SOLANKI, Dr. P. G.
SURVE, Mr. A. N.
SURVE, Mr. V. A.
THAKOR OF KERWADA, Sardar BHASAHEB RAISINHJI
TOLANI, Mr. S. S.
TURNER, Mr. C. W. A.
VAISHAMPAYAN, Dr. V. G.
VAKIL, Mr. PESTANSHAH N.
VANDEKAR, Rao Bahadur R. V.
WADKE, Mr. B. P.

STARRED QUESTIONS AND ANSWERS.

STUDY OF JAPANESE SYSTEM OF EDUCATION.

*Rao Bahadur S. K. BOLE: Will the Honourable Minister for Education be pleased to state—

(*a*) whether an Indian I. E. S. Officer of the Bombay Educational Department visited Japan during the period of his leave with the special object of studying the Japanese system of education;

(*b*) if so, what is the name of that Officer;

(*c*) when he visited Japan;

(*d*) whether he has submitted a report on the subject;

(*e*) if so, how Government propose to deal with it;

(*f*) whether Government are considering it along with the report submitted by the Committee appointed in 1927?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*), (*b*) and (*c*) Government have no official information on the subject, but it is understood that Mr. K. S. Vakil, I.E.S., retired Educational Inspector, Southern Division, spent a part of his leave in Japan in 1927-28.

(*d*) No.

(*e*) and (*f*) Do not arise.

Mr. V. N. JOG: Have the Government seen the report, though it has not been officially submitted to them?

The Honourable Dewan Bahadur S. T. KAMBLI: No, Sir.

CANCELLATION OF GOVERNMENT RESOLUTION, REVENUE DEPARTMENT, No. L.C. 2274, DATED 24TH JUNE 1926.

*Mr. R. R. BAKHALE for Rao Bahadur R. R. KALE (Bombay University): Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) whether it is a fact that Government charge inamdars for collecting the Local Funds of their inam villages according to Resolution No. L.C. 2274, dated 24th June 1926, and therefore it is not deducted from the cess payable to the District Local Board;

(*b*) if so, whether in view of the answer given to a question asked by Mr. L. R. Gokhale, M.L.C., Poona, and printed on page 337 of Volume XXXVI of the Bombay Legislative Council Debates that Government charge only local boards for collection of Local Fund cess in inam villages and not inamdars, the above Resolution of 1926 is cancelled;

(*c*) if so, when;

(*d*) if not, whether Government intend to cancel the same?

The Honourable Sir GHULAM HUSSAIN: (*a*) Yes. This is the general practice. But a few instances of double recovery have come to light. Orders are being issued to avoid this in future.

(*b*) No. Government regret that the reply referred to was incorrect. The correct answer is as stated in the replies to clauses (*c*) and (*d*) of the honourable member's question on the same subject printed at page 301 of Volume XXII of the Bombay Legislative Council Debates.

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

ABDUCTION OF HINDU WOMEN IN SIND.

*Dr. V. G VAISHAMPAYAN for Rao Saheb P. D. KULKARNI (Poona District): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether Government are aware that during the course of one year there occurred three cases of abduction of Hindu women in Shikarpur (Sind) alone and that many more similar incidents also occurred in the other districts of Sind;

(*b*) how many cases of abduction of Hindu women occurred in Sind during the last year;

(*c*) how many of the offenders could be found out by the police;

(*d*) what steps Government propose to take to find out the facts connected with the crimes committed in Shikarpur and in other places in the Sukkur District and to ensure safety of person to the Hindus in Sind;

(*e*) whether Government have considered the suggestion of the Editor of the *Sindvasi* to detect the plans and machinations of the culprits with the aid of a strong C. I. D. Officer like Mr. Sukhia; if so, with what result;

(*f*) whether Government expect the District Magistrate, Sukkur, to find out the crimes without the aid of the C. I. D.;

(*g*) if so, what steps the District Magistrate is taking in the matter and with what result?

The Honourable Mr. R. D. BELL: (*a*) Yes.

(*b*) 20 cases. But four cases were classified as maliciously false and one was compromised.

(*c*) Thirty-one.

(*d*) to (*g*) The Police investigated the crimes reported to them with the assistance of the Sind C. I. D. and the accused, where traced, were arrested and committed to the Sessions Court. Every effort is made to find out the missing persons.

Mr. S. S. TOLANI: It is said in reply to (*b*) that 20 cases have occurred during the last year. There was another question on the subject standing in my name in the second list, but unfortunately I was not present yesterday to ask the question. In reply to that question it is stated that 4 cases have occurred. May I know which of the statements is correct and at what places these 20 cases have occurred?

The Honourable Mr. R. D. BELL: The honourable member is now going back to the second list. I would be quite prepared to answer him if that question in the second list is allowed to be taken up today.

Mr. S. S. TOLANI: The question appeared in the question list yesterday, but I was not present to ask it and I am not asking any supplementary question on that.

The Honourable Mr. R. D. BELL: The honourable member was not present yesterday. The question was never asked, and it does not perhaps exist now.

Mr. S. S. TOLANI: I want to know which statement is correct—whether the number of cases that has occured is 4 or 20, and if 20 cases have occurred I would like to know at what places these 20 cases have occurred.

The Honourable Mr. R. D. BELL: I think if the honourable member reads the two questions, he will see they are quite reconcilable.

The Honourable the PRESIDENT: The question has not been put nor answered yesterday. I would, however, ask the honourable member to refer to yesterday's list. The point would be simplified that way.

The Honourable Mr. R. D. BELL: The question is, how many cases of abduction of Hindu women occurred in Sind during the last year, and the answer is, 20 cases.

Mr. S. S. TOLANI: I want to know where these 20 cases have occurred.

The Honourable the PRESIDENT: In Sind.

Mr. S. S. TOLANI: Yes, but in which towns and cities?

The Honourable Mr. R. D. BELL: The honourable member must give notice of a question of that kind.

CREATION OF THE POST OF ASSISTANT INSPECTOR OF SCHOOLS, NORTHERN DIVISION.

*Dr. V. G. VAISHAMPAYAN for Rao Saheb P. D. KULKARNI (Poona District): Will the Honourable Minister for Education be pleased to state—

(*a*) whether it is a fact that the Inspector of Schools, Northern Division, used to manage the work of the division himself so far;

(*b*) if so, why the new post of an Assistant to the Inspector, Northern Division, was created?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) Yes.

(*b*) The post of Assistant Inspector was created not with a view to afford relief to the Educational Inspector, Northern Division, but partly with a view to strengthening the superior inspecting staff as a whole and partly because there was no reserve in the superior inspecting line for leave or sickness. Nor was there any provision for training men to succeed to these posts, the importance of which to the efficient working of the educational system as a whole can scarcely be exaggerated. The post has recently been attached to the Central Division for administrative reasons and is liable to be transferred to any other divisional inspectorate.

DISTRICT SCHOOL BOARD, NASIK: HIRING OF BUNGALOW FROM MEMBER.

*Dr. V. G. VAISHAMPAYAN for Rao Saheb P. D. KULKARNI (Poona District): Will the Honourable Minister for Education be pleased to state—

(*a*) whether it is a fact that the District School Board, Nasik, has hired a bungalow belonging to Mr. Khateeb, a member of the school Board and occupied it since 1st May 1933;

(*b*) whether it is a fact that the application offering the bungalow on hire to the District School Board for their office was made by Mr. Khateeb in October 1932, when he was actually occupying the same;

(*c*) whether Government are aware that the bungalow was transferred by Mr. Khateeb in the name of his brother on 13th February 1933 to evade disqualification;

(*d*) if so, what action Government propose to take in the matter?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) Yes. It was hired from Mr. Mahomed Saheb Badesaheb Khateeb, who is not a member of the District School Board, Nasik.

(*b*) The application offering the bungalow on rent to the District School Board, Nasik, for office purposes was made by Mr. Mahomed Saheb Khateeb in November 1932. It is not known whether the same Mr. Khateeb was occupying it in October 1932.

(*c*) It is not known whether the bungalow originally belonged to Mr. Shaikhanmiya Badesaheb Khateeb, who is a District School Board member, and whether he transferred it to his brother on 13th February 1933. The attention of the Honourable Member is however invited to the provisions of Primary Education Rule 13 (2) (*a*).

(*d*) Does not arise.

DISTRICT LOCAL BOARD, POONA: ADDRESS TO HIS EXCELLENCY THE GOVERNOR OF BOMBAY.

*Dr. V. G. VAISHAMPAYAN for Rao Saheb P. D. KULKARNI (Poona District): Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) whether Government are aware that the financial position of the Poona District Local Board is not sound;

(*b*) whether it is a fact that the Collector of Poona refused to give his previous concurrence to the amount of Rs. 500 which was proposed by that Board to be spent in giving an address to His Highness the Maharaja Gaekwar of Baroda on the 18th April 1933 on the ground that the financial position of the Board was not sound;

(*c*) whether it is a fact that the same Collector was pleased to accord his previous concurrence to the amount of Rs. 500 which was proposed to be spent by the same Board in giving an address to His Excellency the Governor of Bombay in the month of September or October 1933;

(*d*) if so, why such difference was made by the Collector in the latter case?

The Honourable Khan Bahadur D. B. COOPER: (*a*) The financial position of the District Local Board, Poona, is not at present unsound.

(*b*) The Collector pointed out to the Board that with their then unsound finances, they could not afford to spend large sums on such ceremonies and advised the Board to cut down the expenditure on this account from Rs. 500 to Rs. 100. The Board actually spent Rs. 263 which the Collector subsequently sanctioned.

(*c*) Yes.

(*d*) The address to His Highness the Gaekwar was a matter of mere courtesy without any basis in utility, and the expenditure was incurred at a time when the Board's financial position was at a very low point. The address to His Excellency the Governor was presented at a time when the finances of the Board had improved. The address to the Head of Government is primarily a means of bringing the Board's difficulties prominently and personally to the notice of Government, of which the Board is an integral part.

Mr. G. S. GANGOLI: In (*b*) it is stated that on the 18th April 1933 the financial position was not sound, but in (*c*) it is stated that in September or October 1933 the financial position had improved. What is the financial year for that District Local Board?

The Honourable Khan Bahadur D. B. COOPER: April to March.

Mr. G. S. GANGOLI: Where is the difference between these two periods in the same financial year and in the same budget?

The Honourable Khan Bahadur D. B. COOPER: When the first application was made, the board had practically no money in their balances.

Mr. G. S. GANGOLI: What is the basis for saying that the board had no money on 18th April 1933, but the financial position had improved by September of the same year?

The Honourable Khan Bahadur D. B. COOPER: In December 1932 the board had no money at all. They had applied for a loan from Government to the extent of a lakh of rupees. That was not the case when the second application was received.

Mr. G. S. GANGOLI: But the first case was on 18th April 1933, not in December?

The Honourable Khan Bahadur D. B. COOPER: It is a difference of a few months only. It is not the question of a year.

Mr. G. S. GANGOLI: But it was during the period of the same budget?

The Honourable Khan Bahadur D. B. COOPER: Yes.

RELIEF TO DISTRESSED BHILS IN PANCH MAHALS.

*Mr. M. H. MEHTA (Panch Mahals District): Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) whether Government are aware that there was a total or a partial failure of crops in the year 1932–33 in the Dohad and Jhalod Mahals of the Panch Mahals District;

(*b*) whether Government are aware that the Bhils—the agricultural population of the two Mahals—felt starvation from the month of March 1933;

(*c*) whether Government are aware that very little quantity of food stuff was left in their huts after they paid the Government assessment for the year;

(*d*) whether Government are aware that there was clamour for food and labour throughout the Prant (Eastern) in the months of March, April, May, June and July 1933;

(*e*) whether Government were informed by the Collector about the serious situation prevailing in these two talukas;

(*f*) if so, when and what steps were taken by them to relieve the distressed;

(*g*) whether it is a fact that the Panch Mahals Local Board took the initiative and started scarcity works; if so, when;

(*h*) the average number of labourers employed by the Board during the months of March, April, May, June and July and the amount spent by them till 31st July 1933;

(*i*) whether Government paid any special grant to the Board to meet the extra expenditure; if so, how much;

(*j*) whether the Dohad Municipality had to open scarcity works; if so, what was the average number of labourers employed by them and what was the amount spent by them till 31st July 1933;

(*k*) whether Government started any famine or scarcity works; if so, when and how long they continued and what was the average number of labourers employed by them and what amount was spent;

(*l*) whether Government are aware of the popular belief that they failed to give timely aid to the starving people;

(*m*) why famine was not declared in those two Mahals?

The Honourable Sir GHULAM HUSAIN: (*a*) There was a partial failure of crops in 1932-33.

(*b*), (*c*) and (*d*) The situation was not so bad as is depicted by the honourable member. The correct position was as shown below. On account of the general economic depression it was considered likely that some Bhils would require help in the form of provision of labour, etc. Some of them were found to be without adequate resources for want of employment. In consequence, steps were taken to provide them with labour as well as gratuitous relief where necessary. They required relief from about 1st April 1933. Necessary funds were provided by the Collector from time to time from the Famine Relief Fund at his disposal for relief of distress. Relief works were also opened by the Public Works Department and the District Local Board.

(*e*) Yes.

(*f*) The measures taken by the local officers are set out in the Press Notes issued from time to time.

(*g*) The works in question were started almost simultaneously with the Public Works Department works.

(*h*) This information is given below :—

Month.	Average number of labourers.
	Rs.
March	*Nil.*
April	*Nil.*
May	983
June	3,295
July	833

The Board spent Rs. 11,197 by 31st July, 1933.

(*i*) Yes. A special grant of Rs. 7,265 (made up of Rs. 2,500 for water supply and Rs. 4,765 for road repairs) was made to the Board in addition to the ordinary grant of Rs. 23,500.

(*j*) The Municipality opened two relief works and spent about Rs. 2,641-9-9. The average attendance on these works was about 400.

(*k*) Relief works were opened by the Public Works Department at the following places from the dates shown against each. Information regarding the dates up to which they were continued, the average number of labourers employed and the amount spent on each work is furnished below :—

—	Date from which the work was started.	Date up to which continued.	Average number of labourers employed.	Amount spent.
				Rs. a. p.
Panchwada.. ..	15th April 1933	24th April 1933	411	257 8 0
Chhapri	3rd April 1933	21st April 1933	160	308 12 0
Pat	5th April 1933	21st April 1933	120	143 2 0
Patiazol	4th April 1933	30th April 1933	276	189 13 0
Sampoi .. } Jhatwa .. }	5th April 1933	In progress till November 1933.	48	302 12 0
Limdi bungalow quarry.	5th April 1933	12th April 1933	24	11 14 0

(*l*) There is no basis for such an assumption.

(*m*) In the opinion of Government, the conditions were not so acute as to justify a formal declaration of famine or scarcity.

RELIEF TO DISTRESSED BHILS IN PANCH MAHALS.

*Mr. M. H. MEHTA (Panch Mahals District): Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) whether Government were informed by the Taluka Officers of the Dohad and Jhalod Mahals that the Bhil population of the said Mahals required relief;

(*b*) if so, when they were informed;

(*c*) whether they were also informed that the scarcity works opened by the Panch Mahals Local Board and Dohad Municipality were not enough to supply labour to the thousands of starving people;

(*d*) whether they are aware that private agencies began to give doles at Jhalod, Limdi and Dohad early in the month of April;

(*e*) whether this help was supplemented by the Mamlatdar and Mahalkari of the talukas;

(*f*) what quantity was distributed by the private agencies and the Mamlatdar and Mahalkari in the months of April and May;

(*g*) what amount was sanctioned by the Collector to be spent by these officers in giving relief to the distressed;

(*h*) whether Government are aware that the amounts sanctioned were found to be too small, looking to the gravity of the situation;

(*i*) whether any additional amount was sanctioned; if so, what amount;

(*j*) whether Government are aware that the attention of the public in general was drawn by the Bombay Humanitarian League to the starving condition of the Bhils in these Mahals;

(*k*) whether Government are aware that the Bhil Seva Mandal distributed doles in the month of July to nearly 30,000 starving Bhils, with the help of the League?

The Honourable Sir GHULAM HUSSAIN: (*a*) No report was made by taluka officers direct to Government. When the Collector camped at Dohad in February 1933 it was brought to his notice that the Bhils would require some relief from 1st April 1933, and action was taken to meet the situation.

(*b*) Does not arise.

(*c*) No. Necessary relief works were opened by the Public Works Department, District Local Board and the Dohad Municipality. Gratuitous relief was granted where necessary.

(*d*) It is true that private agencies distributed doles but exact information regarding the date is not available.

(*e*) and (*f*) The Mahalkari of Jhalod arranged for the collection of grain from some philanthropic persons which was distributed to the needy.

(*g*) Various amounts were sanctioned from the Famine Relief Fund at the disposal of the Collector. The Taluka officers were instructed to ask for money according to the necessity. All their demands were fully met. The total amount spent on such relief amounted to Rs. 2,310.

(*h*) and (*i*) No. All necessary steps were taken to relieve the distress. Necessary funds were sanctioned from time to time as soon as they were asked for by the Taluka officers.

(*j*) Government are aware that the League issued a statement to the Press on the subject.

(*k*) It is true that the Bhil Seva Mandal distributed some doles to the Bhils, but Government have no information regarding the number of persons who took advantage of them.

BOMBAY SMALL CAUSE COURT JUDGES AND PRESIDENCY MAGISTRATES: LATE ATTENDANCE.

*Mr. N. N. PATIL (Kolaba District): Will the Honourable the Home and General Member be pleased to state—

(a) whether Government are aware that some of the Judges in the Bombay Small Cause Court as well as some of the Presidency Magistrates attend the Courts very late and that some of them do not actually commence their court work before 12 noon;

(b) if so, what steps Government propose to take in this matter to prevent their late attendance?

The Honourable Mr. R. D. BELL: (a) No. Judges of the Bombay Small Cause Court and Presidency Magistrates attend their Courts at the scheduled time but some of them have to do some chamber work, which does not generally occupy them for more than 10 to 15 minutes, before actually taking their seats in the Courts.

(b) Does not arise.

Mr. N. N. PATIL: Is it not a fact that the Presidency Magistrate at the Dadar Court usually comes at 12 noon?

The Honourable Mr. R. D. BELL: Yes, Sir; I think that is correct.

SMALL CAUSE COURT, BOMBAY: COMMISSIONS TO EXAMINE WITNESSES.

*Mr. N. N. PATIL (Kolaba District): Will the Honourable the Home and General Member be pleased to state—

(a) whether it is a fact that commissions issued for the examination of witnesses by the Small Cause Court, Bombay, and other mofussil Courts and sent for execution to the Small Cause Court, Bombay, are entrusted to pleaders on remuneration;

(b) whether it is a fact that the commissions are generally distributed amongst the relatives of the Judges of the Small Cause Court, Bombay;

(c) the total number of such commissions issued and executed in the Small Cause Court, Bombay, the total number of commissions that had been entrusted to the relatives of the Judges and the amount of fees drawn by those commissioners who happened to be the relatives of the Judges during the last two years?

The Honourable Mr. R. D. BELL: (a) The commissions issued by mofussil Courts for the examination of witnesses and sent for execution to the Small Cause Court, Bombay, are entrusted to pleaders on remuneration. No commissions are issued by the Small Cause Court, Bombay, for the examination of witnesses in Bombay in suits pending in that Court.

(b) No. The commissions issued by mofussil courts are addressed to the Chief Judge and he alone distributes them amongst the members of the Bar.

(c) The total number of mofussil commissions in 1931 and 1932 was 584 out of which 39 were entrusted to relatives of the Judges. The total amount of fees paid to these relatives was Rs. 1,115.

Mr. N. N. PATIL: With regard to (*b*), I want to know whether these mofussil courts send their recommendations to the Chief Judge as to how the commissions should be distributed.

The Honourable Mr. R. D. BELL: I do not think so.

Mr. N. N. PATIL: With regard to (*c*), out of the total number of commissions, 39 were entrusted to the relatives of the Judges. I want to know whether these relatives were practising pleaders in the courts of the respective Judges.

The Honourable Mr. R. D. BELL: I think so, but unless notice is given, I cannot speak with accuracy.

BOMBAY SMALL CAUSE COURT DECISIONS: APPEALS TO HIGH COURT.

*Mr. N. N. PATIL (Kolaba District): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether it is a fact that the number of suits has fallen within the last two years in the Bombay Small Cause Court;

(*b*) whether Government are aware that this fall in the number of suits is due to lack of facilities for appeal to the High Court from the decisions of the Small Cause Court Judges;

(*c*) if there is a fall in the number of suits, why the same number of Judges is still maintained;

(*d*) whether Government are aware that the litigants in the Bombay Small Cause Court are considerably handicapped for want of appeals to the High Court;

(*e*) if so, whether Government intend to recommend to the High Court the necessity and the advisability of framing rules to enable the litigants to prefer appeals to the High Court against the decisions of the Bombay Small Cause Court Judges at least in suits involving claims from Rs. 1,000 to Rs. 2,000?

The Honourable Mr. R. D. BELL: (*a*) Yes.

(*b*) No.

(*c*) Because the fall is expected to be only temporary and because even the reduced number of suits filed during each of the last two years exceeded that which led to a sixth Judgeship being created.

(*d*) No.

(*e*) Does not arise.

THOMAS COMMITTEE'S RECOMMENDATIONS.

*Mr. J. B. PETIT (Bombay Millowners' Association): Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) whether the examination of all the recommendations of the Thomas Committee's Report has now been completed;

(*b*) whether any further decision may still be expected;

(*c*) if so, when it is likely to be published and what will be the extent of the further saving that may be effected in consequence?

The Honourable Sir GHULAM HUSSAIN: (*a*), (*b*) and (*c*) Government have done as much on the Committee's report as they are likely

to be able to achieve in the near future. Proposals on which definite orders have not yet been passed will not be allowed to lapse, but Government cannot state that by any particular time any particular further saving will be realised.

Mr. J. B. PETIT: Cannot the Government give the House any idea as to when the next instalment of savings is likely to be made?

The Honourable Sir GHULAM HUSSAIN: Government have already taken action on most of the recommendations of the Retrenchment Committee, and are dealing with the few that are remaining. They are complicated questions, and it will take some time to come to a decision on them.

ABOLITION OF ROAD TOLLS.

*Mr. J. B. PETIT (Bombay Millowners' Association): Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) what the present intentions and plans of Government are on the question of the abolition of road-tolls;

(*b*) whether any progress has been made in the direction of the readjustment and consolidation of all the existing imposts on vehicles, both provincial and municipal, throughout the Presidency, which were at one time contemplated;

(*c*) if so, what will be the nature and ultimate result of such readjustment and consolidation; and

(*d*) the approximate date when the same are likely to be put into effect?

The Honourable Khan Bahadur D. B. COOPER: (*a*), (*b*) and (*c*) Government have had under examination various proposals to replace tolls by some other form of taxation on usage of roads but have as yet arrived at no final decision in the matter. The existing road tolls will in these circumstances continue to be levied pending decision as regards their abolition or replacement by some other form of taxation.

(*d*) No definite date can be stated.

EXPENDITURE ON PRIMARY EDUCATION IN SIND.

*Mr. SHAIKH ABDUL MAJID (Karachi District): Will the Honourable Minister for Education be pleased to state—

(*a*) whether it is a fact that "Of the total expenditure from provincial revenues on primary education in 1925-26 Sind obtained only one-fourteenth, although the population is one-sixth of the total of the presidency" as is stated on page 213, Chapter IX, of the Interim Report of the Indian Statutory Commission (published 1929);

(*b*) whether since the publication of the above report, Government have taken any measures to increase the grants of the local bodies in Sind for the furtherance of the cause of education of Mahomedans in rural areas;

(*c*) the total grants given by Government for primary education during each of the years 1929-30, 1930-31, 1931-32 and 1933-34;

(*d*) the total expenditure incurred by Government during each of those years on primary education in the Presidency proper;

(*e*) the total expenditure incurred by Government during each of those years on primary education in Sind;

(*f*) the proportion of the expenditure on primary education in Sind to that of the Presidency proper?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) No. Sind got 14 per cent. or 1/7th of the total expenditure.

(*b*) The grants to Local Bodies in Sind have not been increased, but the capitation cost to Government in Sind is much higher than in the Presidency. Government also aid directly over 800 Mulla schools. This aid relieves the local authorities of expenditure which otherwise they would have been called upon to incur. The total expenditure on Mulla schools is over 4 lakhs of rupees.

(*c*) The subjoined statement gives the information required:—

Year.	Total Government grant to Local Authorities for primary education.	
	Recurring.	Non-recurring.
	Rs.	Rs.
1929–30	1,25,77,675	95,552
1930–31	1,29,74,957	39,245
1931–32	1,21,07,863	21,700

The figures for 1933–34 cannot be given as the year has not yet closed.

(*d*) and (*e*) The following table gives the figures required:—

Year.	Total expenditure from Provincial Revenues.		Expenditure in the Presidency Proper.		Expenditure in Sind.	
	Recurring.	Non-recurring.	Recurring.	Non-recurring.	Recurring.	Non-recurring.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
1929–30 ..	1,28,62,713	95,552	1,09,88,847	15,966	18,73,866	79,586
1930–31 ..	1,33,26,783	39,245	1,13,38,194	24,356	19,88,589	14,889
1931–32 ..	1,24,69,816	21,700	1,05,16,785	19,700	19,53,031	2,000

These figures include Grants to Local Authorities and to approved schools aided direct by Government and expenditure on Government Primary schools.

The figures for 1933–34 are not yet available.

(*f*) Roughly 1 to 6.

RELIEF TO DISTRESSED BHILS IN PANCH MAHALS.

*Mr. A. N. SURVE (Bombay City, North): With reference to the Press Note, No. P. 189/10th July 1933, issued by the Director of Information, Bombay, will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) since when the need of relief was felt by the Bhils in Panch Mahals;

(*b*) when it became apparent to the Government authorities;

(*c*) the dates on which the works mentioned in the Note were commenced;

(*d*) the daily wage offered to the persons employed on these works;

(*e*) whether the necessaries of life are sold to these workers by Government or by semi-Government agency;

(*f*) whether the persons, who have left the works since the beginning of rains, are employed on their own fields or as agricultural labourers; if the latter, what daily wage they receive;

(*g*) on what do these Bhils who have left the works to attend to their own agricultural work maintain themselves;

(*h*) the maximum number of persons employed on any one day on these works and the number of persons employed on the date on which the Press Note was issued;

(*i*) what relief is given to the children, the aged and the sick who are unable to work?

The Honourable Sir GHULAM HUSSAIN: (*a*) and (*b*) The attention of the Honourable Member is invited to the reply given to clause (*a*) of Mr. M. H. Mehta's question* at the current session.

(*c*) The dates on which the various Local Board works were started are given below:—

Name of work.	Date.
Local Board—	
Dohad-Jhalod Road	22nd April 1933.
Jhalod-Kushalgarh Road ..	25th April 1933.
Patiazol	20th May 1933.
Nelsar	27th May 1933.
Himala	20th May 1933.
Mirakhedi	4th May 1933.
Kharwani	12th May 1933.
Nansalai	19th May 1933.
Chhayan	24th May 1933.

For similar information regarding the works started by the Public Works Department, the Honourable Member is referred to the reply given to clause (*b*) of Mr. M. H. Mehta's question* at the current session.

*Printed in to-day's Debates.

(*d*) The Public Works Department paid at the rate of Rs. 2-8-0 to Rs. 3 per 100 cubic feet of metal broken, while the District Local Board paid annas 2, 1½ and 1 a day to males, females and children, respectively, for tank work, and at the rate of Rs. 2 to Rs. 2-8-0 per 100 cubic feet of metal broken and 6 to 8 annas per 100 cubic feet of earth dug.

(*e*) As the necessaries of life were easily obtainable locally, it was not necessary to take any action on these lines.

(*f*) Most of them have their own lands, and do their own field work. A few of them who are landless obtained wages from 2 to 2½ annas as day-labourers.

(*g*) With the advent of the rains the credit of the Bhil agriculturists was restored. The Sowkars advanced them grain for food to be recovered at the time of harvest. In order to tide over the difficult period, they were also given necessary relief from the District Famine Relief Fund. The Bhil Seva Mandal, Dohad, and the Relief Committee, Jhalod, also helped them.

(*h*) The maximum number of workers on any one day and the number of workers employed on the date of the Press Note are as shown below :—

Name of works.	Maximum number of workers.	Number of workers on 10th July 1933 i.e, the date of Press Note.
Panchwada	500	There were no workers on these works as they were closed by this date.
Chhapri	254	
Pat	205	
Patiazol	500	
Sampoi	78	
Dohad-Jhalod Road	500	148
Jhalod-Khushalgarh Road	721	294
Patiazol	276	Work completed.
Nelsur	310	Work completed.
Himala	155	Work completed.
Mirakhedi	748	Work completed.
Kharwani	647	Work completed.
Nansali	642	Work completed.
Chhayan	313	Work completed.

(*i*) Gratuitous relief was given to them from the District Famine Relief Fund. The Bhil Seva Mandal also assisted them.

DISTRESSED BHILS IN PANCH MAHALS.

* Mr. A. N. SURVE (Bombay City, North): Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) the number of Bhils who are affected by the distress in the Dohad Taluka and Jhalod Mahal of the Panch Mahals District;

(*b*) how the amount of Rs. 1,200 sanctioned by Government for gratuitous relief is to be distributed, and the number of persons it is likely to relieve ?

The Honourable Sir GHULAM HUSAIN: (*a*) Information regarding the exact number of Bhils who were affected by the depression is not available.

(*b*) The total amount sanctioned for gratuitous relief from the District Famine Relief Fund by the Collector was Rs. 2,310 and not merely Rs. 1,200. Government did not make any special grant for the purpose. This amount was utilized in supplying grain to about 3,200 persons.

COTTAGE AND BEAM WARPING AND SIZING MACHINES.

*Mr. V. A. SURVE (Ratnagiri District): Will the Honourable Minister for Education be pleased to state—

(*a*) whether it is a fact that the Department of Industries prepares cottage warping and sizing set and beam warping and sizing machines;

(*b*) if so, how many such machines were sold during the last three years?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) The Department of Industries has designed warping, winding, sizing and other weaving machines.

(*b*) The Department does not manufacture or sell machines. The intention of the Department is to assist those who are interested in copying the designs and getting them manufactured through local carpenters under the supervision and guidance of the weaving staff. During the last 3 years they have thus introduced 8 cottage sizing sets and 105 improved beams.

Mr. J. G. MORE: May I know whether the machines devised by this department are to be sold or not, and if not, why not?

The Honourable Dewan Bahadur S. T. KAMBLI: They are simply designed; they are not for sale. Anybody interested can copy the designs and get the machines manufactured.

Mr. J. G. MORE: Does the Department sell any other machines manufactured by the Department?

The Honourable Dewan Bahadur S. T. KAMBLI: I would ask for notice of the question.

Mr. J. G. MORE: I want to bring to the notice of the Honourable Minister that in the reply given to part (*b*) of the next question it is stated that the machines are sold.

The Honourable Dewan Bahadur S. T. KAMBLI: The Honourable Member might wait till the question is reached.

Mr. J. G. MORE: The Department sell certain other machines. Why should not these machines be put up for sale?

The Honourable the PRESIDENT: When the next question is reached, that could be asked.

TECHNICAL SCHOOLS: INSPECTION BY DIRECTOR OF INDUSTRIES.

*Mr. V. A. SURVE (Ratnagiri District): Will the Honourable Minister for Education be pleased to state—

(*a*) whether it is a fact that from this year the Director of Industries is himself going to inspect the technical schools in the Presidency;

(*b*) if so, what amount he will draw annually for this work by way of travelling expenses, inspection fees and similar other charges;

(*c*) whether Government have considered the desirability of asking that officer to do the inspection work in addition to his duties without claiming extra remuneration ?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) The Director of Industries tours in the Presidency and Sind in the discharge of his duties. During the course of these tours he visits the various technical and industrial schools as opportunity offers.

(*b*) No extra expenditure is entailed as the visits are made during the course of his general tour. He draws travelling allowance under the ordinary rules but no inspection fees.

(*c*) The Director of Industries, being the controlling officer in regard to Technical and Industrial Education in the Presidency and Sind, is expected to inspect institutions to which grants-in-aid are made from his Department. No extra remuneration is granted to him for this work.

GOLD THREAD MACHINES.

*Mr. V. A. SURVE (Ratnagiri District): Will the Honourable Minister for Education be pleased to state—

(*a*) whether it is a fact that a gold thread machine has been invented by the Director of Industries which saves Rs. 2 lakhs yearly;

(*b*) if so, how many such machines were sold since its invention ?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) It is a fact that a new gilding machine was designed by the Department of Industries and demonstrated to the gold thread manufacturers at Surat and Poona. The exact saving effected by the introduction of this new machine cannot be given in terms of money. Several prominent gold thread manufacturers have written to state that with this improved machine there is an appreciable saving in the consumption of gold; the losses due to breakages have also been considerably reduced and there has been considerable improvement in the lustre and finish of the gold thread.

(*b*) Twenty out of a total of 70 gilding factories had purchased the new gilding machine up to the end of the year 1932–33.

Mr. J. G. MORE: In the reply to part (*b*) of the question it is stated that machines have been purchased, whereas in the former question the reply is that it is not the intention of the Government to sell machines. Why should they give one reply in one place and another reply in another place ?

The Honourable Dewan Bahadur S. T. KAMBLI: The reply is: "Twenty out of a total of 70 gilding factories had purchased the new gilding machine up to the end of the year 1932-33." It does not say that they were purchased from the Industries Department. In other words it is not stated in the reply that the Industries Department sold the machines.

Mr. B. S. KAMAT: Is it permissible for Government to take out a patent ?

The Honourable Dewan Bahadur S. T. KAMBLI: I should require notice of that question.

SUVALI-ICHCHAPUR ROAD IN SURAT DISTRICT: TRANSFER OF CONTROL.

*Mr. SYED MUNAWAR: Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) since how long the Bai Motlibai Wadia Suvali-Ichchapur Road has been kept in its present bad condition by the Taluka Local Board, Surat;

(*b*) whether Government intend transferring control of the road from the Taluka Local Board to the Public Works Department?

The Honourable Khan Bahadur D. B. COOPER: (*a*) The Suvali-Ichchapur road is maintained in fair condition by the Taluka Local Board, Olpad, so far as its finances allow.

(*b*) No. The road serves the local needs of villages around it and is not of general or provincial importance.

Mr. SYED MUNAWAR: The latter part of the answer to (*a*) suggests that the road is not maintained in a fair condition. May I know from the Honourable Minister for Local Self-Government whether he has received any representation from the people for the transfer of control of this road from the taluka local board to the Public Works Department or for improving the condition of the road in any other way?

The Honourable Khan Bahadur D. B. COOPER: I want notice of that please.

PIMPS IN BOMBAY CITY.

*Mr. SYED MUNAWAR: Will the Honourable the Home and General Member be pleased to state—

(*a*) the number of pimps and procurers convicted by the magistrates in Bombay city during the last two official years, viz. 1931–32 and 1932–33;

(*b*) the number of pimps convicted more than once;

(*c*) the number of pimps deported out of Bombay for having committed repeated offences under the Bombay Prostitution Act;

(*d*) whether any pimps were deported for a period of two years; if not, why not?

The Honourable Mr. R. D. BELL: (*a*) 14 in 1931–32 and 14 in 1932–33.

(*b*) One.

(*c*) One.

(*d*) It is assumed that the Honourable Member refers to action under section 9 (1) and (5) of the Bombay Prevention of Prostitution Act, 1923. It is the practice to order persons to remove themselves from Bombay City under this section only when they were not born in the City. No pimps have been deported because there has been no evidence of their native place.

NASIK CITY : SCHEME FOR WATER SUPPLY.

*Rao Bahadur R. V. VANDEKAR (Nasik District): Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) whether Government are aware that there is a great scarcity of water for the Nasik city;

(*b*) whether they are aware that the city Municipality has formulated a scheme for adequate water supply for the Nasik city, Nasik Road and Deolali Cantonment;

(*c*) whether they have received the scheme from the Municipality for their approval and whether they have sanctioned the same;

(*d*) if not, when they intend to do so;

(*e*) whether they have formulated any other scheme of their own or whether they have one under their contemplation;

(*f*) whether they intend to undertake the whole scheme?

The Honourable Khan Bahadur D. B. COOPER: (*a*) Yes.

(*b*) The Nasik Municipality itself has not formulated any scheme, but approved of what is known as the Waldevi water supply scheme, which was proposed by the Executive Engineer, Nasik Irrigation Division, and the Superintending Engineer, Deccan Irrigation Circle.

(*c*) No.

(*d*) Does not arise.

(*e*) The Superintending Engineer, Deccan Irrigation Circle, has been requested to undertake the survey for a storage tank on the Waldevi river and prepare alternative schemes for (*a*) water supply, and (*b*) water supply and irrigation.

(*f*) Till the schemes referred to in (*e*) above are received and considered by Government it cannot be said whether any of them will be undertaken by Government.

Rao Bahadur R. V. VANDEKAR: In reply to part (*b*) it is stated:

"The Nasik Municipality itself has not formulated any scheme, but approved of what is known as the Waldevi water supply scheme, which was proposed by the Executive Engineer....."

May I know whether Government are going to wait till they get any scheme from the municipality or whether they are going to undertake the scheme proposed by the Executive Engineer, Irrigation Works, without waiting for any scheme from the municipality?

The Honourable Khan Bahadur D. B. COOPER: No.

BOMBAY CITY : PUBLIC CONVEYANCES.

*Rao Bahadur R. V. VANDEKAR (Nasik City): Will the Honourable the Home and General Member be pleased to state—

(*a*) the number of horse drawn vehicles in the City of Bombay on the 1st of January 1922 and 1932 respectively;

(*b*) how many of them were public vehicles and private vehicles;

(*c*) the number of motor cars in the City on the 1st January 1922 and 1932 respectively;

(*d*) how many of them were private cars and how many were public cars?

The Honourable Mr. R. D. BELL: (*a*) to (*d*) A statement containing the information available is placed on the Council table. The information about the number of private horse-drawn vehicles is not available.

Statement showing the number of public horse-drawn vehicles, and public and private motor cars on the 1st January 1922 and 1932.

1	2	3	4	
Date.	Number of public horse-drawn vehicles.	Number of motor cars.	Private cars. (*a*)	Public cars. (*b*)
1st January 1922	2,497	7,438*	6,839*	599
1st January 1932	1,922	9,007	8,006	1,001

*These figures include also motor cycles and lorries for which separate figures are not available.

BOMBAY PUBLIC CONVEYANCES ACT: LICENSING OF HORSES.

*Rao Bahadur R. V. VANDEKAR (Nasik District): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether Government are aware that under section 8 of the Bombay Public Conveyances Act, 1920, the Commissioner of Police, Bombay, is empowered to issue licences in respect of horses to be used for ticca gharies;

(*b*) if so, whether any such licences were ever issued under that section by the Commissioner of Police, Bombay;

(*c*) if not, whether his attention was ever drawn to this fact?

The Honourable Mr. R. D. BELL: (*a*) Under section 8 of the Bombay Public Conveyances Act (VII of 1920) the Commissioner of Police, Bombay, is empowered to issue licences in respect of horses employed in drawing Hack Victorias licensed by him.

(*b*) Such licences are issued in the prescribed form but are retained in the Commissioner's office under the discretionary powers of the Commissioner of Police, Bombay, as prescribed in sub-section (5) of section 8.

(*c*) Does not arise.

BOMBAY CITY: NUISANCE OF HAWKERS.

*Rao Bahadur R. V. VANDEKAR (Nasik District): Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) whether it is a fact that the number of hawkers with baskets or handcarts is increasing every year and is causing great nuisance in the city of Bombay to public traffic;

(*b*) whether any principle is followed in granting them licences so as to limit their number and also to limit the area for which the licence is granted;

(*c*) whether Government are aware that in spite of the fact that several hawkers were prosecuted the nuisance has not still abated;

(*d*) the number of hawkers in Bombay with and without handcarts respectively;

(*e*) what steps, if any, Government propose to take to stop this nuisance to the City's traffic?

The Honourable Khan Bahadur D. B. COOPER: (*a*) Yes. The hawkers cause obstruction to traffic in some parts of the City.

(*b*) Under section 313-A of the City of Bombay Municipal Act, 1888, the power to issue licences to hawkers is vested in the Municipal Commissioner. The number of hawkers to whom licences are issued is not restricted. In the case of licences for stationary handcarts and hawkers in reserved areas the licensee is restricted to the particular stand for which the licence is issued. In the case of other hawkers the licensees are not permitted to hawk in certain parts of the City. Beyond this, the licences are valid for the whole City.

(*c*) Yes.

(*d*) The number of licensed hawkers with and without handcarts who are not restricted to reserved areas is 264 and 161 respectively.

The number of licensed hawkers who are located in reserved areas is as follows:—

Hawkers with handcarts	..	..	266
Hawkers without handcarts	..	..	1,435

(*e*) The whole subject has been thoroughly investigated by a Committee of the Corporation in consultation with the Commissioner of Police and the Municipal Commissioner and they submitted a report to the Corporation last July, suggesting the lines on which this problem should be dealt with. Their recommendations have been accepted by the Corporation. No steps on the part of Government seem to be called for.

Mr. G. S. GANGOLI: May I know what the report of the sub-committee of the Corporation is?

The Honourable Khan Bahadur D. B. COOPER: It is not with the Government.

Mr. G. S. GANGOLI: What is the intention of the questioner—whether he wants to restrict the hawkers? It is stated in the reply that a report was received by the Corporation. What sort of report was it? It seems to be a matter between the Honourable Minister and the honourable member Rao Bahadur Vandekar.

The Honourable Khan Bahadur D. B. COOPER: The report is not with Government.

Mr. G. S. GANGOLI: May I know whether any figures are available as to how the matter stands in Madras or Calcutta?

The Honourable Khan Bahadur D. B. COOPER: If the honourable member gives notice, we will find it out.

FARRIERS IN BOMBAY CITY.

*Rao Bahadur R. V. VANDEKAR (Nasik District): Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) whether Government are aware that a very incompetent class of persons is at present doing farrier's work in Bombay;

(*b*) whether they have received any representation from the Bombay Municipal Corporation for an amendment of the City of Bombay Municipal Act so as to allow only trained and licensed persons to do this kind of work?

The Honourable Khan Bahadur D. B. COOPER: (*a*) Government are aware that some of the persons doing the work of farriers in Bombay are not very skilled in their art, but they understand that farriers in Bombay as a class cannot be regarded as very incompetent.

(*b*) The City of Bombay Municipal Act III of 1888 was amended by Bombay Act XIX of 1930, *vide* clause (*e*) of sub-section (1) of section 394, on a representation received from the Corporation. Since that date no further representation has been received from the Corporation. Government understand that the question of framing suitable conditions for the licences contemplated in the above amendment has not yet been settled by the Municipal Commissioner.

Major W. ELLIS JONES: Have Government received any representation from the S. P. C. A. that the owners and drivers of bullocks are unnecessarily harassed by being prosecuted for working lame bullocks, when the same is entirely due to bad shoeing?

The Honourable Khan Bahadur D. B. COOPER: We have not received any such representation.

Major W. ELLIS JONES: Have Government received any reports from the police that they have many prosecutions due to this offence?

The Honourable Khan Bahadur D. B. COOPER: Government have not got any such report with them.

Major W. ELLIS JONES: Why not?

BOMBAY MUNICIPALITY: RENT AND LICENCE FEES FOR HAWKERS.

*Mr. B. P. WADKE (Bombay City, South): Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) whether Government are aware that the employees of the Bombay Municipality's encroachment department give cause for riot by snatching away the goods from the hawkers, without passing any receipt for the same or making any reference thereof;

(*b*) whether Government are aware that owing to such acts the owners of such goods are not likely to get back their property in the same condition in which it was before it was snatched away from them;

(*c*) whether Government are aware that the public is put to great inconvenience in passing by the streets and roads and in enjoying the recreation places in the city of Bombay;

(*d*) if so, whether they have considered the question as to whether the Bombay Municipality should or should not enjoy the income derived from hawkers and stall-board projectors on the streets, roads and recreation places in the form of rent and licence fees;

(*e*) the total income derived by the Municipality from the hawkers and stall-board projections in the form of rent, fines, unclaimed goods and eatables and licence fees during the years 1931–32 and 1932–33;

(*f*) on what principles the fines are imposed and their scales are fixed and by whom and how the perishable goods are returned after payment of such fines?

The Honourable Khan Bahadur D. B. COOPER: (*a*) Government are not aware that the employees of the Encroachment Department give cause for riot; but they are aware that the employees have been assaulted by angry hawkers.

The system of giving receipts has been tried in the past and was found impracticable. The law makes no provision for passing receipts for goods seized.

(*b*) Government understand that the goods are generally restored to the owners on payment of the prescribed fees for removal and storage. In the case of perishable goods not claimed and removed by the owners within 24 hours, the articles are sold and the proceeds credited to the Bombay Municipality under section 490 (3) of the City of Bombay Municipal Act.

(*c*) Some inconvenience is caused to traffic in certain busy thoroughfares, but no such inconvenience is reported to have been caused in any place of public recreation.

(*d*) The income from the hawkers' licences and permits for stall-boards is due to the Bombay Municipality, as the licences and permits in question are issued by that body under the City of Bombay Municipal Act.

(*e*) The total income derived by the Municipality from the hawkers and stall-boards is as under:—

	1931–32.	1932–33.
Hawkers.	Rs.	Rs.
Licence fees	78,484	73,077
Removal charges	17,016	17,813
Stall-boards.		
Licence fees	15,244	23,705
Fines	329	127

No rents are charged by the Municipality to hawkers or for stall-boards.

(*f*) The fines are imposed by the Magistrates in the exercise of the discretion vested in them. No scales of fines have been fixed.

Perishable goods removed by the municipal officers are taken to the municipal depôts at Sankli Street and Chimna Butcher Street, and are returned to the owners on application and on payment of the prescribed fees.

Mr. B. P. WADKE : It is stated in the reply to (*a*) " Government are not aware that the employees of the Encroachment Department give cause for riot ; but they are aware that the employees have been assaulted by angry hawkers." Were there not cases launched by the hawkers against municipal employees for assaulting them ?

The Honourable Khan Bahadur D. B. COOPER : Government have no more information than what is placed before the House.

Mr. B. P. WADKE : Are we to get the information from the municipal officers when we have tabled a question here ? I want to know from the Honourable Minister whether it is not a fact that the municipal employees, without any sympathy and without adhering to the law, assaulted the stall-holders and the hawkers ?

The Honourable Khan Bahadur D. B. COOPER : From the enquires made of the Corporation, it appears that angry hawkers assaulted the municipal employees.

Mr. B. P. WADKE : I want to know from the Honourable Minister whether it is not a fact that cases have been lodged in the courts by the hawkers and stall-holders for assault against the municipal employees ?

The Honourable Khan Bahadur D. B. COOPER : The honourable member is a member of the Corporation.

Mr. B. P. WADKE : I am not a member of the Corporation. As regards reply to (*c*) it is stated that " some inconvenience is caused to traffic in certain busy thoroughfares, but no such inconvenience is reported to have been caused in any place of public recreation ". Is it not a fact that a humble member like myself had asked a question that inconvenience under such circumstances was caused at Chowpatti and that the late Sir Rustom Vakil said that he would communicate with the municipality ?

The Honourable Khan Bahadur D. B. COOPER : The information at the disposal of Government is before the House.

Mr. B. P. WADKE : So, the information given is incorrect.

The Honourable Khan Bahadur D. B. COOPER : It is quite correct.

Mr. B. P. WADKE : I am giving facts and figures. In the Chowpatti sands hawkers are allowed and the public are inconvenienced.

The Honourable Khan Bahadur D. B. COOPER : It is the duty of the municipality.

Mr. B. P. WADKE : That is why I want information on the point.

The Honourable Khan Bahadur D. B. COOPER : Government cannot interfere with the municipal administration.

Rao Bahadur R. S. ASAVALE : May I give information to the honourable member, Sir ? It is on a resolution passed by the Corporation that licences are being issued to hawkers to hawk goods at the Chowpatti sands.

Mr. B. P. WADKE: As regards hawkers, the municipality is unnecessarily harassing the poor people. May I know whether the parking of motor cars in the streets is an obstruction and encroachment?

The Honourable Khan Bahadur D. B. COOPER: That does not arise out of this question.

Mr. B. P. WADKE: That is also a nuisance in the streets. I want to know whether Government are in a position to stop this nuisance.

The Honourable Khan Bahadur D. B. COOPER: It would be interfering with the internal administration of the Corporation which the Government do not want to do.

Mr. B. P. WADKE: As it is a public matter, I want to get information and satisfy the public. I want to know whether parking of motor cars in the streets is or is not a nuisance.

Rao Bahadur R. S. ASAVALE: I would give the information to the honourable member. The municipality have allowed the parking of cars in certain places in busy localities.

Mr. PESTANSHAH N. VAKIL: May I know in what capacity the honourable member Rao Bahadur Asavale is replying to these questions?

Rao Bahadur R. S. ASAVALE: With your permission, Sir, I would inform my honourable friend that the municipality have allowed motor cars to park at certain places in busy localities.

Mr. B. P. WADKE: Not only in certain places, but I see motor cars standing in front of every building in Hornby Road and accidents taking place every day.

The Honourable the PRESIDENT: There is no reply.

Mr. B. P. WADKE: Sorry.

UNSTARRED QUESTION AND ANSWER.

RACE COURSE TICKETS SUPPLIED TO MEMBERS OF THE LEGISLATIVE COUNCIL: COLLECTION OF ENTERTAINMENTS TAX.

Mr. HOOSENALLY M. RAHIMTOOLA (Bombay City): Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) whether Government received entertainment tax on the tickets supplied to members of the Legislative Council to go to the race course during the last session of the Legislative Council;

(*b*) if so, when, what amount and how many tickets were distributed?

The Honourable Sir GHULAM HUSSAIN: (*a*) and (*b*) If the tickets were supplied on payment, entertainment tax would have automatically been collected thereon. If on the other hand complimentary tickets were issued by the Western India Turf Club, the tax could not be levied. Government are not aware whether the tickets supplied to the M. L. Cs were on payment or complimentary and are unable to furnish the information asked for.

MAYOR'S GARDEN PARTY.

The Honourable the PRESIDENT : I should now like to refer to the letter of the Mayor which I read out yesterday. I would like to know the wishes of the House, so that I may give a reply.

Rao Bahadur R. S. ASAVALE : Sir, I suggest that we should adjourn at about 5 o'clock, so that we may have 15 minutes' time to go to the function.

Rao Bahadur S. K. BOLE : No, Sir ; we should adjourn at 4-30.

The Honourable Sir GHULAM HUSSAIN : If that is the desire of the other side of the House, we have no objection.

Khan Bahadur ABDUL LATIF HAJI HAJRAT KHAN : Sir, we do not agree.

The Honourable Sir GHULAM HUSSAIN : The 28th is a day for the discussion of demands for grants. If the other side of the House is prepared to forego their time, we have no objection.

Dr. V. G. VAISHAMPAYAN : I suggest, Sir, that we should meet earlier.

The Honourable the PRESIDENT : That is one of the days for the discussion of demands for grants. The honourable House should understand, as has been pointed out by the Honourable the Leader of the House, that the time given up would be from the time allotted for the discussion of demands for grants. There is a suggestion that we should meet earlier.

Mr. A. N. SURVE : Sir, we can make up for the time if we sit earlier.

The Honourable Sir GHULAM HUSSAIN : I am sorry, Sir, that we cannot agree to that. We have not only to attend the Council but also to do our office work.

The Honourable the PRESIDENT : Now, the House should decide one way or the other.

Khan Bahadur ABDUL LATIF HAJI HAJRAT KHAN : We should meet at 10 o'clock.

The Honourable the PRESIDENT : That is not considered convenient.

Mr. P. R. CHIKODI : What about the time ?

The Honourable the PRESIDENT : The time will be lost.

Rao Bahadur S. K. BOLE : They can make up the time by curtailing their speeches.

Mr. L. R. GOKHALE : We should meet at least one hour earlier, at 1 o'clock. They need not attend the party ; they can do office work during that time.

The Honourable Sir GHULAM HUSSAIN : I suggest that they should shorten their speeches.

Rao Bahadur G. K. CHITALE : We are not prepared to sacrifice our time for the party.

The Honourable the PRESIDENT : Is that the general opinion ?

Rao Bahadur S. K. BOLE : No, Sir.

Dr. P. G. SOLANKI: No, Sir.

The Honourable the PRESIDENT: Those who are willing that the Council should sit from 2 to 4-30 will stand in their places. (*Count taken.*) Now, those against. (*Count taken.*) The House will meet at 2 and adjourn at 4-30.

THE HON'BLE KHAN BAHADUR COOPER'S PARTY AT THE H. O. H. FETE.

The Honourable the PRESIDENT: Now, there is another party. The Honourable Minister (Khan Bahadur Cooper) has invited the honourable members of the House to a party at the H. O. H. Fete at 5-15 p.m. on Friday, the 23rd February, and there are 12 honourable members who have signed a request for adjournment at 4-30 p.m. on that day. Those who are agreeable will stand in their places. (*Count taken.*) The House will adjourn at 4-30 p.m. on Friday, the 23rd February.

GENERAL DISCUSSION OF THE BUDGET (*Resumed*).

Mr. W. G. LELY (Bombay Chamber of Commerce): Sir, most of the honourable members who have so far spoken in this debate have opened with remarks of congratulation, some more, some less faint-hearted, to the Honourable the Finance Member on having balanced his budget. I should find it easier to join in this congratulatory chorus, if, in the first place, I felt that the budget was well and truly balanced, and if, in the second place, my honourable friend the Finance Member were not quite so ready to shower congratulations upon himself. As I think has already been pointed out by the honourable member Mr. Kamat, a budget can hardly be said to be a balanced budget under which all one's liabilities are not met, even though this is done with the consent of one's creditors.

2-30 p.m.

As to the attitude of the Government themselves, I would like to recall the words of the pledge that was given by the Honourable the Finance Member a year ago when he introduced the Budget of the present year. He undertook to pursue unrelentingly the task of reconstruction and reorganisation so as to secure the greatest efficiency with the least cost in every branch of the public administration, with the object of securing a budget which will not only balance, but will again provide for gradual development. I realise of course that it was not to be expected that this praiseworthy object would be reached in the course of one year. I also note with some degree of qualified satisfaction that the Honourable the Finance Member in his speech admitted that much had yet to be done before the finances of the province could be said to be restored to a really sound basis. What I did not like in his speech was the serious omission in the portion which immediately followed. As illustrative of the points in which the present position falls short of soundness, he stated that neither the emergency cut in pay, nor the suspension of

[Mr. W. G. Lely]

debt payments, could be continued indefinitely. I find it very disturbing that no reference was made by him in that passage to the removal of emergency taxation, and I say with all the emphasis at my command that Government will not satisfy the commercial community unless they put this objective also in the forefront of their programme, side by side with the two other objects specified by the Honourable the Finance Member. In this connection, I hope that the House is entitled to draw a little more comfort from a remark made by His Excellency in his inaugural address. He stated that the balancing of the Budget has only been effected "by maintaining for another year many of the retrenchments, including the cut in pay, which we have all along known to be impossible to maintain permanently and for this reason it has not been possible to contemplate at present any proposal for reduction of taxation." I hope, that the House may read into these words the intention of Government that remission of emergency taxation shall go hand in hand with the restoration of emergency retrenchments.

At the moment I have naturally in mind two forms of provincial taxation to which the commercial community has all along taken the strongest exception. One is the electricity duty, and the other is the road tolls. The electricity duty was introduced as an emergency measure in 1932-33 for one year. It was renewed last year in spite of strong protest and with the belief in this quarter of the House, though I do not claim that there was any specific pledge, that the second year of the impost would be its last. The House is now asked in the Finance Bill to agree to the continuance of this duty for another year.

We all know what an insidious thing temporary taxation is. I expect that very few forms of existing taxation the world over, taxation which the long-suffering tax-payer has come to regard as a perfectly normal part of his life, were not measures which in the first instance had been introduced in order to meet a temporary emergency. That was certainly the case with the income tax in Great Britain. We, in this part of the House, are determined, if we can prevent it, that the electricity duty shall not be permanently imposed in the Presidency of Bombay. We have so far failed to establish this point with the Government by the process of sweet reason and we now feel that the time has come for other measures. That is the explanation of the amendment which has been tabled by my honourable friend Mr. Humphrey, representing the Karachi Chamber of Commerce. I do not think that the Bombay Chamber of Commerce, or the Karachi Chamber of Commerce or this group generally is liable, on its record, to be charged with irresponsibility in matters of this kind. We realise fully that the business of Government cannot be carried on unless Government is provided by the Council with revenue, but we do feel very strongly that, so long as it is possible for Government to get revenue in an easy form such as this, they will lack incentive to effect further retrenchment, and we maintain that that is the proper alternative. My honourable friend Mr. Humphrey will no

[Mr. W. G. Lely]

doubt when the time comes, elaborate our objections to the tax. I can only say now that this tax is an enemy to progress and a hindrance to expansion. I have figures beside me which show that the average consumption of electric current in the city of Bombay has dropped from 44 units per consumer per month in 1930 to 39½ units per consumer per month in 1933. That drop may be said not to be spectacular.

The Honourable Sir GHULAM HUSSAIN: May I interrupt the honourable member, Sir? Can he tell me how many mills have been closed during that period? Has he taken into account the consumption of mills in his calculations?

Mr. W. G. LELY: There is no doubt that there have been contributory causes such as trade depression. But I believe it remains true that the duty has checked progress. In any case I contend that the drop should be measured not by a comparison with the consumption as it was four years ago, but by a comparison with the figures that we might have reached by now if normal expansion had not been checked by this fresh taxation. I understand that the licensees in other parts of the province have even worse figures to record. I have been given one,—I do not even know to which part of the Presidency it relates—which shows a drop from 26 units per month in 1931 to 14·4 units in 1933.

When one speaks of the re-imposition of tolls, it is not easy to use the language of moderation. Here again, I leave it to another honourable member of this group to express our views on tolls in detail. I would only make a general protest against the retention of this obnoxious and antediluvian form of taxation. His Excellency in his speech told us that Government are considering alternative proposals which will enable them to abolish these tolls. I am sorry to note he did not anticipate any early solution. I can only urge Government emphatically to press on with the task as speedily as they can, and get rid of what I regard as nothing less than a financial blot on the fair name of the Presidency. I sincerely hope there will be no delay in tackling this problem which might lay Government open to the taunt that they are not interested in the removal of this tax for the reason that its own servants are in my opinion unjustifiably given exemption from it.

I should like, Sir, if he will permit me, to associate myself, and the other members of this group, in whole-hearted support of what the honourable member Mr. Kamat observed yesterday in connection with the excise policy laid upon Government by this House a few years ago. Here is a case of revenue, which should properly be levied, being foregone in the prosecution of what the honourable member rightly called a fetish. I should further like to suggest that this policy of "prohibition in our time" was not imposed solely in the interests of sobriety, but that many of its advocates were actuated by the less worthy motive or a desire to embarrass Government by interfering with its financial resources. The methods of these political backwoodsmen are now, I am glad to say, very largely discredited, and I think that is an additional

[Mr. W. G. Lely]

reason why Government should give serious consideration to the honourable member's suggestion that the whole question should be reviewed, and the members of this Council should be invited by Government to reconsider the policy laid down by their predecessors.

In this connection I wish to draw attention to a proposal which appears to be in danger of escaping notice, namely, a proposal to increase the existing burden of excise in one particular direction. We are told by the Honourable the Finance Member, not without pride, that Government are carrying on during the coming year without fresh taxation. I understand, however, that they have announced an increase, for which presumably legislative sanction is not required, in the excise duty on imported beer. In April 1928 this excise was Rs. 2 per case of 4 dozen quart-bottles. The duty was raised in 1931 to Rs. 4, and the proposal now is to raise it on the 1st April 1934 to Rs. 5-8-0. That in itself is a very serious imposition. I have had my attention drawn to a further rather remarkable point. If you add to that excise of Rs. 5-8-0 per case the local vend fee of Rs. 1-8-0 per case, and the town duty of Re. 0-8-0, the total payment to the Provincial Government amounts to 8 annas higher than what is paid to the Government of India by way of customs duty. When you consider the two together, you get a tax of Rs. 14-8-0 per case of 4 dozen bottles, which is obviously an alarming and crippling charge, and my information is to the effect that the result will simply be to accentuate and accelerate the process, which is already very marked, of driving people from good wholesome beer to the drinking of cheap and not particularly wholesome beer from Japan.

I have suggested that Government's proper course is to seek to replace taxation with further retrenchment. The Chamber which I jointly with my honourable friend Mr. Greaves, have the honour to represent in this Council is very far from satisfied that Government has made all the use possible of the very valuable review of the province's finances presented by the Thomas Reorganization Committee. The recommendations of that Committee, all of which it was of course recognised could not be accepted in full, provided a total saving of money to the tune of something under 2 crores of rupees. The best that Government have been able to achieve in response is a saving during the current year of something like 24 lakhs, and the maximum which they ultimately hope for after a lapse of years is 76 lakhs. I entirely endorse the suggestion made by the honourable member representing the Bombay Millowners' Association that Government should set themselves to the task of re-examining the proposals of that Committee and of reviewing their own decisions on them. I will not attempt to particularise, but one proposal which jumps to the mind is the continuance of Government's annual exodus to Poona. I am sure that the last has not been heard of that, and that sooner or later a change will be made.

Another item which my Chamber supported—and I say this without any personal reflection on my honourable friend Mr. Roose—is the suggestion that Government should retrench the appointment of their Electrical Engineer, and that the duties performed by him should be

[Mr. W. G. Lely]

transferred to a qualified electrical engineer in the Public Works Department.

There is also the question of that very heavy burden on the provincial finances, expenditure on education. My honourable friend Mr. Prater will no doubt have something to say on this subject later in the session. I will merely say that we are not satisfied that all the expenditure under this head is necessary, and in particular that all the money spent is well spent. In this connection also, the recommendations of the Thomas Committee might be re-examined.

There is one more point on which I should like to comment, and a very important point, not to say a vital one, to Bombay. In his speech the Honourable the Finance Member referred, among other difficulties confronting Bombay, to the tendency of cotton and other trades to be diverted from Bombay to other trading centres. He said that this trend unless checked will have its effect upon our revenues. It certainly will. It will have a most searching and dangerous effect on our revenues. I should like to know, Sir, what Government propose to do by way of checking it. I think the problem divides itself into two parts viz., (1) there is the uneconomic competition from the ports in the Kathiawar States. That I think is primarily a matter for the Government of India to deal with and really all that the Government of Bombay can do is to see that the Government of India are given no rest until they set it right. The other aspect of the case is the more purely local question of the diversion of export of cotton to other ports than the port of Bombay. These are the results of attempts being made by traders and merchants to avoid the heavy charges which shipment of cotton through Bombay involves. Theirs is a perfectly legitimate endeavour. It is an axiom that trade always seeks and follows the cheapest route. Nobody can blame the merchants if finding that the charge on shipments *via* Bombay puts them at a disadvantage with people shipping through other channels, they try to put themselves on a competitive footing. It is merely a question of the remedy. The remedy must lie in the hands of those concerned in the administration of Bombay, its Government, its port, and its railways. I am sure that it can be solved. What Government can and must do is to secure the agreement of the Municipal Corporation to the removal of the import duty of Re. 1 per bale which is levied on cotton, whether it is consumed in Bombay or whether it is re-exported out of Bombay. If that is done, I am perfectly certain that the trustees of the port of Bombay and also the management of the railways, mainly the G. I. P. Railway, will be prepared to make similar contribution to the common cause, which will help to bridge the gap, which has to be bridged, between the cost of shipping cotton from Bombay and shipping it from Surat, Thana, Mumbra and other places, which at present are so severely competing with Bombay. It is not a matter that brooks delay. Apart from the immediate loss and the growing loss, I think Government have to look to the fact that quick action will have a large psychological effect. It would be a most valuable gesture, to show that

[Mr. W. G. Lely]

the Government of Bombay, and the port, and the railways, are not going to lie down under the present conditions, that they are going to tackle the problem, and that they are, whatever it costs them, going to bring the trade back to Bombay. If that is done, it may easily have the effect of checking shippers of cotton, who may otherwise go ahead now and make arrangements to ship their cotton through other channels, which once made may be much more difficult to withdraw. (*Applause.*)

Dewan Bahadur D. R. PATIL (East Khandesh District): Mr. President, the Finance Member's speech is short, though not quite sweet according to the opinion of some of the honourable members, in view of the fact that no provision has been made by him for the growth of the nation-building departments. Sir, law and order, these departments of law and order, are quite essential for the safety of person and property. But are we to understand that these departments are nation-breaking departments? Government have to make provision for all the departments. Therefore, there is no force in saying that the Finance member did not make any provision for nation-building departments. It does not mean that he should neglect these departments as distinguished from reserved departments. If the funds permit, he should make some provision for the nation-building departments as well.

Sir, everybody knows that sound finance is the soul of progress, and therefore we must have sufficient funds, but we cannot expect the Finance Member to be a magician who can produce money by the wand of his magic. He has to face certain circumstances over which he has no control. Everybody in this honourable House knows that we are experiencing financial difficulties so far as our Bombay Presidency is concerned. The Honourable the Leader of the House is an eminent person, who has been in touch with the various departments of Government since the inception of the Reforms under which we are working. And what we expect from him is this. If he has acted according to his convictions, I think he has done his duty very properly. Of course, in the light of the criticism made by various members, we expect replies from him, and I think in the course of his replies he will answer all the criticism levelled against him in connection with the budget of the next year.

Sir, in order to augment our resources, we are justified in getting a just and equitable share in the income tax which is collected in our presidency and which goes to the coffers of the Government of India. Sir, the Meston Settlement is not yet revised. That is a great source of income in addition to the three sources of income, namely, excise, land revenue and stamps. This income from income tax will be a great asset in augmenting our resources, and so far as I know the Government of Bombay also put forward their claim before the Government of India very forcibly. I do not know what has become of that, and I request Government that they will agitate in this matter and they will try to see that that question is settled as early as possible in the interests of the finances of our presidency.

[Dewan Bahadur D. R. Patil]

Sir, in my opinion, unless and until the financial position of the Government of India is put on a satisfactory basis, our financial position cannot improve. But perhaps the Government of India might say that their own financial position is most embarrassing, and therefore they are not prepared to give us any share in the income tax in the face of the rules governed by the Meston Settlement. Though it is a question for the Assembly, I have to refer to one fact that practically 66 per cent. of the Government of India's revenue is absorbed by military expenditure. But unless and until that expenditure is curtailed, I feel doubtful whether the Government of India can help us very much in the way of giving us our just and due share in the matter of income tax.

Now, Sir, so far as we are concerned, we must effect retrenchment. I think, Sir, that the Government have not exhausted all the suggestions made by the Thomas Committee, and I am sure whatever is possible for the Government to do they will do, and they will be pleased to effect retrenchment and effect a saving. Sir, so far as our finances are concerned, we must regulate our expenditure in proportion to the length of our purse. Unless we follow this policy, we shall soon be on the brink of insolvency.

Let us now see how our revenue is expended. At least one-third of our revenue is absorbed by the services, all-India, provincial and subordinate. Mr. President, the whole House knows that the salaries of these services, excluding the all-India services, were revised by the Government of India when the cost of living was very high, and if I mistake not, the Honourable Sir Henry Lawrence, who was then the Finance Member gave an assurance to this House that though the salaries of these Government servants were increased, Government would try to decrease the salaries whenever the cost of living falls. Now, Sir, as the Honourable the Leader of the House also remarked, that state of things has changed. Therefore, the revision of the salaries of these officers requires serious consideration on the part of Government. Sir, I know it might be argued by the Leader of the House that, so far as the all-India services are concerned, that is a matter entirely within the discretion of the Secretary of State. I understand his difficulty. But, Sir, as a Member of the Bombay Government, or as the Leader of the House he can put forward his view to the Secretary of State that, in the interest of the finances of the presidency, the Secretary of State should revise this question and reduce the salaries even of the all-India services. So far as the provincial and the subordinate services are concerned, it is a matter entirely in the discretion of the Bombay Government, but to that also I expect a reply, or perhaps it is possible that the Leader of the House will say that a policy in this matter is decided by the Government of India, and when once that policy has been laid down by the Government of India the Government of Bombay are bound to follow it. But, Sir, to that my reply would be that this matter may be pressed upon the mind of the Government of India. It is all right for the sake of policy. But the Government of Bombay have to manage their own

[Dewan Bahadur D. R. Patil]

affairs. So, they should be allowed to use their own discretion in revising the salaries of the services under their control.

Sir, there is a cut of 5 per cent. imposed on the pay of Government servants. Formerly it was 10 per cent. Sir, in the light of the remarks which have already been made, I think this cut of 5 per cent. should be not only increased to 10 per cent., but it may go as far as 20 per cent., so far as the emergency continues. It is an emergency measure. All right. I accept that. But as long as there is this emergency and our financial position does not improve, this emergency cut should go on. That is my suggestion.

3 p.m.

Now, let us examine the state of the agriculturists, the peasantry which is known as the pride of the country, and whose prosperity is the prosperity of the country. When we understand all this, let us look to their position and the indebtedness under which they are groaning. Sir, they contribute large revenues to the exchequer of Government; and when one-third of the income is absorbed by the services and when the cost of living has gone down, does it not stand to reason that the Government should seriously consider this question and cut down their salaries, or continue the cut of 10 per cent., or 20 per cent. for the matter of that, as long as our financial position is not improved? Sir, there is a saying in Marathi, that agriculture is the best profession, then business and lastly service. But now matters have become topsy-turvy. Now agriculture has become the worst profession and service has become the best. That is the position, and if we really want to care for the good of the poor people, I think this question must be seriously considered by Government, and whatever difficulties there might be in the way of Government, I think this matter must be pursued by them, and every emphasis should be laid upon it. Let them try their best, let them approach the various authorities, let them write very strongly and impress upon them the necessity of revising the salaries, or at least continuing the cut even to the extent of 20 per cent., as long as our financial position is not put on a satisfactory basis. By the by, I might state that the daily allowance drawn by honourable members is cut down by 20 per cent. We do not mind very much even if it is cut down by 25 per cent. We are willing to have that, but let the same example be followed in the case of these services.

The Honourable Sir GHULAM HUSSAIN: Their travelling allowances have also been cut down.

Dewan Bahadur D. R. PATIL: Now, Sir, I come to the question of the rules for the suspension and remission of land revenue.

This honourable House knows that last year I tabled a resolution to the effect that rules in connection with suspensions and remissions should be revised in such a way that they will be giving relief to the poor agriculturists. In that connection, I proposed a committee of official and non-official members of this House. But ultimately this Honourable House decided that this question might be allowed to be considered by Government. Government considered that question.

[Dewan Bahadur D. R. Patil]

The Commissioners of all the divisions met together and called certain honourable members of this House to express their views. I was one of them. We placed our views before the Commissioners and ultimately they were satisfied that the rules of suspension and remission required modification. What is the decision arrived at by the Commissioners after ascertaining the view of the members? I will just give the decision of the Commissioners, which was approved by Government. The one important amendment suggested by Commissioners runs thus: "In case of abnormally heavy fall in prices below the price level at which the settlement is based, Government will consider the propriety of issuing special orders for relief." Our complaint was that on account of the heavy fall in the prices of agricultural commodities the annewari as it obtains now is not a sound test but the price of agricultural products is the real test. I think this does not require any more explanation. When we put forward this view before the Commissioners, they did accept that view. I may tell this honourable House that Government in addition to this test have also decided like this: "That the Commissioners should be informed that the changes are approved by Government as an experimental measure for one year and that they should report on their working at the end of this period." I am really surprised at this decision of Government. I can understand that if the prices of agricultural produce rise, there is no necessity of considering the question of suspension or remission. But as things stand, I do not think that for several years more to come the prices will rise. If at all there is a rise, we will be very glad and Government will get their revenue very easily. Government know that the peasant is a poor creature who never grudges to pay the land revenue when he has the capacity to pay. When he says he cannot pay, it means he has not the capacity to pay. That must have been the experience of several officers of Government. Such a resolution which has been accepted by Government is no doubt a salutary one. Why should it remain in force for one year only? If I were to interpret the words "experimental measure" I would say that if the prices do not improve, the Government will continue the experiment till such time the prices rise. If that is the intention of Government I have no objection to the wording "that this is an experimental measure". But I want to bring to the notice of the Honourable Leader of the House one matter. This decision was arrived at by Government in the month of July 1933. I came to know of this only yesterday when the honourable member Rao Bahadur Kale made his speech. When I had tabled a resolution and when I was one of the members that were called for expressing views, we members would have been very much obliged to the Commissioners or to Government had they informed us about the decision of Government. Even though I approached the revenue authorities in my district and told them that the time had come when they should give some relief to the agriculturists by giving suspensions and some more time to pay the land revenue instalments as there was a likelihood of the prices getting higher as a result of the Indo-Japanese agreement and that they should not impose

[Dewan Bahadur D. R. Patil]

any penalty if the agriculturists did not pay the instalments in time, they told me that in connection with suspensions they must be guided by the rules as they stand; and that they could not take into account the price test for ascertaining the annewari. I naturally told them that they were perfectly right. Had I known this Government Resolution I would have brought that to their notice. I do not know whether this matter was brought to the notice of the revenue authorities in the districts. Because they told me that they could not hold the price as the test for annewari, I presume that this decision of Government was not communicated to them. If it had been communicated to them, I would have got this information from them. So far as my district is concerned the land revenue has been practically collected.

Mr. S. H. COVERNTON: Can the honourable member be asked to say what is the resolution to which he is referring?

Dewan Bahadur D. R. PATIL: The resolution that was passed in July last. It was passed by the Commissioners and approved by Government. Unfortunately I have not got the copy before me.

The Honourable the PRESIDENT: Where did the honourable member get it from?

Dewan Bahadur D. R. PATIL: I got it from the Council Office.

Mr. G. S. GANGOLI: Are not Government going to take the price as the basis for annewari?

The Honourable the PRESIDENT: The Secretary does not know what the resolution exactly is.

Mr. G. S. GANGOLI: Will Government inform this House whether they take the price as the basis for annewari or the crop?

The Honourable the PRESIDENT: That is not the question here. The question is whether that resolution has been issued by Government.

Dewan Bahadur D. R. PATIL: The land revenue has been collected. Though that resolution has been approved by Government, no advantage has been derived by the agriculturists.

Mr. G. S. GANGOLI: Since the honourable member the Revenue Secretary is silent, may I take it that it is correct?

Dewan Bahadur D. R. PATIL: The honourable member Mr. Mackie was a member and he might be in the know of it.

Mr. A. W. W. MACKIE: I may give a word of explanation. The honourable member is substantially correct. The Commissioners discussed the question of annewari and particularly the point whether suspension and remission should continue to depend entirely on the quantity of crop and not at all on the prices. In consideration of the strong views expressed by the honourable member and Rao Bahadur Kale and others who were members of that informal committee, an insertion was proposed in the rules—I do not remember the exact terms of it—to the effect that in the case of an abnormally heavy fall in prices the Government might consider the question of issuing special orders for

[Mr. A. W. W. Mackie]

relief. So far as I remember, that proposal was accepted by Government and an order was issued for the insertion of the decision arrived at in the suspension and remission rules.

The Honourable the PRESIDENT: Was it communicated to the district officers?

Mr. A. W. W. MACKIE: Yes.

The honourable member the Commissioner for the Northern Division hands me the copy. The insertion made reads as follows:

"31A. In case of an abnormally heavy fall in prices below the price level on which the settlement is based Government will consider the propriety of issuing special orders for relief."

Mr. G. S. GANGOLI: Since the slip is attached there, I think it is not for one year but for all years.

Dewan Bahadur D. R. PATIL: Government have also decided that it is to remain in force as an experimental measure for one year and that the Commissioners should report at the end of that period. I have already requested the Honourable Leader of the House that this should be a measure in force at least as long as the prices of agricultural commodities do not rise.

I come to the last point, though not the least. In view of the recommendation of the Joint Parliamentary Committee to bring the process of revising the land revenue assessment under closer regulation by statute a resolution was moved in this Council to appoint a committee to consider practically the revision of section 107 of the Land Revenue Code and it was accepted by Government. The Honourable Leader of the House knows that Government appointed a committee in the month of June 1924. I was also a member of that committee. The question about the principles on which the land revenue assessment should be based was fully discussed. Government should have brought before this House a Bill to amend section 107 of the Land Revenue Code. Unfortunately that has not been done. It is already high time that Government should embark upon this legislation which is badly required in the interest of the poor agriculturists, especially because the prices of agricultural produce have considerably gone down. Had the Government brought in that Bill, they would have appreciated the force of our arguments that the land revenue assessment should be reduced in view of the present circumstances. As that was not done, the agriculturists are suffering very heavily. (*Bell rung*).

Khan Bahadur ABDUL LATIF HAJI HAJRAT KHAN (Poona and Sholapur Cities): Sir, I must congratulate the Honourable the Finance Member for producing a balanced budget, a rather creditable performance in these days of depression. As much has been said about the budget, I think of putting forward with your permission certain grievances of my constituency.

Sir, much was said yesterday on village improvement committees and village uplift work. For instance, my honourable friend Mr. Karbhari from Thana put forward a scheme of village uplift and

[Khan Bahadur Abdul Latif Haji Hajrat Khan]

my honourable friend Rao Bahadur Chitale also has dealt with it. I shall leave that question till the supplementary grant comes up for discussion. Village improvement committee has been established in the Sholapur district in the year 1931 even before the village uplift scheme was started by His Excellency the then Governor, Sir Frederick Sykes. Village uplift is going on in the Sholapur district even now. Agricultural exhibitions are held every year, for improvement in agriculture, cattle-breeding and village sanitation and economic condition of rural public. Village panchayats have been established in selected villages, and at present some thirteen village panchayats are working in the district. Since the passing of the new Village Panchayats Act applications have been pouring in from big villages and the district local board are giving due consideration to them after obtaining the views of the village improvement committee, of which the Collector is the President. The village improvement committee is doing its best to induce the villagers to come forward and establish village panchayats, under the new Act, by explaining to them the advantages and benefits, together with the powers and duties, under the new Act. We have already received seven applications, and those seven panchayats will be established in a short time. But under the new Act one-fifth of the local fund cess together with the cattle-pound cess derived within the village area has to be transferred to the panchayat. The number of panchayats will increase day by day, and the district local board will have to distribute a larger and larger part of its income to these institutions from the taluka local boards funds and very little will be left to them for their expenditure. After the experience of many years in this and other presidencies, it has been found by Government and local bodies that the system of taluka local boards are not working to the best advantage of the general public. That is due to want of sufficient funds, and it is beyond the finances of the district local boards to allot to them out of their share. The condition of the taluka boards has become adverse in the sense that the expenditure annually incurred on recurring items such as establishment of civil works and general administration including other items is comparatively quite disproportionate. Moreover, Sir, since the passing of the new Panchayats Act, we have to pay a share of one-fifth of the local fund cess to the panchayats, and therefore the taluka boards are likely to starve for want of sufficient resources. I might quote the instance of one taluka board in my district. Its income is only Rs. 1,380. If 15 village panchayats are established in that taluka, as I am sure they will be established, I am afraid a big bite out of this income will go to the share of the village panchayats and very little will be left with the taluka board, which would not suffice even to defray the expense of travelling allowance for members. The taxable capacity of the people has been reached and there appear to be no new sources to tap. The time has now come for the abolition of the taluka boards. Our district local board and, I believe, many other boards have already agreed to that. Our presidency, which is supposed to be very progressive, ought to have taken the lead in this direction, instead of leaving it to

[Khan Bahadur Abdul Latif Haji Hajrat Khan]

Madras. I now request the Honourable Minister for Local Self-Government, who has had experience of the district local board of Satara for many years, to take all necessary steps for the abolition of taluka local boards. That step will be neither too late nor too early if taken now. It is a step which will foster the growth of village panchayats as well as add to the district boards' funds. The triennial elections for district local boards and taluka local boards are approaching, and before the next elections come the taluka boards should be abolished, and that will save much of the expense connected with the elections. I am sure it will also add to the efficient and economic management of the district local boards. I want to know definitely from the Honourable Minister whether he is going to take that step. If he is nervous of abolishing all taluka boards at one stroke, I would suggest that he should try the experiment in one district in each division.

The Sholapur District Local Board has taken the lead in finding out the measures for free medical relief to the villagers by encouraging the private medical practitioners and subsidizing their institutions with some honorarium and cost of medicines. The expenditure on each such institution is not more than Rs. 800. Three such centres have been opened by the board and they have become popular and useful to the village people. In epidemic times these medical practitioners have proved to be of immense value in inoculation work. The board have also sanctioned six new medical centres in the district. The scheme has been appreciated by Government as very useful to the villagers who are often in need of medical help. Moreover, the scheme is very economic and the villagers get medical help free of charge. But the question is, whence are we to procure funds for expenditure on these institutions? In course of time, the number of such institutions is sure to increase. But it is beyond the finances of the district board to maintain a large number even at this cheap cost. After two years' experience, it has been found that the scheme is practicable, cheap and advantageous to village people. Government, therefore, must now come forward to help these boards by giving them grants-in-aid for this purpose. Government have appreciated our scheme, and have now selected our Sholapur District for special experiment with new formula on a large scale. Each area of 100 square miles with a population of 30,000 is to have a medical dispensary. On this new scale, our district local board will require 22 dispensaries, excluding the present ones maintained by the municipalities, local boards and Government. The annual cost of each of these dispensaries will not be more than Rs. 1,000 for the first two years. Government have agreed to pay half the cost to the district local board. But the district local board have passed a resolution that the Government should grant them two-thirds of their expenditure and that they themselves would bear the remaining cost. I am surprised to find that there is no provision made for this in this budget. I want to know definitely from the Honourable Minister for Local Self-Government, whether he contemplates asking for a special supplementary grant for these institutions or whether the funds needed are included in this budget.

The Honourable the PRESIDENT: Has the Honourable Minister followed that? (*Laughter*).

Khan Bahadur ABDUL LATIF HAJI HAJRAT KHAN: Sir, I will then repeat my questions definitely. First of all, I want to know the policy of Government regarding the taluka boards. If the Honourable Minister is nervous of abolishing all taluka boards at one stroke, I suggest that he should make an experiment with one district in each division. I expect a reply from him on this point. The next point is about these medical dispensaries started in Sholapur. I have received a letter from Government saying that they are prepared to give us one-half of the expenditure as grant, but we have requested that two-thirds should be given as grant by Government, the remaining portion to be met by the district local board. Unfortunately, no provision seems to have been made in this budget. If that is so, I would put a definite question to the Honourable Minister, whether he proposes to make a provision by bringing a supplementary grant in the course of the year.

3-30 p.m.

Mr. SHAIKH ABDUL MAJID (Karachi District): Sir, before offering a few observations on some of the aspects of the budget, I wish at the very outset to make it clear that I am more or less inclined to agree with the view expressed yesterday by my honourable friend Dr. Solanki, that the present Government should not be taken to task very severely for the sins of omission and commission of its predecessors. Apart from that, every one of us knows it fully well that the present Government possesses the disadvantages and the advantages of a system which it has no power to modify and which to a very large extent is not responsible government in the broad sense in which those words are generally understood, namely, government of the people, by the people, for the people. Even the transferred half of the Government has to move within very definite limits, and very often it dances to the tune of the reserved half. It is the reserved half which in reality constitutes the whole of the Government. Whenever the people of my province have brought their grievances to me and demanded the redress of those grievances by bringing them to the notice of the Government, I have confessed to them my inability to get those grievances materially redressed, and frankly told them that they would be perfectly justified in calling upon me to resign my seat from the legislature if they believed that any other man in my place could perform the miracle of compelling the Government to purify its administrative machinery and to readjust its policy and its affairs compatible with the actual needs and requirements of the people. If there is any man in this country who can perform that miracle, I will most willingly resign my seat and make room for him. There is absolutely no hope of making this Government, or for the matter of that, any Government working under the present system, to see eye to eye with the representatives of the people. Even for the redress of the smallest grievances we have to approach the humblest officials working under this Government as humble supplicants and applicants, and we should thank our stars if even those smallest grievances are partially

[Mr. Shaikh Abdul Majid]

redressed. We have, however, to do our duty whether it bears fruit or not.

The Honourable the Finance Member has presented a budget, which may or may not be called a balanced budget. The honourable member Mr. Petit called it a deficit budget. Some honourable members have congratulated the Finance Member and others have severely criticised him. I have no desire to indulge in congratulations or condemnations, but what I have failed to understand up to this time, since the day I entered this Legislature, is why the expenditure per head in the various departments of the Bombay Government cannot be brought down to the level of what it is in the corresponding departments in the other provinces of India, namely, Madras, Bengal, United Provinces, the Punjab and the Central Provinces. This is a matter which requires serious consideration at the hands of Government in the interests of its good name and reputation. Why should Bombay have the costliest administration in the whole of India? Why can the cost of its administration not be cut down to the level of the other provinces? What is the fundamental cause of the highest cost of administration? The reason may be perhaps that it is overmanned or the scales of salaries may be higher or there is merciless waste of public money. Whatever may be the causes, I would make an appeal to Government to investigate into those causes. Is it due to the difference in climate or the physical features? That cannot be the reason. In physical features you will find that one or more provinces resemble Bombay. Of one thing I am sure, that if we can reduce the expenditure per head, for instance, in the Police Department to the level of Madras or the United Provinces, a great saving can be effected—a saving to the tune of several lakhs. The cost per capita in the Bombay Presidency including Sind in the Police Department is 14 annas and 3 pies, while in Madras it is 6 annas and 5 pies and in the United Provinces it is 6 annas. Calculating this expenditure per square mile, in Bombay including Sind, the expenditure per square mile is Rs. 160-4-9, while in Madras it is Rs. 126-1-6 and in the United Provinces it is Rs. 169-12-6. If I take Land Revenue and General Administration, the expenditure per capita in the Bombay Presidency including Sind is Rs. 1-4-5 while in the Punjab it is Re. 0-10-3; per square mile the expenditure in the Bombay Presidency would be Rs. 228-9-7 while in the Punjab it is Rs. 151-0-2.

The Honourable Dewan Bahadur S. T. KAMBLI: May I know what the honourable member is reading from?

Mr. SHAIKH ABDUL MAJID: I have taken these figures from the Financial Committee's report published in 1932.

The Honourable the PRESIDENT: Whose report?

Mr. SHAIKH ABDUL MAJID: The Brayne report in connection with the separation of Sind. That Committee has compared the expenditure per head in the various departments of different provinces. Of course in Sind it is the costliest in almost every department.

[Mr. Shaikh Abdul Majid]

Similarly, saving can be effected it the Excise administration is run with the same amount of expenditure per head as is incurred in other provinces. I will give a picture of the Public Works Department administration in Sind, just to enable this honourable House to understand what the position may be in other departments. The present strength and organisation is greater than it was in pre-Barrage days. In the pre-Barrage days there used to be one Chief Engineer, two Superintending Engineers and 11 Executive Engineers of Irrigation Divisions. The chief function of the engineering officers and subordinates was the maintenance of works and the proper distribution of water. If the areas of jurisdiction of each officer have not increased, if the length of canals of all descriptions is the same as it was in the pre-Barrage days, i.e., about 8,400 miles, and if the quantity of water to be distributed per season is the same or much less, with facilities of better regulations, if the means of transport have shortened distances and if the total cultivation per season is the same, I do not see any reason for having more officers now. The number ought to be less. The Chief Engineer in those good old days of camel transport was able to perform his duty quite efficiently by inspecting works throughout the province. Similarly, the two Superintending Engineers could easily tour from Kashmor to Keti Bunder and finish supervision quite efficiently. Lastly, each Executive Engineer was able to perform his duties quite satisfactorily within his own jurisdiction which was large enough.

Before I come to some definite suggestions, I would like to state some facts to illustrate my preceding remarks. If you care to have a glance at the map of Sind showing the irrigation limits of the old canal systems and compare them with those of the Lloyd Barrage canals, you will find that all the canal systems practically had the same irrigating limits as the present new Barrage system and the old canals traversed over every bit of the present irrigated area. That is to say, the areas commanded are identical and contiguous. If the old tour programmes of Superintending Engineers and Executive Engineers are examined, it would be found that they travelled through the same regions. I am very much tempted to state before this House, without the help of a blackboard, a table showing by circles and divisions the work comprised in each. The figures given may not be exactly correct, but I hope that they will be found to be so within tolerable limits. In the Begari Canal Division, the length of canals is 650 miles and the maximum discharge is 18,800 cusecs. The area commanded in acres is 13,47,000 and the annual irrigation 5,88,000 acres. In Warah the length of canals is 455 miles, the maximum discharge 10,900 miles and area commanded in acres 5,60,000 acres and the annual irrigation 3,41,000 acres. The total for the whole of Sind comes to about 8,400 miles length of canals and 1,23,430 discharge and the area commanded 1,30,17,000 acres and annual irrigation 45,74,000. That was the condition under the old canal system. By comparing this table with the existing one, we will be able to understand that one Engineer was able to manage 1,200 miles of canals or control the distribution of 20,900 cusecs of water or satisfactorily

[Mr. Shaikh Abdul Majid]

supervise works over an area spread over 20,64,000 acres or quite satisfactorily look after annual irrigation of 6,36,000 acres.

The Honourable the PRESIDENT: One minute more.

Mr. SHAIKH ABDUL MAJID: Under the Lloyd Barrage the maximum discharge comes to about 42,600 cusecs and the length of canals is more or less the same and the area commanded for cultivation in both kharif and rabi is 53,73,000 acres. Since I have not been able to say all that I wanted to say on this subject, I want to wind up my remarks in one sentence and that is this, that when the barrage project was under construction there might have been some justification for the appointment of one or two chief engineers, five superintending engineers and nearly more than double the number of executive engineers and an army of sub-divisional officers and canal assistants and abdars, but now since that project is happily over, I would make an appeal to Government to undertake retrenchment in the P. W. D. in Sind in particular and in other departments in general. Sind is being condemned as a deficit province and for every pie that is spent more on Sind, it is the Government of India that will have to pay to make our two ends meet. Therefore, it is the paramount duty of the Bombay Government to come to the help of Sind as well as to that of the Government of India. There is absolutely no justification for such a huge staff in these days of improved communications, complete regulation of water when all the engineers and canal assistants may go to sleep and not a single zamindar will get a drop of water more than what will pass through the designed module, while that was not the condition before the construction of the barrage, and especially as the motor traffic has shortened distances there is absolutely no reason why Sind should be made the base for absorbing all the surplus officers of the P. W. D. who cannot be accommodated in the presidency proper. (*Bell rung*).

Mr. R. R. BAKHALE: Sir, much has been said so far since yesterday both in favour of and against this budget of attenuation and I do not propose to go over the same ground. But I intend to concentrate on one or two important matters on this occasion. But before I do so, I cannot help expressing my appreciation of the extraordinary brevity of the speech with which the Honourable the Finance Member submitted the budget proposals this year. It is generally recognised that a budget is one of the most intricate problems for a layman to understand and he is supposed to be the best author or the best writer who expounds financial theories in brief and also in simple and flowing language. If that is a test, by which this tiny little document of 3½ pages is to be judged, then I dare say that it will go down in history as one of the most remarkable financial documents ever presented to this House. However, in that very document I came across a very significant sentence to which I desire to call the attention of this honourable House. On page 3, paragraph 8, the Honourable the Finance Member says:—

"As this House is aware, the mill industry of Bombay is experiencing grave difficulties and the condition of this industry must always have serious reactions upon the general prosperity of the Presidency."

[Mr. R. R. Bakhale]

It is, from my point of view, Sir, a most significant expression of opinion on the part of the Honourable the Finance Member, because I consider that it is for the first time that the Government of Bombay have realised that, unless the textile industry in Bombay city improves, the presidency as a whole cannot financially improve. I therefore congratulate the Honourable the Finance Member on having made that pronouncement. But I want to know, Sir, whether the Government of Bombay propose to sit quiet like an Indian widow cursing all the ills and sufferings she suffers from or whether they propose to take a bold step in the direction of pulling up this industry from the dire distress in which it finds itself to-day. That is a fundamental problem to which I am sorry to say there is no answer either in this little book or in the budget statement of this Government——

The Honourable Sir GHULAM HUSSAIN: They are getting protection.

Mr. R. R. BAKHALE: Sir, I do not propose to take advantage of this occasion to deal with the labour troubles in the city or outside, but I am looking at this question of the textile industry purely from the point of view of the finances of this presidency. I was very glad that the Honourable the Finance Member interjected and said "We are protecting the industry". Sir, what are the results of that protection to the textile industry of Bombay? He is aware as much as I am that it is the Bombay millowners who started the idea of abolishing the excise duty in 1925 before they made any demand for protection. Sir, they even went the length of locking out workers after the latter declared a strike and told Government at the point of a bayonet that unless Government removed the excise duty, there was bound to be a cut of 11½ per cent. Ultimately, I know that with the pressure of this very Government the Government of India removed the excise duty. What happened next? A cry came for protection. The Assembly was committed to the policy of discriminating protection. A special Tariff Board was appointed and the textile industry got protection to a certain extent. Sir, that protection was not confined to the city of Bombay alone. It had got to be extended to other parts of India. Not being satisfied with the percentage of protection that was then given, a further cry for protection was raised and to-day, Sir, there is no industry in India which is so highly protected as the textile industry is. And what do we find? The protection has taken the form of a tariff to the extent of 50 per cent. on import duties and 75 per cent. in certain cases and that form of protection has been supplemented recently by the adoption of a quota system. What is the result of that protection? The result is that imports have been reduced to a certain extent. It is a result on which the Indian industrialists may congratulate themselves. The home production has increased tremendously, easily by 300 million pounds of manufactured cloth during the last decade, but has Bombay been benefited by this? No doubt the All-India textile production has increased by such an enormous extent, but Bombay has suffered equally terribly. Ahmedabad for example has multiplied its mills

[Mr. R. R. Bakhale]

at a rapid rate. I think her mills to-day are easily more than 60 when they were about 40 about ten years ago. Other upcountry centret have also multiplied their mills to a very large extent and so we finds an increased production in the home market. But, Sir, in Bombay nearly 30 mills are closed to-day and we have thrown out of employment not less than 60,000 workers. These are not my figures but the figures of the Bombay Labour Office. What is a further result? The further result is that Ahmedabad, since 1916 to 1931, showed an annual average rate of profits of 32 per cent. and even in 1932 the rate of profits was 16 per cent. after deducting the Agents' commission which came to 58 per cent. of the net profits. This is the rate of profits of Ahmedabad even to-day, but what is the position in Bombay? In Bombay there is hardly any mill which is making any profit at all. What is the further result of the protection? Ahmedabad, which is paying to-day the highest rates not only in this presidency, but, I may say, in the whole of India, has not yet made any cut in the wages of workers. I understand that they are threatening to do so now, but, knowing as I do the Ahmedabad millowners, I feel confident that they will not carry out that threat so long as Mr. Gandhi is living——

4 p.m.

Mr. PESTANSHAH N. VAKIL: Wait and see.

Mr. R. R. BAKHALE: I am waiting and seeing. As against Ahmedabad, what is the position in Bombay to-day? There is hardly any mill in Bombay which has not cut wages. What is the percentage of the cut, Sir? You will be surprised to learn that when the factors of competition—external and internal—taxation, central, provincial and local, and when other factors are the same and common to all the mills and when a factor like a fall in prices is common, we find in Bombay to-day that the cuts range from 7·0 per cent. on the one hand to 30·5 per cent. on the other. If these are the benefits which the mill industry in this city derived from protection, are we justified in accepting that policy of protection any more? This is my reply to my honourable friend, the Finance Member. I am raising this issue from the point of view not of workers but from the point of view of the general finances and the general condition of this presidency. If, Sir, the Honourable the Finance Member is convinced that unless the textile industry is improved, there is no hope for the presidency's finances also to improve, then I want to ask him in all seriousness what he has done or what Government has done to improve the condition of the textile industry in Bombay city. If, Sir, he has not done anything, I suggest to him in all seriousness that it is time that he did it, and there are ways and ways of dealing with this problem. Take, for example, what is going on in the United States of America. I do not say that at one stretch the Government of Bombay should take steps to the extent to which President Roosevelt has done, but certainly something has got to be done if the depression or the bad conditions of industry are to be removed. It is no use simply saying that the world depression is there. It is there,

[Mr. R. R. Bakhale]

every one of us knows. Every country is trying in its own way to remove trade depression by such methods as its Government can adopt. What are we doing here? Here we are adding a couple of thousand rupees to primary education, just to please the Education Minister, adding a couple of thousand rupees to the Medical Department to please the other Minister in charge of the medical portfolio. Beyond that there is nothing which really we are doing to-day. Sir, the idea that education and medical relief and similar matters are the only nation-building departments or nation-building activities, is an idea of the past. Social services have taken different forms in the twentieth century, and I am anxious to know if the Honourable the Finance Member is in touch with the recent developments. I have stated, Sir, that in Bombay to-day there are 60,000 unemployed persons, and a number of unemployed in other textile centres. Is it not the duty of Government to do something to relieve the distress of these people? If the agriculturists are to be given relief by means of the famine fund, is it not logical and legitimate to expect Government to do similar things in the case of industrial workers also? I therefore think, Sir, that having regard to the protection, higher and higher protection, to the extent of nearly 75 per cent., having regard to the bad results that have accrued by the grant of this protection, having regard to the fact that other textile centres have improved at the cost of Bombay and Bombay is going down every day, I believe and believe very strongly, that the time has come for this Government to announce that the textile industry in this city shall be nationalised. Unless they take that bold stand, unless they take courage in their hands, I have not the slightest hope for the future of the textile industry.

The Honourable Sir GHULAM HUSSAIN: May I interrupt the honourable member? This would be an appropriate matter for the Assembly. We cannot nationalise this industry. The local Governments have not that power.

Mr. R. R. BAKHALE: It may be an appropriate matter for the Assembly. I do not know whether it is so, but I do feel that the welfare of Labour and the finances of this presidency are matters within the competence of this legislature, and as I happen to represent Labour interests, and also as I am a member of this House, I am entitled to express my view and to suggest ways and means which I consider best to meet the situation in the present circumstances. And I believe, Sir, that nationalisation of the textile industry in Bombay particularly is the only remedy to get out the textile industry from its present difficult position and also to improve the finances of this presidency. It is a bold step, I do recognise, and therefore I do not suggest to them that they should immediately proceed with that work. All that I suggest is that they should make an announcement, in the manner in which the Government of India announced that all the railways in India shall be nationalised within a reasonable period of time.

The Honourable Sir GHULAM HUSSAIN: May I interrupt the honourable member? Will the millowners agree to that course? The mills are private property.

Mr. R. R. BAKHALE: You will have to make the Millowners agree. Of course my honourable friend Mr. Petit will not raise any objections now; I am quite sure about it. But even the railway companies which had sunk their capital in India did not agree to the railways being nationalised, and yet the Government of India took up that step and announced that the railways shall be nationalised within a certain time. In the meantime, I am placing an alternative before them, an alternative which is being seriously considered in Great Britain to-day. That alternative is to put a sort of control over the textile industry by the appointment of something like a cotton control board. If the honourable member wants any further information, I am prepared to give it to him so far as this point is concerned. Unfortunately, my time is up, and I cannot deal with it at any great length. But I should like to say that Great Britain has been seriously considering the possibility of controlling the production, of controlling the distribution and of controlling everything that is connected with the mill industry in Lancashire to-day. That is the policy that the Labour party, in consultation with the Trades Union Congress of Great Britain, has declared and has announced in this little book called "Industrial and Labour Information," published by the International Labour Organisation of Geneva.

The second point that I want to emphasise is one which has been emphasised by my honourable friend, Mr. Lely, and that is with regard to the diversion of trade from this port to other ports. I agree entirely with what he has said, but even here, beyond expressing a pious opinion, Government do not proceed further. They say, this is bad, this is bad, this is bad, but they do not suggest an alternative, and they do not take enough courage in their hands to improve the situation. Unless the Port Trust charges are reduced very considerably, there is no possibility of your trade being revived, and those charges cannot be reduced unless you bring down the Port Trust expenditure to the minimum. For a small Port Trust Department like this, they have got a small railway of 6 miles or so, and they are running it themselves. Of course it is a ridiculous proposition. For that railway of 6 miles they have got a railway manager, two assistant railway managers, one traffic manager, and so on and so forth. If, Sir, that railway is conducted, say, by the G. I. P. Railway or the B. B. & C. I. Railway, it can be more efficiently and more economically conducted. These are the points which must be considered by the Bombay Government seriously and to arrive at some conclusion both with regard to the textile industry as well as the Port Trust of Bombay which will help them to improve those two departments as well as to improve their own finances. Sir, with these remarks I conclude.

Rao Bahadur R. V. VANDEKAR (Nasik District): Sir, I sincerely congratulate the Honourable the Finance Member for being able to produce a balanced budget. Taking into consideration the hard times, I must admit that Government have sincerely carried out their promise

[Rao Bahadur R. V. Vandekar]

of retrenchment. But I am constrained to say that the heavy expenditure of administration, which Government is incurring at present, is still too heavy a burden for the poor ryots to bear.

Sir, agriculture is the principal industry of the province, and on account of the reduced prices of food-grains and other agricultural produce the cultivator is not in a position to pay even the land revenue. Weaving which is the second best industry is also faring badly, and one mill after another is being closed and the wages are being cut down. The result is that the purchasing power of the agriculturists and the labourers is almost gone. Government must undertake to retrench further, if they really wish to help the down-trodden ryot.

It is a matter for very great concern that the Government are very anxious to restore the 5 per cent. cut in the pay of superior services. I do not mean to say that the cut does not affect the servants. But may I point out that the cultivator's income is reduced by more than 50 per cent. and in certain cases he is not even able to pay the land revenue by selling the whole of his produce? We are all anxious to know what steps Government intend to take to raise the price of agricultural produce and to restore the wages of labourers to the old level.

The Honourable the Finance Member has referred to another danger that is threatening the prosperity of the port of Bombay by the diversion of cotton and other trade to other ports. This has been, I make myself bold to suggest, due to topheavy administration of the Port Trust. In order to meet the enormous pay bills, the Port dues had to be increased to such an extent that now the importers and exporters find it cheaper to make use of undeveloped ports and thereby bear the heavy costs of transport and loading and unloading charges than to pay the unduly heavy port dues. The only remedy of stopping this diversion is to make the port dues reasonable, and for that object the pay bill must be brought down to make the Port Trust self-supporting. In this respect, I may state here something on the authority of a one-time Executive Councillor, Sir Lallubhai Samaldas. He has shown in his book that salaries in Japan of the highest officers are much lower than they are in India. One has to cut his coat according to the cloth, and the expenditure of the Port Trust ought to be reduced to suit the exigencies of the case.

In the last sentence of his speech the Honourable the Finance Member feels confident that this House will renew the Finance Act of 1932. The Tobacco Excise Act passed last year which was estimated to produce 4 lakhs, is now estimated to yield 5 lakhs in the current year. May I say a few words in this connection? This tax is said to be collected from traders, but its burden is ultimately transferred to the agriculturists. As in the case of port dues, has Government ever enquired how the tobacco trade is being diverted to the Indian States, where the tobacco tax is not in operation? The operation of the Act has become very oppressive to the grower of tobacco. Tobacco was formerly sold in the form of sheaves. But now, owing to the extension of bidi and

[Rao Bahadur R. V. Vandekar]

cigarette smoking, the leaves are beaten into small pieces and taken to the market. The zealous tax collectors exact the tax even from the actual cultivators on the ground that some operation in manufacture has been gone through. In such a case, even the cultivator has to pay a direct tax. This is wrong and ought to be put a stop to. I shall give another instance for the benefit of the Treasury benches. The town of Nipani in the Belgaum District is noted for an extensive tobacco market, supplying tobacco of a high quality to Bengal and other provinces of India. What is the condition of that market within a short space of 12 months from the imposition of the tax? New markets have been started at Ichalkaranji, and Jaysingpur in the Kolhapur State, and the tobacco which was sold at Nipani is to a very great extent carried to these two new markets for the simple reason that there is no tax to pay. The extent of the loss to Nipani can be very easily ascertained from the municipality there and the extent of the gain to the new markets can be known from the figures of export of tobacco from Hatkalagda and Jaysingpur stations on the Kolhapur State Railway. If enquiries are made about the effect of the new taxation on the market in other places, the results will show a diversion of trade. I am afraid that the estimated increase of a lakh may not materialise. This tobacco tax ultimately falls on the agriculturist, who is actually getting much less from his produce than he would have got in its absence. Therefore, it should be abolished as early as possible.

Government is in chronic need of more revenue, and therefore their officers are in search of sources of income on some pretext or other. They find excuses for levying higher rates. They do not pause to consider the effects of these fresh exactions. It does not require any elaborate argument to show that the industry of sheep breeding is of great help to agriculture. Itinerant flocks of sheep supply the urgently needed manure to the fields, and therefore encouragement ought to be given to those who keep hordes of sheep and breed them on an extensive scale. But the shepherds who do this business and paid only one anna per head of grown up sheep only a few years ago are now asked to pay 4 annas per head of sheep including kids under 12 months. The reason given is that they are not bona fide agriculturists; but breeders of sheep. I have got just at this time in my possession letters of actual shepherds who are unable to pay the heavy dues, but I do not wish to take up the time of the House in reading and explaining them. The payment of this heavy tax will ultimately compel the shepherds to reduce their flocks and thus gradually go out of business, to the ultimate deterioration of agriculture. The tax is so heavy that the law of diminishing returns is sure to come into operation in the near future.

I ought to say something about the nation-building departments. The poor agriculturist is proverbially illiterate and Government have always expressed their keen desire to spread primary education among them. But what is the result! Government is more solicitous to help higher education than to help the primary. Even those District School

[Rao Bahadur R. V. Vandekar]

Boards who desire to open new schools or to employ more teachers for work in already existing schools where the rush is great, the Department of Education put their foot down and refuse sanction to open more schools even on what is known as voluntary basis. Is this right? Will the Honourable the Educational Minister take a note of this?

In the sphere of higher education also the hard and fast rules of Government work to the prejudice of the intermediate classes. Take the instance of admission into the Government High Schools. Government were kind enough to reserve 50 per cent. of admissions for boys belonging to the depressed, the Musalmans and the Intermediate classes. But this rule in almost every case is interpreted as if 50 per cent. admissions are reserved for the advanced communities, forming about only 8 per cent. of population. The remaining 92 per cent. of the people have to remain content with what are left over. The number of depressed class boys is gradually increasing and I am glad to observe that all of them get the first preference. Out of the remaining vacancies I am under the impression that the Mahomedans get their quota and the Intermediates forming about 60 per cent. can get only a few admissions. This is sheer injustice and the sooner it is redressed the better. I would suggest that after satisfying the needs of the depressed classes the remaining vacancies should be distributed according to the population of the advanced classes, the Mahomedans and the Intermediates. I claim no special favour; let us have our due share.

In the matter of freeships too the Intermediate classes are at a great disadvantage. The number of freeships is 15 per cent. So in a High School of 400 students the number of freeships is 60. But now in a district like Satara 50 depressed class boys are easily on the rolls, and they get the freeships leaving only 10 or even less for the vast Intermediate population. I shall be the last person to say that some of the depressed class boys should be asked to pay their fees; they ought to be educated free. But the claims of the Intermediates ought not to be overlooked, and Government ought to make special provision for them. In the case of Government scholarships too both the Intermediate and the depressed suffer. In some districts the number of eligible students sometimes falls short of the number of scholarships allotted to these classes. In that case the scholarships lapse. But in some other districts the number of eligible students is more than the number of available scholarships. The unused scholarships in one district ought to be made available to the students of another district if need be.

In conclusion I shall urge again the necessity of further retrenchment not only in Government Departments, but also in semi-Government Departments as the Port Trusts. Government ought to devote much more attention to ameliorate the condition of the cultivator who is the real backbone of society and on whose prosperity, the prosperity of the other sections of the people and of Government mainly depends.

The House then adjourned for tea till 5 p.m.

(*The House re-assembled after tea at 5 p.m.*)

Mr. MAHOMED HASHIM GAZDAR (Karachi City): Sir, the budget estimates presented to this honourable House by the Honourable the Finance Member appear to be balanced, but if we study the figures, we find that that balance is rather very precarious, delicate or dangerous. If we look to the factors which contribute to our anxiety, or which will cause instability, we feel our fears are real. First, there is the threat to resume or restore the 5 per cent. emergency cut, which would mean nearly 15 lakhs of rupees extra burden. Again, Government have suspended repayment of debt to the extent of about 12 lakhs of rupees. Then, we have seen in the House that members are not very willing to bear the extra temporary taxation for another year; I mean they are not prepared to support the Finance Bill. Further, the condition of the cultivators has grown so bad that they are not able to eke out a living from the land. In fact, I found in the Karachi District that it was difficult for Zamindars to get back even the value of the seeds after paying all dues to Government and tenants. The prices of agricultural produce are very low. Under these circumstances, the land revenue, either by remissions or reductions in rates, is bound to go down. Lastly, our debt burden has increased very much and we are not able to pay the full interest charges on it from our current revenues. We borrow to pay our interest, with the result that every year increases our interest burden.

The Honourable Sir GHULAM HUSSAIN: Will the honourable member enlighten the House from where he got that?

Mr. MAHOMED HASHIM GAZDAR: Calculating all these factors, I find that our budget is a deficit budget to the extent of about 75 lakhs of rupees. Of course, Government do not agree, because it appears to be balanced. An Urdu poet has said:

اب تو آرام سے گذرتي هے - عاقبت کي خبر خدا جانے

"Let us make merry today; tomorrow will take care of itself." If it were not so, surely Government, with the recommendations of the Thomas Committee before them, will not think of restoring even the 5 per cent. cut. If you look at the figures of the scales of salaries recommended by the Thomas Committee, you will find that they are nearly half or two-thirds of what are at present drawn by the officers.

Much has been said by my honourable colleagues who have preceded me in this general discussion of the budget, about the heavy indebtedness of the agriculturists. I have received several complaints that the Co-operative Department is weighing very heavily on them. It is very difficult to repay the debts. The heavy instalments and the rates of interest charged, when the market is so very easy for money, are surely unthinkable. The Government in the Co-operative Department should think of reducing the interest charges and make the repayment lighter. The disastrous effects of the world depression and the abnormal slump in the prices of agricultural produce on the paying capacity and general

[Mr. Mahomed Hashim Gazdar]

economic condition of the agriculturists, necessitate a revision of the land revenue settlement. A liberal grant of remissions and suspensions is the crying need of the day. The agriculturists want remissions and suspensions. For the last two or three years they have been paying land revenue by selling their ornaments and their household effects; now, they have nothing to sell and pay up.

I would like to draw the attention of Government, in this connection, specially to the condition of zamindars of Lower Sind and Karachi District. When the Lloyd Barrage scheme was put forth by Government, the Lower Sind zamindars had real apprehensions about their future. Government called conferences, produced figures of levels in the Indus, and said that in future though there would be less of water in the river they would get more supplies in their canals, and they were assured that if that prophecy did not come true they would be compensated. Now, in spite of Government spending so much on improvements of Karachi canals and Lower Sind canals, we find that the supply of water has become very precarious. On the floor of this House, the Honourable the General Member was pleased to state in reply to a question that whatever assurances were given by the Chief Engineer in Sind that levels at Kotri were rising were substantially correct. I say Kotri is very far away from the centre of cultivation. Kotri levels may have been rising, in spite of increased withdrawals by Barrage canals; but it is a fact which nobody can deny that the corresponding higher levels which were expected to be attained in the canals lower down Kotri, say about 30 or 40 miles lower down, have not been attained, and the designed beds of canals at higher levels have caused ruin to the Karachi District zamindars. Last year, we were not able to get full supply for more than twenty days. You can just imagine how the district which grows chiefly rice can get its cultivation fully reared if it gets full supply levels only for 20 days in the year in its canals. I therefore suggest to Government that they should very kindly, for the sake of their good name, if they do not want to make the Karachi district a desolate region or turn all its population into dangerous Bolshevists, they should think of some remedies, such as constructing a weir at Jheruk to raise the Indus water level and to lead it into feeder canals on both banks of the Indus.

The extravagance of Government has starved all our nation-building activities. If you look at page 14 of the Blue Book you will find that the expenditure on primary education has been increasing at the rate of only one lakh a year. It was one crore in 1922-23; it is 1,16 lakhs in 1934-35. Another department which is starved is Civil Works. Our civilisation depends upon easy communications; our progress, prosperity, and everything depends upon good communications; but they are being starved, starved so badly that roads have become unfit for traffic. From 2 crores in 1921, the allotment for Civil Works has decreased to 88 lakhs this year. Out of 27 lakhs allotted out of this for communications, Sind gets 1·5 lakhs, that is only 5 per cent. My honourable friend from Ahmedabad complained yesterday that Gujarat

[Mr. Mahomed Hashim Gazdar]

was being neglected, and that Sind and Deccan were having the lion's share. Of course, he was referring to irrigation figures. But I would like to point out that from the commencement of British rule in Sind up to this date, Government have spent only 5 crores on irrigation works, both productive and unproductive, excluding Lloyd Barrage works, while if you look to Irrigation Works capital accounts, you will find that Sind has given 7 crores net revenue up to date. In the bargain, what do we get? Education is nothing; there are no roads, no communications. This is what we get for giving you 7 crores net revenue on an expenditure of 5 crores.

My honourable friend from Karachi District has spoken of the undesirability of retention of unnecessary staff in the Public Works Department of Sind. One very glaring instance of that I find in the transfer of the Mechanical Engineer to the Agricultural Department. He is a very highly paid officer; he has a staff and paraphernalia, which costs us at least Rs. 30,000 to Rs. 35,000 a year. And what is this Mechanical Engineer's work? It consists of putting a few tube bores and looking after a few ordinary pumps. An ordinary mechanic on Rs. 200 per month would suffice for that job. That is one instance in which you can see how Government take care of the tax-payers' money.

Another very serious matter for Sind, to which I would like to draw the attention of the House and the Government, is the question of waterlogging. When the Sukkur Barrage project was first mooted, the people who were best qualified to talk on the matter, the very best critics, who had time and opportunity to criticise it, pointed out that Sind was a very flat country, there was no drainage, natural drainage was very much intercepted and badly arranged, the surface contained certain kinds of salt, which, if combined with waterlogging, would effloresce and make Sind soil uncultivable for any crop, leave aside two crops in a year. Therefore they urged that construction of drainage works should precede construction of canals or at least drainage works should be completed before Barrage water is brought on the Sind soil. So it was suggested to Government that before intercepting natural drainage by the construction of canal banks, they should construct a complete system of natural drainage to take away flood waters, subsoil waters, etc., before they brought in the Barrage water on the lands. But in their anxiety to show less cost, to show that they were spending less than their estimates, they abandoned or postponed the most essential works. What is the result? We have not had two seasons of the Barrage water in Sind and the waterlogging question has come seriously to the front. Lands have become uncultivable. The Honourable the Home and General Member has been pleased to admit in the Blue Book that we have passed the danger point. Well, this work should have been done 8 years ago. But it is never late to remedy the defects, and I request that very serious and immediate steps should be taken to construct a complete system of drainage works. If that is not done, if any economies are shown or any efforts are spared, I am afraid the Barrage lands will not be able

[Mr. Mahomed Hashim Gazdar]

to bear even one crop a year and the whole land may become uninhabitable.

One point which I have not understood from the Blue Book is this, that though the total amount of salaries paid in 1921–22 was 510 lakhs and in 1934–35 it is estimated at 499 lakhs, pensions have increased from 55 to 120 lakhs of rupees. Though of course all the promises (given in 1922) to reduce the salaries on account of cheapness have gone by the board, I would like to know why, if the amount of salaries has remained the same, the charges to be paid for pensions have increased by about 130 per cent., from 55 lakhs to 120 lakhs. See Blue Book, page 14.

The Honourable Sir GHULAM HUSSAIN : I may tell the honourable member that we have time scales, and the pay bill is, therefore, increasing every year. The establishment has not been increased. As a result of retrenchment, the retrenched staff have been given pensions also. Hence the pension charges have risen to 120 lakhs, while the establishment charges are nearly the same, in spite of the time scales, owing to retrenchments.

The Honourable the PRESIDENT : The honourable member has only one minute more.

Mr. MAHOMED HASHIM GAZDAR : Another thing which I would like to place before this House is that the financial forecasts of the Barrage are very gloomy. The Government has up till now refused to place before this honourable House a fresh and up-to-date forecast showing how we are going to wipe out this debt and when this project is going to be productive. There are so many factors which go to augment the cost of the project. The first is the failure to realise the salvage value of the special tools and plant worth about 3 crores of rupees. In what they call second Revised Recapitulation the Chief Engineer estimated that he would get Rs. 97 lakhs back from the second-hand used plant and thus he reduced the total cost on paper by that amount. When the Committee of experts was appointed, the Chief Engineer assured them that 105 lakhs would be realised. Now I find from the budget estimates that the value has come down to 74 lakhs. Not only that, but in the introductory note printed it is stated that we may be able to realise only 60 lakhs. With our experience of selling second-hand stuff, especially dredgers which did no work or did practically very little work, I am afraid we may not even realise 40 lakhs. If we realise 40 lakhs, that means that the project is going to cost 60 lakhs more. Then, in the project there was no provision for drainage works which are so essential. On page 177 of the Blue Book Government estimate that it will cost 64 lakhs, but they say that this amount will be met from the savings on the project. Well, if you carefully study the figures, you find that there is no saving. In fact, we have exceeded the estimates. It would mean that nearly 75 lakhs proposed to be spent on drainage works, would be an additional charge on the Barrage.

[Mr. Mahomed Hashim Gazdar]

If you remember, Sir, several complaints about bad work being done on the Barrage proper and on the Rohri canal were made on the floor of this honourable House. I find in the Blue Book a testimony to or confirmation of these complaints. Over 12 lakhs were spent on reconstructing Regulators and Canal Banks on the Rohri canal system and 5 lakhs on rebuilding the talus pitching, and floors of the great Barrage regulators. They were not provided for anywhere in the estimates. This amount has been spent and it will go to further augment the estimates. [*Bell rung.*]

Dr. J. A. COLLACO (Bombay City, South): Mr. President, I am thankful to Government for small mercies in that the Budget is not worse than what it is. The Government apparently think that they have reasons to flatter themselves because they have succeeded in balancing the budget for the next financial year. Judging from the bare figures given in the Budget, which is made up of the usual stereotyped features, one would run away with the idea that our Presidency is basking in the sunshine of prosperity, because the Government are getting all the money they need to maintain the administrative services on a lavish scale without bothering much about permanent reduction in salaries or the cutting down of other expenditure. The Honourable the Finance Member almost apologised for the retention of the 5 per cent. cut in the salaries instead of going forward with a 10 per cent. cut, at least in the provincial services.

The Honourable Sir GHULAM HUSSAIN: Do I understand that the honourable member wants us to cut down the salaries of the provincial and subordinate services?

Dr. J. A. COLLACO: He gave us a mild hint that this cut cannot go on for ever. It has been said that they are consulting other presidencies. I do not know why we should consult other presidencies. We should always guide the other presidencies. We are a progressive Presidency and we should give a lead to other presidencies, especially as we are having a series of deficit budgets.

A cursory glance at the Budget will reveal the true state of affairs. What are the facts? A balanced budget on one side and impoverished people on the other. If the Government can look upon such a situation with equanimity, they will have themselves to blame when the catastrophe comes especially in Bombay City. The saddest commentary is that while the poverty of the people is increasing, the demands of the Government on the helpless tax-payer are becoming heavier and heavier. The ruin of agriculture, the bankruptcy of the landed proprietors, and the stagnation of trade and commerce—all these together point to the proverbial writing on the wall against which the Governing authorities choose to close their eyes, believing apparently that they can avoid a disaster by not thinking of it at all. Although apparently the Budget is a balanced one, in reality it is a deficit budget inasmuch as the Honourable the Finance Member has already booked in advance the revenue to be derived from the Finance Bill. When we supported it last year, we did

[Dr. J. A. Collaco]

so on the distinct understanding that it was only to enable the Government to tide over their difficulties, till the recommendations of the Reorganisation Committee should bear fruit. Well, I think Government had ample time to do something. They have done something, but I would recommend that they make some more intensive efforts to give effect to that Committee's recommendations.

The Finance Bill hits the Bombay city far more than it does other parts of the Presidency. In fact, so far as electricity tax is concerned, we pay 3 parts and the rest of the Presidency pays 1 part. So also is the case with stamps and registration. Bombay city pays far more than do the other parts of the Presidency, with the result that the Bombay City has become the costliest city to live in. Due to this high cost of living, the city's trade and industries are migrating to more congenial and less expensive places. The honourable member Mr. Bakhale and other honourable members told the House about the diversion of the cotton trade. It costs Rs. 3 a bale to send it from Surat to Bombay by rail. By country craft it costs Re. 1 per bale. What steps is Government taking in the matter? I hear they had a sort of conference on this subject. There are four parties to this—the Government, the Bombay Municipality, the Railways and the Port Trust. All of us must try to forego something. Government must forego part of their cotton cess; so also the railways must reduce their freight charges, the Bombay Municipality must forego part of their tax and the Port Trust also must forego part of their charge, if we want to keep the cotton trade in Bombay.

The honourable members from the mofussil have told us about the miseries of the agriculturists—especially the honourable member from Kaira and some others. Sir, I have sympathy for the agriculturists and I hope the honourable members representing that class will reciprocate it when I tell them about the woes of Bombay city. The condition in Bombay is worse than in the rural areas. Out of 84 mills 44 are closed down and 66,000 millhands are idle and starving. The unemployed in other trades number over a lakh, and those that have some little employment are working morning till night to keep the wolf of hunger and the tax gatherer from their doors. We have no idea of the condition of thousands of starving people in the city, and if something is not done and done urgently, there might be food riots. Daylight robberies, thefts, assaults, etc., are its precursors and their cause is hunger. That is one reason why we should go to the relief of the tax payer. If the taxation is passed, it would not only increase and intensify unemployment and misery in Bombay, but would result in the ultimate ascendancy of communism. Government have promised remission of land revenue to rural areas. I congratulate the Honourable the Finance Member and ask him to extend the same sympathy to urban areas by giving them relief from the electricity tax, for which an amendment has been tabled by the honourable member Mr. Humphrey. We have got a sum of 75 lakhs in the Famine Relief Fund. I wonder whether it is meant only to be kept as a sort of

5·30 p.m.

[Dr. J. A. Collaco]

exhibit in a showcase in a museum. What is the Famine Fund for? The Famine Fund is to be used when there is a famine and famine does not only mean starvation in rural areas, it means starvation anywhere, it may be due to drought, earthquake or any other cause. I say in Bombay city people are starving due to unemployment and going without meals. May I request the Honourable the Finance Member to make provision from this Famine Fund for the relief of starvation in Bombay city and if he does that I shall thank him on behalf of the starving population.

Mr. A. N. SURVE (Bombay City, North): Sir, I rise to offer congratulations to the Honourable the Finance Member for placing before us a budget which he is pleased to call an attenuated budget. I feel rather at ease that at least this year we are spared the labour of considering proposals for imposing additional taxation. Sir, I cannot help noticing the size of the speech with which he presented his budget. I think it is a record speech as far as its brevity is concerned, hardly 3½ pages, and whether it is due to the adage that brevity is the soul of wit or whether the Honourable the Finance Member wants us to take a lesson from him that we should be sparing in everything——

The Honourable Sir GHULAM HUSSAIN: Both.

Mr. A. N. SURVE: —— in finance and other matters. Whatever it may be, we expected much from the speech of the Honourable the Finance Member. As a matter of fact it is the duty of Government to unfold their plans to this House and if there is economy in that respect, I am sure the House will be lacking that guidance which is its due. The Finance Department is an expert department of Government and it is their duty to place all relevant material information before this House——

The Honourable Sir GHULAM HUSSAIN: May I tell the honourable member that every information he wants is given in these two books, if he will only read them?

Mr. A. N. SURVE: I shall show the Honourable the Finance Member where more information could have been given. I am coming to that later on, but my point is that we owe a duty to the presidency, we have to discharge it and the risk is ours if we misjudge the situation as the consequences are to be borne by the presidency and for that reason it is our due to expect Government to give us the fullest possible information that they can give.

Then, Sir, the general policy on which the budgets are being framed for the past two or three years makes one believe that the administration is not for the public but the public for the administration. It is not that the Government is to seek the convenience of the public but the public is to adjust itself to the convenience of Government.

The Honourable the Finance Member has told us that there have been drastic retrenchments and that therefore they have not been very popular. I do not say that they have not been very popular, but may I humbly ask the Honourable the Finance Member why they are not popular? I quote

[Mr. A. N. Surve]

only one instance. Take for instance the amalgamation of the districts. During the reorganisation period there were three districts wiped out, the Bombay Suburban district is wiped out, the Panch Mahals district is amalgamated, the Kolaba district was taken away but under some modified arrangement it has been continued. What are the implications of these amalgamations ? Do Government think they will be able to make a large saving ? There may be a saving of one lakh or of Rs. 50,000 but what are its connotations to the public ? Has the Government ever considered this point from this view ? Take for instance the case of a place from which a magistrate's court is removed. Where are the people going to get their redress ? For every case that is filed in a district court, every litigant has to incur extra expenditure. He has to incur extra expenditure on his witnesses, their travelling, their bhatta and all these things go to multiply several times and therefore to the public this amalgamation of districts is a severe and an unbearable calamity. Therefore, it is a matter of some consolation that we have somehow managed to balance the budget, but, Sir, I must say that Government have not taken that amount of care which they ought to have taken because they have always looked at a saving of half a lakh or of one lakh without taking account of the fact that many times that amount will have to be spent by the taxpayers who are already heavily taxed——

The Honourable Sir GHULAM HUSSAIN : Do I understand that it is the wish of this House to have more districts and more courts, and that they disapprove of the policy of having one Collector in charge of two districts and one District Superintendent of Police in charge of two districts, that is, one officer to do the duty of two ?

Mr. A. N. SURVE : Well, Sir, that is your point of view of looking at the matter.

The Honourable Sir GHULAM HUSSAIN : No, I want to be guided by you.

Mr. A. N. SURVE : I am here to explain and state the case from the point of view of the public. A district court is not the only matter. If the headquarters of a district is removed even 50 miles from its present position, then the person who wants to seek redress is put to additional cost. That is my point.

The Honourable Sir GHULAM HUSSAIN : I do appreciate your point. But what should I do ? If the honourable members wish to have more courts, very well, we will give them more courts, whatever the cost.

Mr. A. N. SURVE : Therefore, what I am driving at is that Government ought to consider this point. As a matter of fact you are actually recovering additional taxes from them. That means that you must see that they get additional amenities, but here what do we find ? There is a curtailment of existing facilities and on top of that there is additional cost.

Then, Sir, the Honourable the Finance Member has been very enigmatic in his remarks about the diversion of cotton and other trade from

[Mr. A. N. Surve]

Bombay. Well, Sir, there is only one sentence regarding it, but I ask him why is trade being diverted from Bombay? Simply because it is the result of extra taxation which you have been keeping up. It is the financial sins of Government which are responsible for this diversion. Only two years back I stated here the very same words which the Honourable the Finance Member is adverting to today in his speech. I have been saying that Bombay city is on the downward grade, the prosperity of Bombay is declining, the prosperity of Bombay lies upon its port and what is the state of affairs at present? The port of Karachi is competing with Bombay, the Kathiawar ports are competing with Bombay, tomorrow when Sind is separated, Karachi will go away from us, the Kathiawar ports have been diverting our trade and if we are going to impose additional burdens, I warned Government that Bombay would lose its premier position. I said this, Sir, on the 24th February 1932. It is not a matter of one year or of two years. The decline in the trade and the prosperity of Bombay is patent to every citizen here. For the past ten years we have been noticing it. On several occasions I have uttered warnings in this House, but to what effect? To no effect at all, and if the trade is being diverted from Bombay, who is to blame for it? Not we, but it is simply because Government have not taken notice of these warnings that were uttered here by honourable members. Therefore, the position which you are trying to heap upon this presidency is a matter of concern to you as well as to us. We are co-operating with you and for co-operation, if we see with our eyes open that our presidency is suffering, it is our bounden duty to bring that fact to your notice with all the strength and vehemence that is in our power.

We are again told about the economic depression. That is another sentence in which some information could have been given. What explanation is vouchsafed to us is that Government in concert with several other Governments is trying to do what it can. Perhaps it is a repetition of the European policy of arranging conferences, whether it is a meeting of Big Fours or Big Sevens or Big Twenties, I do not know, but are measures like this going to save our presidency? At present, Sir, after the examination is over, we do not know what Government is going to do, because the only assurance given is this that Government intend to concert measures within the limits of their financial capacity. I am emphasizing that word "intend" because the intention may or may not be executed. Therefore, these are the matters with which Government is entrusted in the administration of this presidency. Let them not go on thinking and thinking and examining questions. They must take immediate action and that immediate action is the only way by which this presidency can be saved.

Well, Sir, there is a passing remark about the mill industry. There also what has Government been doing? At present more than 64,000 people are unemployed. What has Government done? Looking to the past history before the strikes, how far Government intervention was used? If Government once take up a particular line, they must

[Mr. A. N. Surve]

pursue it and see that things are remedied. Here in the mill industry, what is happening to-day is this, that the burden is being transferred from one shoulder to another and the poor labourers suffer as the wages are being cut and what is Government doing? Have they ever seen whether the terms offered to labour by Government are just and reasonable? If they are not, what action should be taken? Has Government done anything in that line beyond merely saying that in every province the mill industry is suffering and that some action will have to be taken? What are you going to do? We are entitled to ask you that, because if 64,000 people are out of job, it is for Government to see that this unemployment does not exist.

We are then told something about unavoidable expenditure, and I am only taking up a single item of Rs. 13 lakhs for pension charges. Now, the problem about Government servants is a very ticklish one. After all, if my own inclinations are to be considered, I can say that I am never in favour of curtailing the salaries of anybody, at least of servants. That is my own position, but when the servant wants ample salary and many facilities and privileges, it is his bounden duty to see that he serves the presidency rightly. Judging by this test, can the Government servants say that they have done this, that they have done that, and therefore there should be no cut in their pay? If you look to the history of the past fourteen years, we have been blundering along. We have been taking up schemes in hand which are unprofitable. And still the Government servants will say "Oh, do not touch our salaries". If that is the case, we are getting into a vicious circle, and I am sorry to say that the Government servants have not been rendering that kind of service which the public of this Presidency expect them to render. The public expect them to render that kind of service which will lead the presidency to prosperity, not to ruination.

The Honourable the PRESIDENT: Only two minutes more.

Mr. A. N. SURVE: I will take up only one more point and conclude my remarks.

Coming to the tobacco duty, we are told that last year it was expected to yield Rs. 4 lakhs, but we find that they have been able to collect 5 lakhs. If that is true, it means either miscalculation on the part of Government, or concealment of facts. Taking it either way, it is not a matter on which Government can take pride. If they have miscalculated, they are incompetent, if they have concealed facts they have not—I am sorry to say—kept faith with us. This House sanctioned the tax on the assumption that it would not fetch more than 4 lakhs, but they have actually collected 5 lakhs. That means that there is some harsh treatment to the tax-payers. There is a loud cry that the tobacco growers are hit hard by this tax. Government have taken it as a matter of gratification that a measure which was calculated to bring in 4 lakhs has actually brought in 5 lakhs. But at what cost has this been done? At the cost of the discontent of the public. Well, Sir, these are the points which should

[Mr. A. N. Surve]

be taken note of, and I request Government to see that the burden of taxation is reduced to the extent which would make it possible for the people of the presidency to bear it.

Mr. M. H. MEHTA (Panch Mahals District): Sir, while congratulating the Honourable the Finance Member on the presentation of a balanced budget, I would say that the people whom we represent do not care whether it is a balanced budget or a deficit budget. They would judge the Finance Member's work by the benefits which they would get. So long as the burden of taxation on this presidency is not reduced, so long as we have to pay large amounts by way of interest on our heavy debts, and so long as the new taxes that have been sanctioned by this House are not abolished or reduced this balanced budget would have little value to them. The people do not care whether the administrative machinery is carried on either from balances or by borrowing. They only judge the administration by the facilities that they get. The people in the mofussil, particularly the agriculturists, would always see whether the burden that they have to bear is reduced in any way. They also judge the administration by the amounts of sympathetic treatment that they get at the hands of the Government. But we find that no sympathetic treatment is meted out to them.

So far as my district is concerned, I would say that Government have not been paying proper attention to the condition of the people when they recover land revenue. Yesterday the Honourable the Finance Member replied to the questions that I put about the annewari in the Dohad and Jhalod talukas, and said it was 6 to 8 annas. In reply to my another question he stated to-day that the Collector of Panch Mahals came to know in February last that there was necessity for giving relief to the poor Bhils from the month of April. He still holds that the annewari was correct, there was sufficient crop and Government were justified in collecting the full revenue in the months of December and January. You would also find from the replies to other questions that large amounts were spent both by the Government and the district local board in giving relief in that year, and the Humanitarian League of Bombay had to spend nearly Rs. 50,000 to relieve the poor people in distress by giving doles up to the month of July, and yet recoveries of land revenue were being made up to that month. I submit that Government ought to be more sympathetic towards the agriculturists. When the Collector found that there was necessity to give help to the agriculturists, he ought to have properly enquired whether the annewari was correct or not. That the annewari was not correct is clear from the fact that large amounts were spent for the relief work. However, Government seem to be now anxious that the agriculturists should be helped and His Excellency the Governor has consequently started the movement of village uplift. It is my opinion that there would be village uplift by itself if all the officers of the departments concerned, viz. Agriculture, Education, Public Health, Co-operation, etc., co-operate with the villagers. The first item put down in the programme is education. Villagers ought to be properly educated, but where are the

[Mr. M. H. Mehta]

schools? When we go to the Government for grants for opening new schools, no funds are forthcoming. This would be a handicap if the village uplift committees undertook to take any action in that direction. Next is agriculture. How is agriculture to be improved? The district agricultural overseers in the districts hardly come in contact with the people. They advise them only when they are called, but the villagers are so illiterate that they do not know how to utilise their services. It is for these officers to go to the villages, meet the people, educate them and give them the advantage and benefit of their knowledge.

Along with this there is the question of agricultural bias classes. Government ought to come forward with funds to encourage the district local boards to add more agricultural bias classes. Government have closed the only institution in Gujarat for preparing teachers for agricultural schools, namely, the one that was at Godhra. They have, however, kept the other two institutions in Deccan running. If they are sincere in their desire to give agricultural instruction to the people of Gujarat, they should now, without any delay, reopen this institution.

The next item in village uplift is co-operation. I may say that the Co-operative Department instead of being helpful to the people has become a curse in some places. At present Government have appointed recovery officers. Now, when there is depression, when prices have gone very low, they have commenced recovering the old dues. The Registrar and the organisers did not take proper care at the time of advancing moneys lavishly to undeserving persons. Large amounts have been given to persons of no credit to pay off the debts of sowcars, and now we find it impossible to recover monies lent to them. Again, the Co-operative Department ought to educate the people to be thrifty. Instead of that we find that they have become sowcars as it were. In Dohad and Jhalod I find that the recovery officer acts as a sowcar, and takes away everything, even the last morsel of grain from the huts of the Bhils, and then makes new advances thus making them always dependent upon the co-operative societies. The societies ought to make them independent. Last year the Government revenue dues and the dues of the co-operative societies were fully recovered from these Bhils, although at the end of February and in the beginning of March people began to starve and there was necessity to organise the relief works.

Sanitation is the next item in the scheme of village uplift. Government have been appointing malaria officers on high salaries, but I am told that they are not supplied with sufficient quantity of medicines. It would be better to pay more grants to the local boards or mamlatdars to distribute quinine more freely, instead of spending after the malaria officers who are not able to visit all villages, and one visit to a village once in the season would not help them, as malaria lasts for about 2 to 4 months.

Village panchayats have to be developed and encouraged, so that they might take up village uplift work. But no grants are offered to the village panchayats. I do not know why no grants are paid to panchayats

[Mr. M. H. Mehta]

when sanitary committees which are doing the same work as the village panchayats are expected to do, are paid grants to the extent of one-fourth of their collections. If Government want to encourage village panchayats, they should give similar grants to them also. It is feared by the establishment of village panchayats the funds of the local boards would be reduced, as the panchayats would claim one-fifth of the local cess paid by their villages.

The last item of importance is temperance. We have to do temperance work in the villages also but the policy of the Government appears to make the presidency wet rather then dry. Instead of decreasing the number of liquor shops, they make additions. To my great surprise, I find in my district that toddy shops are opened where there was none before. People who were not accustomed to drinking toddy will have now an opportunity to addict themselves to this vice. Government ought to discourage such things.

6 p.m.

I will now mention the special grievance of my district, namely, the amalgamation of my district with that of Broach. My district has been amalgamated with the Broach district, in spite of our protests. The honourable member Mr. Surve just referred to that matter, but the Honourable the Finance Member simply laughed it out——

The Honourable Sir GHULAM HUSSAIN: Not at all.

Mr. M. H. MEHTA: During the last session, this matter of amalgamation was discussed both when my resolution as well as the Bill for amending the District Local Board Act were discussed. The Honourable the Finance Member then said that he had to take the step of amalgamation though unwillingly for the sake of economy. When my honourable friend Mr. Petit asked him what would be the probable saving he said that there would be a saving of Rs. 45,000 to one lakh of rupees. This figure may be in contemplation of Government then as they wanted to retrench the Police Department too. But as realities are at present, Government have not been able to abolish the post of the District Superintendent of Police from Panch Mahals. The whole Police Department has remained untouched.

The Honourable Sir GHULAM HUSSAIN: A representation was made to Government that there is a certain community whose members are dacoits and that there must be an extra District Superintendent of Police. It was on this representation that Government decided to retain the additional District Superintendent of Police.

Mr. M. H. MEHTA: What I was saying was that by keeping that department as it was, there was practically no economy in expenditure at all. What has been done in the amalgamation? Only the Collector is removed from Panch Mahals and a Resident Magistrate is given in place of a deputy collector. There are, however, two assistant collectors in Broach and one in the Panch Mahals. If, instead of keeping two assistant collectors at Broach, the Government keep only one there

[Mr. M. H. Mehta]

and appoint the senior assistant collector as a junior collector in Panch Mahals and appoint a junior deputy collector in place of the Resident Magistrate at Godhra, it would not add materially to the expenditure. The present assistant collector gets Rs. 750 and a junior collector at the most would be paid Rs. 1,200 or so. The travelling allowance charges would be saved and hence there would be very little difference. So far as the clerical staff is concerned, no reduction has been made. The staff that was in the Collector's office at Godhra has been distributed among the three offices—the assistant collector, Panch Mahals, resident magistrate, Godhra, and the Collector of Broach. When the districts were separate, there were two chitnises of the mamlatdar's grade and the Head clerks were appointed from mahalkari's grade. After the amalgamation Godhra chitnis is appointed Head clerk at Broach. If the old arrangement before the amalgamation is resorted to, there will be practically no additional burden to Government and the people of my district would be satisfied. My submission to Government is that when there is practically no additional expense, why should they not revert to the old order? I appeal to the Honourable the Finance Member not to be stubborn and to be merciful to this district and reconsider the proposals presented again to Government for separation of the two districts, now that the amalgamation has been done.

Mr. C. G. FREKE: I may begin my remarks, Sir, as usual with dealing first with one or two criticisms of the Budget Books and misconceptions in regard to figures. The one which comes up year after year has been raised by the honourable member Rao Bahadur Chitale, and that is, that the form of the presentation of accounts is not as clear and as simple as it might be. No one realises that more than the Finance Department that has to deal with accounts and has to go through them with committees. But I would point out to the honourable member that, in view of these difficulties, simplified statements have been put at the beginning of the Blue Book. The figures are placed in Statements I and II at the beginning of the Blue Book and they are compiled on the same basis for a number of years on end; and the illustrative diagrams are all on the same basis. That is to say, the modifications in the accounts are removed from these figures in order to make them strictly comparable over a period of years. That is I think the utmost we can do. I trust the honourable member Rao Bahadur Chitale will accept that explanation.

Another honourable member enquired whether the effect of the continuance of the five per cent. cut is in the figures. That, Sir, is explained by a notice pasted on the outside of the Books and full information is given in the 7th paragraph of the Introductory Note. The orders in regard to the cut were received at such a late date that they could not be incorporated in the Blue Book, except in the schedule of demands; and consequently the summary tables in the Blue Book are on the same basis as detailed explanations in the Blue Book. The

[Mr. C. G. Freke]

effect of the continuance of the five per cent. cut is taken into account in the Introductory Note and the Schedule of Demands for Grants which appears in the Blue Book. In the White Book, on the other hand, the effects of the cut have been carried into the major heads and the summary tables are there on the same basis as the Schedule of Demands.

I turn now to a very reasonable enquiry put by the honourable member Sardar Bhimbhai Naik. I do not see him here. He inquired what were the differences between the debt charge figures on pages 10 and 14. Now, Sir, the statement given on page 14 of the Blue Book is an analysis of how the expenditure on the expenditure side of the Budget is actually spread over the major heads ; and consequently the figure shown there of Rs. 1,78 lakhs is the actual expenditure in our Budget on debt charges, that is to say, it is the Interest under 19 and debt payments under 20 and 21, after subtraction of our interest receipts under the Head XVI. On page 10, we have an entirely different type of analysis. We have shown there the full debt of the presidency, whether it is actually borne by this Government or whether it is passed on to other bodies. There we attempt to show how these debt charges are actually paid. In some cases there are direct receipts from expenditure. They have been deducted from the debt charges and then we come to the net burden. That net burden is met partly from borrowings, that is to say, the Barrage interest, and partly from the general revenues. That, Sir, I think will explain the differences between the debt charge figures as shown on page 10 and as on page 14.

Then, the honourable member Mr. Kamat referred to the Presidency's total debt of approximately 76 crores.

Mr. V. N. JOG : I think the honourable member referred to pages 9 and 10 of the Blue Book.

Mr. C. G. FREKE : On page 14, Statement C, is an analysis of the expenditure. On page 10 is an analysis of the net burden of debt charges and the figures in these two statements.....

Mr. MAHOMED HASHIM GAZDAR : On page 10, it is 174 lakhs and on page 14, it is 178 lakhs. There is a difference of 4 lakhs.

Mr. C. G. FREKE : I do not think I will weary the House by going over the whole explanation again. Rs. 1,78 lakhs is the net amount which is actually paid. Rs. 1,74 lakhs is the net burden of debt charges less the amount which is covered by receipts. Of Rs. 1,74 lakhs, Rs. 86 lakhs is met from the general revenues and Rs. 88 lakhs from Loan Funds, namely, Barrage Debt Interest.

Coming to the honourable member Mr. Kamat's reference to the debt burden of 76 crores the honourable member himself is, I think, aware how it is distributed. In order that there should be no general misconception that the presidency's debt burden is 76 crores, I should like to make it clear to the House. Nineteen crores and a half have been

[Mr. C. G. Freke]

passed on to the three presidency corporations. As a matter of convenience the Government of India insist upon its being entered on both sides of our accounts in recognition of the fact that the credit of this presidency is pledged. Twenty-six crores of rupees are on account of the Barrage which is an entirely separate account; and if Sind is separated it will cease to be a burden on the presidency. Apart from the amount passed on to the three presidency corporations and the Barrage, we have a burden left of thirty crores, of which two crores are outstanding in the Presidency Loan and Advance account consisting of 1½ crores tagavi and half a crore lent to local bodies. The remaining twenty-eight crores are invested in the public works of the presidency, such as canals preventive of famine, public buildings and the like.

Two other points were raised by the honourable member Mr. Kamat. One was that he recommended that there should be no more borrowing except for productive purposes. That has been for some time Government's policy, and for the present it is not proposed to change it. He referred to another point, and that was whether this Government would be allowed to raise money at present rates of interest and pay off some of their debt in the same way as the Punjab had been permitted. The Punjab was permitted to raise money to clear a provincial debt raised in the open market which had then matured. If we desire to do that, and the money market is favourable, we shall be able to do that to clear the Development loan when it matures in 1935. But I am not aware that the Punjab or any other province has been allowed to raise money in the open market and pay off previous loans borrowed from the Government of India. So far as we have information, that has not been allowed in any case.

Now, Sir, leaving aside the examination of debt charges, there was one statement that the recent reductions in pay have been heavier in the lower scales than in the higher scales. I am not sure whether that was put forward seriously, Sir, but it may be useful to point out that the increases given about 13 or 14 years ago were in the lower scales about 75 per cent. on the average above pre-war rates, and in the higher scales about 20 per cent. above pre-war rates, and the average in the case of All-India Services was about 12 per cent. Now, Sir, as against that proportionately very large increase given in the lower scales at that time, the reductions recently effected in the scales which have been put into force with effect from the 1st January last may be briefly summarised as approximately a 5 rupee reduction in the scales below Rs. 100; in the scales above that, a reduction ranging from 10 per cent. in the lower regions to 12½ per cent. in the higher scales of the Subordinate Services; and the percentage reductions are higher in the Provincial Services. It is not correct that the reductions made have been higher in the case of the lower services than in that of the higher services.

Then, Sir, in examining various figures, both on the receipt side and the expenditure side of the budget, other comparisons have been made with pre-war figures. Two of the most important were, that land

[Mr. C. G. Freke]

revenue is very much higher than before the war, and that the General Administration charges have increased out of all proportion in comparison with those charges before the war. Now, Sir, the figures of land revenue collections before the war were given for a good many years in the Blue Books, and the actual average for the three years 1911–12 to 1913–14 is 5 crores, while the figure in the budget for 1934–35 is, 4,78 lakhs. These figures do not support the assertion that land revenue collections are higher than before the war.

Another interesting comparison is that of General Administration charges. Honourable members are familiar with the analysis of the Presidency's expenditure over the main heads of Administration charges, Unavoidable charges, Beneficent activities of the State, and Miscellaneous, which appears in the Introductory Note. Now, Sir, taking these average figures of those same pre-war years, 1911–12 to 1913–14, I find that the total of Administration charges was then 5,01 lakhs, as compared with the figure in 1934–35 of 6,21 lakhs—an increase, Sir, of roughly 1,20 lakhs. Now, the increase in the Beneficent activities of the State, or the social services, has been from 96 lakhs to 2,87 lakhs—an increase of nearly 2 crores. The increase under the head "Education," which is one which attracts a great deal of interest at all times, has been from 61 lakhs to 1,80 lakhs; in other words, the increase under "Education" is equal to the increase under all Administration Charges. The increase under "Medical" is from 20 lakhs to 49 lakhs. I do not think the House will want me to go through more of these figures. The only point I wish to bring out is that it is not correct to state that General Administration charges have increased out of all proportion. The charges which have increased in a relatively high proportion are those of the social services.

Then, Sir, several members have remarked that this is not really a balanced budget, because there are outstanding commitments, because taxation has not been reduced, or because more money has not been provided for social services. The honourable member representing the Bombay Chamber of Commerce remarked that the commercial community desired that reduction of taxation should be put in the forefront of Government's programme, particularly the removal of the electricity duty and the road tolls. When the Finance Bill is under discussion, full evidence will be brought forward to show that the electricity duty has not been a serious hindrance to progress. This House will have noted that while the honourable member proposed a reduction of the revenue from electricity duty and tolls, he did at the same time warn this House that our revenues were likely to suffer damage from the trade diversion. This is an illustration of the difficulties of the present financial position. Many of the members who have spoken have simultaneously demanded that revenue should be given up and more expenditure provided. If these recommendations were accepted, the budget would certainly not be balanced. This House is well aware that there has been a series of deficit budgets and that in working back to full

[Mr. C. G. Freke]

solvency, the first essential is to frame a budget in which expenditure does not exceed revenue. The next year's budget is a definite stage in the advance. But it is not yet time to reduce revenue or to expand expenditure. We look forward to gradual improvement in trade, and in any case to a marked improvement in our financial position two years hence. And the time when there is a surplus in sight will be the time to decide to what extent taxation should be reduced and to what extent the surplus should be utilised in expanding the various heads of expenditure. (*Applause*).

Mr. A. G. GREVILLE BULLOCKE (Bombay Trades Association): Sir, I want to make a few remarks on Excise, reference to which will be found on pages 21-23 of the Blue Book, from which I gather a slight increase in Excise is expected during the current year, and also on the Government distilleries.

The Honourable the PRESIDENT: Would the honourable member speak a little louder, so that I may follow him? He may come to the front benches.

Mr. A. G. GREVILLE BULLOCKE: (*Moving to the front benches*). Unfortunately, Sir, I was prevented from enjoying the privilege of hearing His Excellency address the House on Monday last, but I gather from the reports of a newspaper that His Excellency stated that it was "not possible to contemplate at present any proposals for a reduction of taxation". Nowhere, however, in His Excellency's speech, can I find any reference to a proposed increase of taxation in any form, and this notable omission must have touched a note of joy in the minds of all honourable members. The same newspaper goes on to say that "economic experts agree that the taxable limit of the presidency was reached long ago and that what one should now expect is relief from emergency taxation"—and with that view I think all honourable members, with one exception, will agree, and that one exception is the Honourable the Finance Member, who, while His Excellency's speech must still have been on the anvil, did not hesitate to inflict further taxation and to indicate that this additional taxation would come into force on the first of April next.

Naturally, to be of any value, the tax must be levied on a popular article, and having completely ruined the wine and spirit trade, the Honourable the Finance Member has chosen the consumers of beer as his next victims. Government, by steadily increasing taxation on wines and spirits, has rendered it impossible for the impoverished people to indulge in such luxuries, for the import duty of Rs. 55 per case, plus an excise tax of Rs. 5-12-0, has put them quite out of reach of everybody, except millionaires and people who never pay their bills. Ordinary mortals have, therefore, had to turn to beer as the only available beverage within their reach. Seeing this, Government at once increased the excise charges, and while the Imperial tax remains at Rs. 7 per case of British beer, the Bombay excise charge will be Rs. 7-4-0, even greater than the central import duty. They are made up as follows: The

[Mr. A. G. Greville Bullocke]

excise fee is Rs. 4 : vend fee Rs. 1-8-0 ; town duty Rs. 0-4-0 ; new taxation as from April 1st next, Rs. 1-8-0, making an excise charge of Rs. 7-4-0. So, on beer the shipping price from Europe is Rs. 12. The taxation proposed and reached amounts to Rs. 16-4-0 on every case. These figures seem to call for no comment ; they speak for themselves. Quite naturally, the decrease in amount of imports of beer has been very great. From 1930 to 1933, the decrease in bulk beer (which means beer shipped, in hogsheads and supplied chiefly to the Military) has been 50 per cent. because soldiers cannot afford to buy it, although it is a clean, healthy and nourishing liquor. The only country benefiting by this heavy taxation is Japan. The beer from that country is made chiefly from extracts of rice and opium, but it is very low in price, and therefore feels the heavy taxation least, and the imports have steadily increased, notwithstanding its injurious qualities. The cheapest beer which can be exported from Europe is 18*s*. or Rs. 12 per 4 dozen quarts c.i.f., Indian port. Japanese beer is offered at Rs. 6 c.i.e., Indian port, but provided a certificate is procured from the Collector of Customs or the Japanese Consul here, and sent back to Japan, the brewer receives a bounty equal to 50 per cent. of the invoice value ; *and* the Japanese Customs provide for an additional customs duty on all goods imported into Japan which receive a bounty from the country of origin ! I think, in fairness, India ought to adopt similar tactics, and if the Bombay Government have no power to do this, then the Central Government certainly should be invited to take action, or give this problem serious consideration at all events.

6-30 p.m.

It is generally thought that Government, in inflicting these heavy excise charges on wines, spirits and beer, do so with an ulterior motive, and that motive is with the intention of increasing the demands for the very inferior, if not positively injurious, productions, of their own distilleries. Mr. Baldwin, ex-Prime Minister of England, recently said : " If anybody thought anything would be done to prevent India from becoming a manufacturing country, they were labouring under a delusion," and I am quite sure there is no Britisher in India, or probably outside it, who would desire India to be prevented from developing her manufactures to her best possible advantage. Knowing English people and their sentiments, I say that is the very last thing they would wish ; all they would ask is that competition should be conducted in a fair and honest and equitable manner. For instance, could Government honestly say that this is being done in manufactories under their own direct control ? Say, as regards descriptive labels, trade marks, other peoples' rights, conforming to recognised trade rules, etc. ? I think not. For instance, I have here a bottle containing some sort of liquid, a product of the Nasik Distillery, [*An Honourable Member* : " Is there a glass ?"] which is under the direct control of Government, through the Commissioner of Excise, who unfortunately has been withdrawn from this Council at the last moment and cannot therefore offer the House any explanation of the various what I will generously call " peculiarities " in connection with it. The Imperial Customs would not allow this bottle to be cleared for

[Mr. A. G. Greville Bullocke]

sale. The Excise authorities would themselves step in if the bottles of any trader, other than Government, were decorated and labelled as this bottle is. It offends against every regulation. The contents have been given various names on the various labels. It is described on one as "Juniper Gin" on another as "Old Tom Gin" (a privately owned and protected title) and on yet another as an "Absolutely Pure Dry Gin." All these descriptions are false, highly improper, and flatly contradict each other, as anybody with the most elementary knowledge of the manufacture and blending of spirits ought to know. The result of this is naturally highly satisfactory to an unprincipled dealer. For instance, if one were to call for a "Juniper Gin," it would come out of this bottle; if one calls for a peg of "Old Tom Gin" it would come out of this bottle. [*An Honourable Member*: "Will you let us taste the contents of that bottle?"] You can have the whole bottle. Or for a "Pure Dry Gin" or a "Pure Sweetened Gin," they would all come out of this one bottle! Such trading is grossly dishonest, for, to mention two misleading statements only, an "Old Tom Gin" cannot possibly be, as stated on this bottle, a "Pure Dry Gin," and an "Old Tom Gin" cannot possibly be a "Pure Dry Gin," because it is properly described by responsible distillers as a "Sweetened Gin", which is an entirely different recognised description. It cannot be "Old" as conveyed by the description of "Old Tom Gin," because a careful analysis shows this liquid to be three years old, whereas the real "Old Tom" is laid down for a minimum period of seven years, before being offered for sale. Can this be described as "honest trading"? Further, no maker's name, no bottler's name, no country of origin, as laid down by Excise regulations, are indicated on the bottle.

Now, if this concoction is not what it represents itself to be, honourable members will naturally ask "what is it?" I will try to explain. It is a concoction made from molasses and it is flavoured (to help the deception) with Juniper berry essence. The only connection it has with Juniper berries is the very bad and highly coloured representation of a branch of the Juniper shrub on the bottle, and a squeeze from a tube of Juniper essence, to heighten the illusion. This liquid is 42·4 underproof, as against London pure dry product of anything between 27·0 underproof and 32·8 underproof—the smaller the figure the greater the alcoholic strength. This "Juniper Gin" is obviously a spirit of low alcholic strength on sampling, and its "kick" is merely the result of insufficient maturity in comparison with the genuine London gin. Much money—tax-payers' money—has been sunk in this venture, with the result I have shown. Considerable energy is now being expended by the Excise Department to get Clubs in Bombay to (to use an expression much used in Great Britain in floating questionable theatrical ventures) "try it on the dogs" and one leading local club, sailing under a Royal Charter, is now retailing this liquor from a glass barrel under the elusive designation of "Club Gin!" It may be only a coincidence—probably it is—that the Commissioner of Excise, Bombay, is a Member of this Club; but

[Mr. A. G. Greville Bullocke]

I am sure Government would not expect their officials to act as commercial travellers.

This "Juniper-Old Tom-Pure Dry Gin" is being retailed at Rs. 52-8-0 per case to Clubs and less to the trade. Add to this sum the extra taxation that the imported product has to bear before it can be handled, plus certain overhead charges, paid for out of the trader's pocket and not from Government revenue, and not forgetting also the higher cost of producing the high class product, and it will be appreciated that the legitimate wine and spirit trade is labouring under the additional hardship of an exceedingly vicious nature.

I stated at the beginning of my remarks that no Britisher would object to India's fair and honest competition, but if what I have detailed is Government's idea of fair and honest competition, then India's morals will, as industries develop and Government's methods are adopted, offer a very dreadful spectacle to the world at large, and no country could be expected to enter into trade contracts with her.

Rao Bahadur N. E. NAVLE (Ahmednagar District): Mr. President, let me offer to the Honourable the Finance Member and his Secretary my sincerest congratulations for presenting to us a balanced Budget. Many honourable members who preceded me have offered adverse criticisms and said that it is not a really balanced Budget. In spite of those adverse criticisms, I would repeat that the Honourable the Finance Member and his Secretary do deserve our heartiest congratulations for the Budget which they have presented to us. That does not, however, mean that a representative of the Deccan Agriculturists like myself has nothing to complain about. I do agree with some of my honourable friends in this House that the agriculturists of the Deccan, whose representatives we are, expected a better treatment in the present Budget.

Sir, what is the plight of the agriculturists? Look at the position of the agriculturists in the Central Division. I am talking of the Central Division, because I am intimately connected with that Division and therefore I would plead their case before this House. As far as the kharif crops of this year were concerned, they are all gone owing to excessive rains. As regards the rabi crops, they also were subjected to providential disfavour in the form of a cold wave. In every district of the Central Division the cold wave has wrought havoc. As far as my own district, backward and famine-stricken district, of Ahmednagar is concerned, I have seen with my own eyes the withering of the crops at various places. We really expected something substantial by way of relief either in the land revenue or in some other form for the poverty-stricken agriculturists who are already hard hit by the present world depression. This providential displeasure in the form of a cold wave has created greater difficulties for the Deccan Agriculturists.

Now, Sir, I must offer to Government my sincere thanks for having started the village uplift movement which is very urgently needed. Some honourable members have thought it fit to offer criticism against

[Rao Bahadur N. E. Navle]

the executive committees, because the chairman of the executive committee in each district is going to be the Collector of that district. I think, Sir, that there is no more convenient and beneficial arrangement for the agriculturist himself than this. These committees are meant for the uplift of the agriculturists and it is right that the Collector should be the chairman of such a committee. He is the highest official on the spot and is best fitted to know the rural conditions. Of course I do not say that there should be no non-official co-operation with the officials. I know non-officials in every district will be forthcoming to co-operate in such committees, but nothing would be lost but everything would be gained if the chairmanship of such a committee is entrusted to the Collector. The guidance and advice of such a high official as the Collector would be highly beneficial to the agriculturists. But I am sorry about one thing. In this session there is a proposal to appoint a secretary to the executive committee in only six districts of this Presidency. I am sorry to find that the other districts have been omitted. So far as my own district of Ahmednagar is concerned, there is no proposal to appoint a secretary for the executive committee in that district. I hope that Government will take note of this and will provide for a secretary at least for each district of the Central Division.

Then I come to another question, namely, the irrigation problem. The irrigator under the Deccan canals is hard hit. Government know that a water charge of Rs. 45 per acre is charged for sugarcane and even the charges for other crops are a great burden on the irrigator. The price for *gul* in the market is going down. It is between Rs. 11 and Rs. 12. It is therefore impossible for the irrigator to pay at such a heavy rate, which was fixed long ago. The various conferences of Deccan agriculturists have strongly urged upon Government the necessity of fixing a sliding scale of water rates, that is to say, the rate should depend upon the market rate for the product. I think that is an equitable proposal and hope that Government will see their way to accept it in some form at least, because in my district there are two private sugar-producing enterprises in addition to the great enterprise of the Belapur syndicate, and the present water rate is creating a great difficulty in the way of turning *gul* into sugar. Mr. Dahanukar, Government knows, has started a factory at Khandala and he also wants to start one at Belwandi. There are other people who want to take advantage of the Government of India's facilities for starting sugar factories but the water rates and other difficulties, the block rules, etc. come in their way. The irrigators do deserve some sympathetic and conciliatory treatment at this time.

Then I want to say something about co-operative societies' dues. The agriculturist is not only hard hit in the matter of land revenue and the irrigation dues but also in the way in which the collection of co-operative societies' dues is being made. I know from my own personal knowledge that in my district a special recovery officer has been appointed to collect the old dues which have been in arrears for a number of years, and to

[Rao Bahadur N. E. Navle]

my surprise and sorrow I found that the dues were not only collected but the lands were put to auction and when the debtor-agriculturist offered the full money of the auction purchase, whatever it was, with one month's interest, the money was not accepted and the auction sales were not cancelled. That is my grievance. I have seen it with my own eyes. I think the agriculturist who is already hard hit ought to receive a more sympathetic treatment at this juncture. The auction sales ought to be cancelled and the money allowed to be credited to Government treasury and the dues should thus be recovered. It is not the intention, it must not be, it cannot be the intention of Government to deprive the poor agriculturist of his land but what Government wants to get through the special recovery officer is the recovery of the society's dues.

The Honourable Sir GHULAM HUSSAIN: It was not Government's desire, but the recommendation of the co-operative societies' conference and of the non-official members of the co-operative institute.

Rao Bahadur N. E. NAVLE: It may be the intention of non-official members of the co-operative institute or the central committee or whatever it is, I do not blame Government for that, and I say it again that it must not have been the intention of the committee or the co-operative Department authorities or of the Government to deprive the agriculturists of their lands. What is wanted is recovery of the old dues, and when the agriculturist comes forward with the dues, the money, with one month's interest, I think it is but proper that the auction sales should be cancelled and that the lands should be given back to the agriculturists.

Mr. W. W. SMART: What society is the honourable member referring to?

Rao Bahadur N. E. NAVLE: I am referring to the societies at Sakuri and Savalvihir in Ahmednagar district. I will supply the honourable member the Revenue Commissioner, Central Division, with full details.

The Honourable Dewan Bahadur S. T. KAMBLI: May I know from the honourable member whether he desires that there should be any limit of time placed for returning the lands?

Rao Bahadur N. E. NAVLE: One month. What I want to say is that in the cases of civil court decrees there is a specific provision in the Civil Procedure Code that if within a month of the auction sale the Defendant-debtor pays up the whole of the decretal amount due from him the auction sale is cancelled. So, the same provision should be applied in the cases of co-operative societies' dues which should be treated as if they were arrears of civil court decrees and similar procedure should be adopted in the cases of agriculturist debtors who are willing and ready to pay the arrears within one month with interest. That is my grievance.

There are various other questions in which the agriculturist is particularly hard hit, such as the grazing fees and the rest. I would now refer

[Rao Bahadur N. E. Navle]

only to one matter, namely, the position of local self-governing bodies. I find, Sir, that the position in which the local self-governing bodies, namely, the district local boards, are working is rather very precarious. More sympathetic treatment is needed in the case of district local boards. I will take up only one matter for instance, the matter of the provincial roads and works. The charge of provincial roads and works in each district was with the P.W.D. but as an experimental measure, two boards of the Deccan, namely, the Poona and Ahmednagar district local boards were chosen and some of the provincial roads and works were transferred and given in charge of those two boards for a period for management. I hear that the Ahmednagar district local board, which has been in management and control of the transferred provincial roads and works, is going to be deprived of that management and control shortly. I do not know whether my information is correct but I say what I have heard and the Honourable Minister for Local Self-government may correct me if I am wrong and if my information is incorrect, but I have heard that the district local board of Ahmednagar is going soon to be deprived of the provincial roads and works which have been in its charge for the last so many years. I do say, Sir, that the district local board of Ahmednagar has discharged the duties it owed to these works and roads transferred to its control very satisfactorily and Government themselves have from time to time admitted this fact and it would be really very strange and sad if all of a sudden without any fault and after having managed these roads and works very efficiently, that board is going to be deprived so suddenly of the roads and buildings which are in its charge. That board has entertained additional staff for the proper maintenance of these works and roads ; it has entertained the services of highly paid officers such as overseer, sub-overseers, maistries and the rest, also a high salaried engineer for the same purpose and now you are going to deprive the board so suddenly of the charge of those roads and works which would mean the displacement and discharge of various engineering staff of officers who have been engaged by that board. I therefore would like to impress upon Government that it would be highly undesirable to take that step and that they should show greater sympathy in the matter of the Ahmednagar district local board and allow it to continue in its present charge of provincial roads and works. Why, I would say let the experiment be carried on in other districts and let it not be restricted to Poona and Ahmednagar only. There are the districts of Sholapur, Satara, Nasik and the two districts of Khandesh where this experiment can very well be carried on. I am sure Government would be saving considerably on their establishment charges which are certainly higher in the case of the Public Works Department than they are in the case of the local boards. I can prove my statement by figures. That being so, and if it is going to save money to Government in these days of financial stringency, why not extend the experiment to other districts ? If Government desire to lay down stringent conditions as regards the appointment of properly qualified and competent engineering staff, let them do so before they hand over charge to local boards, but

[Rao Bahadur N. E. Navle]

once they do that and if the local boards observe those conditions to the satisfaction of Government and if the local boards manage the affairs for a number of years very satisfactorily, then why should Government come in the way of these local self-governing bodies and all of a sudden without any fault on the part of these bodies, deprive them of these provincial roads and works ?

I do not know whether this is a fact, but if it is going to be like that, I shall be really very sorry.

With these words, I resume my seat.

It being 55 *minutes past* 6 *p.m., the House adjourned till* 2 *p.m., on Thursday, the* 22*nd February,* 1934.

BOMBAY : PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Vol. XXXIX—Part IV

Thursday, the 22nd February 1934.

The Council re-assembled at the Council Hall, Bombay, on Thursday, the 22nd February 1934, at 2 p.m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present:

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr. A. B.
ADVANI, Mr. P. B.
AMINUDDIN, Mr. SAIYID
ASAVALE, Rao Bahadur R. S.
BAKHALE, Mr. R. R.
BANGI, Mr. A. K. J.
BELL, the Honourable Mr. R. D.
BIRADAR, Sardar MAHABOOBALI KHAN
BOLE, Rao Bahadur S. K.
CHIKODI, Mr. P. R.
CHITALE, Rao Bahadur G. K.
CLEE, Mr. C. B. B.
COLLACO, Dr. J. A.
COOPER, the Honourable Khan Bahadur D. B.
COVERNTON, Mr. S. H.
DAVIS, Mr. G.
DESAI, Rao Saheb B. G.
DESAI, Mr. H. R.
DESAI, Mr. S. B.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
EWBANK, Mr. R. B.
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GARRETT, Mr. J. H.
GAZDAR, Mr. MAHOMED HASHIM
GHULAM HUSSAIN, the Honourable Sir
GHULAM NABI SHAH, Khan Bahadur
GILDER, Dr. M. D.
GOKHALE, Mr. L. R.
GOVER RORA, Mr.
GREAVES, Mr. J. B.
HUMPHREY, Mr. John
JAN MAHOMED KHAN, Khan Bahadur
JITEKAR, Mr. HAJI IBRAHIM
JOG, Mr. V. N.
JONES, Major W. ELLIS
KAMAT, Mr. B. S.

KAMBLI, the Honourable Dewan Bahadur S. T.
KARBHARI, Mr. M. M.
KENNEDY, Mr. T. S.
KULKARNI, Rao Saheb P. D.
LANE, Mr. C. M.
LELY, Mr. W. G.
MACKIE, Mr. A. W. W.
MATCHESWALLA, Mr. G. E.
MAXWELL, Mr. R. M.
MEHERBAKSH, Khan Bahadur S.
MEHTA, Mr. M. H.
MITHA, Mr. MAHOMED SULEMAN CASSUM
MODAK, Rev. R. S.
MODI, Sardar Davar T. K.
MORE, Mr. J. G.
OWEN, Mr. A. C.
PARULEKAR, Rao Bahadur L. V.
PATEL, Khan Bahadur A. E.
PATEL, Mr. C. N.
PATEL, Khan Bahadur VALI BAKSH A.
PATIL, Dewan Bahadur D. R.
PATIL, Mr. N. N.
PETIT, Mr. J. B.
PRADHAN, Rao Bahadur G. V.
PRATER, Mr. S. H.
RAHIMTOOLA, Mr. HOOSENALLY M.
RESALDAR, Mr. A. K.
ROOSE, Mr. F. O. J.
SERVAI, Mr. A. E.
SHAIKH ABDUL AZIZ, Mr.
SHAIKH ABDUL MAJID, Mr.
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SHINDE, Mr. R. B.
SINDHA, Mr. MADHAVSANG JORBHAI
SMART, Mr. W. W.
SOLANKI, Dr. P. G.
SURVE, Mr. A. N.
SURVE, Mr. V. A.
SYED MIRAN MAHOMED SHAH
SYED MUNAWAR, Mr.
TALPUR, MIR BANDEH ALI KHAN
THAKOR OF KERWADA, Sardar BHASAHEB RAISINHJI
TOLANI, Mr. S. S.
TURNER, Mr. C. W. A.
VAISHAMPAYAN, Dr. V. G.
VAKIL, Mr. PESTANSHAH N.
VANDEKAR, Rao Bahadur R. V.
WADKE, Mr. B. P.

GENERAL DISCUSSION OF THE BUDGET—(*Resumed*).

The Honourable the PRESIDENT: I may inform the House that as usual on the last day there is a large number of honourable members who desire to speak. That makes it very difficult for me to allot the usual time. Then, it must be remembered that the Honourable the Leader of the House must get his time for a reply to the debate. Some honourable members from Government Benches may also wish to speak. Taking all that into consideration, I shall fix 15 minutes as the time-limit.

Dr. M. K. DIXIT (Surat District): Mr. President, when I first looked into the budget, I felt gratified that, after a lapse of some years, we are going to have a balanced budget. But, when I listened to the speech of the Honourable the Finance Member and looked through the Blue Book, more carefully, I found that, though it was alleged to be a balanced budget, to all intents and purposes it is a deficit budget. This fact has been stated on the floor of this House by several honourable members and I join them. I need not enter into the reasons, but the first thing that strikes me is about the item of 12 lakhs to which some honourable members have already made reference. The item which has to be provided for the payment of debt to the Government of India has not been provided for. I want to know why it has not been included and a balanced budget has not been shown. Even if you take only that item into consideration, it is a deficit budget to the extent of at least 6 lakhs.

A further reference has been made by several honourable members to the extension of the Finance Act for at least one year. Sir, I am aware that I am repeating an argument, but the matter is so important that it will bear repetition. That measure was introduced as an emergency measure for a temporary period. I entirely agree with the honourable member on that side, Mr. Lely, who made a grievance of it that a temporary taxation meant for one year is to be extended again and again. I am afraid, if at all, that measure could be got through with considerable difficulty. Of course, the honourable member Mr. Lely, the representative of the Bombay Chamber of Commerce, said with all the emphasis at his command that they were determined to throw out the measure. Sir, I do not want to go to that length. After all, I do not want to cause embarrassment to Government at this stage in regard to their financial position. I will only keep my mind open and vote on the merits of the case. What strikes me, however, was the determination of his party in this House to throw out the measure. I do not know the motive that actuated him in coming to that decision of throwing it out. I see the honourable member is not here and it is very difficult to find out what it is. I should like to know from him or his colleagues from his party whether it is their intention to throw out the electric surcharge in the interest of progress or domestic economy, or to cause an embarrassment to Government in their financial difficulties.

Then, he referred to the excise policy of Government. If I understood him aright, he wanted a modification of the policy of Government which, as I understood, was dictated by a group of members in this Council who were not actuated by motives in favour of sobriety but for he purpose of causing embarrassment to Government in their financial position.

[Dr. M. K. Dixit]

If I understood him aright, I repudiate that charge, as a member of that group in this Council. The honourable gentleman was not a member of this House then. Probably he did not possess the exact information about this excise policy. So far as I know, that was the policy of the Government of Bombay in accordance with the wishes of the Government of India. Long before the Swaraj Party came into this House, that policy was accepted by Government in practice. I think the then Excise Minister, Mr. Chunilal Mehta, (now Sir Chunilal Mehta) put into effect that policy, namely, the reduction of drink evil to a minimum without paying special attention to the revenue accruing therefrom. He started the work of rationing by way of beginning and it was he who first introduced rationing of liquor for sale in the shops. Then, Sir, when he was elevated to the Executive Councillorship, if I remember aright, you took charge of the Excise portfolio and first publicly declared this excise policy of Government on the floor of this House, namely, to reduce the drink evil to minimum without caring whatsoever for revenue. You publicly enunciated the policy when you were in charge of the portfolio. This means that it was not the intention of this group of members to cause embarrassment to Government in advocating the reduction of drink evil, but it was a genuine move on the part of the Bombay Government in pursuance of the policy dictated by the Government of India. You can never say that the members of the Government of India were political agitators and wanted to cause embarrassment. Mr. C. V. Mehta and yourself could never be put into the category of agitators with a view to cause embarrassment to Government in their financial position. Far from that I deny that charge publicly on the floor of this House. Now, Sir, it is the honourable member Mr. Kamat's suggestion to modify that excise policy. I am afraid that in practice that policy has been altered already by Government last year on some technical flimsy excuse on finding some discrepancy in certain words of the Government Resolution. New shops have been opened and larger revenue has come in. Still Government pose themselves as adherents of the same policy. I do not know how far it is true. All the same, an important member of this House wants a modification of that policy. And for what purpose? With a view, I regret to find, that we may get more revenue and the Government may not be obliged to present deficit budgets to this House and that expansion of nation-building departments may take place easily. The honourable member representing the Chamber of Commerce, I suppose, played the same tune. Now, Sir, I ask you, is it advisable, prudent, in all morality, to ask the people of the country to take to greater amount of drink, so that we can have greater revenue to tide over our financial difficulties? The honourable member, Mr. Kamat, further believes that nearly all the 40 or 50 lakhs of rupees, which is the amount of deficit in our budget under the head of Excise, is caused by illicit distillers and that amount goes to their pockets. I do not subscribe to that view. There may have been some illicit distillation, and that will go on for ever. The deficit that we have today, may, to a certain extent, to a very small extent, be due to illicit distillation. But the real cause, I ask the Government to find out

[Dr. M. K. Dixit]

There is no picketing of shops; Government have increased the number of shops; there are no Congress picketers now picketing liquor shops; and yet we find that the revenue derived from the shops has gone down by 40 or 50 lakhs. Personally, I think that that deficit is due more to the popular dislike towards drink and to the tremendous amount of economic depression that is prevalent in the country. The people have not sufficient means to drink. But I would not recommend even for a moment that we should initiate non-drinkers into drink with a view to raise revenue, or ask those who drink already to drink still more for the purpose of increasing our revenue.

The Honourable the PRESIDENT: One minute more.

Dr. M. K. DIXIT: I have not much more to say, Sir, but I just wanted to refer to one point. I had begun two minutes after 2, if you do not mind. I just want to make a reference to that portion of His Excellency's speech in which the present policy of Government in dealing with the political situation in the country has been vindicated. We know, Sir, that the policy adopted by Government, either by ordinances or by the Special Powers Act has brought peace and tranquillity to the country. But it is time that we should examine if this apparent peace that we have obtained is a peace which is of the desirable type. We know that the peace and tranquillity that we have now is the product of broken heads and broken limbs, of the horrors of jail life, of attachment and confiscation of property, forfeiture of land, of shattered physical constitutions, and of the ruin of promising careers. Do we want that peace and tranquillity, or do we want a peace and tranquillity which is the result of contentment and satisfaction? I for one would not venture any opinion. But I know, Sir, that the peace and tranquillity which has for its foundation force is quite different from the peace and tranquillity which has for its foundation contentment. I appeal to the British Government to choose the type of peace that they want to give to this country. Would they like that the peace and tranquillity that is to be established in this country should have for its foundation force? Well, they have got the emergency powers already, if they like that. But if they want peace and tranquillity based on contentment, it is for them to satisfy the demands of the people. I will leave the choice entirely to the British Government. But, Sir, in leaving that choice to them, I will express one hope, that they will take a long and statesmanlike view of the whole problem before they make that choice. With these words, I close.

Major W. ELLIS JONES: Sir, I regret that the Honourable the Finance Member did not take the opportunity that was afforded him, when he made what I believe to be the shortest budget speech on record, to draw the attention of the House to the elementary laws governing taxation. Had he done so, I feel sure that we should have had not quite so many pleas against the Finance Bill that he proposes to introduce later, but a greater insistence that the town duty on cotton should immediately be removed. It would be well for this honourable House to remember

[Major W. Ellis Jones]

that each reform will cost money, and that in considering the taxation that must be imposed to carry through and maintain the reform, the repercussions as well as the incidence of the tax must be very carefully considered. Had this been done in regard to the town duty on cotton, I do not think the Finance Member would have had to say, as he has done in his budget speech, that

"there are also other disturbing possibilities. As this House is aware, the mill industry of Bombay is experiencing grave difficulties and the condition of this industry must always have serious reactions upon the general prosperity of the presidency. In addition, there is evidence of a powerful trend towards the diversion of the cotton and other trade from the port of Bombay to other trading centres and this again, unless checked, will have its effects upon our revenues."

When the town duty was imposed upon cotton, one of the arguments advanced against it was that it would inflict a loss upon the growers of cotton. I am afraid that it is this argument that to some extent has been responsible for the continuance of the tax, as it becomes under this argument a more or less general tax the incidence of which must be small. But, as we have seen from the last sentence of the paragraph I have quoted from the Finance Member's speech, it is now proved that the burden of this tax falls not on the grower, but on the trade of Bombay and as such is not only a definite handicap but a menace to the trade of Bombay. I do not propose to labour here on the reasons why this tax was imposed; they are all well known. But I feel that the time has come when the incidence of this tax, with its repercussions, must be removed from the city of Bombay and placed on the presidency as a whole and not on one particular section or particular community. When the tax was first introduced it produced for Government and the Municipality 35 lakhs of rupees. From the Blue Book (page 88) we find now that the Government and the Municipality expect to get only 15 lakhs. This proves, in my opinion, far more than any speech that we may make on the floor of this House, that the tax inflicts a loss on the Presidency and on the city of Bombay in particular.

There is one point in the Blue Book to which the cotton trade in Bombay takes exception, and that is on page 90 of the Book. The Finance Department says:

"The decrease in the revised and next year's estimates is mainly due to the reductions under 'Cotton cess receipts' due to the disorganised state of the cotton market etc."

I think, Sir, the Finance Secretary would have been more correct had he said that the reductions under cotton cess receipts were due to the diversion of trade from Bombay, which has been forced on that trade by over taxation. If the movement of cotton is to be drawn back to Bombay, it can only be done by making the port and the conditions affecting the trade as attractive and economic as possible. Though in many ways the natural outlet for portion of the cotton crop is through ports other than Bombay, I feel that given relief and fairplay by the Government and the Municipality, the merchants of Bombay will bring back a great deal of the traffic, and help the Government in the process.

The Honourable Sir GHULAM HUSSAIN: May I ask the honourable member how it will help the provincial Government?

Major W. ELLIS JONES: Prosperity in the trade will bring prosperity to Government also.

The Honourable Sir GHULAM HUSSAIN: In what form?

Major W. ELLIS JONES: That is for Government to explore.

The Honourable Sir GHULAM HUSSAIN: Everything will go to the Government of India, not to the Bombay Government.

Major W. ELLIS JONES: I understand that a suggestion has been made that there should be a partial removal of the tax. Sir, a partial removal of the tax will achieve nothing. The mill industry is gradually disappearing from Bombay. We find that only about 66 per cent. of the mills that were working in 1926 are working today. Many of the mills that have been closed have been dismantled and the machinery has been sent upcountry.

All these facts are apparent, and I was astounded yesterday to hear the representative of the Chamber of Commerce (Mr. Lely) making a strong plea in favour of the removal of the electricity duty. If you take the trouble to study the reports of the electricity companies and the dividends they pay, you will find that they are far from being handicapped by the taxation, whereas we have in the Blue Book itself a definite detail regarding the way in which the cotton trade of Bombay is disappearing from the city of Bombay and also from the Presidency and is working outside the Presidency. Sir, I firmly believe that had the Honourable the Finance Member the courage of his convictions, he would have asked for the repeal of the town duty in this session and would have put the present emergency Finance Bill on the Statute Book without the limitation of one year.

I have finished with the town duty question. There is one more point I would like to make with regard to the growing of staple cotton in Sind. Recent events in Delhi have shown that India is in the position of a mere hawker of cotton. If the growth of staple cotton is developed in Sind and in the Presidency, it will be no longer necessary for India to be in that humiliating position. It is very necessary that Government should do all they can to protect the growers of long staple cotton from exploitation by ginners and growers of short staple cotton. This is particularly necessary in the new areas brought under cultivation in Sind. It is not a new question. What protection can do is well known to my Gujarat friends, where the protected 1,027 seed yearly gives a full premium and commands the respect of the market. In Gujarat this seed is protected from adulteration and mixing. I ask that Government should also take similar steps in the case of Sind. If that is not done, the cotton in Bombay will follow the fate of that in Punjab which has lost all the premium it once commanded due to the adulteration of cotton. The Barrage offers opportunities of growing staple cotton which are only exceeded by Egypt. Those who have seen the possibilities of Sind in this matter desire to place on record our appreciation of the work done by Mr. Jenkins who has been supervising the working of the Government Agricultural Department in Sind, and to the Central Cotton Committee for the assistance

[Major W. Ellis Jones]

which they have given, but it is vital that the growers of staple cotton in the Barrage areas should be protected from exploitation. If the Government is prepared to take strong steps with regard to this, I think they will find ample return and offer to Sind an opportunity of becoming a wealthy province and make the Hari of Sind a self-respecting citizen.

Mr. L. R. GOKHALE (Poona City): Sir, the Honourable the Finance Member has managed to present a balanced Budget to this Honourable House; and this is not a small achievement. I congratulate him on this achievement, not only him, but the whole Cabinet. Apparently at least, we see a balanced Budget before our eyes after many years. If we examine the budget and find that it is really a balanced Budget, then everybody will be happy. Considering the short time at the disposal of honourable members, I will not repeat the arguments which have been made. I will only say one or two things about this Budget.

The Honourable the Finance Member has proposed no new tax, but only wants to renew the old tax. For that purpose he has submitted the Finance Bill. To my mind, it is a new tax. We have exhausted that tax at the end of the year and for the new year it becomes new taxation, and to say that no new tax is proposed will not carry conviction.

Another point about the Budget is the remark in the introductory note on page 13 of the Blue Book. From the table it will be seen that we are opening the next year with an opening balance of 14 lakhs and we are closing it with no balance at all. That is, we are going to hand over charge of the administration to the new constitution with nothing in the coffers of Government.

Mr. C. G. FREKE: May I explain, Sir? There seems to be a misconception. The honourable member is aware from previous statements in the Finance Committee and the Public Accounts Committee, that all loan savings go into the balance. The difference between the opening balance and the closing balance is the utilisation of loan savings. There is no deficit in the revenue budget; it is the utilization of loan savings.

Mr. L. R. GOKHALE: I could see that, and yet I do hold that at the end of the year we are handing over the administration to the new ministry with nothing in the treasury. I think that statement will stand, notwithstanding the explanation of the honourable member the Finance Secretary.

It will be seen that our net revenue from the reserve fund will be 75 lakhs, due to the famine fund. Had there been no such restriction, I am sure we would have managed to do away with that amount also.

Then the question arises, are we fully justified in any sense to leave such a legacy to the new Government? We are here to co-operate——

2-30 p.m.

The Honourable Sir GHULAM HUSSAIN: What about the 75 lakhs?

Mr. L. R. GOKHALE: They are the Famine Fund. I never said that the Famine Fund has been exhausted by you. It is your goodness that,

[Mr. L. R. Gokhale]

although you could have done away with it under some pretext or other, you have not done so. That is my view. So, I say, what is the financial position for the new Government that will be coming in ? I find many of us are to co-operate——

Honourable MEMBERS : All, all.

Mr. L. R. GOKHALE : I am very glad to be corrected, and that all of us are willing to co-operate. We are all expecting the White Paper with great enthusiasm, some of us ; with cold shoulders, others of us. And yet what is our Government doing ? There is nothing in the treasury. It is just like the story of a father handing over the family management to his grown-up son telling him, " My son, I have so much of debts to pay. I have dissatisfied my family members by having taken a number of charges from them. I leave to you nothing but a good name and nothing in the treasury." This is exactly what the Government of Bombay are doing, so far as the new constitution is concerned. I know the Honourable the Finance Member will never be wanting in arguments—whether they are good or bad is quite another matter, but he advances arguments all right—and so I say this is a very dismal part of the budget that he has presented to us.

Sir, I have looked in vain in the Honourable the Finance Member's speech for any indication of the way in which he proposes to put the finances of the Presidency on a sound footing, although he admits that we must try to help in the task of putting the finances on a sound basis. Has he suggested anything ? After his long experience of 14 years or his many years at the helm of Government, has he been good enough to tell us what in his opinion would put the finances on a sound basis ? The fact is, there is no basis at all——

The Honourable Sir GHULAM HUSSAIN : I have shown him by action this year. There was a deficit of 28 lakhs, plus 12 lakhs moratorium, plus 4 lakhs surplus, that is, 44 lakhs. Thus I have saved 44 lakhs this year.

Mr. L. R. GOKHALE : I quite see the force of it, but I ask him now whether in his short and sweet speech he has told us anywhere how he proposes or expects to put the finances of the Presidency on a sound footing. If you scan the speech of the Honourable the Finance Member you see that it is nothing but a summary of certain facts stated in the Introductory Note without giving us any new light, or any new information or even any new suggestions. I should have expected him to help the new constitution with some sound basis upon which they (our successors) could go and show that they can do something. I think if he had only meant to do so, he could have easily done so, but he does not mean to do so and therefore he has not done it. That is one great drawback of the budget speech which I would call the magnificent speech of the Honourable the Finance Member.

Sir, then I must say here one thing about the Introductory Note put in by the honourable member the Finance Secretary. It is a very

[Mr. L. R. Gokhale]

instructive document. It puts before us the whole situation uncoloured with facts and figures so that anybody who reads it will at once see that we are on the verge of bankruptcy, being more in debt in many respects than is good for us.

Now, Sir, I do not think that I can let this opportunity pass without protesting against the statement of my townsman and friend the honourable member Mr. Kamat about the excise policy. I was surprised to find those words coming from him in particular. I had no time to search for the reports of some of the speeches of my honourable friend Mr. Kamat, but I will certainly, when the right time comes, try to show that he held very different views at one time——

Rao Bahadur R. S. ASAVALE: Only last year.

Mr. L. R. GOKHALE: Why only last year? I know three occasions on which he gave expression to very different views on the excise policy. Of course, the world goes wiser by experience and reason, but are we really getting wiser or otherwise? I think—in fact I know—that the Poona district is dead against any change in the policy of the excise department. I do not want to trace the history of how this particular resolution came to be passed. In Poona at present a new shop is being opened in Shukrawar Peth. It was closed at the desire of the people of Poona 9 or 10 years back, but it is now being opened and applications have been sent by the residents of the place protesting against the reopening of that shop, but I know that all that will be to no purpose before the might of this all-powerful Government. I know, Sir, that the Poona City municipality has also sent a protest against opening of the shop, and yet I do not think I have got the least hope of seeing that that shop will be abandoned. This is the policy that is being followed in the teeth of the existence of the resolution of this Government, indirectly setting at naught the resolution. There is a saying in Sanskrit to the effect "What sin a hungry man will not do?" That which applies to individuals will also apply to a body of individuals, and it is that sin that they are committing. I strongly protest firstly against any change in the excise policy and, secondly, if they at all want a change, they should make the change open-handed, they should give the whole House a chance to express themselves and then they can do it.

The Honourable Dewan Bahadur S. T. KAMBLI: Was not a chance given last year? Was not a whole day given for the discussion of the excise policy?

Mr. L. R. GOKHALE: The Honourable Minister for Excise knows what the chance meant exactly.

Now, as regards the statement that Government have given 29 lakhs of rupees for the beneficent activities of the State, in lieu of that Government have got 155 lakhs by way of additional revenue. I say this because their total savings have come to about 122 lakhs from the various heads such as the cuts, the retrenchments, the reduction in the pay-scales and the conversion loan, and so on and so on; and they have got an additional

[Mr. L. R. Gokhale]

taxation revenue of about half a crore of rupees. Thus they get 177 lakhs, to say the least, this year and out of that the amount given for the beneficent activities of the State comes to only 29 lakhs ——

The Honourable Sir GHULAM HUSSAIN: What about the former deficit?

Mr. L. R. GOKHALE: It was the Honourable the Finance Member's doing. The Cabinet has every sort of right to put forward any sort of argument, but I will put it to them whether it is a fair allocation of the amount they have received. Now, Sir, there is another disadvantage in this budget. Never mind if you had kept an adverse balance of 10 lakhs as there is no cash in the treasury, as I am sure the new Government would have been glad to have some balance though adverse in the treasury so that they could have looked to the needs of, I won't say the nation-building activities but, the beneficent activities of the State, to use the language of the Government. Why is that so? I am sure any one having a real heart for the people would have readily sacrificed his good name and the "balanced" budget and given instead some more money for these beneficent activities of the State.

The Honourable Sir GHULAM HUSSAIN: I refer the honourable member to last year's budget when I provided large sums for the nation building departments, although it was a deficit budget.

Mr. L. R. GOKHALE: I have the report with me; if the Honourable the Finance Member will kindly quote the page, I shall be glad to look it up.

The next question, Sir, is the vexed question of the additional taxes levied in previous years such as the toll tax, the electricity tax, the tobacco tax. I do not wish to say anything more about these at this stage, but I will do so when the proper time comes. I am, however, very glad that Government has allotted 1½ lakhs for the additional High Court Judgeship. It is really a very good move in the right direction. I know in the High Court there are large amounts of arrears extending over a number of years and I am not surprised if the Government is requested to add one more High Court Judge next year and the Government does it. I would be very glad to find that Government are prepared, if necessary, to have one more additional High Court Judge so that the huge mass of arrears will quickly disappear. The Appellants are getting excellent justice, patient hearing and satisfactory disposals, but the huge arrears are there, and so I would suggest that an additional Judge should be appointed at an early date even without waiting for the next year's budget. A lakh or a lakh and a half of rupees more spent on a twelfth judge will be a boon in one way or the other.

Lastly, I speak about the additional expense proposed to be incurred for the Dharwar College, I mean about the B.Sc. course. That expense is certainly necessary and will have to be incurred because in these days simple arts education is not only useless but worse than useless, and a complete course of B.Sc. is certainly of great national advantage, and I am glad to find that the Dharwar College has been able to secure the

[Mr. L. R. Gokhale]

amount. I know times are changing. Regional universities may come in, if not today, tomorrow, positively, and the Maharashtra University is probably on the anvil. In that way, each linguistic province should have its complete system of education. From that point of view I wish other provinces like Gujarat and Sind get their own arrangements completely made for themselves. With these words, without taking any more time of the House, I conclude my remarks.

Mr. MAHOMED SULEMAN CASSUM MITHA: Sir, I gladly join in offering my tribute to the Honourable the Finance Member for the feat he has achieved in placing before this Council a balanced budget; but I think the Honourable Member himself would not claim that he has, as a matter of fact, actually balanced the finances of the Presidency. At any rate, if he, with the skill of a financial Blondin, has succeeded in maintaining his balance, we ordinary mortals, the taxpayers of the Presidency, are still in a hopelessly unbalanced condition, for the Government has made no sort of attempt to relieve us of the onerous burdens which bring the scales heavily down on the wrong side, as far as we are concerned.

Surely, Sir, it is time for Government to take into serious consideration the fulfilment of their promise, that the emergency measures of taxation would disappear in a couple of years. Far from that being the case, we find no suggestion in the Honourable Member's speech that there is any hope of our early release from these burdens that were imposed to meet an emergency. The Honourable the Finance Member will ask me, of course, where else is the money to come from to carry on the administration. The answer to that question is that at least an effort should be made. Avenues of further retrenchment should be explored. Government have no justification for relaxing their efforts in this direction, until expenditure is cut down to such a level as to leave a reasonable surplus, after abolishing all taxation of an emergency nature.

Sir, Government must tackle this task earnestly and drastically; not in the tinkering spirit in which, to take an instance, they treat the 5 per cent. cut in salaries. One would suppose that the Government are making a great concession in maintaining this cut for another year. But I would like to impress on them that business men are amazed that they should even talk of restoring the cut, or that they should regard it as an adequate measure of retrenchment in these times of stress, when every one has had to suffer a most drastic reduction of income. Sir, I wonder if Government have taken the trouble to acquaint themselves with the steps taken by private employers in this connection. Honourable members who know conditions ruling in the business world will bear me out when I say that employees outside Government service have been subjected to most drastic cuts in pay, ranging from 25 to 40 per cent. These cuts were imposed by business houses and other private interests, in order to adjust themselves to the prevailing economic conditions. It was a case of immediate and drastic adjustments or withdrawal from business. If Government only had the courage to face this question and other measures of retrenchment in the same business like manner, I feel certain that the

[Mr. Mahomed Suleman Cassum Mitha]

taxpayers of this Presidency would obtain a welcome relief. A cut in pay of only 5 per cent. imposed by Government, and that too as a temporary measure, can only be regarded as a huge joke perpetrated at the expense of the taxpayers.

Sir, the Honourable Member referred in his speech to the grave prospect created by the diversion of trade from the port of Bombay. But, Sir, he leaves us in the dark as to what the Government propose to do to meet this growing menace. Do they propose to take any steps to relieve Bombay from the unfair competition of the port of Bhavnagar, for instance, which makes it an economic impossibility for Bombay to hold her own ? Sir, have they considered the extent to which their measures of taxation are stimulating this diversion of trade and threatening to extinguish altogether Bombay as the premier port and trading centre of Western India ? Is it possible, Sir, to conceive of a more short-sighted impost on trade than the pernicious town duty on cotton ? And I maintain that this duty is more pernicious, because there is no town duty on foreign cotton which is imported into the city of Bombay. Are the Government aware that, while a cotton merchant is content to run his business on the basis of a return of one per cent., the town duty alone provides a handicap exceeding that figure ?

Sir, the cotton trade is the very foundation of the prosperity, not only of Bombay, but of the whole province, and, if it is not to be brought to utter ruin, the abolition of this town duty is the first step that should be taken to remove the many handicaps under which it suffers.

Other industries also, Sir, are most unfairly handicapped by the way in which the town duty operates. Take the case of sugar-candy. The Japanese product gets a refund if it is re-exported, but sugar-candy made in Bombay, in Bombay factories, if exported from Bombay, gets no refund. Surely, Sir, this is most unfair. These are matters which the Government could rectify if they had a will to do so, but apparently they have not, for although the Honourable the Finance Member talks gloomily of the diversion of trade from Bombay, he has no proposals to make to stop this diversion, and ignores the fact that the Government themselves, by maintaining this town duty are actively helping to drive trade away from the city. Sir, we are not jealous of the Kathiawar ports. Let them have their legitimate share of the trade. We are not even jealous of Japan. We admire, if we envy, the enterprise of the Japanese. But let us, at least, be allowed to compete with these rivals on equal terms instead of being handicapped by the action of our own Government.

If prosperity is to return to Bombay, it can only be by Government, in the first place, putting its own house in order, which they have not done completely or properly as yet ; in the second place, by removing the burdens and handicaps on our indigenous trade and industry and helping them in every possible way, instead of harassing them as they are harassed at present ; and, thirdly, by retrieving the appalling distress in the agricultural districts and lightening the burden of the general taxpayer. When the Government can show us a balanced budget, after

[Mr. Mahomed Suleman Cassum Mitha]

doing these three things, we shall have cause to congratulate them, but not, I am afraid, before then.

Another step, which I consider to be of the utmost importance, is a thorough and searching investigation by a Committee of Experts, into the administration of the Bombay Port Trust. There is no doubt whatever that the expenditure of this body has been allowed to run out of hand with the result that the heavy charges levied in respect of godown rents and port dues are also causes which have contributed to the diversion of trade from the port of Bombay. Instances can be cited of cotton merchants engaging storing accommodation at centres such as Surat, Mumbra and Thana and shipping cotton from these places by country craft for overside delivery into ocean-going steamers in Bombay in order to escape town duty and port trust charges. The heavy cost of running the Port Trust Railway, for instance, and the lavish scale of salaries paid by the Bombay Port Trust are directions in which considerable economies could be achieved if the question is tackled earnestly.

I therefore appeal to Government to tackle this matter before it is too late. The diversion of trade to Kathiawar State Ports is a very serious question, not only to the Bombay Government but also to the Government of India through loss of Imperial Revenue, and very urgent action in co-operation with the Government of India and the Railways is imperative. We have in His Excellency Lord Willingdon a Viceroy who has the interests of Bombay very much at heart and I feel sure that we can always count on his sympathetic assistance in an emergency such as the present. If something can be achieved towards the restoration of the prosperity of Bombay before the Honourable the Finance Member leaves us on the inauguration of the Reforms, it will be a matter for sincere congratulations to him and a crowning glory to his long and illustrious career.

Before concluding, I would like to offer some comments on the speech delivered yesterday by the honourable member representing the Bombay Chamber of Commerce. He made a great point in urging the abolition of emergency tolls and the electricity duty. Both these taxes aim more at those who can best afford to bear them and for this reason I consider them less objectionable than the Town Duty. The question of Government servants obtaining exemption from tolls seems entirely irrelevant, for if tolls were payable by Government Officials when travelling in the course of their duties, they could rightly claim a refund from Government which means, in other words, from the taxpayers. His speech also revealed some sympathy towards the restoration of the salary cut of 5 per cent. I can only express my surprise at this and would ask him to tell the House what cuts in salaries have been imposed by the Business House he represents. I wish to emphasise that, though personally, I am in no way unsympathetic to Government servants on the salary question I honestly believe that Government servants could bear even a cut of 15 per cent. or more, inasmuch as the cost of living has declined considerably on account of the extreme cheapness of all the necessaries and luxuries of life.

Mr. V. A. SURVE (Ratnagiri District) (Addressed the House in Marathi): Mr. President, when one sees the squaring of the accounts, one cannot but be led to believe that the Finance Department and the Honourable the Finance Member have taken great care in preparing the budget for the current year 1934–35. But it can safely be said that one does find the book attractive to the eye without going into the details of the budget.

In the budget the credit side shows Rs. 13,03,04,000, while the expenditure estimates are Rs. 13,02,07,000. This includes the previous balance also. This shows that the budget for the current year is a surplus budget and not a deficit one. Though the budget is shown as stated, still the adage, viz., "Rama knows the mystery of the whole affair" is aptly applicable in the case of this budget.

On comparing the budgets presented before the introduction of the reforms, at the beginning of the reforms and after the introduction thereof, one will find that the budget presented for the year 1919–20 deserves consideration. The said budget shows Rs. 21,00,35,000 as an item under the Imperial Revenue, while Rs. 10,38,27,000 are shown against the Provincial Revenue. Thus the total amounts to Rs. 31,38,62,000. When the amount of Rs. 4,55,26,000, which is the Provincial balance, is added to this total, the Provincial budget figures come to Rs. 14,93,53,000. These three amounts taken together, with an addition of the balance thereto, the total amounts to Rs. 35,93,53,000. On deducting the amount of Rs. 21,00,35,000 from this amount the budgeted amount for the said year comes to Rs. 14,93,53,000.

Sir, when one casts a glance at the budget presented at the beginning of the reforms, one comes to realise that the former system of preparing budgets was discontinued in the year 1921, and that the budget framed for the said year amounted to Rs. 15,08,09,000. The introduction of this new method has closed the door for ascertaining the exact amount of annual receipts for the Bombay Presidency. It is my suggestion to the Bombay Government that it should not discontinue the former system.

May I request the Honourable the Finance Member to state the reason why the Finance Department has not so far given any explanation in regard to the amount of contribution required to be paid every year to the Central Government by the Bombay Presidency? It is evident, from the figures which I have quoted, that the amount actually contributed to the Central Government from the annual proceeds is nearly one and one-half, i.e., more than one and one-quarter of the amount shown in the Provincial budget; and this has made the financial position of the Bombay Government still worse.

Sir, there is no reasonable cause shown why the amounts realised from land-revenue are decreasing. Revenue receipts for 1919–20 are Rs. 5,29,47,000 while those for the year 1920–21 and 1921–22 are Rs. 5,82,81,000 and Rs. 5,81,28,000 respectively. And the revenue receipts budgeted for the year 1934–35 amount to Rs. 4,77,05,000. This shows that the said receipts are continuously decreasing since the year 1927. This is indicative of the fact that the revenue income is reduced by Rs. 1,04,23,000.

[Mr. V. A. Surve]

Sir, when the revision survey of the Bombay Presidency was not completed and when the revised assessment was not imposed all over the districts, the total receipts approximately amounted to six crores of rupees. And when the rates revised by the revision survey were introduced in all the districts of the Presidency in the year 1927, a reduction of Rs. 1,25,00,000 was shown in the total receipts. I hope the Honourable the Finance Member will explain this anomaly.

Government does not at all pay any heed to the distressful condition into which the farmers have fallen at present. This condition of theirs is due to the fact that grain worth Rs. 3 cannot be sold even for a rupee, as the commodity prices have considerably gone down. Similarly, the Bombay Government is not at all paying any heed to the harassing and unscrupulous ways of recovering the land-revenue dues from agriculturists resorted to by the district authorities in such a state of theirs. The Bombay Government receives about 75 per cent. of their total receipts from agriculturists. Despite this fact Government is indifferent towards the said class. That means the saying, viz., " One who donates is a poor man while one who is rich is a miser", is well applicable in this case.

This year the rice crop in the Ratnagiri District cannot be evaluated at more than 1 to 6 annas. But from the usual experience it can safely be said that the anna valuation may have been fixed (by the authorities) as ranging from 10 to 12 annas.

In view of the facts, viz., the fall in the commodity prices, the failure of crops and the economic depression, it was necessary to grant to agriculturists in all the talukas remission of land revenue dues at the rate of 12½ per cent. But without giving due regard to any of these facts Government granted suspension of 12½ per cent. of the revenue dues to the land-holders of three talukas and of one peta in the Ratnagiri district. By making these poor grants Government want to show to the public that it is still continuing its liberal policy. There is nothing substantial in what Government has granted.

It is stated that this year the total area in the Ratnagiri taluka comprised of the area of land occupied by houses, cattle-pens and huts for storing fuel and of the area double that of the above-mentioned land, besides it is to be assessed at a revised rate of annas 10 per guntha and that fine (also) is to be levied. As a matter of fact, no one will object to the levy of the revised assessment on sites of houses, shops or warehouses authorised under the Land Revenue Code, which is regarded by you as the statutory law, and under Government resolutions issued thereunder. But bear in mind that the Land Revenue Code or any Government Resolution does not authorise Government to levy revised assessment on all the houses, which may be buildings, cattle-pens, huts, etc., held by agriculturists residing in villages.

Sir, it has been recognised and explained in the Act of 1879 that settlements made under the Code of 1865 shall remain in force. Ownership rights of zamindars such as Dharekaries, khatedars, etc., and those of Government have been determined by Section 37 of the Land Revenue

[Mr. V. A. Surve]

Code of 1879 and by the printed judgment of 1882. Besides it has been notified by Government Resolution No. 9283, dated 9th November 1883, that at the time of every survey settlement or revision survey, a piece admeasuring 5 gunthas of land occupied by every building in Konkan and that admeasuring 10 gunthas of land occupied by every building in all districts other than Konkan shall be regarded as *Parden* number and that all such *Parden* numbers shall be unassessed. The Collector has been invested with powers of determining the area; and it has also been notified therein that prevailing local customs shall be duly respected. Revised assessment cannot, therefore, be levied on lands occupied by buildings before the advent of the British Rule, before the passing of the Act of 1865 and after the operation of the Act of 1865 and before the passing of the Act of 1879. Similarly, among other things, it has been fully enunciated in the Act as to how the said lands are to be entered in the Government records. Taking into consideration all these facts and the commentary on the Act by Mr. Maxwell, I have no alternative left to me but to state that the campaign launched by the Revenue Department in the Ratnagiri district is being carried on without due regard to the provisions of, or the resolutions under, the said Act.

3 p.m.

Sir, all the lands on which almost all the buildings in the Ratnagiri district stand at present, have been duly assessed. At the time of the Revision Survey it is notified by Government that an increase made in the assessment is to be levied on agricultural lands only. But buildings stand on lands which were formerly assessed. Government has no proof as it is fully clear from the notification, to show that the said lands escaped notice at the time of the Revision Survey. So this mischief of levying revised assessment on the said lands is being played on the (sheer) "strength of might". I openly state that this action of Government is totally unjustifiable. I, therefore, request the Honourable the Revenue Member and the Commissioner, Southern Division, that they may be pleased to issue orders directing their subordinates to stop forthwith the revision survey carried on in the Ratnagiri district and to follow the right procedure permissible under the law.

Mr. J. H. GARRETT: Sir, several honourable members have, in their speeches, touched upon the important question of the collection of land revenue. Those who gave the most severe criticism of the revenue officers in this respect were, I think, chiefly members from my Division. I hope I may be able to place before this House a few points which will, to some extent, cause those members to modify the rather uncomplimentary attitude they have taken up. I might perhaps be thankful that I have not been condemned outright as those who belong to the Excise Department have been. One honourable member in speaking of that department used very strong and unparliamentary language. These two departments are those upon which the solvency of the presidency chiefly depends. On the one side there is an insistent demand for improvements of all sorts, in education, medical relief, roads, bridges, town improvement and so forth; on the other side we are subjected to

[Mr. J. H. Garrett]

severe criticism for being harsh in the recovery of dues which are necessary to meet the expenditure. I may place before this honourable House a few points for their consideration, and I have complete confidence that the House will judge the matter with fairness and with an unbiassed mind.

The present situation as regards land revenue is a difficult one, and there are two main difficulties with which the Revenue Department is faced. First is the slump in prices, and secondly, the recent severe damage which has been caused by frost. The first of these questions affects the whole presidency and Sind. The fall in prices is a matter which the Bombay Government cannot possibly deal with by any measures undertaken here. The only course which is open to the Government is to see that those who have suffered by this fall in prices are given fair and reasonable treatment. I will try to show that this has been done. First, I would remind this honourable House that there has been no revision of revenue settlements for some 7 or 8 years past. That means that many talukas which were due for revision have not yet come under that revision. Had the settlements been carried out according to programme there would have been a considerable number of talukas at the present time with an assessment much higher than that which is at present being levied. Then, apart from that, during the last four years Government have taken special measures for giving relief, arising out of the long continued and serious fall in prices. This relief has taken different forms in different years and also in different parts of the presidency. I can speak chiefly for Gujarat, which, owing to certain reasons which I need not mention here, has been hit very severely, more severely perhaps than certain other parts of the presidency. In that area, Government have for the last three years ordered that no arrears should be recovered and that only the current year's assessment should be taken, even though the crop justified the recovery of arrears. This is, of course, a greater concession than appears at first sight, because under the suspension and remission orders, these arrears after three years are automatically written off, and this has resulted in the saving of a considerable sum in the districts affected. In other tracts, such as the Konkan, a different method of relief has been followed. That is an area which depends practically entirely on rice and has been given a suspension of 2 annas in the rupee in the Ratnagiri district and 3 annas in the Kolaba district and in five talukas in the Thana district. That sum was of course on the books as due for payment, and this year, as the crops have been satisfactory that amount would have been recovered under the ordinary rules. But, as you are aware, for the reasons given in the Press Note, Government have remitted all these suspended arrears, and instead of giving them suspension, this year they have given them remission. The method of relief has been adapted to the particular needs of each tract. I think these examples will show that Government have given this matter their most sympathetic consideration.

I can show honourable members that even farmers in Gujarat are satisfied with this treatment. On one occasion, when I received a deputation from a number of villagers in the South Daskroi taluka,

[Mr. J. H. Garrett]

a taluka which is well known for its being most advanced and ready to voice any grievances at the first moment, the request made to me was that they should be ordered to pay only one year's assessment. This request was of course in accordance with the orders which were expected to be issued, and I told them that probably something of that sort would be done. This request came in January, before the orders were published, and I take it that those villagers were satisfied. However, since then I have found that they have not been quite as moderate in their demands. The other day I was in Shahapur in the Thana district where a deputation of villagers met me. Their demand was that the whole of the land revenue should be remitted permanently. These are examples to show that one cannot accept the requests of the ordinary villagers. Sometimes they are reasonable and sometimes they are most unreasonable. This, I think, will show that as regards the slump in prices Government have done all that is reasonably possible to see that no hardship occurs.

The second point concerns only Sind and the northern part of Gujarat and, I understand, a few places in the Nasik district. It is the damage caused by the frosts in January of this year. This is indeed a very great blow to the farmers who had every expectation of a first class cotton crop, tobacco crop and other rabi crops. Immediately after the first frost, which occurred about the 10th January, the Collectors of all districts and their Prant Officers and the Mamlatdars proceeded to get an insight into the damage. So they divided the areas in their districts so that as far as possible every part where there has been damage would be seen by superior officers; and by now they have completed their inspection. It is found that there will be need of concessions certainly in the two northern districts of Gujarat. In 1929 there was a similar frost which caused very widespread damage, and in that year Government issued special orders supplementing the ordinary Remission and Suspension Rules and those orders were found to be quite satisfactory to the farmers. The matter is still under consideration and I can assure you that such action as is necessary will be taken.

One or two honourable members criticised certain points of detail in our land revenue recovery. I think it was the honourable member from Kaira (Mr. Patel) who referred to a circular which he says has been issued by Mamlatdars to village officers telling them not to put the annewari too low. I have not yet had the advantage of seeing that cicular myself and I do not know exactly what the wording is, but I think probably it is quite a harmless document merely explaining to village officers the elementary principles of annewari, which is a thing they seldom seem to grasp. According to the rules, a 12 anna crop is the average of normal years, but in Gujarat I have not come across any annewari put at 12 annas. They generally take the normal crop at about 6 to 8 annas. However, it is quite certain that no village officer would take the circular as being a threat to him to put the annewari above what it should be, especially village officers in the Kaira district who are not by any means unable to look after their interests.

[Mr. J. H. Garrett]

The honourable member from Ahmedabad also alleged that there had been harshness in the recovery of land revenue during the current month, or possibly he meant during the last month. This matter is one on which I have no authoritative information; but in general it was decided that Collectors would not press for more than the current instalment, that is, half the current year's land revenue. I am at a loss to know how any demand for more than that can be made anywhere in the Ahmedabad district. Instalments fall due, in the case of kharif villages which presumably did not suffer very much damage, in January and March. The second instalment has not yet fallen due, so it could not have been demanded. In the rabi villages, the instalments fall due in February and April. In no case has the second instalment fallen due, and it is impossible that the revenue officers can have taken steps to recover the full assessment.

In conclusion, I would just point out that the collection of land revenue is a duty which we, the revenue officers, have to perform. We are in a dilemma, perhaps in the eyes of the public. If we recover on the due date, we are accused of undue severity and harshness; if we leave it until later, we are accused of recovering land revenue when the farmer has nothing wherewith to pay. Truly, the lot of the Mamlatdar is not a happy one. In dealing with this matter, common sense and sympathy are necessary, and I can assure this honourable House that revenue officers use both.

Mr. C. N. PATEL: On a point of information. I would like to know from the honourable member the Commissioner, Northern Division, whether in cases where the main crop was cotton and the whole of that crop has been destroyed, recoveries will be made in the month of February—I refer to khatedars whose crops have practically been destroyed.

Mr. J. H. GARRETT: I think it is rather a technical point. If the honourable member would like to meet me outside, I could explain the whole position.

Mr. J. B. GREAVES (Bombay Chamber of Commerce): Sir, I would like to take this opportunity of stating briefly the views of the group of which I am a member on the subject of road tolls.

My honourable friend and colleague, Mr. Lely, has already indicated to the House that we purpose tabling a cut with regard to the continuance of the existing tolls, and I feel that the House would like some information on this point before a specific debate on this question is raised.

I would like first of all to make it clear to the House that as far as tolls levied on private motor cars are concerned, we, as individuals, in common with other private motorists, dislike this method of taxing the individual private motorist, because of the very great annoyance and delay that this form of taxation causes us. We do not object to the amount of money collected, but we do object to the method of collecting it. Our real objection to tolls is based on the fact that they are a direct bar to the free transport of the agriculturist's produce to and from the nearest market or rail head. The Honourable the Finance Member, in replying

[Mr. J. B. Greaves]

to a supplementary question of mine asking whether Government were aware of the incidence of tolls on the agriculturists of this province, replied that Government had consulted the local boards——

The Honourable Sir GHULAM HUSSAIN : After consulting the local boards, Government gave permission to impose these tolls. The local boards, before consenting, must have satisfied themselves in the matter.

Mr. J. B. GREAVES : Government have, I believe, no knowledge of the incidence of tolls on the agriculturist. There are in existence no figures of what the agriculturist pays in tolls, because, as the House is aware, Government auction to the highest bidder the right to impose a toll at a particular place on a particular road. They authorise the contractor to collect from all users of that road varying fees, according to the class of vehicle, and the only information at their disposal is that they have sold a particular toll for a particular sum of money.

The facts are, Sir, that the incidence of local boards' or municipal tolls in this province is a crippling bar to the progress of the agriculturists in outlying districts. On the average, the agriculturists of this province live some 50 to 60 miles away from the nearest rail head, and in this 50 or 60 miles, they frequently have to pay on all the produce that they send in to the rail head five or six tolls. Not only that, but everything they require in the way of manure for their crops, material for their houses, etc., also has to pay the same number of tolls before it reaches them.

Government, I understand, discussed the question of the abolition of tolls with local boards last year, and the local boards replied that they were in favour of the continuance of tolls. I submit that they did this from their own peculiar local point of view. They felt that an easy method of raising money would be taken away from them, and that they would have the difficult and thankless task of devising a fresh tax to take its place.

The financial state of the Presidency, Sir, makes it impossible for all tolls to be abolished. Further, it is desirable that where tolls are levied to pay for the making of new or the repairing of old short feeder roads, these should continue. There can, however, be no justification for the continuance of tolls on those roads serving important agricultural districts, where these roads are the sole means of transporting goods in or out of these districts. I would cite one example of such a road, and that is the road connecting Poona and Nasik. There are very many tolls on this road and very many tolls on the important feeder roads, which abut on to it. The effect of these is to paralyse the only method of transport that exists for the agriculturist to move his goods from the districts served by these roads to the Nasik rail head on the one hand, or the Poona rail head on the other. No one, Sir, can approve of this state of affairs and I would suggest that Government give the matter their immediate and serious consideration, with a view to giving the House a pledge that they will make immediate arrangements for the abolition of all tolls on this type of road.

[Mr. J. B. Greaves]

One further point, Sir. I believe that Government, during the course of one of the debates last year, stated that they would see that tolls were spaced not less than 10 miles apart. This has not been done. I can cite two instances of roads serving important agricultural areas where, in the one case, there are two tolls in four miles, and in the other case, there are four tolls in 26 miles. These are not isolated cases, and I would ask Government to give this point also their most serious attention.

SYED MIRAN MAHOMED SHAH (Hyderabad District): Sir, I rise to offer a few remarks with regard to the budget that my honourable friend the Honourable the Finance Member has presented. Sir, I join those honourable members who have congratulated the Honourable the Finance Member on having presented this year a balanced budget.

Mr. SHAIKH ABDUL MAJID: It is a personal pleasure.

SYED MIRAN MAHOMED SHAH: The extent of pleasure is purely personal, I may tell my honourable friend, and on different grounds, inasmuch as my honourable friend the Honourable the Finance Member belongs to our community, which is generally known to be not very proficient in mathematics, but he has falsified that stigma. Moreover, he is the son of the soil that I have the honour to belong to, and further he represented some time back the constituency that I have the honour to represent now, so that my pleasure is purely personal. This is so far as his capacity as the Finance Member of the Bombay Government is concerned, but I will now have to unfold some rather bitter things before him in his capacity as the Revenue Member of this Presidency.

Sir, I must say without any reserve that the Honourable the Revenue Member has not given that attention which was due from him to his old constituency and to his own land of birth. Especially he has neglected the area of the barrage, which is perhaps considered to be a tract belonging to the upper world of the celestial regions which is not to be touched because it is circumscribed by certain rules and regulations which are to be modified perhaps by some higher authority than we know of. Why, Sir, that attitude has been taken is really inexplicable. There is a volume of evidence that protests, petitions and prayers were poured on the Honourable the Revenue Member when he visited Sind last, and grievance after grievance was piled before him. I do not know what he has done about them, though he has been able to do something in connection with the other parts of the Presidency, when a certain amount of relief has been afforded to the other parts of the Presidency and nothing at all has been done for his own province of Sind to which he belongs. I hope he has not forgotten it and he will not forget it, but I do not know why he has been——

The Honourable Sir GHULAM HUSSAIN: I may inform the honourable member that we are awaiting the Commissioner in Sind's report.

SYED MIRAN MAHOMED SHAH: It is unfortunate, but this is another proof, positive and ocular proof, that Sind is not being governed well and that it should be separated from the Presidency as soon as

[Syed Miran Mahomed Shah]

possible. While the Honourable the Revenue Member can afford to give relief to the people of the other parts of the Presidency, he has not been able to give similar relief to the people of his own province and this is another proof I repeat which I can give while sitting here in Bombay that unless Sind is soon separated, her people will not be able to get that kind of relief which has been granted to the other parts of this province.

Now, Sir, I will briefly state the grievances of the zamindars which are of a fundamental character. First and foremost is the question of settlement, the revenue settlement that has been introduced in the barrage zone in 1932. Sir, objections both on economic grounds and on legal grounds were raised by the zamindars in 1932 when the revised rates were introduced, and they were published by the 30th July 1932. But according to Government Resolution No. 2973 of 5th May 1903 published in Joglekar's Land Revenue Code, First Edition, it is distinctly laid down that "the year of introduction must be the first year of the new settlement and not the last year of the current settlement", so that the settlement was to be introduced in the last year of the last settlement and not in the first year of the revision. It should have been introduced after the 1st of August and this would have given a rebate to the zamindars under the Land Revenue Code, section 104, to the extent of the difference between the old rates and the new rates, which has not been done in spite of many protests. The zamindars of the barrage zone made several petitions and they even suggested that the matter be referred to the highest legal authority to secure a decision whether their contention was right or wrong, but Government has not done anything so far in regard to that. Perhaps they wish to drag them to the civil courts, which in these hard times is very difficult for the zamindars to face. Sir, I must impress upon my honourable friend the Honourable the Revenue Member that in my belief the complications that have arisen in other parts of India, I mean agrarian troubles, are sure to crop up in Sind also unless Government make up their mind to listen to the genuine grievances of the zamindars and try to remove those grievances. I believe Government know that these smoking feeble fires may assume the form of a conflagration at any time, which they cannot hope to trace the course or source of. So, Sir, this is a mere warning and a friendly advice that Government should take into consideration and redress the legitimate grievances of the zamindars based on legal grounds.

Apart from all this, Sir, I now come to the actual facts to find out whether Government were justified in introducing these revised rates. The settlement officer, Mr. Green, gave the figure of cotton rates at the rate of Rs. 9 a maund in the year 1932 and the outturn at 10 maunds per acre. That works out at Rs. 90 per acre, half the share of the zamindar and half the share of the *hari*, which comes to Rs. 45. Deducting out of it Rs. 11 as the cost of cultivation and improvements, it comes to Rs. 34 net profit; worked out at the rate of 24 per cent. Government dues it entitles Government to Rs. 7–6–0, but still Government charges Rs. 6–4–0 according to Mr. Green; but this is all a camouflage. The real price of Cotton has never gone beyond Rs. 4–8–0 a maund. Worked out at this rate the zamindar's share will be Rs. 22–8–0: Deduct Rs. 11 cost

[Syed Miran Mahomed Shah]

of cultivation. This will give him Rs. 11-8-0 net. 4 per cent. of this will be Rs. 4-6-0 which has been raised to Rs. 6-4-0. Thus figures do not justify this enhanced rate. Even now much after 1932, the prices of cotton have gone down as everybody who deals in cotton knows. The same is the condition with regard to other crops such as oil seeds and other agricultural products which have gone down in prices from time to time. Yet Government is not prepared to accept these figures and facts. Cotton at its highest in the Karachi market was Rs. 15 a maund which at ⅓rd comes to Rs. 5 for cotton pods. Now take the market rate or take the country rate anywhere, you cannot raise it to Rs. 9. It was by fortuitous circumstances, perhaps in 3 days in a year, that price rose to Rs. 8-12-0 a maund. The Settlement Officer took the highest rate and did not care to know that always the average is to be struck which is not fair at all. But, Sir, what will be the consequences if zamindars are forced to pay a high rate of assessment without any rebate being allowed to them and without any concession being shown to them? Government cannot remain indifferent at all times to the interest of Zamindars. Government have no doubt incurred a heavy debt in the construction of the Barrage but they should not in their attempt to realise their pound of flesh kill the goose that lays the golden eggs. Really upon the economic condition of the agriculturist depends the entire prosperity of the Barrage. If he is in debt to his ears and he has nothing to eat and he has got no money to spend on his further cultivation operation for future years, how is Government going to make Barrage a paying concern by imposing high rates of assessment on the zamindar? I must say, Sir, that my honourable friend the Finance Member has himself admitted that he has been able to balance the budget by making enocomies, revenue recuperations, additional taxation and so on, but I may inform him how revenue recuperation has come to be realised. He has to realise by what process it has come. He might make inquiries to find out whether or not it is a fact that coercive measures were resorted to by the revenue officials, whether or not threats were held out to the agriculturists that their cattle and moveables would be auctioned in the open bazaar if they did not pay, and whether the poor agriculturists had to pawn their trinkets or to sell their moveables in order to meet the demands of Government. Of course, the revenue recuperation is bound to come if orders were sent out to the subordinate revenue officials to collect each pice of arrears this year, but have Government cared to inquire what is the condition of the poor agriculturist? The fact is that after paying Government dues nothing is left behind for the maintenance of his family or himself or for the needs of agricultural operations for the next year, so that I again repeat, in order to impress upon Government, that they should not try to kill the goose that lays the golden eggs. And what has Government done for the agriculturist so far? We, the representatives of agriculturists, have been agreeing to any sort of taxation that Government have put forward, but what have they put forward for us? They should not impose such burdens upon the slender shoulders of the agriculturists as might perhaps have been properly imposed upon broader shoulders. Those of the agriculturist

[Syed Miran Mahomed Shah]

class who enjoy the amenities of modern life, such as motor cars or electricity or anything of that kind, do not grudge to bear the burden of taxation in some direction. For instance, although I am an agriculturist, I, as a member of an advanced society, would be prepared to shoulder the burden imposed by electricity tax, tobacco tax, etc., and that is why I have always supported Government in the imposition of those taxes, but what has Government been doing for us? Government say they are considering how to concert measures to relieve the agriculturist's distress. What outstanding measures have so far been taken by them to relieve that distress? The Honourable the Finance Member in his speech says in paragraph 9 that the Bombay Government intend to concert such measures as may be possible within the scope of the financial resources at their disposal in concert with other Governments. But does he know that the other Governments have already taken some outstanding steps which really redound to their credit? Have the Bombay Government put forward any measures like the Land Alienation Act, the Licensing of Moneylenders Act, the Relief of the Agricultural Indebtedness Act, etc., that the United Provinces Government have passed recently? Have the Bombay Government put forward anything to show something outstanding for the relief of the agricultural population in Sind and to show to them that the Government of Bombay is not slow in their attempts to relieve their distress? They have done nothing of the sort. On the other hand, they have been piling taxation upon taxation on the head of the agriculturist. It may not be direct taxation upon the agriculturist in every respect, but the indirect effect of that is proving burdensome to him. Many commercial men engaged in various activities have expressed their views to me like this; and that is why I would make a particular request to the Honourable the Revenue Member kindly to take all these considerations and extend relief at his earliest. I will be failing in my duty if I do not represent the case of non-barrage areas also here. Sir, the condition of the Fuleli zamindars has not yet been improved. Government were pleased to give relief to the extent of 25 per cent. last year. The prices have gone down owing to the dumping of Japanese rice which has penetrated to the remotest and the smallest village in that division. This fact was brought to the notice of the Honourable the Revenue Member when he was last in Hyderabad and he was requested that Government might impose some protective duties on imported rice because Japan, which is menacing the whole industrial world, is going to assume a formidable attitude even in regard to agricultural products. Suitable protective measures should be adopted soon to give the much needed protection to agricultural products of the country and something outstanding—distinctly outstanding—should be done and done quickly to reduce the indebtedness of the agriculturists and also to afford relief by reducing the rate of assessment to 50 per cent. [*Bell rung.*]

Mr. V. N. JOG (Dharwar District): Sir, before coming to the question of the budget proper, I should like to make a few remarks with regard to the agricultural conditions in my sub-province of Karnatak. I see, Sir, that only one member, namely, the honourable member for Kanara, has spoken upon this subject and in order that there should not be the

[Mr. V. N. Jog]

impression created in the minds of honourable members that the conditions prevailing in the Central Division and in the Northern Division are not prevalent in the Southern Division, I propose to address a few words to this honourable House. The agricultural distress in the Karnatak is very acute. The honourable member the Commissioner, Southern Division, might be aware that several meetings have been held in the Belgaum District. Those meetings represent the views not of the Belgaum District alone but also of the whole of his jurisdiction and I can assure this honourable House that the conditions are more or less the same throughout the four districts of Karnatak. In Gujarat, it was said, the recent frost has caused damage to the crops and there is general distress on account of the slump in prices. But I can add one more tale of woe, that on account of the heavy rains, except the paddy crop, the whole of the early crops like jowar, groundnut and potatoes have failed in my district. From my personal experience I can say that in the northern and eastern portion of the Dharwar Taluka, Navalgund and Nargund petha, the ryots have not got anything from the early crops. We had some hopes with regard to wheat, but the cold wave has caused great damage to the wheat crop, and the only hope we now have is with regard to the cotton crop, which I am told, is not yet budding. Under these circumstances, it is very difficult for the agriculturists in our parts to pay the Government assessment. Apart from these present conditions, the general condition of the agriculturists in our parts is very precarious. No doubt, for the last two or three years, in certain talukas, though there has been a deficiency in the crops, and though they did not get a fair income from it, they anyhow managed to pull on, but it is very difficult for them, if Government do not give them special relief this year, to carry on their agricultural operations for the next year. I know that on account of the want of tenants, in various places, the lands have not been even sown this year. It was difficult in certain areas to enter the fields; the bullocks could not enter the fields and sow the seed. Rain continued for so many days that the whole of the early crop could not be got. It is only when the ground began to dry that the late crops are beginning to be sown.

Then with regard to the actual income the agriculturists are getting, I can repeat and emphasise the condition which was described with regard to Sind. The same condition prevails in our parts also. It is not possible even to get the cost of cultivation. No doubt in certain portions there is the usual quantity with regard to paddy, but it is very difficult to get enough price for that quantity, and the agriculturists, after deducting the cost of cultivation, are unable to pay even the assessment, apart from the question of paying the debts which they owe to the sowcars and co-operative societies. There are instances where the agriculturists are reluctant to pay even the Government assessment in cases where they have heavily mortgaged the lands to the co-operative societies and the sowcars. I know personally many instances in which they have been obliged to follow rather a crooked device of not paying the Government assessment and getting the benefit of possession in an indirect way.

[Mr. V. N. Jog]

What happens is this: in the case of lands hypothecated heavily to the sowcars or co-operative societies, i.e. in cases where it is not likely they can fetch more price than the sum due, the agriculturists do not pay the assessments and the lands are forfeited or force the sowcars or societies to pay the assessment to save forfeiture and lose the security. In such cases notices are not given to simple mortgagees; the man in possession is given the notice, but the man who has got a simple mortgage is not given notice, and the land is forfeited, and by that device the agriculturist thinks that he is once for all rid of his burden. Taking into consideration the present prices, the land is rather overburdened. The land was mortgaged at a time when it fetched a good price, but now, the prices of land having gone down, he thinks it is better that he is relieved of that burden. What happens further is that it is very difficult to get tenants to cultivate those lands, and in some way, by crooked methods, he sees that the land is retaken in the name of some of his relatives, and then he gets anyhow that land back for cultivation as a tenant. In that way even the co-operative societies have been suffering, and in many places in the Karnatak it has been very difficult to meet even the demands of the persons who have kept deposits in the various societies, and this has given a serious blow to the co-operative movement. These are the few points which I wish to bring to the notice of this House. There must be some special concessions given to the agriculturists this year in the shape of suspensions and remissions. I do not want to dwell any longer on this point, as I believe there will be time to discuss this question at the time of the demands for grants and resolutions on this subject.

Then, Sir, I am sorry I cannot join the chorus of congratulations which have been heaped upon the Honourable the Finance Member. I can say it is an accident that he has been able to present a surplus budget, or a balanced budget, the surplus which he has shown being only Rs. 70,000. That it is a balanced budget is only an accident. I say it is an accident, because what did he budget for before the Government of India or the Secretary of State was pleased not to restore the 5 per cent. cut? Really he was budgeting for a deficit of 14 lakhs. That can clearly be seen. So he cannot take credit that he has been able to present a balanced budget. That can be seen if you compare page 2 of the Blue Book——

The Honourable Sir GHULAM HUSSAIN: The honourable member need not take that trouble. I do not deny it.

Mr. V. N. JOG: There was a deficit of 14 lakhs and odd, and it was merely an accident that the Government of India or the Secretary of State came to his help, when they said that they were not prepared to restore the 5 per cent. cut. It cannot be a matter of credit, as if he himself has been exerting to present a balanced budget to us, as he had promised last year. He said in his speech that he was not weary of doing good. But what efforts has he made really to see that there is an excess from revenue? He has not been tackling the question, I must say, in the way in which it ought to have been tackled, because if the cut is

[Mr. V. N. Jog]

restored next year, or if the full pay is given next year, how is he going to balance the budget? He will go on appealing to us to sanction more taxes, to give him more resources. That is a matter which I think has to be seriously considered. He cannot fall back upon the device of calling upon the people to give him more money, because this is a question which has to be permanently solved, and the only way to solve it he is not paying serious attention to. No doubt, he was very fortunate this year to balance the budget, but what is the real method by which he wants to see that the expenditure is kept within the revenues? And I cannot myself see from the whole of the budget that he has got any permanent

4 p.m.

schemes of balancing the budget. In spite of the new revenue which we gave him, I have said there would have been a deficit of 14 lakhs. In the current year we have given him 8 lakhs in electricity duty, 5 lakhs in tobacco duty, and though it may be a small windfall, he got accidentally 4½ lakhs in interest charges leaving aside 6 lakhs and half in debt services. All that is accidental. But I submit that some permanent measure of retrenchment ought to be undertaken. Even the income from tolls has gone beyond his expectations. That is what I take it to be when he says that there is an increase of about Rs. 2,92,000. He was expecting about 4 lakhs, and there has been increase of Rs. 2,92,000. He does not want to call them new taxes, but taking into consideration the recent imposition of these taxes, these can be called new taxes, and there has been a growth all round. I need not refer to it now.

With regard to other taxes, the urban population is crying for the removal of the electricity tax. There is a good grievance of the agriculturists and of the towns people with regard to the toll taxes. All these taxes the House might perhaps be inclined, if he is in embarrassment, to continue for some time. I do not know exactly the mind of the House. Some of them are seriously considering whether it would not be a good thing to throw out the whole of the Finance Bill and to force upon Government some permanent method of retrenchment. We have been helping the Government from time to time, but we feel that in order to force them to make some permanent retrenchment it would be better once for all to throw out the Finance Bill, and then Government will be obliged to find out some method of permanent retrenchment.

Therefore, I submit, Sir, that the only method—and we are sick of reiterating it—is with regard to the permanent solution of the question of salaries. I shall deal with that question and answer certain of the criticism which was made by the Finance Secretary.

The Honourable the PRESIDENT: Two minutes more.

Mr. V. N. JOG: It has been said that there was a rise in the salaries of the lower ranks more than in the higher ranks, and yesterday the Finance Secretary gave us some percentages of increases. But I submit that in the case of the lower salaries, it was a question of how to live for the servants concerned, and that the superior services were getting their due for a long time, because he has himself told us that before the Reforms

[Mr. V. N. Jog]

the salaries amounted to about 67 or 68 lakhs before 1915-16, whereas it is 65 lakhs or 63 at present and whereas he said that the provincial services only cost 49 lakhs and the subordinate services about 2 crores, and after that they were raised to one crore and 3 crores and one-third respectively, and he said that in some cases the increases were 75 per cent. and 20 per cent. But I submit, Sir, that it is rather a funny way of comparing the thing. The Superior Services and the higher Provincial Services were getting these fat salaries for a long time previously and the lower inferior services were paid very low. In the one case, in the case of the inferior services, it was a question of how to meet their needs and also live a certain standard of life in those days of high prices, but in the case of the superior services their salaries were enough not only to maintain their standards of life but to leave something over as a saving. Therefore the cry of the House and even of some of the members of the Retrenchment Committee was that in the revision of salaries there should be a graduated scale of reduction, the percentage of the cut being higher and higher as the salaries rose. But that has not been accepted by Government.

Then, Sir, I must thank the Honourable Minister for Education for taking great trouble to see that provision is made for science teaching in our part of the country for the next year. Up to this time it was a standing cry that students from the Karnatak had to go a long way if they wanted to take up the science course, and I thank the Honourable Minister for having taken the trouble to see that the Karnatak College is provided with facilities for the teaching of the full science course.

The Honourable Mr. R. D. BELL: Sir, I do not remember any general budget discussion which has been so general as this one. Better evidence can hardly be wanted that the economic difficulties with which most of us are confronted at present overshadow the whole land. Certainly, the departments and subjects for which I am responsible have been treated very lightly in one sense of the word; and indeed there is so little material on which I can base a reply that anything that I say must necessarily be in the nature of passing remarks rather than of a set speech. Indeed, I found only four matters on which it seems to me desirable to speak at all. One of these is connected with the point raised by the honourable member Mr. Gangoli regarding the supply of Government publications to honourable members. I made a promise in the July session that this matter would be reconsidered. To-day a circular has been laid on the benches and honourable members are entitled now to send in their requests for those publications. A circular of this kind will be issued to honourable members every six months. If it is found from experience that the procedure can be improved in any way, Government will consider any suggestions made to that end.

The second matter which was mentioned relating to my subject was that taken up by the honourable member Rao Bahadur Chitale. He referred to a case of a proposed sugar factory in his district and complained that the promoters thereof were handicapped, first of all, by

[Mr. R. D. Bell]

a drainage tax of Rs. 15 per acre; secondly by a demand for sureties; and thirdly by the nature and effect of the soil classification made by the Irrigation Engineer. He did not mention that the promoter of this factory is getting his water supply at Rs. 28 per acre guaranteed for 30 years.

Mr. B. S. KAMAT: As against the ordinary rate of ?

The Honourable Mr. R. D. BELL: Rs. 45 per acre.

The drainage tax is one which is being imposed on all sugar ventures, as experience has shown that unless the cultivation of sugarcane is controlled the land may easily be ruined by water-logging and efflorescence. In the light of actual experience the necessity for drainage has been proved and this demand for a payment on account of drainage has accordingly been made. The drainage must be carried out not merely for the protection of a particular cultivator or sugar concern which is growing sugarcane, but for the protection of the surrounding lands as well; and therefore it must be controlled and carried out for the benefit of the whole countryside by the Irrigation Department. The object of soil classification and the regulation of sugarcane cultivation in accordance with it has been necessitated by the same conditions. As experience is gained the classification may be relaxed or more strictly enforced according to circumstances. These things are done not in the interest of any one cultivator but of all cultivators. It is necessary for the protection of the neighbours that occasionally one, two or more cultivators must have their methods of cultivation placed under regulation.

As regards the sureties, if no justification can be shown, the demand for them can be adjusted. This is personal and individual rather than a public grievance.

The third matter which attracted my attention was the complaint of the honourable member Mr. Shaikh Abdul Majid regarding the excess of the irrigation staff in Sind. I admit that this is a very serious and important matter but I do not propose to deal with it in any detail now. But, there are perhaps one or two misconceptions which might be removed. In the first instance, we hope, as a result of the opening of the Barrage, that there will be for a considerable number of years a very steady and ultimately a very large expansion in cultivation in Sind and I, at least, hope that a good deal of the control of the water distribution for that increased cultivation can be taken over without any large expansion of establishments. But another consideration is this. It may seem that, now that we have this wonderfully controlled and regulated canal system, with regulators and modules not only for the timely distribution but also for the appropriate quantities of water, we should be able to control it with a reduced staff. This is probably an entirely erroneous conclusion and I do not think experience in ordinary administration supports it. The railway, the telegraph, the telephone and the motor car—all these adjuncts to civilisation—have not diminished work. On the other hand, they have not merely increased the amount of work but they have increased the pace at which it must be

[Mr. R. D. Bell]

despatched. I rather think that one result of this greatly improved system of irrigation in Sind is that it will require a more detailed and more skilled attention than the old system and that the staff required must be on a corresponding scale.

The last subject on which I wish to make remarks has reference to the operation of the Special Powers Act which was passed—I may remind the honourable member Mr. Karbhari—by this Council at the end of the year 1932. Except for one honourable gentleman who likened the police force to blood hounds, the Home Department has escaped adverse remarks during the course of this debate. It is due to this Council that they should have some information regarding the working of the Act which they put on the statute book. I intended to do this, as a matter of fact, last session in Poona but the session terminated ultimately a little more suddenly than was expected and the opportunity did not arise. What I have to say is very brief indeed. Honourable members are aware that the operation of the Special Powers Act is in two parts. One is action by punishment and the other is preventive action. In the year preceding the passing of the Act, that is to say, in 1932, as regards punishment inflicted under the Ordinances, there were altogether nearly 13,000 convictions both under the Ordinances and other penal acts. Most of these (8,000), took place in the first four months of 1932 and the remaining 5,000 in the last 8 months of the year. The number of prisoners in connection with the civil disobedience movement reached the maximum of over 7,000 in June 1932; and at the end of the year, there were a little under 4,000 prisoners still in jail; so that, as regards punishment the position, at the time the Special Powers Act was brought on the statute book, was that there had been 13,000 convictions approximately in the preceding twelve months and that nearly 4,000 prisoners were still in jail. In the year 1933, after the passing of the Act, the convictions were under 1,900 as compared with nearly 13,000 in the previous year. The number of prisoners fell from just a little short of 4,000 at the beginning of 1933 to the number given by His Excellency in his address to the Council—990—at the end of the year. At the end of January the number had fallen further to 877. These figures indicate fairly clearly the decline and fall of the civil disobedience movement.

An equally important part of the working of the Act is that connected with the imposition of restriction orders under section 4 of the Act. During the year 1932, there had been over 2,000 of these orders issued under the Ordinance and the number in force at the time the Special Powers Act came into force was a little over 1,000, actually 1,084. I may say at once that during the year 1933, 579 new orders were issued. But what the Council was specially anxious about at the time the Bill was before this House was that the operation of these orders should be carefully observed and controlled by Government. Sir Frank Hudson gave the House a promise that a special scrutiny would be made at once of the orders that were in force under the Ordinance, while the Act itself provides for a six-monthly review. The special review which my predecessor promised had the effect of cancelling 202 orders. I am not

[Mr. R. D. Bell]

taking into account orders which were merely modified. Under the special review 202 restrictive orders were cancelled, and further, as a result of the first statutory review by Government, which was due to begin on the 1st of July last, another 256 orders were ultimately cancelled. But, in point of fact, the discretion which must necessarily reside in the district magistrate in the working of this section is so effectively exercised that the reduction in orders is much greater than the figures which I have given just now would indicate, since the process of cancelling orders which cease to be necessary is in constant operation. I have said that the orders in force at the time the Act was brought into force were 1,084, and that the new orders issued during 1933 amounted to 579, so that altogether the total orders would have amounted to 1,663 by the end of the year, if there had been no cancellations at all.

Mr. R. R. BAKHALE: May I interrupt the honourable member for a minute, if he does not mind? May I know if the cases under the Foreigners Act are also similarly reviewed every six months?

The Honourable Mr. R. D. BELL: That is entirely a different point, which I am not prepared to take up at the moment. Well, the orders in force at the end of 1933 were 562, showing that over a thousand orders had actually been cancelled during the course of the year 1933.

There is only one other point to which I wish to refer in connection with the operation of the Special Powers Act. One of the most difficult problems to deal with was that of the young offender. And because there was no better course, a considerable number of youths were sent to the Borstal School at Dharwar in preference to sending them to prison. It was better to send them to the Borstal School than to send them to prison, although the Borstal School is intended primarily for youths with criminal tendencies. But even this arrangement was not entirely satisfactory. The boys who were sent to the Borstal School for offences in connection with civil disobedience gave very considerable trouble at the outset. They were undisciplined and refused to take promotion when promotion was offered in the usual course by the authorities of the school. And one way or other they were rather a problem for the authorities. But at the end of last rains, before His Excellency Sir Frederick Sykes visited Dharwar, they were asked to take part in the preparations for his visit, and they did so with such interest and keenness that their conduct improved from that time onwards. Three or four of them expressed regret for their previous conduct and were released. And the remainder behaved so well for the following six months that quite recently Government decided to release them all. That, I think, is a satisfactory conclusion to what was not from any one's point of view, an entirely satisfactory way of dealing with these young offenders. The Government on their side have had the satisfaction of seeing that ultimately they turned towards a more disciplined course of conduct and that they seemed to realise their responsibilities, young as they were. I hope that the figures that I have given to the House will satisfy them that the Act has been administered with discretion.

[Mr. R. D. Bell]

The honourable member Dr. Dixit made a remark that the peace and tranquillity of the land should rest on contentment and satisfaction of the demands of the people. Well, the question at once arises, whose peace and tranquillity and whose contentment? In 1930-31 and 1932 we passed through what might be called unconstitutional epidemics. They were rather like an epidemic of malaria or an epidemic of plague or any other epidemic inimical to the public health. The position now reached is that we have got the disease well under control, but there are still a few mosquitoes buzzing around and a few fleas. (*Laughter.*) Now, at the best all you can say in favour of the mosquito is that its buzz annoys you. It may sting you and cause you a little further inconvenience. A few of them are still infected and if you submit to their attentions you may find yourself in bed for a few weeks and suffer from the after effects thereafter. And it is exactly the same with the plague flea or any other pest. While I agree that the peace and tranquillity of the land should be based on contentment, it should not be the contentment of the mosquito and the flea.

Dr. M. K. DIXIT: May I know the number of youthful offenders that were sent to the Borstal School—roughly?

The Honourable Mr. R. D. BELL: I cannot give the number sent, but ultimately 34 were released.

The Honourable the PRESIDENT: The honourable member Mr. Chikodi will speak next, but it is now 4-30 and we will adjourn for tea till 5 p.m.

(*The House re-assembled after tea at 5 p.m.*)

The Honourable the PRESIDENT: I shall allow only 10 minutes to each honourable member. I cannot spare more time, because the Honourable Ministers will speak, and there is the reply of the Honourable the Finance Member.

Mr. P. R. CHIKODI (Belgaum District): I shall take 10 minutes Sir.

Sir, if the Budget is to be regarded as a document depicting the financial situation of the Government and the measures which the Government intend to adopt to meet that situation, then I must regard that document with a feeling of great disappointment. The financial situation of the Bombay Government seems to be in a very hopeless condition. The surplus of 1 lakh that has been shown here indicates the plight in which the finances of the Presidency are. This House was informed by the predecessor of the present Honourable the Finance Member (Sir Henry Lawrence) that two crores of free balance was the safest margin for the Government of Bombay and that was adopted and acted upon. If the Honourable the Finance Member refers to the speech of Sir Henry Lawrence, he will see the statement which I have just quoted.

The Honourable Sir GHULAM HUSSAIN: I have got it by heart!

Mr. P. R. CHIKODI: If the present Government is unable to maintain the proper standard of balance, then they have no justification for expecting congratulations from this side of the House. Even with regard to the surplus of one lakh, I would like to know either from the honourable member the Finance Secretary or from the Honourable the Finance Member as to why the repayment of the loan to the Government of India, viz., 12 lakhs, has not been incorporated this year only in the expenditure charged to revenue. When the Budget was presented last year, that particular amount was not also included, but in the revised figures of expenditure charged to revenue, it has been included. That amount has been included in the Budget ever since 1921–22. Only in the present Budget I find that it is not included. I want an explanation of that. So long as an explanation is not forthcoming members on this side of the House have a right to assume that this is a deficit Budget.

Mr. C. G. FREKE: May I correct the honourable member on one point, Sir? No provision was made in 1932–33.

Mr. P. R. CHIKODI: May be, but has it not been the practice to include that amount in the expenditure charged to revenue? I have reason to believe that it has been the practice ever since 1921–22. In a particular year it may not have been included. That is a legitimate charge upon the revenue.

Then, Sir, with regard to the debt charges, the honourable member the Finance Secretary said that there is a debt of 30 crores only. I admit that for the sake of argument. But how much of it is for unproductive purposes and why was that incurred and to what extent have the people to bear the burden of the unproductive debts?

The Honourable Sir GHULAM HUSSAIN: That expenditure was undertaken with the consent of the honourable member, who was a member at the time.

Mr. P. R. CHIKODI: Well, Sir, I cannot hear the Honourable the Finance Member, and I cannot reply to things which I am unable to hear. However, I maintain that a very large amount has been spent for unproductive purposes—to the extent of 6,23 lakhs—and the burden on it by way of interest comes to 63 lakhs. This is the expenditure that has been thrown upon us, if I may say so.

There is no time and I shall hurry up with my remarks, skipping over point after point. I now come to the beneficent activities. We find it said that they have not been curtailed. But I only point out to the statement of the Finance Secretary on page 14 of the Blue Book. There, the item of civil works has been included under Administration Charges. I would include it under sub-head III. If that is done, then the situation will be the reverse of what it is shewn there.

What we desire is that the Government should face the situation as it is. It is no use shutting our eyes to the facts. Government in the year 1921–22, or in the three years from 1919 to 1922 have revised the salaries and the expenditure increased by reason of this revision has been somewhere in the neighbourhood of 1,50 lakhs. I quote from the

[Mr. P. R. Chikodi]

Administration Reviews. I do not wish to enter upon the controversial subject whether the salaries of all the services should be reduced or not. But the salaries of appointments which are in the gift of the Bombay Government ought to be reduced to the extent to which the prices have gone down. When the increases were sanctioned this House was not consulted. The increases were sanctioned and the figures were incorporated in the Budget. In 1931 the Finance Member stated that if the House gave the lead, the salaries would be reduced. Why should they expect any lead from this House? Is it not sufficient that the finances of the Presidency are now in a very bad condition and that the revenue is not what it ought to be? There are cries from the mofussil that their amenities are being curtailed and they are not getting as much money as they ought to. If that is so and if the prices have gone down, it is up to the Government to see that the scales of pay be revised. Again, when these increases were sanctioned, Government made it a point that if the prices came down, the scales would be reduced, but that condition has not been fulfilled and it is necessary that it should be acted upon.

The Honourable Sir GHULAM HUSSAIN: Including the pay of the school masters?

Mr. P. R. CHIKODI: Yes, Sir. I am not excluding them. I include the Mamlatdars, the Deputy Collectors, clerks of the Finance Department. Every one.

The Honourable the PRESIDENT: Has the honourable member finished? His time is up.

Mr. P. R. CHIKODI: All right, Sir. I have already referred to the situation in the mofussil, but I want to know from the Honourable the Finance Member, when he replies, what the effect of the recent orders with regard to suspensions will be. Some orders have been published on the 12th of the present month. It has not been indicated what the effect will be if those orders are carried out. I request the Honourable the Finance Member or his Secretary to let me know whether there is going to be a further deficit if those orders are carried out. [*Bell rung.*]

The Honourable Khan Bahadur D. B. COOPER: Sir, I have heard with attention the criticisms and suggestions made by various honourable members during the last two days in regard to various important questions pertaining to the departments under my control. I can assure them that I shall give very careful and sympathetic consideration to their observations.

For the present, I shall explain the position with regard to the various important subjects touched during the present debate. The first is the question of our tolls policy. This has attracted considerable notice and criticism both inside and outside the House, and there is a general desire to know what steps Government contemplate taking. Government have had under consideration for some time past the question of the abolition of tolls on roads. Certain proposals were framed providing for the abolition

[Khan Bahadur D. B. Cooper]

of tolls on all roads, local wheel taxes, registration fees and all forms of local and provincial taxation on vehicles and for the levying of a compounded tax in substitution thereof. These proposals were kept before a conference at Poona at which officials and representatives of the several district local boards and municipalities and trade interests were invited by Government on the 4th October 1933, with the object of eliciting popular opinion in the matter. The proposals were found not to be acceptable to the majority of the representatives of the district local boards and municipalities mainly on the ground that they were considered to have the effect of usurping the authority of local bodies and interfering with their statutory powers of imposing and collecting wheel taxes and tolls. The original proposals, as discussed at the Poona conference, have accordingly been dropped. The Public Works Department is now engaged on examining alternative proposals on the following lines:

(1) the abolition of all tolls instituted on provincial roads in the Presidency including those reinstated this year; the total net revenue derived therefrom being made good by its distribution and recovery in the form of an enhanced registration fee on all motor vehicles; or

(2) the imposition of a tax on motor vehicles assessed according to the use which they make of and the resultant damage which they cause to the roads.

It may, however, be pointed out that there are several inherent difficulties in arriving at an acceptable solution of the problem on these lines as will be apparent from the fact that out of the total number of approximately 20,000 motor vehicles registered in the Bombay Presidency almost one half the number ply within the limits of Bombay city, outside of which they seldom, if ever, make use of the roads. The objection is advanced that such motor vehicles cannot be rendered liable to taxation on account of cost of upkeep and maintenance of roads, which they do not use.

Receipts from tolls on all provincial roads in the presidency, for the year 1933–34, have amounted to about 17·88 lakhs of rupees. To make good this amount by substitution of a surcharge on the registration fees of motor vehicles involves numerous difficulties. It is therefore inevitable that some considerable time must elapse before any acceptable scheme can be evolved which will secure the purpose in view. Government cannot afford to forego the revenue derived from the tolls and they have in consequence been reluctantly obliged to order the continuance of the existing tolls on provincial roads during the next year (1934–35). They are, however, taking steps to simplify and unify the incidence of tolls in the several districts, in order to remove certain acknowledged existing anomalies and to afford some relief to traffic on the provincial roads.

Another important subject raised is the question of the abolition of taluka local boards. The honourable member Khan Bahadur Abdul Latif was anxious to hear a statement of Government policy on this question. Government issued a circular letter reviewing the whole position and calling for the opinions of local bodies and district officers.

[Khan Bahadur D. B. Cooper]

After considering their recommendations, Government came to the conclusion that taluka local boards should be experimentally abolished in one district in each division and that legislation should be undertaken to constitute advisory and supervisory committees to assist the district local board in all matters relating to the talukas concerned. The late Honourable Minister died before orders were issued. I have re-examined the matter and am inclined to prefer the alternative of abolishing one taluka local board in each district as affording a fairer experiment. I think the abolition of a taluka local board might encourage the appearance of Panchayats and other minor local bodies. The whole question is being re-examined in consultation with the Commissioners, and I am not yet in a position to state the policy of Government.

Another question in which the House is greatly interested is rural medical relief. The outline of a scheme for rural medical relief has been suggested by the Surgeon General and discussed by him with the late Honourable Minister. There are many possible ways of proceeding and it is likely that the same methods may not be equally applicable in all districts. A tribute may be paid to the careful way in which Khan Bahadur Abdul Latif has prepared his scheme. It is my intention to work out a scheme which will be applicable to the whole presidency and can be gradually applied as funds become available. The scheme is under active consideration, but it is of so far-reaching importance that I must be sure of my ground before I make any statement regarding the lines on which it is proposed to proceed. When it is fully worked out, I hope to persuade my Honourable Colleague the Finance Member to let me have funds to make a beginning. We have not yet decided whether or on what lines a beginning should be made.

Some honourable members have criticised the action of Government in not utilising the provision of Rs. 25,000 made in the current year's budget for encouragement of village panchayats. At the outset, I wish to assure the honourable House that I have the fullest sympathy for the rural population in whose welfare I have taken keen interest throughout my public career. Government have also given proof of their desire to promote local self-government in the villages on efficient lines by introducing the new Village Panchayats Act conferring on them extended powers and opportunities. But the fact is that the Act only became law on June 12th and it left many points to be settled by rules and bye-laws. The rules regarding elections under section 108-C of the Act have been published for criticism. Replies have been received and it is hoped to issue the final rules shortly. It will only then be possible for villages to elect panchayats under the new Act. The other necessary rules are under preparation and will be published for criticism as soon as possible. The existing panchayats are few in number and stagnant. Until the new Act is fully implemented by rules, it seems a waste of money to utilise last year's grant. In the meantime Government have published their village improvement scheme. It is proposed to create executive committees for controlling and co-ordinating the work of village improvement on the lines explained in the Manual of Village Improvement, and

[Khan Bahadur D. B. Cooper]

to create sub-committees to supplement the work of the district local board in supervising and propagating village panchayats with the president of the district local board as ex-officio chairman.

The machinery for village uplift is now being brought into existence. When the rules are ready and the machinery for starting panchayats on right lines is working, we shall then be able to know in what directions panchayats can most wisely be assisted by Government. At the present stage and pending experience of the working of the new Act, I cannot say whether financial assistance will be necessary, and if so, in what form.

The honourable member Rao Bahadur Kale desired to know why the Weights and Measures Act is not yet brought into operation and why the matter is kept pending. I much regret that Government have been unable to provide the funds for bringing the Weights and Measures Act into effect next year. Draft rules under the Act have been published and criticisms have been received. It is hoped that the final version of the rules may be published before long. Seven district local boards and fifteen borough municipalities have expressed their willingness to have the Act applied in their areas. As soon as funds are available, it is my intention to take steps to provide primary and secondary standards to the extent required and to arrange for the training of inspectors.

I shall seize this opportunity to remove some serious doubts expressed by certain people with regard to the utilisation by Government of the contributions made by the Hospital Maintenance Committee and other subscriptions received by Government in aid of medical relief. I definitely assure this honourable House and the public in general who have made their charitable contributions that no funds received from them will be spent on any other purposes than the objects for which they are given. When the receipts payable to Government for the current year are known, they will lose no time in reopening as many beds in hospitals as the funds permit.

With these few words, I resume my seat.

The Honourable Dewan Bahadur S. T. KAMBLI : Sir, let me begin by thanking the honourable member Mr. Kamat for boldly giving expression to his views,—well-considered views,—with regard to the excise policy of this presidency. He has given a lead, if I may say so, in this respect. He has shown, Sir, his usual robust commonsense in this respect. I know that he has not been a mere sentimentalist. While he is admittedly a very strong advocate of temperance, he does not make a fetish of the prohibition policy. He is convinced that the prohibition policy of this Government has been the cause of considerable loss of revenue. His views are entitled to the greatest weight. I hope, Sir, that this honourable House will seriously take into consideration the well-considered views so ably expressed by the honourable member Mr. Kamat.

Sir, the honourable member Mr. Bullocke made a vigorous attack on the policy of Government as regards the enhanced taxation on beer which comes into force on the 1st April next. I assure him, Sir, that the

[Dewan Bahadur S. T. Kambli]

increased taxation is resorted to solely for the purposes of revenue and not for any other purposes. It has not been imposed in order to remove the danger of competition of beer with the gin which Government manufacture at Nasik. What after all is the increase in this form of taxation? Is it so burdensome, is it so high as to bring about the dreaded result?

Sir, this increased taxation is comparatively a very light one. The amount of six annas is the increased taxation. It may be noted that it is levied not on every bottle of beer but on a dozen quart bottles of beer, whether it be Japan beer or any other imported beer, whether it be beer manufactured in India or anywhere else. In other words, every bottle of beer is subjected to this increased taxation of only half an anna. I would ask this honourable House to say whether this increased taxation of half an anna per bottle would have the dreaded result. Sir, again in this connection I would ask my honourable friends to compare the price of a bottle of beer with the price of a bottle of gin. The price of a bottle of gin varies from Rs. 4-12 to Rs. 5 per bottle, while that of a bottle of beer ranges from 8½ annas to 14½ annas even with this increased tax——

Dr. M. K. DIXIT: You cannot compare gin with beer.

The Honourable Dewan Bahadur S. T. KAMBLI: Therefore, I say this dreaded result will never come to pass. A bottle of beer is a cheap drink as compared with a bottle of gin. Comparing the price of a bottle of beer with a bottle of gin, this honourable House will surely come to the conclusion that there is not the slightest or the remotest chance of these two classes of drinks (namely, beer and gin,) competing with each other——

Mr. R. R. BAKHALE: Which is more healthful?

The Honourable Dewan Bahadur S. T. KAMBLI: My honourable friend who has travelled abroad is well qualified to make the comparison and to give us the benefit of his experience. So, I repeat, Sir, that the small increase of half an anna per bottle, which has been imposed solely for the purposes of revenue, is not meant for removing the imaginary danger of competition of beer with gin. It was not the intention of Government to bring about such a result, nor from the facts and figures that I have given would such a result ever be brought about, by the increased taxation.

5-30 p.m.

Rao Bahadur G. K. CHITALE: What is the total amount to be got?

The Honourable Dewan Bahadur S. T. KAMBLI: I am coming to that. If my honourable friend is patient enough, he will have that information given to him. On the other hand, Government will get a revenue of about a lakh and a quarter from this source.

Sir, the same honourable member ruthlessly commented upon the contents of the labels of the gin bottles, and also upon the contents of the gin bottles themselves. I do not see the honourable member in his seat today. So far as the contents of the labels are concerned, I may inform this honourable House that the labels are the property of the agents and that they are responsible for the contents thereof. Even

[Dewan Bahadur S. T. Kambli]

assuming for the sake of argument that the Government is responsible for the contents of the labels, then, Sir, I submit that there is no age regulation in India as regards gin or any kind of spirit, either manufactured here or outside India, and that "Old Tom Gin" or "Tom Gin" is not a proprietary name, nor a trade mark, nor have these names acquired any particular significance in India as to the age of the gin in the bottle. I am told, Sir, that bottles of gin manufactured in Cawnpore and Amritsar bear similar labels. There is no dishonesty of any sort in this respect. I have brought two bottles (*laughter*). My honourable friend who attacked the Government yesterday had brought a bottle of the Nasik gin. One of the bottles which I have brought is of the Amritsar Distillery Company [*Interruption*].

The Honourable the PRESIDENT: Order, order.

The Honourable Dewan Bahadur S. T. KAMBLI. It bears the label "Old Tom Gin". By this I want to show, Sir, that "Old Tom Gin" is not a proprietary name. Here is another bottle of gin manufactured by Messrs. Mehta & Co., Bombay. "Old Tom Gin" is the label on the bottle. So "Old Tom Gin" is not a proprietary name at all.

Then, Sir, to come to the contents of the bottles of gin of the Nasik distillery: The same honourable member said that it was deleterious to the human body. Sir, with due respect to that honourable member, I may state that he is entirely mistaken. The gin is prepared from molasses at Nasik, with the necessary ingredients which convert spirit into gin. It is not at all deleterious to the human body. It has been sold in the market for very many years past without a single complaint from the consuming public. On the other hand, it has been highly approved of by those competent to judge on such matters. Sir, not only this, but Government have the advantage of having a competent chemist at the Nasik distillery, who takes extreme care to see that the liquor supplied from the Nasik distillery is of pure and of good quality. To add to this, Sir, the agents are a leading firm supplying best liquors to the public, and these agents would never have applied to Government for the agency if the Nasik gin was of a deleterious type, because the agents have a reputation to maintain. These facts are sufficient to convince this honourable House that the gin manufactured at the Nasik distillery is not deleterious, nor has there been any dishonesty of any sort.

The honourable member Dr. D'Souza suggested that the Department of Industries should issue monthly reports on the state of industries and trade in Bombay. It is not clear from his speech whether he suggested that these reports should cover the whole of the presidency or should be confined to the city of Bombay only. In the former case, it is not clear whether he desires that the state of the cottage industries should also be reported upon. It cannot be disputed, Sir, that such reports will be of immense value both to the public and to the Government, but the carrying out of this suggestion requires obviously extra staff, and that again means additional expenditure. Therefore this suggestion, valuable

[Dewan Bahadur S. T. Kambli]

as it is, since it involves additional expenditure ,will have to be considered from that point of view also. All that I can say now is, funds permitting this suggestion stands a chance of being adopted.

Some criticism was made with regard to the educational policy, especially the primary educational policy, during the last two days. Especially the honourable member Sardar Rao Bahadur Bhimbhai Naik compared the figures of 1923 with the figures of today, and said that the picture to be drawn from that comparison is not a good one. I want to show that the picture is a brighter one by comparison, and I am going to prove it by facts and figures. The scheme of the revision of the pay of primary teachers was sanctioned in March 1924. The revised scales were brought into operation with retrospective effect from the 1st of March 1923. The scheme involved an annual expenditure of Rs. 7,00,000 to Government. Now, Sir, the total expenditure on primary education during 1923-24 was Rs. 1,15,00,000. Therefore, excluding the additional cost of revision of pay of primary teachers, the normal expenditure was Rs. 1,08,00,000. Against this expenditure, there were in 1923-24—the following figures are very interesting—12,555 primary schools; there were 8,33,864 pupils in primary schools, and there were 25,023 primary teachers. Now we have got a provision of Rs. 1,16,00,000 for expenditure on primary education; that is the budget for 1934-35. In 1932-33 there were 14,694 primary schools as against 12,555 in 1923-24.

Mr. G. S. GANGOLI: How many aided?

The Honourable Dewan Bahadur S. T. KAMBLI: There were 11,40,359 pupils in primary schools as against 8,33,864 in 1923-24. There were 37,291 primary teachers as against 25,023 in 1923-24. Assuming that these figures will remain stationary during 1934-35, although ordinarily it is not unnatural to expect reasonable progress, we are providing for over 2,000 additional schools, 3,00,000 pupils and 12,000 teachers. The provision of 116 lakhs for primary education has been made after a cut of 14 per cent. in normal expenditure on grants for primary education. If no such cut was made, a sum of about 134 lakhs would have been necessary. This large amount has been saved mostly by the reduction in the pay of primary teachers, in many cases by about 10 per cent., by a reduction in or abolition of head masters' and first assistants' allowances, and in several cases by retrenchment of senior teachers on higher scales of pay and employment of new men on lower rates. Thus the cost of revision of pay of 1923-24, to which the honourable member Sardar Rao Bahadur Bhimbhai Naik referred, has been probably more than counterbalanced by these retrenchments, and therefore it has been possible to provide for a larger number of pupils, schools and teachers to the extent I have just indicated. It will be of interest for this Council to know that, though I announced a cut of 14 per cent. at the last budget session, it has been possible for me to announce today that a cut of only 12 per cent. will be made during the current year.

Now to come to the honourable member Mr. Petit. He and the honourable member Dr. Vaishampayan, in their usual complaining mood

[Dewan Bahadur S. T. Kambli]

protested against the closure of the Deccan College, though the honourable member Dr. Vaishampayan went a step further and said there were closures of several colleges. When questioned how many colleges had been closed, he was not able to cite more than one instance, namely, the Deccan College. Sir, the honourable member Dr. Vaishampayan belongs to the party of which, if I am not mistaken, the honourable member Rao Bahadur Kale is the leader. The leader of that party has more than once expressed in this House his full agreement with the policy followed by Government in so far as the closing of the Deccan College was concerned. Well, strangely, Sir, in the year 1934, in the budget session it falls to the lot of his follower Dr. Vaishampayan to call in question the policy of closing the Deccan College. Sir, I may inform these two honourable members that the Government cannot afford to maintain a costly college like the Deccan College in these days of financial stringency merely on the ground of mere sentiment.

The honourable member Mr. Mehta complained that facilities for agricultural training in Gujarat had been curtailed. May I draw his attention to the fact that at one place called Vapi, in the Pardi taluka of the Surat District there was an agricultural bias school, and it had to be closed by the district local board as the people applied for its closure on the ground that they preferred English learning to agricultural education? This being the mentality of the people of Gujarat, I fail to see how the honourable member can complain that there are less facilities there for imparting agricultural education. This class at Vapi was closed only on the 15th of July 1933.

Then, Sir, a complaint was made in this House about the policy followed by Government in assisting the co-operative societies in recovering their dues. Sir, there was a conference of co-operative societies held in Poona to consider various subjects connected with the co-operative movement; recovery of overdues of co-operative societies was one of the subjects discussed at that conference. Then it was alleged by the members of the co-operative societies, and by the staunchest advocates of the co-operative movement, that the Government was not coming to their help in time of need, and that the Government were not assisting the societies in the recovery of their overdues which were growing day by day to an alarming extent; and with one voice they requested Government to assist them in the recovery of their overdues. In accordance with their request,—at their special request,—the Government have appointed special recovery officers for the recovery of the dues of the co-operative societies. When some of these gentlemen come to the meetings and conferences of co-operative societies, they readily criticise Government policy in not helping the co-operative societies. I ask the honourable members of this House to take a sober and saner view of the whole state of things, and to look at the procedure which has been adopted from the angle of view of the co-operators themselves. Then they will be convinced that the step taken by Government in giving help to the co-operative societies at their request is a sound one and a reasonable one.

[Dewan Bahadur S. T. Kambli]

These are some of the points that were touched at the time of the general discussion of the budget, and I have replied to them. With these words, Sir, I conclude.

Dr. M. D. GILDER (Bombay City, North): Sir, I had no intention to address this honourable House at this time in the general discussion of the budget, but some of the remarks that have fallen from some honourable members to-day have tempted me to speak. First of all, I must start by congratulating the Honourable the Finance Member in fulfilling his promise he had repeatedly given last year that he would bring before us a balanced budget. Secondly, he deserves the congratulations of this House in wielding the retrenchment axe. He has wielded the retrenchment axe not only over the various departments, but on himself also. When my constituency returned me to this Council 7 or 8 years ago, I remember that the Finance Member's speech occupied over 20 pages. This time we have had one of the shortest speeches on record and an effort seems to have been made to give more weight to it by using thicker paper. One does not know what the Government of Bombay is coming to when the Honourable the Minister in charge of Excise gets up and, more or less like a commercial traveller, praises the non-deleterious qualities of Government made Old Tom gin. Another occupant of the front Government Bench emulates the soldier rendered familiar to us in newspaper advertisements, who with a flit gun in his hand goes killing mosquitoes, and bugs and fleas. The fourth member of the front Government Bench, the latest acquisition, gives a nice address full of promises, more like an election address than a Ministerial pronouncement.

I suppose the most fashionable drink at the present time is a cocktail. Some of my honourable friends may not know what a cocktail is. It is made by mixing various drinks, icing and shaking them. Do you know the Excise Department cocktail? In my constituency in several places there is a toddy shop, a country liquor shop and a foreign liquor shop nudging each other, separated only by a partition wall. It is stated that the petrol companies have an idea of putting up pumps, so that motorists may meet with one every two or three minutes on all the main roads. But the Excise Department has foreshadowed them, put up toddy shops every few hundred yards. There is a toddy shop at the end of the Sandhurst Bridge next to a Marwari's house. [*Interruption.*] From these onwards you will find a toddy shop at short distances till you go right beyond the Bombay Suburban area and, if people object to a shop in their neighbourhood, a couple of sticks of bamboo and a piece of matting tied between them is supposed to overcome all objections as the shop is screened and cannot be seen, though a bottle of fermenting toddy is attached to the screen as an advertisement. Such are the ways of the Excise department to get a little more money!

A short while ago, Government issued a press note in connection with the H. O. H. Fete stating that they had received about Rs. 86,000 from the Hospital Maintenance Committee. It is not quite clear how all this money has been utilised, and that is one of the reasons of the doubt

[Dr. M. D. Gilder]

in the public mind about the utilisation of the fete money to which the Honourable Minister himself has already referred. Government say they have utilised Rs. 8,000 to restore the ten per cent. cut in drugs and medicines in connection with the Bombay hospitals. There is a balance of Rs. 78,000. They say 42 beds have been opened. One would like to have some sort of explanation as to how this money has been utilised, how long the beds have been and will be maintained open, and where the figures are to be found in the budget.

The amalgamation of Panch Mahals with Broach was alluded to by the honourable member from Panch Mahals and he showed an easy method of separation. There are undoubted advantages in maintaining the districts separate, and if the people themselves want a separation, there should be no difficulty in granting their request, particularly if the method pointed out costs no more than at present.

The Honourable Sir GHULAM HUSSAIN: Mr. President, I am thankful to those honourable members who have received the budget favourably. I am also thankful to those honourable members who have severely criticised my budget. Once in 12 months, the honourable members of this House get an opportunity to traverse the whole field of administration. It is on this occasion that they ventilate their grievances about almost all the departments of Government. I have heard all the honourable members with great attention, especially the elected members. The burden of their song has been that Government ought to be more sympathetic towards the agriculturists who, as they put it, are the backbone of the country and who have suffered because of the lower prices of agricultural produce. I assure them that we have every sympathy for them. One of the arguments they put forward is that the agriculturists contribute towards the provincial revenue in a great measure. I quite agree with them. What are the two demands from most of the elected members except the European group? What do they want? More concessions for the poor agriculturists and more money for the nation-building departments than have been provided in the budget.

Now, I turn to the European group which contributes the least to the provincial treasury, except perhaps a little of the electricity duty and of the tobacco duty. What are they asking for? To do away with the cotton cess, to do away with the surcharge on electricity. My honourable friend Mr. Petit, belonging to the capitalist group, representative of the Millowners' Association, joins them. They say "Throw out the Finance Bill". What are they suggesting to you? To drop the prohibition policy. That was the suggestion of my honourable friend Mr. Lely, with which I am afraid my another honourable friend Mr. Petit will not agree, though he wants a reduction in the surcharge on electricity. The speeches of most of the honourable members I have heard are against that proposal. Another statement my honourable friend Mr. Lely made was that there was wastage in primary education and therefore we should cut down the provision under that head, because they wish to save the money of the capitalists by reducing the surcharge on electricity. That

[Sir Ghulam Hussain]

is an industry which is a paying industry in this country to-day. [*Hear, hear.*] Everything that affects their pocket, they say "Throw out". If honourable members agree with that view, what will be the fate of the poor agriculturists? Where shall I bring the money from to fill this big gap in my revenue and give liberal concessions to the agriculturists which they ask for? Where shall I bring the money from for providing for the nation-building departments?

They start their attack by asking "What have you done with the Thomas Committee's recommendations"? I am glad the honourable member is here, and I shall take him through the recommendations of the Thomas Committee. I shall mention one of them and I am sure my honourable friend Mr. Petit will not agree with it. The honourable member Mr. Petit does not want to close down the colleges. My honourable friend Mr. Lely wants it, but most of the members of this House will not agree with him. The honourable member Mr. Lely wants to abolish the post of the Electrical Engineer, but his predecessor in this very House remarked that Government had committed a gross mistake in having abolished the post of the Consulting Architect to Government. What is the use of the Consulting Architect when we have no money to spend? Here is the Electrical Engineer who is of use to us and who is running the department. He wants this post to be abolished. I will deal with it separately. I am sure honourable members of this House will not follow the counsel of despair of my honourable friend Mr. Petit.

Sir, I was criticised for my brevity. I have always considered brevity as a virtue. Especially when I have a good case, what is the good of boring the honourable members of this House who have themselves made very long speeches? I can do the same thing if I take you through the Blue Book. My honourable friends who belong to the legal profession know that when they have got a strong point, they simply draw the attention of the court to it. Only when we have a bad case, we make long speeches and advance specious arguments. I have carefully listened to their criticisms and some of my honourable friends will excuse me if I say that they have indulged in catch-words and shibboleths. I still feel, in spite of all the criticisms, that I have done very well and to my own satisfaction. [*Hear, hear.*] If only honourable members recall to their minds the financial position a few years back, they will remember that we had a deficit of 2 crores. We had to borrow to balance our budget; and we had to levy additional taxation. Even last year at this time, I had a deficit of 28 lakhs. I am thankful to the House for having given me about 5 lakhs in the shape of tobacco duty.

Not only had we a deficit of 28 lakhs at that time, but we had to obtain a moratorium on our debt charges to the extent of 12 lakhs which were payable to the Government of India. Now, it must be said to the credit of the Finance Department that during the last 12 months they have by retrenchment and other means, wiped off the deficit of 28 lakhs and paid off this year's instalment of 12 lakhs to the Government of India. That makes an improvement of 40 lakhs. In addition we have a small balance. That

6 p.m.

[Sir Ghulam Hussain]

is not a small achievement in these difficult times. How are the budgets all over the world ? I would ask my honourable friend Mr. Petit to look nearer home into the budget of the Corporation. They have balanced their budget by additional taxation this year. How is the Government of India's budget, and other budgets ?

Mr. J. B. PETIT : The Madras budget shows a surplus.

The Honourable Sir GHULAM HUSSAIN : Yes, Sir. But Bombay is not Madras. [*Laughter.*] Madras is purely an agricultural province; it is not an industrial-cum-agricultural province like Bombay. And the Meston report has given them very favourable terms. That is why they are prospering. And there is another fact that the honourable member should not forget. We happen to be an industrial province, and we have three industrial centres—Bombay, Sholapur and Ahmedabad—and two important ports. Owing to the cost of living in these industrial towns and important ports, our scale of expenditure is much higher than in Madras. Excuse me if there is any Madrasee—what do they live on there ? [*Laughter.*] What is their land revenue ? Eight crores of rupees. [*Interruption.*] In the vicinity of 8 crores, 760 lakhs or 780 lakhs.

An Honourable MEMBER : What is the area and population ?

The Honourable Sir GHULAM HUSSAIN : That has nothing to do with it.

Honourable members in this House, when they have no criticism to make, take hold of any stick to beat the Government with. They have complained that we have not provided more money for the nation-building departments in next year's budget. That is because I could not do so with the revenue available. They cannot say that I have reduced the expenditure on transferred departments. If the honourable members compare the figures in the next year for Education, Medical, and Sanitation, they will find that many more lakhs have been provided under those heads than were provided in the prosperous year of 1922–23, of which my honourable friend was talking, when we had a balance of 2 or 3 crores. That must be put to the credit of this Government, that they have provided more funds for the nation-building departments than were provided in 1922–23.

Then, Sir, I always find in this honourable House very conflicting criticisms. There was a time when we used to balance our budget by borrowing. I remember the criticisms of my honourable friends Mr. Chikodi, Mr. Kamat and others against the policy of borrowing. Well, Sir, during the last few years we gave up borrowing and resorted to additional taxation. Now, we are told that the people are being bled white and that we should stop. This year, when we have balanced the budget without recourse to borrowing—which is bad finance—and without new taxation, the cry now is "Reduce the taxation". [*Laughter.*] I would ask honourable members to give me breathing time. There will come a time when we will have a surplus budget. Then, we will consider the various claims on our attention.

[Sir Ghulam Hussain]

Now, my honourable friend Mr. Chikodi asked us about our loan money, how much of it was unproductive. I might straightway come to the 11 crores which we have sunk for the benefit of the Deccan, which do not pay us more than 1 per cent.

Mr. P. R. CHIKODI: I did not refer only to the unproductive irrigational expenditure.

The Honourable Sir GHULAM HUSSAIN: The honourable member wanted to know the extent of unproductive expenditure. I gave one instance.

Mr. P. R. CHIKODI: Non-irrigational unproductive. I want to know also about the unproductive expenditure on lands and buildings, i.e., non-irrigational unproductive expenditure.

The Honourable Sir GHULAM HUSSAIN: Do you mean the Back Bay? I assure you, we are developing these lands, and the day is not distant when we will be able to realise more money and better times will come to this presidency.

Rao Bahadur G. K. CHITALE: You will be minting money.

The Honourable Sir GHULAM HUSSAIN: Now, Sir, my honourable friend Mr. Kamat, to whom I am grateful for his constructive suggestions, and other members again raised the point that they have given us additional taxation. I admit that we have got about 50 or 60 lakhs a year. But they ought to realise that during the last few years, owing to the prohibition policy, we have suffered a loss of many lakhs. And also, owing to the depression, our revenue is shrinking considerably. Then, our interest charges have gone up, also pensionary charges because of the time-scales. In last year's budget we explained in detail what contributions we were freed from by the Government of India. Everything was explained in detail. However, I will again refer to some of these matters. First, we have made considerable retrenchments, but they have been swallowed up by the time-scales that we have adopted. Every year, we have had reterenchment.

Mr. P. R. CHIKODI: Why don't you reduce the salaries?

The Honourable Sir GHULAM HUSSAIN: That is not in my hands. I would have done it most willingly.

Mr. P. R. CHIKODI: Is it not in the hands of the Government of Bombay to reduce the pay of the Subordinate Services?

The Honourable Sir GHULAM HUSSAIN: We had to get the sanction of the Secretary of State for the introduction of the time-scales.

Mr. P. R. CHIKODI: Has any effort been made by the Bombay Government to approach the Secretary of State?

The Honourable Sir GHULAM HUSSAIN: Yes; in some cases at least. I will come to that later on.

Now, the honourable members will see that we have made retrenchments from time to time for a number of years, but they have been swallowed up by the time-scales. The evidence of that is clear. If

[Sir Ghulam Hussain]

honourable members will see what our pension charges were in 1922-23 and what they are today, they will realise that these charges have gone up by leaps and bounds. Today they stand at 1,20 lakhs. They will find that the expenditure on establishments is nearly the same in spite of the retrenchments.

Next, Sir, as was explained by the honourable member Mr. Freke yesterday, after the reforms we have been spending much more on the nation-building departments. As regards the grants to local bodies, I quoted last year certain figures, pre-reform and post-reform. But honourable members will excuse me for saying that their memory is short, and therefore I will repeat them now:

"We had given a statement to the Simon Commission about the total expenditure we used to incur on Primary Education, Medical and other departments and on grants to the local bodies before the Reforms, and I am comparing the figures given in that statement with the figures of expenditure after the Reforms. If honourable members see the memorandum prepared by us, on page 170 there is a statement of the grants to the district local boards, and on page 184 a statement of the grants to the mofussil municipalities. I have taken the figures from 1912-20; the average comes to 50 lakhs a year, which is the amount we used to spend on Primary Education, grants for roads, medical relief and everything else. What have we been spending after the Reforms? I have collected separate figures for 1921-32, and I have also taken into consideration the smaller grants that we have been making owing to the financial stringency during the last two or three years. Honourable members will be surprised to know that the average comes to Rs. 1,10,00,000 a year, whereas formerly from 1912-20 it was only 50 lakhs a year. There is also one more important factor which I have not mentioned in my speech. In those good old days, we used to receive a recurring grant from the Government of India of 4 lakhs for Primary Education, 7 lakhs for local board roads and 6 or 7 lakhs for sanitation and other purposes. I have not deducted that from my calculations. Yet, Sir, the difference is obvious. Each year we pay the district local boards alone 60 lakhs more."

I want to be brief in my remarks, but these are the facts which I have placed before the House. In the same speech, you will find that I have shown you what grants we used to give to the district municipalities. I have not taken into consideration the large sums we have given to the Bombay Municipal Corporation. Sir, when the honourable members talk of balances and taxation and 60 lakhs and so forth, they appear to me to forget that Government has done a good deal for improving the condition of the people in regard to their education, sanitation, medical relief, irrigation and so on.

Now, Sir, whenever I disagree with my honourable colleague to my right (the Honourable the Home and General Member) about his demands for the police, his strongest argument is "The Police Department is the greatest nation-building department. Which of your people without my protection would be able to carry on their ordinary avocations? Where will be the safety, and who will protect your cultivator if any dacoits come to take away his produce?"—

Mr. G. S. GANGOLI: Is there anything to take away?

The Honourable Sir GHULAM HUSSAIN: I will remind my honourable friends that once we cut down the police, and there was a hue and cry from Jacobabad up to Kanara and everybody wanted more police.

[Sir Ghulam Hussain]

Then, is Irrigation not a nation-building department? Is the Revenue Department not a nation-building department? I cannot understand how you can call one department a nation-building department and not the others. Really every department is nation-building, and I am sure the honourable members will realise this when under the new constitution they change places with us.

Now, Sir, I come to my honourable friend Mr. Lely and my honourable friend Mr. Petit. I trust my honourable friend Mr. Lely will bear with me for a short time. Will he take his pencil and paper when we come to the recommendations of the Reorganisation Committee? The most important of that committee's recommendations are (1) the revised scales of pay under which Mr. Thomas expected a saving of 57 lakhs under salaries and 8¼ lakhs under pensions. The total comes to about 65½ lakhs. We have given effect to that recommendation as far as we could. We have made by the revised scales a saving of 34 lakhs on salaries and 7 lakhs on pensions, and our reason for differing from Mr. Thomas's recommendation is this. As I have stated before, the cost of living in this presidency is much greater than in the other presidencies because in this big city of Bombay we have a large European element in the population, and their standards are followed by others, and this leads to a higher standard of living. Then you have the port of Karachi. We have also three industrial centres, namely, Sholapur, Bombay and Ahmedabad, and if the honourable members take into consideration the ordinary labourers' wages, they will see that our new scales are not high at all. We must give our servants at least a living wage; otherwise what will be the result? There will be discontent and corruption.

Now, Sir, I will take another item of two crores saving estimated by the Thomas Committee. The Thomas Committee recommended "Reduce the schoolmasters' salaries by 15 lakhs". Will you kindly take a note of that? Well, Sir, I put it to this House whether, if I were to carry out that recommendation, they themselves would not tear me to pieces.

Now another important recommendation is that we must compel the local boards to raise their taxes and that we should reduce our grants to them by 24 lakhs. Will you kindly add 15 to 24? Nobody would look at it even if I were to propose it.

Another important direction in which that committee believed that a saving of 10 lakhs could be effected is to compel the municipalities to raise their taxes and thus to enable us to reduce their grants by 10 lakhs. All these three items come to 49 lakhs. So, Sir, I have accounted for 126 lakhs at least. Now I go to other recommendations, namely, the reduction of the travelling allowance of members of the Legislative Council, and the salaries of our Honourable President and the Deputy President. These were left to the honourable members of this House, but they are not inclined to take any action in that direction.

Then, Sir, another important recommendation is "Do away with Arts Colleges, Professional Colleges, the School of Art, the Sydenham College of Commerce", and about this recommendation there was such a hue

[Sir Ghulam Hussain]

and cry. Well, Sir, owing to public opinion and according to the wishes of this honourable House, we did not touch these nation-building departments. That would have brought some lakhs more.

Then, Sir, the Reorganisation Committee asked us to do away with the Industries Department. The honourable member Mr. Lely must have heard the debates in this House, and seen how this House raised protest after protest. And nobody accepts the committee's recommendation about the Co-operative Department. Let these figures be added up. Now, Sir, I have accounted for nearly 150 lakhs. Out of the remaining, we have made retrenchments to the tune of 35 lakhs, as we have shown in our retrenchment a betterment of 76 lakhs, out of which I have accounted for 34 lakhs in the revised scales and 7 lakhs in the pensionary charges. If you deduct from 76 lakhs the sum of 41 lakhs, you get 35 lakhs. I hope now the honourable member Mr. Lely will be completely satisfied.

Now, Sir, I might give the honourable member the further information that the Thomas Committee wanted us to keep the Joint Chief Engineer in Karachi for one or two years more, but the honourable member Mr. Lely will be glad to hear that despite that recommendation we at once retrenched that post which was carrying a salary of over Rs. 3,000.

Now I come to another favourite subject of his, namely, our move to Poona. If the honourable member reads the Thomas Committee's recommendation as a whole, he will find that the move to Poona could only be abandoned if we were prepared to spend about 11 lakhs on rebuilding the Government House at Bombay, and my honourable friend Mr. Kamat has been saying "Don't borrow anything more". Will the honourable member Mr. Lely advise us to spend 11 lakhs and not go to Poona? It will come to that in interest charges and other incidental expenses. Besides, Poona has an advantage in its favour. There are other honourable friends who say that the Government of Bombay should not monopolise one City as their capital because the Government of Bombay is for the whole of the Bombay Presidency and that therefore we ought to move a little to the Deccan also, so that we could come into contact with representatives of the agriculturists. We have large interests in the Deccan such as irrigation works in which we have sunk nearly 11 crores of rupees, and I am sure some of the honourable members are in favour of our going to Poona.

Another favourite subject which the honourable member Mr. Lely would like me to discuss is the recommendation of the Thomas Committee about decentralisation with which is connected the establishment of the Secretariat. I definitely put that issue before this honourable House. They set their face dead against this recommendation because they do not think that the Ministers should only be there for taking supplies from the Council and giving the money to the heads of departments, and getting up in this Council only to say "I do not know anything". The honourable members want to have the Ministers responsible to the Legislature, but to that my honourable friend's group do not agree. But the honourable member Mr. Petit is not in favour of decentralisation. Sir, the question of the Secretariat establishment and the constitution

[Sir Ghulam Hussain]

of the Boards is very closely connected. However, the honourable member Mr. Lely will be glad to learn that we have retrenched one post of a Secretary to Government; and after the Reforms work is finished, we will consider the question of retrenching another post of Secretary, and we have kept in abeyance one post of an Assistant Secretary. I hope, Sir, that my honourable friend Mr. Lely is satisfied. If he asks me any further question, I am ready to answer it, but he must realise that we have gone further than the Thomas Committee's recommendations. We have, of our own accord, tried to amalgamate districts, that is to say, we have made one Collector and one District Superintendent of Police do the work of two Collectors and two District Superintendents of Police, but there is a hue and cry in this House against that. Yesterday, the honourable member Mr. Lely must have heard the honourable member Mr. Mehta. When we are in right earnest to retrench, we are strenuously opposed by honourable members. However, the honourable member Mr. Lely will be glad to know that we have succeeded at least in amalgamating two districts into one and in making a little saving in regard to those two districts. Such amalgamations will bring us some savings, but, Sir, nobody helps us, neither the European group nor the other side. So, the honourable member will see now that we have done everything possible to retrench, retrench and retrench. We have cut down every department to the very bone. Generally it is said that the expenditure is on establishment. What is the administration, may I ask honourable members? They have some experience of the administration of local boards. What is their Educational Department? It is all establishment. What is the Public Works Department? It is all establishment.

6-30 p.m.

Now, Sir, I come to the most important matter, about my friends the agriculturists, for whom I have not expressed merely lip sympathy, as my honourable friend Mr. Petit did. He wanted to deprive us of all the sinews of war. If we were deprived of all that, I do not see how we would be in a position to give concessions to the agriculturists. I will place the case for the agriculturists before honourable members, and they will see that we are not treating them badly. We have always treated them very fairly. Now, honourable members ought to remember the figure quoted yesterday by my honourable friend Mr. Freke. What was our land revenue in 1911–12 and 1912–13, and what is it to-day? I find there is no difference. It is Rs. 4,78,00,000 or Rs. 4,80,00,000. Therefore, honourable members must at once come to the conclusion that we are not pressing the ryots too much by taxation. Otherwise, naturally our land revenue would have improved. That is the natural conclusion. Now, at the outset, I might say to my honourable friends that we fully realise that the agriculturists are the backbone of the country; on their prosperity depends the prosperity of this presidency as well as of this country. We have been always liberal in our treatment of them. This year also we have already, for the Presidency proper, issued a press note announcing liberal concessions. My honourable friend

[Sir Ghulam Hussain]

Mr. Chikodi wanted to know what is the financial effect. The effect will be known at the end of the year.

Mr. P. R. CHIKODI : Have you got any forecast ?

The Honourable Sir GHULAM HUSSAIN : How can we forecast ? We have made recommendations to remit certain things. Until they take effect, we cannot say anything.

Rao Bahadur G. K. CHITALE : Are we to have 12½ per cent. reduction like Madras ?

The Honourable Sir GHULAM HUSSAIN : I am coming to that. We have been giving you more than Madras. We have always been making liberal concessions to the agriculturists. We have issued orders as regards the area which has suffered from frost. We are awaiting the reports, and will at once issue orders.

My honourable friends from Sind might say that though I am a Sindhi, I have not said a word about them. They know full well that we have treated them also very fairly. We have not yet received the recommendations of the Commissioner in Sind. We will expedite it, and we will soon issue orders in respect of Sind also.

Now, my honourable friends were talking about Madras, and saying that they have given a remission of 60 lakhs this year. But may I ask whether they have given any remissions in the past ? I would request honourable members to bear with me for a short time. Everybody says that the Madras Government have given 60 akhs remissions. I was myself struck by it when I read about it, but let us not forget that they have not done much for the agriculturists in the previous years. But we have always been doing everything in our power for the agriculturists. I do not want to draw a comparison, because comparisons are odious, but I have been driven by this House to do so. May I request honourable members first to bear in mind that the land revenue of Madras is nearly 8 crores of rupees ? I have compiled figures of our total demand for the Presidency including Sind for some years. In 1930–31 our total land revenue demand was Rs. 4,69,16,000. What were the remissions ? Naturally honourable members will ask me. It was a sum of Rs. 49,76,000, nearly 50 lakhs, on a demand of 4½ crores.

Mr. G. S. GANGOLI : How much in Sind alone ?

The Honourable Sir GHULAM HUSSAIN : Have patience. As if the agriculturists of Sind are different from yours. I never thought there were classes among agriculturists.

Rao Bahadur G. K. CHITALE : Was that for flood relief, or ordinary relief ?

The Honourable Sir GHULAM HUSSAIN : It was for everything. What is the Madras remission of 50 or 60 lakhs ? Will the honourable members calculate and say whether we have done badly towards our agriculturists ?

An Honourable MEMBER : You are giving us 50 lakhs remissions ?

The Honourable Sir GHULAM HUSSAIN: We have already given you 49 lakhs.

An Honourable MEMBER: This year?

The Honourable Sir GHULAM HUSSAIN: I am coming to that. Have patience.

Rao Bahadur G. K. CHITALE: Past glories are no good to us.

The Honourable Sir GHULAM HUSSAIN: And in that very year, 1930-31, the total suspensions were Rs. 21,63,000, and this amount does not include the suspended arrears of the former years, but only of that year. I would ask honourable members to compare this with the Madras figures.

Now, Sir, I come to 1931-32. Our total demand was Rs. 4,59,00,000, and the total remissions were about Rs. 28,00,000 and the suspensions for that year alone were Rs. 17,70,000. In 1932-33 our remissions were Rs. 39,71,000 and suspensions Rs. 19,90,000. For this year, we have already issued orders, and we will do the needful when we get the recommendations of the Commissioners about the areas that have been affected by frost.

Dewan Bahadur D. R. PATIL: Only by frost?

The Honourable Sir GHULAM HUSSAIN: In other cases also. Similarly, my honourable friends from Sind will see that we have taken into account the low prices in giving remissions. We have taken into consideration all other calamities.

Now, Sir, what have we done for the agriculturists? As I have told the House before, we have sunk 11 crores in the Deccan to protect the poor ryots from famines.

Mr. G. S. GANGOLI: May I know when it was done?

The Honourable Sir GHULAM HUSSAIN: The honourable member is surprised to hear this. I thought ignorance was bliss on the part of my honourable friend. If he wants to know, I will tell him. In the Deccan we have sunk 11 crores, which does not give us a return of even 1 per cent., and on which we cannot get even the ordinary interest. This was done for the benefit of the agriculturists. In Sind, Sir, even before the construction of the Sukkur Barrage, we have spent about 5 to 6 crores of rupees. I hope honourable members from Sind will realise what would have been their state to-day without this barrage. They would have had to depend on the Punjab, and the Punjab being in the vicinity of Simla can influence the Government of India very much more, and there would have been constant quarrels.

Then, Sir, I have heard with very great attention the constant complaints that the rates of assessment are very high in this Presidency. So, I thought that the matter required looking into. I have collected certain figures for each division, which I shall read out to the House. I will first give the highest and lowest figures for the three divisions in the Presidency proper and come to Sind later on. Though we have given them an assured supply of water, we charge them an assessment

[Sir Ghulam Hussain]

which includes the water rate, but I shall deal with that separately. I shall come first to the fertile lands of Gujarat, of which we have heard so much. What is the highest rate of assessment charged? In your constituency, Sir, and in your district of Surat, in the fertile land of Chorasi taluka, the highest assessment is Rs. 6–15–8 per acre. In the same district the lowest rate is Re. 1–8–1; that is in Pardi. In the whole of the Northern Division, I have given the highest rate. And, what is the lowest rate? It is Re. 0–9–10 per acre in Wada and Mokhada. So, honourable members will see that the most fertile lands of Gujarat are not paying excessive rates. I do not want to touch on that point here, but they made a fortune during the War when the rates of cotton were very high. Now, Sir, in the Central Division, the highest rate charged is in the district of the Leader of the Opposition, whom I do not see here to-day, namely, Satara. The highest rate there is Rs. 3–0–5. In the taluka of Man in the same district, the lowest rate is 6 annas 8 pies. The lowest rate in the Central Division is 5 annas 6 pies, in Karjat, which is in the district of another stalwart from the Deccan, my honourable friend Rao Bahadur Chitale. Now, Sir, the Deccan is the greatest favourite of the Government of Bombay. Eleven crores have been spent on irrigation. In addition, we have given them good roads, Agricultural College, Engineering College, Arts College, and so on.

Now, I come to the Southern Division. In Alibag the highest rate is Rs. 5–5–5 and in the same district of Kolaba the lowest rate is 13 annas 11 pies. [*Mr. G. S. Gangoli*: (Inaudible).] That is about your garden land. The lowest rate in that division is 6 annas 10 pies in Bijapur. Further, the honourable member should not forget the fact that we have not revised the settlement for many years, and in most of the talukas the rates prevailing to-day are those which prevailed 30 years ago. In spite of that, as I said, we have shown every sympathy for the agriculturists.

Coming to my part of the country, Sind, I may tell them that we have spent 23 to 24 crores of rupees on irrigation works. It is said that the assessment is high there; but they should not forget the fact that the assessment there includes water rate also. In the neighbouring province of the Punjab, where the conditions are nearly the same, the assessment and the water rate taken together are much higher than the assessment in Sind. Because of the lower rate of assessment, Sind is so attractive to the Punjabis. That is the reason why Punjabis are buying lands and taking leases in Sind. Again, honourable members should not forget that the remission rules in Sind are very liberal, and owing to the low prices we have been giving them special remissions.

Then, Sir, we have introduced a temporary settlement in the Barrage area for five years. Honourable members will see that we have taken into account the low prices while giving remissions. When the scheme for the Barrage was before this honourable House, honourable members from Sind agreed to rates which were much higher than we have been charging them to-day. It must be said to the credit of Government that

[Sir Ghulam Hussain]

Government did not like to take advantage of their consent. Honourable members from Sind said "Give us the Barrage", and one honourable member—the leader of the Mahomedan party,—said "Now or never". But we have not taken advantage of their consent. We have introduced moderate rates.

Mr. SHAIKH ABDUL MAJID: Was the Zamindars' Association consulted when the rates were fixed?

The Honourable Sir GHULAM HUSSAIN: There cannot be a greater guarantee than the fact that the representatives of the zamindars agreed to the rates. They were here. In Sind everybody is a representative of the agriculturists, except perhaps in the city of Karachi.

Mr. SHAIKH ABDUL MAJID: They may go against the wishes of the electorate.

The Honourable Sir GHULAM HUSSAIN: Then the electorate should learn a lesson and send better representatives. I have not yet heard of any vote of no-confidence in the representatives. I have been invariably seeing the same faces in this House.

Now, I will give my Sind friends an idea of what is being charged in the Punjab in the Nili Bar Colony. The land revenue assessment including water rate is Rs. 11 per acre for rice in that colony. In the Barrage area, the highest first group rate for rice is Rs. 7–8 and the lowest first group rate is Rs. 4–8. If you take the average between Rs. 7–8 and Rs. 4–8, you will get about Rs. 5–8, compared to Rs. 11 in the Punjab.

Mr. SHAIKH ABDUL MAJID: What about the fertility of the soil?

The Honourable Sir GHULAM HUSSAIN: The conditions are equal. The honourable member knows that the Punjabi is a shrewd man. If Sind land were so bad, he would not care to go there.

An Honourable MEMBER: They will pay Rs. 50 in the Deccan, if you take irrigation into consideration.

The Honourable Sir GHULAM HUSSAIN: I am talking about Sind.

Again, in the Punjab, the combined rate for flow cotton is Rs. 9–12 and for wheat Rs. 8–12. In the Barrage area, the highest first group rate for flow cotton is Rs. 6–8 and the lowest is Rs. 4–8. In the Barrage area, the rates for wheat in the first group range from Rs. 3–12 to Rs. 4–12. Honourable members must realise that these temporary assessments which we have levied in Sind are lower than in the Punjab, lower than what the representatives of Sind consented to. We are taking the lower prices into consideration and giving them liberal remissions.

Sir, the whole trouble all over the world is due to the fact that the War brought large sums of money and huge profits to all, including the agriculturists. There was a time even in this city of Bombay when they did not know what to do with their money. Now, it is human nature that, when people have plenty of money, they will raise their standard of living. The result was that everybody raised their standard of living during the War. Now those good times have disappeared. Commercial magnates who kept three or four motor cars then have still stuck to three

[Sir Ghulam Hussain]

or four motor cars to show the world that their financial position is not bad. Even though the profits have disappeared, everybody is reluctant to give up the high standard of living he has set up. I have every sympathy for the agriculturists, but they must take the rough with the smooth.

There is another factor which the agriculturists should not forget—

Rao Bahadur G. K. CHITALE : The case will become weaker.

The Honourable Sir GHULAM HUSSAIN : I am not making it weaker. In spite of all these facts, we have shown every sympathy for the agriculturists. Another factor which the agriculturists should not forget is that our settlements were effected 30 years ago. Did we raise the assessments when the prices rose ? Did Government make any attempt to revise the assessments ? [*An Honourable Member* : " Therefore they should not reduce them now ? "] I am emphasising the fact that there would have been a hue and cry in this House if we had proposed a revision of assessment when the prices were high.

Mr. G. S. GANGOLI : When was the last settlement ? In 1924-25.

The Honourable Sir GHULAM HUSSAIN : I do not remember. If you want, I shall get you the information.

They must also realise the position of Government. Government have considered the factor of low prices. They realise that the prices have gone down. They have given liberal concessions for that reason.

I hope this will satisfy honourable members who represent the agriculturists. Before I sit down, I will again appeal to the honourable members as I did last year. This honourable House generously responded to my appeal last year. The result has been an improvement in the situation—whether you call it a balanced budget or a deficit budget—a decided improvement all the same.

I once again appeal to the honourable members not to throw a damper on our efforts to improve the finances of this presidency but to encourage us. We, both sides, are trying in the interests of the presidency to put our finances on a sound basis, and honourable members may take it from me that if we do not leave sufficient balances to our successors, the new Ministers will not be able to raise by new taxation even one rupee. They will in the first place require some time to settle down, and already the enemies of the reforms are saying " The Province has no money ". If we have your co-operation and goodwill, you will be able to say to those who are against the reforms that you have balanced your budget and that you are ready to run your provincial autonomy.

7 p.m.

With these words, I resume my seat. [*Prolonged Cheers and Applause.*]

It being 5 *minutes past* 7 *p.m. the House adjourned to* 2 *p.m. on Friday the* 23*rd February* 1934.

BOMBAY : PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Friday, the 23rd February 1934.

The Council re-assembled at the Council Hall, Bombay, on Friday, the 23rd February, 1934, at 2 p.m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present :

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr. A. B.
ADVANI, Mr. P. B.
AMBEDKAR, Dr. B. R.
AMINUDDIN, Mr. SAIYID
ASAVALE, Rao Bahadur R. S.
BAKHALE, Mr. R. R.
BANGI, Mr. A. K. J.
BELL, the Honourable Mr. R. D.
BIRADAR, Sardar MAHABOOBALI KHAN
BOLE, Rao Bahadur S. K.
BULLOCKE, Mr. A. GREVILLE
CHIKODI Mr. P. R.
CHITALE, Rao Bahadur G. K.
CLEE, Mr. C. B. B.
COLLACO, Dr. J. A.
COOPER, the Honourable Khan Bahadur D. B.
COVERNTON, Mr. S. H.
DAVIS, Mr. G.
DESAI, Rao Saheb B. G.
DESAI, Mr. H. R.
DESAI, Mr. S. B.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
D'SOUZA, Dr. J. ALBAN
EWBANK, Mr. R. B.
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GARETT, Mr. J. H.
GAZDAR, Mr. MAHOMED HASHIM
GHULAM HUSSAIN, the Honourable Sir
GHULAM NABI SHAH, Khan Bahadur
GILDER, Dr. M. D.
GOKHALE, Mr. L. R.
GOVER RORA, Mr.
GREAVES, Mr. J. B.
HUMPHREY, Mr. JOHN
JAN MAHOMED KHAN, Khan Bahadur
JITEKAR, Mr. HAJI IBRAHIM
JOG, Mr. V. N.

Jones, Major W. Ellis
Kalbhor, Mr. G. M.
Kamat, Mr. B. S.
Kambli, the Honourable Dewan Bahadur S. T.
Karbhari, Mr. M. M.
Kennedy, Mr. T. S.
Kulkarni, Rao Saheb P. D.
Lane, Mr. C. M.
Lely, Mr. W. G.
Mackie, Mr. A. W. W.
Maxwell, Mr. R. M.
Meherbaksh, Khan Bahadur S.
Mehta, Mr. M. H.
Mitha, Mr. Mahomed Suleman Cassum
Modak, Rev. R. S.
Modi, Sardar Davar T. K.
More, Mr. J. G.
Navle, Rao Bahadur N. E.
Parulekar, Rao Bahadur L. V.
Patel, Khan Bahadur A. E.
Patel, Mr. Bhailal Sarabhai
Patel, Mr. C. N.
Patel, Khan Bahadur Vali Baksh A.
Patil, Dewan Bahadur D. R.
Patil, Mr. N. N.
Petit, Mr. J. B.
Pradhan, Rao Bahadur G. V.
Prater, Mr. S. H.
Rahimtoola, Mr. Hoosenally M.
Resaldar, Mr. A. K.
Roose, Mr. F. O. J.
Servai, Mr. A. E.
Shaikh Abdul Aziz, Mr.
Shaikh Abdul Majid, Mr.
Shankarrao Jayaramrao Zunzarrao, Mr.
Shinde, Mr. R. B.
Sindha, Mr. Madhavsang Jorbhai
Smart, Mr. W. W.
Solanki, Dr. P. G.
Surve, Mr. A. N.
Surve, Mr. V. A.
Syed Miran Mahomed Shah
Syed Munawar, Mr.
Talpur, Mir Bandeh Ali Khan
Thakor of Kerwada, Sardar Bhasaheb Raisinhji
Tolani, Mr. S. S.
Turner, Mr. C. W. A.
Vakil, Mr. Pestanshah N.
Vandekar, Rao Bahadur R. V.

STARRED QUESTIONS AND ANSWERS.

TEXTILE MILLS IN BOMBAY, AHMEDABAD AND SHOLAPUR: DINING AND BATHING PLACES.

*Rao Bahadur S. K. BOLE: Will the Honourable the Home and General Member be pleased to state—

(*a*) whether there are any dining rooms for workmen in any of the textile mills in Bombay, Ahmedabad and Sholapur; if so, in what mills;

(*b*) whether there are any resting places in any of the textile mills in Bombay, Ahmedabad and Sholapur for women workers; if so, in what mills;

(*c*) whether there are any bathing places for workmen in any of the textile mills in Bombay, Ahmedabad and Sholapur; if so, in what mills?

The Honourable Mr. R. D. BELL: (*a*) Yes. In Bombay City according to the latest information available there are 36 refreshment rooms and dining sheds attached to the textile mills. In Ahmedabad and Sholapur all the working mills provide dining sheds for their workers.

(*b*) Separate resting places for women workers are found only in Ahmedabad where 38 mills provide this facility. In several other mills the women workers are reported to use the crèches as resting places.

(*c*) Yes. Almost all the Bombay mills provide facilities for washing and bathing. In Ahmedabad bathing places as such are to be found only in 6 mills while a group of mills at Sholapur provide this facility for the workers in the Boiler and Engine Departments only.

Mr. MAHOMED HASHIM GAZDAR: What steps are Government taking to see that resting places are provided also in Bombay?

The Honourable Mr. R. D. BELL: None.

LISTED POSTS.

*Dr. M. K. DIXIT (Surat District): Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) whether all the listed posts to which members of the Bombay Civil Service are to be appointed under 33 Victoria, Chapter 3, section 6, are filled permanently;

(*b*) if not, why not?

The Honourable Sir GHULAM HUSSAIN: (*a*) and (*b*) Appointments to listed posts are made under the rules framed under Section 99 (2) of the Government of India Act. The Honourable Member is referred to the *Bombay Government Gazette* Notifications Nos. S-18-5 dated 10th April 1922 (Revenue Department), S-20-B dated 22nd May 1923 (Finance Department) and S-20-F dated 12th July 1927 (Finance Department) in which the rules are published. Thirteen superior posts under the Government of Bombay have been listed so far, out of which twelve

have been filled permanently. The thirteenth post has been vacant since December 1933, and it is the intention of Government to fill it permanently with retrospective effect as soon as their proposals are approved by the Public Service Commission.

Dr. M. K. DIXIT: May I know that the proposals of Government are already before the Public Service Commission with regard to the filling up of the thirteenth listed post?

The Honourable Sir GHULAM HUSSAIN: Yes.

EXPENDITURE ON C. I. D.

*Mr. G. S. GANGOLI (Kanara District): Will the Honourable the Home and General Member be pleased to state separately with reference to the City of Bombay, the Presidency proper and Sind—

(*a*) the total amount spent in each of the three years ending 31st March 1933 on the C. I. D.;

(*b*) the total strength of the C. I. D.;

(*c*) the total expenditure incurred by Government, excluding the cost of maintaining the C. I. D., during that period in checking law-lessness and allied activities;

(*d*) the total amount spent during the period from the secret funds and discretionary grants;

(*e*) the number of ordinary Police force used as C. I. D. or put on special duty during the period?

The Honourable Mr. R. D. BELL: (*a*) and (*b*) A statement containing the information has been placed on the Council Table.

(*c*) The total expenditure incurred on the police, excluding the cost of the C. I. D., is shown in the following table:—

—	1930-31.	1931-32.	1932-33.
	Rs.	Rs.	Rs.
Bombay City ..	39,29,395	37,31,144	37,15,000
Presidency Proper ..	1,07,67,291	1,00,73,282	98,52,000
Sind ..	35,39,823	35,05,605	36,07,000

(*d*) The total amount spent from secret funds and discretionary grants is shown below:—

—	1930-31.	1931-32.	1932-33.
	Rs.	Rs.	Rs.
Bombay City	8,805	7,581	5,432
Presidency Proper	8,990	4,147	2,857
Sind	4,350	1,823	2,208

(*e*) The details of Establishment in the C. I. D. are given in the statement placed on the Council Table. Details regarding special duty are not available.

Statement containing the information asked for in clauses (a) and (b) of Mr. G. S. Gangoli's question.

1	Total permanent sanctioned strength of the C.I.D.	Total amount spent on C.I.D in the year		
		1930-31.	1931-32.	1932-33.
	2	3	4	5
		Rs.	Rs.	Rs.
Bombay City ..	2 Deputy Commissioners.. 1 Superintendent. 7 Inspectors. 11 Sub-Inspectors. 2 Sergeants. 2 Jamadars. 24 Head Constables. 41 Constables.	2,56,626	2,59,300	2,56,761
Presidency Proper ..	1 Deputy Inspector General of Police. 1 Superintendent. 3 Deputy Superintendents. 11 Inspectors. 23 Sub-Inspectors. 10 Head Constables. *Finger Print Bureau Establishment.* 1 Superintendent. 1 Manager. 1 Senior Expert. 3 First Experts. 7 Second Experts. 9 Senior Searchers. 9 Junior Searchers. 8 Clerks. 29 Peons.	2,61,732	2,65,535	2,42,390
Sind ..	1 Superintendent .. 2 Deputy Superintendents. 4 Inspectors. 12 Sub-Inspectors. 16 Head Constables. 5 Clerks. 11 Peons. *Finger Print Bureau Establishment.* 1 Manager. 1 Senior Expert. 1 Junior Expert. 2 Senior Searchers. 2 Junior Searchers. 7 Clerks. 2 Peons.	1,38,089	1,30,979	1,33,848

Mr. G. S. GANGOLI : Page 3, second column, may I know who sanctioned this and when it was sanctioned, the total permanent sanctioned strength of the C.I.D. ?

The Honourable Mr. R. D. BELL : The total strength has been sanctioned by Government.

Mr. G. S. GANGOLI : When ?

The Honourable Mr. R. D. BELL : I must ask for notice of that question.

Mr. G. S. GANGOLI : May I know whether the number is adequate or not ?

The Honourable Mr. R. D. BELL : That is a matter of opinion.

Mr. G. S. GANGOLI : Is the 5 per cent. cut applied to them ?

The Honourable Mr. R. D. BELL : The 5 per cent. cut applies to the police in the same way as to the other departments with some very slight modifications.

Mr. G. S. GANGOLI : May I know whether there is any duty sanctioned for them ? What are the particulars of their duties ?

The Honourable Mr. R. D. BELL : They all have their duties.

Mr. G. S. GANGOLI : May I know the nature of those duties and whether they are prescribed ?

The Honourable Mr. R. D. BELL : I think the honourable member knows the duties of the police perfectly well.

Mr. G. S. GANGOLI : Not exactly. May I know whether it is any part of the C.I.D. to look after Government servants to see whether they work properly or not ?

(No reply.)

Mr. G. S. GANGOLI : With reference to the last line on page 2, " details regarding special duty are not available " may I know why they are not available ?

The Honourable Mr. R. D. BELL : I do not run the police service. It is done by the departmental officers. The answer means that the details are not available in the Secretariat.

Mr. L. R. GOKHALE : What is the slight departure from the cuts in the case of the C.I.D. ?

The Honourable Mr. R. D. BELL : I cannot say offhand with exactness but it is of this description that, whereas in the city of Bombay the dividing line up to which the cut is not applied was fixed at Rs. 60, it was made a little higher in the case of the police, because there was a grade of officer whose maximum is Rs. 65, or Rs. 70 or Rs. 75 and the exemption was applied to the whole of the officers of that particular class.

Mr. L. R. GOKHALE : Was it Rs. 175 ?

The Honourable Mr. R. D. BELL : No.

Mr. G. S. GANGOLI : With reference to the reply to part (*d*) of the question, are there any rules for the discretionary grants ?

The Honourable Mr. R. D. BELL: No, Sir.

Mr. SHAIKH ABDUL MAJID: In Sind the expenditure seems to have increased by one lakh in the year 1932–33. May I know whether there was more political unrest during that period and that that is why the expenditure has gone up by nearly one lakh of rupees?

(No reply.)

TOBACCO TRADE: EFFECT OF BOMBAY ACT II OF 1933.

*Mr. G. S. GANGOLI (Kanara District): Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) the number of persons indulging in tobacco (cigars, *bidis*, snuff and chewing) in the Bombay Presidency;

(*b*) the number of persons engaged in preparing the same (*bidis*, snuff, etc.) and how many of them are minors and females;

(*c*) the number of persons engaged in the trade of tobacco;

(*d*) the number of hawkers within the meaning of section 2 (4) of Bombay Act No. II of 1933 and how many of them are minors and females;

(*e*) the number of persons thrown out or likely to be thrown out of employment as a result of the working of Bombay Act II of 1933?

The Honourable Sir GHULAM HUSSAIN: (*a*) and (*b*) The information asked for by the Honourable Member is not readily available and cannot be obtained without a prolonged and detailed census of the whole tobacco industry for which work a special staff will have to be engaged. Government therefore regret that they are not prepared to furnish the information.

(*c*) and (*d*) A statement containing the necessary information is placed on the Council Table.

(*e*) The reports of the District Collectors show that no accurate or reliable figures could be obtained in this respect but the Collectors are of opinion that no very appreciable number of persons is likely to be thrown out of employment.

Statement showing the number of persons (vendors) and hawkers engaged in the tobacco trade in the Bombay Presidency (including Sind but excluding the Town and Island of Bombay).

—	Number of persons engaged in the tobacco trade.	Number of hawkers.	
		Male adults.	Minors and females.
Sind.			
Karachi	3,041	178	*Nil.*
Hyderabad	3,500	430	20
Sukkur	4,114	206	10
Larkana	3,245	38	12
Thar Parkar	2,642	110	45
Nawabshah	4,000	325	75
Dadu	2,251	106	2
Upper Sind Frontier	1,262	7	*Nil.*

—	Number of persons engaged in the tobacco trade.	Number of hawkers.	
		Male adults.	Minors and females.
Northern Division.			
Ahmedabad	4,989	56	7
Kaira	4,472	65	*Nil.*
Broach and Panch Mahals	4,248	49	26
Surat	2,243	100	15
Thana	2,277	80	*Nil.*
Central Division.			
Poona	6,000	101	13
Ahmednagar	4,330	209	29
West Khandesh	1,990	96	28
East Khandesh	4,316	417	76
Nasik	2,978	125	*Nil.*
Sholapur	3,214	83	*Nil.*
Satara	4,223	92	9
Bombay Suburban	986	11	*Nil.*
Southern Division.			
Belgaum	5,000	117	10
Bijapur	2,971	52	25
Dharwar	6,176	220	44
Kanara	2,022	15	1
Kolaba	1,802	31	*Nil.*
Ratnagiri	4,000	120	*Nil.*

Mr. G. S. GANGOLI: With reference to reply to part (*e*) of the question how is the opinion of the Collectors arrived at that no very appreciable number of persons is likely to be thrown out of employment?

The Honourable Sir GHULAM HUSSAIN: About a dozen or two dozen may have been thrown out of employment.

Mr. G. S. GANGOLI: Throughout the Bombay presidency?

The Honourable Sir GHULAM HUSSAIN: There is no data, as the honourable member says, but our information, i.e., the information that has been supplied to us, is that large numbers have not gone out of employment.

Mr. G. S. GANGOLI: Is that more than half a lakh?

The Honourable Sir GHULAM HUSSAIN: I do not know.

Mr. G. S. GANGOLI: With regard to last column on page 5, is that the number to whom licence is granted or who are actually working?

The Honourable Sir GHULAM HUSSAIN: Will the honourable member read the heading printed there and which reads, "Statement showing the number of persons (vendors) and hawkers engaged in the tobacco trade in the Bombay Presidency (including Sind but excluding the Town and Island of Bombay)?

Mr. G. S. GANGOLI: My question was "those who were engaged have been given licenses?"

The Honourable Sir GHULAM HUSSAIN: The reply is very clear and, if the honourable member chooses not to understand it, I cannot help him to do so.

Mr. G. S. GANGOLI: My question was, "how many of those who were engaged were refused licenses." To get that answer I am driving at it. Does the statement show persons who are granted licenses or who are really engaged?

The Honourable Sir GHULAM HUSSAIN: These are the numbers of vendors and hawkers.

DAMAGE DUE TO HEAVY RAINS IN KANARA.

*Mr. G. S. GANGOLI (Kanara District): Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) the highest and lowest figures of rainfall in Kanara in the year 1933 till 19th August 1933;

(*b*) whether Government are aware that although in jungles and fields in forests in Kanara the rainfall during the period is over 200 inches, it is never measured;

(*c*) whether Government are aware that in some taluka towns, e.g., Honavar, the rain gauge is small and so on the days of heavy rainfall the water overflows with the result that there is no correct figure of rainfall;

(*d*) whether Government are aware that owing to heavy and early rainfall in this year several fields could not be cultivated in forest villages and above ghats and that in several villages, e.g., Karki, Haldipur, Holegadde and Belke the seedlings were washed away though planted in several places more than twice as the area was under water;

(*e*) whether the agriculturists have approached the Collector of Kanara for help and whether any enquiry was held in the matter by the Collector; if so, with what result;

(*f*) whether it is a fact that owing to heavy rainfalls this year there was considerable dislocation of traffic and roads were several times under water for days together;

(*g*) if so, what help has been given or is proposed to be given by Government to the sufferers?

The Honourable Sir GHULAM HUSSAIN: (*a*) The highest and lowest rainfall recorded in the Kanara District from 1st June up to 19th August 1933 was 156 inches and 49 cents. at Kumta and 29 inches and 90 cents. at Mundgod, respectively.

(*b*) Raingauges are maintained only in taluka and mahal headquarter stations by the staff of the Revenue Department. It is probable that rainfall might have reached 200 inches in many places along the ridge of the ghats. This quantity, if well distributed, is not excessive either for rice or betel-nut.

(*c*) The capacity of the raingauges in the several headquarter stations is sufficiently great. During heavy rain, the fall is measured more than once in the day so that the receptacle does not overflow.

(*d*) It is true that some land could not be sown at the proper time as the early arrival of the rains took the cultivators by surprise. But many such fields were subsequently resown or transplanted. Some land is reported to have been left fallow in Mundgod Petha and Haliyal and Sirsi talukas. In Haldipur in a few fields adjoining the Badgani River, the seedlings appear to have been washed away by the floods. At Karki the crops have suffered very little on account of the heavy rainfall. In Belke and Holegadde villages, there was no such damage.

(*e*) Some applications have been received for suspension or remission of land revenue and they are being enquired into. Each application will be decided on its merits.

(*f*) and (*g*) Some roads were under water for some time and there was some dislocation of traffic but this was solely due to very unusual and extraordinary causes resulting from continuous and heavy rains. There is always some difficulty resulting from these causes. No help was sought for and none is proposed.

Mr. G. S. GANGOLI : In regard to replies to (*f*) and (*g*), I find that the last line in the reply to (*b*) says that "this quantity, if well distributed, is not excessive either for rice or betel-nut". Which of the replies am I to take as correct ?

The Honourable Sir GHULAM HUSSAIN : The words "well distributed" are there.

Mr. G. S. GANGOLI : Who is to distribute that ? Man power ?

The Honourable Sir GHULAM HUSSAIN : The rain.

Mr. G. S. GANGOLI : So then the agriculturists have to suffer ?

The Honourable Sir GHULAM HUSSAIN : In some places they may have to.

Mr. G. S. GANGOLI : With regard to replies to (*f*) and (*g*), may I know whether tolls were levied even though the traffic was dislocated ?

The Honourable Sir GHULAM HUSSAIN : I refer the honourable member to my honourable colleague the Honourable the Minister for Local Self-Government.

Mr. G. S. GANGOLI : If the traffic was closed and the roads under water, were not tolls levied ?

The Honourable Sir GHULAM HUSSAIN : I do not know whether there were tolls on these roads.

Mr. G. S. GANGOLI : There is a toll there.

The Honourable Sir GHULAM HUSSAIN : Then what is the good of your asking me that question ?

Mr. G. S. GANGOLI : Because the statement is there that "no help was sought for and none is proposed".

The Honourable Sir GHULAM HUSSAIN : I cannot add to that.

Mr. G. S. GANGOLI: But now that this is brought to your notice, will help be rendered?

The Honourable Sir GHULAM HUSSAIN: I am not dealing with tolls.

Mr. G. S. GANGOLI: Let the Honourable the Minister for Local Self-Government give me an answer. I have no objection to that being done.

The Honourable Khan Bahadur D. B. COOPER: If the honourable member gives me notice, I will try to find out.

Mr. G. S. GANGOLI: When we put a question to Government, the Member concerned will have to reply. Now the Honourable the Finance Member says that it is not his portfolio, while the other Honourable Member of the Cabinet says he wants notice.

The Honourable Sir GHULAM HUSSAIN: I have replied to your question, but now you want to ask new information.

Mr. G. S. GANGOLI: My question was, "on account of the closing of the roads what help would be rendered?" The reply is that no help was sought for and none is proposed. Is that the reply I should take from the Honourable the Minister also?

THANA DISTRICT: ABORIGINES AND WILD TRIBES: CONCESSIONS BY FOREST DEPARTMENT.

*Mr. M. M. KARBHARI (Thana and Bombay Suburban Districts): Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) whether it is a fact that most of the aborigines and wild tribes in the Thana District are utilised by the Forest Department for exploitation of forests;

(*b*) if so, whether any concessions are given to them in view of their services by way of grants of wood, etc., free or at concession rates for building cottages or for making agricultural implements;

(*c*) whether there are any cases in which such grants were made or concessions given within the last five years?

The Honourable Khan Bahadur D. B. COOPER: (*a*) The exploitation of forests in the Thana District is done by contractors who purchase the annual coupes and who use hired labour which includes members of aboriginal and wild tribes;

(*b*) Members of the aboriginal and wild tribes of the district enjoy the privileges sanctioned in the revised code of forest privileges for the Thana District, copy of which is placed on the Council Table. This generally provides them with the materials required for their needs. If any special requests for free grant of timber are made they are sanctioned under article 450 of the Bombay Forest Manual, Volume II.

(*c*) Yes, 192 persons belonging to aboriginal and wild tribes were given a free grant of timber for building houses during the last five years.

Code of Forest Privileges for the Thana District to be exercised free of charge.

A.—GENERAL—*For the whole district.*

Reserved Forests—Open Areas.

1. Removal of grass, reeds and dead leaves.	To be enjoyed by inhabitants of forest villages for rab purposes.
2. Cutting for wood-ash manure the 13 shrubs mentioned below, and generally all brushwood of no value :— Karanda. Ukshi. Babli. Kuda. Kala Kuda. Gometi. Kevni. Torni. Bhur Jambul. Bhokar. Atharun. Kude. Mastodi.	To be enjoyed by inhabitants of forest villages for rab purposes.
3. Removal of material felled or lopped off less than 6″ in circumference, grass, reeds, leaves, etc., except bamboos and palms, from coupes under exploitation. Material left by contractors in the coupes should be allowed to be removed from each sub-coupe before the date on which preparation of the ground for plantation begins in such sub-coupe.	To be enjoyed by inhabitants of forest villages for rab, domestic and agricultural purposes; sale or barter is prohibited.
If the coupe of the year in any block remains unsold, special arrangements to be made for allowing the people to enter the coupe and cut the material under supervision.	
4. Free grazing	For village cattle of forest villages in the open forest of that block, to the formation of which the village concerned has contributed land. Also for cattle of Thakurs and Katkaris.
5. Fallen dead timber and firewood of species other than teak, tivas, khair, shishum, ain and sandalwood.	To be taken by inhabitants of forest villages and by wild tribes for home consumption only, and by the following 14 wild tribes in the district excepting North Salsette Peta for sale and barter also :— Bhils. Kaikaris. Dhodias. Ramoshis. Dublas. Thakurs. Katkaris. Vadars. Malhakolis. Vaghris. Konknis. Vaitis. Phase-pardhis. Varlis.
6. Bamboos and Karvis	To be taken by inhabitants of forest villages and by wild tribes, within the limits of the forest block in which their villages are situated for *bona fide* local consumption. They may cut and remove karvis on head-loads for sale outside their villages.

7. Minor produce other than myrabolams, beheda nuts, leaves or fruit of the toddy palm, pods of shikhakhai and such articles as may be specially reserved for exploitation from year to year.	To be taken by inhabitants of forest villages and by wild tribes for domestic use or for sale as detailed below :—
(a) Apta and tembhurni leaves, plantain leaves, leaves of the bael and flowers and fruits of the moho and chilhari bark.	For personal use and consumption only.
(b) Earth and stone	For agricultural purposes only.
(c) Edible tubers and roots, jungle fruits, flowers, honey, wax, gum, medicinal plants and thorny shrubs.	For use and sale also.
8. Thorns, with the permission of the Divisional Forest Officer.	For domestic and agricultural purposes only.
9. Leaves of palas	To be taken by wild tribes for domestic use and for sale and by the inhabitants of forest villages for their own use only.

Reserved Forests—Closed Areas.

No privileges are recognised but grass, reeds and leaves (other than teak, apta and tembhurni), dead wood, etc., may be removed with the permission of the Divisional Forest Officer.

**Protected forests under the management of the Forest Department.*

To lop and remove for wood-ash manure the side branches not exceeding 3″ in girth at butt end of all trees except teak, khair, shishum, tivas and sandal wood, subject to the condition that the leading shoots shall be kept intact.	To be enjoyed by the inhabitants of forest villages in addition to the privileges mentioned above.

B.—SPECIAL—*For Particular Talukas.*

Reserved Forests—Open Areas.

1. Apta and tembhurni leaves ..	To be taken by wild tribes in Dahanu Taluka and Umbergaon Peta for sale and by Thakurs and Katkaris in the Murbad Taluka for sale under the control of the Divisional Forest Officer.
2. Apta, tembhurni, harda and karvi ..	The first three to be taken by Thakurs, Katkaris, Kolis and Varlis in the Shahapur Taluka for sale to contractors; and the last for sale to any agriculturist.
3. Hunting and spreading snares ..	Allowed to inhabitants of forest villages and wild tribes in Dahanu Taluka and Umbergaon Peta.
4. Cutting for wood-ash manure branches not being leading shoots or above 3″ in girth, of all trees other than teak, blackwood and sandalwood in 1/3rd of the reserved forest area of each village or part of a village as may be fixed from time to time by the Divisional Forest Officer.	To be enjoyed by the inhabitants of the following 13 villages of the Bassein Taluka :— Naringi, Nilemore, Dhaniv, Virar, Achole, Pelhar W., Kanher W., Shirgaon, Chandansar, Dahisar, Chimne, Hedad and Khanivde.

*These forests are not under any working plan and the whole area is open at present.

Protected Forests under the management of the Forest Department.

To cut and lop branches of such unreserved* trees as, within a foot of the stem, do not exceed 12″ in girth and in the case of shrubs, bushes and coppice shoots all portions except one stem which should be retained with all branches therefrom which, within one foot from that stem, do not exceed 12″ in circumference.	To be enjoyed by inhabitants of forest villages and by wild tribes in the North Salsette Peta only for *bona fide* use within the limits of the forest block in which their villages are situated.

* The following 24 varieties are reserved trees :—

Teak (Tectona grandis).
Blackwood (Dalbergia latifolia).
Bamboos (Bambusa and Dendrocalamus Spp).
Hed (Adina cordifolia).
Kalam (Stephegyne parvifolia).
Asana (Bridelia retusa).
Bibla (Pterocarpus marsumpium).
Khair (Acacia catechu).
Shiwan (Gmelina arborea).
Tiwas (Ougenia dalbergiodes).
Koshimb (Schleichera trijuga).
Jambhu (Xylia dolabriformis).
Kinjal (Terminalia paniculata).
Kinahi (Albizzi procera).
Humbh (Sacco petalum tomentosam).
Babul (Acacia arabica).
Moho (Bassia latifolia).
Mango (Mangifera indica).
Tamarind (Tamarindus indica).
Jambhul (Eugenia Jambolana).
Phanas (Artocarpus integrifolia).
Tembhurni (Diospyros melanoxylon).
Palas (Butea frondosa).
Apta (Bauhinia racemosa).

KHOTI INAM VILLAGES : EXTENSION OF KHOTI ACT OF 1880.

*Rao Saheb P. D. KULKARNI (Poona District): Will the Honourable the Revenue and Finance Member be pleased to state to what khoti inam villages the Bombay Khoti Act of 1880 has been extended ?

The Honourable Sir GHULAM HUSSAIN: A list of khoti inam villages in the Ratnagiri District to which the Khoti Settlement Act, 1880, has been extended, is placed on the table. There are no such villages in other districts.

List of khoti inam villages in the Ratnagiri District to which the Khoti Settlement Act (Bom. I of 1880) has been extended.

Taluka Dapoli.

1. Pangari Tarf Jalgaon.
2. Raotoli.

Peta Mandangad.

1. Latwan.

Taluka Khed.

1. Anjani.
2. Khari.
3. Ambdos.
4. Musad.

Taluka Sangameshwar.

1. Deorukh.
2. Neve Budruk.
3. Sayale.
4. Kond-Ambedu.
5. Golawli.
6. Lovale.
7. Kurdhonde.
8. Pur.
9. Math Dhamapur.
10. Tivre-Ghera Prachitgad
11. Shiposhi.
12. Purye Tarf Deole.
13. Kondye.

Taluka Ratnagiri.

1. Kasari.
2. Bondye.
3. Chindrawli.
4. Kapadgaon.

Taluka Rajapur.

1. Dhopeshwar.
2. Juve Jaitapur.
3. Vada Kondivale.
4. Kond-Tivre.
5. Wada Kond-Dasur.
6. Shijawli.
7. Pangri Budruk.
8. Padve.
9. Tivrambi.
10. Moor.
11. Walvad.
12. Kajirda.
13. Tulsawde.
14. Miland.
15. Karak.
16. Tamhane.
17. Talavde.
18. Jawlethar.
19. Savdao.
20. Kolamb.
21. Hatade.
22. Niveli.
23. Gothne Devache.
24. Panhale Tarf Soundal.
25. Vaked.
26. Juvathi.
27. Math Khurd.

Taluka Deogad.

1. Ajavali.
2. Kasarde.
3. Kinjavde.
4. Kasba Salshi.
5. Kamte.

Taluka Malvan.

1. Gandwadi.
2. Chindar.
3. Trimbak.

TALATIS IN POONA DISTRICT.

*Rao Saheb P. D. KULKARNI (Poona District): Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) the number of talatis, who were either fined, suspended or dismissed, in the Western and Eastern Divisions of the Poona District respectively, during the period of the present Prant Officers and during that of their two predecessors;

(*b*) the number of appeals preferred by such talatis against the orders of fine or suspension or dismissal;

(*c*) how many of the orders of fine or suspension or dismissal were reversed by the Collector on appeal;

(*d*) the castes of the talatis thus punished and the castes of the substitutes appointed in their places;

(*e*) how many candidates from the Watandar Kulkarni families are now available for being appointed either temporarily or permanently in both the divisions;

(*f*) whether the appointments of the substitutes are made in accordance with the orders contained in Government Resolution, Revenue Department, No. 2076-D, dated the 19th February 1915;

(*g*) if they are not, what precautions Government propose to take to see that the policy laid down in the said resolution is being strictly followed by them;

(*h*) whether the orders contained in the said resolution are modified if so, what are those modifying orders and will the Honourable Member be pleased to place a copy of those orders on the Council table?

The Honourable Sir GHULAM HUSSAIN: (*a*)

Western Division.				Eastern Division.			
	Fined.	Suspended.	Dismissed.		Fined.	Suspended.	Dismissed.
By Mr. Waterfield.	3	4	8	By Mr. Modak	..	..	..
By his two predecessors.	9	2	1	By his two predecessors.	1	4	6
(*b*)	1	2	6		..	..	2
(*c*)	1	1	1		..	..	..

(*d*) Castes of talatis punished—

30 Brahmins
3 Marathas
1 Gurav
2 Mahars
1 Mahomedan
1 Christian.

19 substitutes were appointed in the vacancies caused either by suspension or dismissal of the talatis, and their castes are as under:—

Brahmins	8
Marathas	6
Mahars	3
Mang	1
Mahomedan	1

(*e*) Seventeen.

(*f*) to (*h*) Appointments of talatis are being made in accordance with the orders contained in Government Resolution, No. 6131, dated 2nd July 1914 referred to in Government Resolution No. 2076, dated 19th February 1915. The rules for the recruitment, appointment and promotion of talatis published with Government Notification, No. 6307, dated 24th June 1916 provide that as far as is compatible with the reasonable expectations of watandars, care shall be taken to secure a fair admixture of different castes.

Rao Saheb P. D. KULKARNI : With regard to (*a*), are there any special orders of the Government to the Prant Officer of the Western Division of the Poona district to take drastic steps against the talatis ?

The Honourable Sir GHULAM HUSSAIN : There were no special orders.

Rao Saheb P. D. KULKARNI : When we compare the number of cases of dismissals in the Eastern Division with the number of such cases in the Western Division, we see that 8 talatis are dismissed by one Prant Officer in the Western Division, while there is no dismissal in the Eastern Division. Are there any special reasons for it ?

The Honourable Sir GHULAM HUSSAIN : One Prant Officer might be lucky to have under him very good talatis.

Rao Saheb P. D. KULKARNI : I have not finished my supplementary question, and before that the answer is given. My supplementary question is, one of the Prant Officers in the Western Division dismissed 8 talatis in his own regime, but his two predecessors dismissed only 1, while in the Eastern Division, although the talatis are of the same stuff, there is no dismissal. Will Government be pleased to make enquiries whether the fault is at the door of the talatis or at the door of the Prant Officer ?

The Honourable Sir GHULAM HUSSAIN : I anticipated the honourable member already, and I have replied that one Prant Officer might be lucky in having good talatis under him, while the other Prant Officer might have a bad lot under him.

Rao Saheb P. D. KULKARNI : The same talatis were working in his predecessors' time, when there was no dismissal. This Prant Officer dismissed 8 talatis, but the same talatis were there during his predecessors' time, and yet there is no case of dismissal in their regime.

The Honourable Sir GHULAM HUSSAIN : We do not know whether the same talatis were under the different Prant Officers. Even if they were the same, human nature is such. One may be a good man to-day, but he might become a bad man to-morrow.

Mr. L. R. GOKHALE : Or the mentalities of the officers differ perhaps ?

The Honourable Sir GHULAM HUSSAIN : Both of the officers and of the talatis.

Dr. M. K. DIXIT : Some C.I.D. officer is required to look after him.

Rao Saheb P. D. KULKARNI : With regard to (*d*), are there any special orders from Government to give punishment on communal basis ?

The Honourable Sir GHULAM HUSSAIN : There have been no orders of that nature whatsoever. As I said, it is a matter of human nature. The number of dismissed Brahmin talatis perhaps is larger because the number of Brahmin talatis there happens to be larger.

Rao Saheb P. D. KULKARNI : If the total number of talatis is considered, the Brahmins are now very few.

The Honourable Sir GHULAM HUSSAIN: May I interrupt the honourable member? He does not take into consideration the large number of Brahmin talatis.

Rao Saheb P. D. KULKARNI: Will the Honourable the Revenue Member be pleased to give me the number of Brahmin talatis?

The Honourable Sir GHULAM HUSSAIN: I will find it out for him if he gives me notice.

Rao Saheb P. D. KULKARNI: Out of the 38 talatis punished, 30 are Brahmins. Is there any special reason why one Prant Officer punished 30 Brahmins in his own regime, while there was not a single one fit for punishment in his predecessor's time?

(No reply.)

Rao Saheb P. D. KULKARNI: With regard to (*f*) to (*h*), will the Honourable Member be pleased to place on the Council table the Government Resolutions mentioned in the reply?

The Honourable Sir GHULAM HUSSAIN: Yes, Sir.

Rao Saheb P. D. KULKARNI: By issuing notification No. 6307, have Government not broken the promise given in Government Resolution No. 2076? It is stated in Government Resolution No. 2076 that preference will be given to talatis who are from watandar kulkarni families, and that has not been kept up in Government notification No. 6307, which is specifically mentioned here. Therefore the promise which is given here—I have got the promise in my hand—in Government Resolution No. 2076, dated 19th February 1915, has been given the go by in Government Resolution No. 6131?

The Honourable Sir GHULAM HUSSAIN: The honourable member forgets that the policy of Government has been all along to have a fair admixture of castes. Subject to that, the Resolution is being followed.

Rao Saheb P. D. KULKARNI: There was an agreement between the watandar kulkarnis and Government, and that agreement has been broken without the consent of the other party. Is it fair and equitable on the one part, with regard to the kulkarnis who have given up their watans relying on the said Government Resolution No. 2076? Now the promises given in this Government Resolution are broken without the consent of the other party.

The Honourable the PRESIDENT: Next question.

GOVERNMENT REPLIES TO COUNCIL QUESTIONS.

*Rao Saheb P. D. KULKARNI (Poona District): Will the Honourable the Leader of the House be pleased to state—

(*a*) whether the attention of Government has been drawn to the articles "कौन्सीलांतील प्रश्नोत्तरांचा फार्स" "कौन्सीलांतील बेजबाबदार" published on page 8 of the *Kesari* newspaper of Poona, dated 24th January 1933 and on page 9 of the issue of the same paper, dated 25th July 1933;

(*b*) if so, what action Government propose to take in the matter?

The Honourable Sir GHULAM HUSSAIN: (*a*) Government had not seen the articles in question until their attention was drawn to them by the Honourable Member.

(*b*) Government do not propose to take any action in the matter as, having regard to the number and nature of the questions asked by the Honourable Members at each session of the Council, the replies given are, in most cases, as complete and correct as possible.

Rao Saheb P. D. KULKARNI: Are the Government to remain adamant so as not to give even our questions correctly just as they are not giving correct answers?

The Honourable Sir GHULAM HUSSAIN: Government always give direct and complete answers.

Rao Saheb P. D. KULKARNI: Then what is the meaning of the second Marathi sentence as printed here? In the text of the question as admitted by the Honourable the President the Marathi sentence is given quite correctly. But as to the one printed here, it carries no meaning.

The Honourable Sir GHULAM HUSSAIN: That is a matter of opinion. The honourable member may differ from me. I may consider that I am giving direct and complete answers, but the honourable member's opinion might be different from mine.

Rao Saheb P. D. KULKARNI: That is not the question at issue now. The second Marathi sentence is not given completely. The Honourable Member has not enquired what must be the meaning of this incomplete sentence. The sentence as printed here is incomplete. There is no important word in it.

The Honourable the PRESIDENT: What is incomplete?

Rao Saheb P. D. KULKARNI: The word उत्तरें does not occur in the printed question.

Mr. G. S. GANGOLI: Is that only a misprint?

The Honourable the PRESIDENT: The word उत्तरें is omitted.

The Honourable Sir GHULAM HUSSAIN: The honourable member has been in this Council for a pretty long time and he knows the procedure. He sends the questions direct to the Secretary, Legislative Council. We send the replies to the questions, and they are printed by the Secretary, Legislative Council. Government do not know.

Rao Saheb P. D. KULKARNI: I have got with me a copy of the question as admitted and sent to me by the Secretary, Legislative Council, wherein the word in question appears unmistakably. So, the blame cannot be laid at the door of the Secretary, Legislative Council.

The Honourable Sir GHULAM HUSSAIN: But we do not correct the proofs.

The Honourable the PRESIDENT: It is not a very material one.

Rao Saheb P. D. KULKARNI: The phrase as it stands does not carry any meaning.

The Honourable the PRESIDENT : It is a misprint.

Mr. G. S. GANGOLI : His question was "irresponsible replies in Council" but what is actually printed is "irresponsible men in the Council".

Rao Saheb P. D. KULKARNI : That is the correct meaning. Are not Government in duty bound to issue instructions to the Members of the Cabinet to give replies in such a way as to give such satisfactory information as required by the House ?

The Honourable Sir GHULAM HUSSAIN : The honourable member must know that the Members of the Cabinet themselves form the Government.

Rao Saheb P. D. KULKARNI : Then, who is to be approached for making the Members of the Cabinet give a direct and satisfactory reply ?

In part (*b*) of the answer it is stated : "the replies given are, in most cases, as complete and correct as possible." Can they not see that in *all* cases complete and correct answers are given ? Is it not their duty to give correct and comprehensive answers to *all* the questions ? They have admitted that they do so in 'most cases'.

The Honourable Sir GHULAM HUSSAIN : We try to do so as far as we can.

MARATHI PRIMARY SCHOOLS : SYLLABUS OF ARITHMETIC.

* Rao Saheb P. D. KULKARNI (Poona District) : Will the Honourable Minister for Education be pleased to state—

(*a*) whether the syllabus of arithmetic for the IV and VI standards in the Marathi Primary School was revised in about 1925 ;

(*b*) if so, whether certain portion of the original syllabus (i.e. Present Worth and Discount and Recurring Decimals) was then deleted ;

(*c*) whether Government have sanctioned the arithmetics by Mr. Deshmukh, Mr. Manaké and Messrs. Modak and Gokhale as text books ;

(*d*) whether the portion deleted by the revised syllabus has been deleted from those books ;

(*e*) whether the syllabus of arithmetic for the V and VI standards has been so revised as to bring it into conformity with the revised syllabus of the IV and VI standards by deleting the portion deleted in the text books and in the syllabus of the VII standard ;

(*f*) if not, whether Government intend doing so ;

(*g*) whether the said deleted portion is taught in the V and VI standards in the various Marathi-knowing districts and in the Practising School of the Training College, Poona ;

(*h*) if so, in which of the districts ;

(*i*) whether the districts which teach the deleted portion have been doing so all along ?

The Honourable Dewan Bahadur S. T. KAMBLI : (*a*) The syllabus in Arithmetic for the infants and the first four standards of Primary

Schools was revised in 1927, while that of standard VII was revised in 1925. The syllabus in Arithmetic for standards V and VI has not been revised.

(*b*) Yes.

(*c*) Yes; the books mentioned are on the sanctioned list.

(*d*) Yes.

(*e*) and (*f*) The syllabus in Arithmetic for standards V and VI has not been revised. The question is kept pending the action to be taken on the recommendations of the Primary and Secondary Education Committee.

(*g*) and (*h*) The deleted portion is not taught in standards V and VI of primary schools in Central Division and in the Practising School attached to the Training College for Men, Poona. In the Bombay Division the unrevised syllabus of standards V and VI is being followed only in the Ratnagiri District.

(*i*) Yes. The District Local Board of Ratnagiri has since been informed by the Director of Public Instruction that it is not necessary to teach the deleted portions in standards V and VI.

Rao Saheb P. D. KULKARNI: On what date the District Local Board of Ratnagiri was informed about this question?

The Honourable Dewan Bahadur S. T. KAMBLI: After the question was received.

Rao Saheb P. D. KULKARNI: When did the District Local Board of Ratnagiri take over control of primary education?

The Honourable Dewan Bahadur S. T. KAMBLI: I require notice of the question.

Rao Saheb P. D. KULKARNI: I do not want the date but the approximate year will do.

The Honourable Dewan Bahadur S. T. KAMBLI: Even for that notice is required.

Rao Saheb P. D. KULKARNI: If I remember correctly, the District Local Board of Ratnagiri took over control of primary education in about the year 1927. From 1927 up to 1934, why was this irregularity left unnoticed?

The Honourable Dewan Bahadur S. T. KAMBLI: Because it was not brought to the notice of the authorities.

Rao Saheb P. D. KULKARNI: Was there no Inspector of the Government or any man serving under the Director of Public Instruction to detect the irregularity?

The Honourable Dewan Bahadur S. T. KAMBLI: There was inspection by the Assistant Deputy Educational Inspector.

Rao Saheb P. D. KULKARNI: Was not the irregularity brought to the notice of the Director of Public Instruction by the inspecting official?

The Honourable Dewan Bahadur S. T. KAMBLI: Presumably so.

Rao Saheb P. D. KULKARNI: Were any steps taken against them for not bringing to the notice of the authorities this serious irregularity?

The Honourable Dewan Bahadur S. T. KAMBLI: What sort of steps?

Rao Saheb P. D. KULKARNI: Warning for not having done their duty of inspection properly. It is their duty to inspect and find out the irregularity and bring it to the notice of the Honourable Minister.

The Honourable Dewan Bahadur S. T. KAMBLI: I do not think it calls for any steps to be taken.

GRANTS-IN-AID TO VILLAGE PANCHAYATS.

*Rao Saheb P. D. KULKARNI (Poona District): Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) whether it is a fact that Government had made provision in the budget for 1933–34 of an amount of Rs. 25,000 for grants-in-aid to village panchayats;

(*b*) if so, how that amount has been utilised by Government;

(*c*) whether the amount was distributed amongst the several local bodies concerned by way of grants-in-aid;

(*d*) if so, among which local bodies and what amount was paid to each local body;

(*e*) whether Government have employed any staff to assist in the establishment and training of village panchayats;

(*f*) if so, how much staff has been employed and in what places and what expenditure has been incurred on that account;

(*g*) whether Government propose to make similar provision for grants-in-aid to village panchayats in the next year's budget?

The Honourable Khan Bahadur D. B. COOPER: (*a*) Yes.

(*b*) The amount has not been utilised during the current year as Government have decided to approach the question of the organisation of village panchayats on the lines set out in the scheme of village improvement outlined in the Manual of Village Improvement. Until the rules under the new Panchayats Act are finally issued, and the machinery for village improvement generally brought into being, Government consider that it would be premature to sanction any new expenditure on panchayats.

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

(*e*) Not yet.

(*f*) Does not arise.

(*g*) No.

Rao Saheb P. D. KULKARNI: With regard to part (*b*) of the reply, on what date Government decided to support the scheme of village improvement out of the amount earmarked for the improvement of the village panchayats?

The Honourable Khan Bahadur D. B. COOPER: I cannot give the date. If the honourable member gives notice, I will find out.

Rao Saheb P. D. KULKARNI : The scheme which is contemplated in the Manual of Village Uplift or Improvement is dated September 1933 and the grant was provided in March 1933. What was the idea of Government before the formulation of the scheme in regard to the utilisation of this fund ?

The Honourable Khan Bahadur D. B. COOPER : Which scheme is the honourable member referring to ?

Rao Saheb P. D. KULKARNI : The scheme which is formulated in the Village Improvement Manual as stated in your reply.

The Honourable Khan Bahadur D. B. COOPER : The village improvement scheme came into existence only recently.

Mr. S. S. TOLANI : Have rules and by-laws been framed ?

The Honourable Khan Bahadur D. B. COOPER : The rules and by-laws are yet to be framed.

SYED MIRAN MAHOMED SHAH : Have Government appropriated that amount for any other purpose ? If such grants are appropriated for other purposes, will it not prove a discouragement to the formation of panchayats ?

The Honourable Khan Bahadur D. B. COOPER : Unless the Act comes into force, no money can be spent.

Mr. G. S. GANGOLI : Can any panchayat come into existence without rules being framed ?

The Honourable Khan Bahadur D. B. COOPER : No. The framing of rules involves a large amount of work and it will take months.

Rao Saheb P. D. KULKARNI : I am referring to clause (*b*) of the reply, which says :

"The amount has not been utilised during the current year as Government have decided to approach the question of the organisation of village panchayats on the lines set out in the scheme of village improvement outlined in the Manual of Village Improvement."

The Manual of Village Improvement was published in the month of September 1933.

The Honourable Khan Bahadur D. B. COOPER : It is not correct.

The Honourable the PRESIDENT : It is further stated in the answer :

"Until the rules under the new Panchayats Act are finally issued, and the machinery for village improvement generally brought into being, Government consider that it would be premature to sanction any new expenditure on panchayats."

Rao Saheb P. D. KULKARNI : Have Government in their letter No. 5428-C, dated 31st May 1933 declared their intention to utilise this grant in providing staff to help the establishment and training of new panchayats ?

The Honourable Khan Bahadur D. B. COOPER : I know nothing about that letter.

Rao Saheb P. D. KULKARNI : There is that letter. I have got a copy of it. Now my supplementary question is whether before

Government's final decision of spending this amount on the village uplift scheme, had they any other intention or motive of applying this fund for some other purposes stated in the letter ?

The Honourable Khan Bahadur D. B. COOPER : I repeat I know nothing of that letter.

Mr. M. M. KARBHARI : Has this sum been utilised or is it lying in balance with Government ?

The Honourable the PRESIDENT : It is there. It has not been utilised.

Mr. M. M. KARBHARI : Is it lying in balance with Government ?

The Honourable Khan Bahadur D. B. COOPER : No.

Mr. M. M. KARBHARI : Has it been spent ?

The Honourable Khan Bahadur D. B. COOPER : A certain amount.

Mr. M. M. KARBHARI : For what purpose ?

The Honourable Khan Bahadur D. B. COOPER : Under the new scheme for the establishment of district executive committees.

Mr. M. M. KARBHARI : How much has been spent ?

The Honourable Khan Bahadur D. B. COOPER : About Rs. 3,000. I cannot say definitely.

Mr. M. M. KARBHARI : Under what rules ?

The Honourable Khan Bahadur D. B. COOPER : It is all one purpose. The object of this is to promote the cause of new panchayats and under that heading, that amount has been spent.

Mr. M. M. KARBHARI : Did not the then Honourable Minister in charge make a promise to this House that this sum of Rs. 25,000 would be spent for a particular purpose ? Has that purpose been served or is the money spent for that purpose or for any other ?

The Honourable Khan Bahadur D. B. COOPER : The money spent is definitely for that purpose.

Rao Bahadur G. K. CHITALE : Is it not a new service ? This village uplift is a new service. How could the amount earmarked for village panchayats be spent on village uplift ?

The Honourable Khan Bahadur D. B. COOPER : It has been placed before the Finance Committee which has approved of it.

Rao Bahadur G. K. CHITALE : It has to come before us for sanction ?

The Honourable Khan Bahadur D. B. COOPER : Yes.

Rao Saheb P. D. KULKARNI : Why was the amount utilised for some other purpose when it was possible to utilise it for its original purpose, for which it was sanctioned ?

The Honourable Khan Bahadur D. B. COOPER : I cannot hear.

Rao Saheb P. D. KULKARNI : When the amount in the absence of rules was not possible to be utilised on the new panchayats, why was the amount not utilised for other purposes in connection with panchayats ?

The Honourable Khan Bahadur D. B. COOPER : How do you mean ? I cannot understand you.

The Honourable the PRESIDENT : What is the executive committee? Has it anything to do with the village panchayats scheme ?

The Honourable Khan Bahadur D. B. COOPER : One object of that executive committee is to promote the formation of village panchayats.

The Honourable Sir GHULAM HUSSAIN : Might I explain, Sir ? That amount which was provided for village panchayats under the rules has been employed partly for other purposes, for which the Honourable Minister presented a supplementary grant before the Finance Committee. It has been approved by that committee, and it will be discussed on the floor of this House.

Mr. M. M. KARBHARI : No, no. I was present in that committee. I know in the Finance Committee a grant was asked for the appointment of a secretary for a certain district but it was never intended that out of this money that secretary was to be appointed. That point was never even suggested.

The Honourable the PRESIDENT : Will the honourable member the Secretary of the Department please tell us what the position is ?

Mr. S. H. COVERNTON : I am not sure whether the honourable member the Secretary to the General Department or whether the honourable member the Secretary to the Revenue Department should do so, Sir.

The Honourable the PRESIDENT : The point is this. An amount of Rs. 25,000, as it appears from this question, was allocated for village panchayats and a scheme for their promotion. Now it appears from the reply of the Honourable Minister that about Rs. 3,000 out of that has been utilised for other purposes than the purposes for which it was sanctioned. Then it also has come out that possibly in the Finance Committee that matter was brought up and permission was asked and it would now be finally placed before this House, as the Honourable the Finance Member says, for a grant. What is the real position ?

The Honourable Sir GHULAM HUSSAIN : Whatever the position may be, Sir, there is going to be a demand for a supplementary grant about it before this House, and there will be an opportunity of discussing it.

Mr. M. M. KARBHARI : So far as I remember, that is a different grant altogether. It is a grant asking for Rs. 65,000 out of which a few hundreds are intended to be spent now.

Mr. S. H. COVERNTON : The supplementary grant is one for expenditure in connection with village improvement scheme. The sum of Rs. 650 is on account of the district secretary. This is for the current year. As regards the ensuing year, the estimate is that an expenditure of Rs. 23,000 will be incurred. As regards the current year the amount is Rs. 650.

The Honourable the PRESIDENT: Out of the Rs. 25,000? It is a different matter entirely.

Mr. S. H. COVERNTON: It is a matter of reappropriation out of the general balances with Government.

Mr. R. B. EWBANK: Sir, the position is that this expenditure was not made out of the grant of Rs. 25,000, but the Honourable Minister only agreed to allow the grant of Rs. 25,000 for panchayats to lapse on the understanding that this expenditure, which is largely for the advancement of panchayats, was to be incurred by another department.

Rao Bahadur R. V. VANDEKAR: Is it not a fact that the amount of Rs. 25,000 was set aside for village panchayats with a view to having propaganda work done, and if the village uplift work is part of the village panchayats scheme, would it not be coming under propaganda work for village panchayats?

The Honourable the PRESIDENT: That is beside the question.

Rao Saheb P. D. KULKARNI: I am reading the letter that was addressed by the General Department to local bodies and the secretaries and treasurers of the local self-government institute in which mention has been made about the intention of Government to spend Rs. 25,000 for village panchayats. It reads:

"I am directed by the Government of Bombay (Transferred Departments) to say that Government have made in the current year's budget a provision of Rs. 25,000 to be utilised either in grant-in-aid or in providing staff to help in establishing and training new panchayats as may be found most expedient."

The Honourable the PRESIDENT: What is the difficulty? That letter is all right.

Rao Saheb P. D. KULKARNI: That is not spent on the item specified therein and the amount is allowed to lapse now.

The Honourable Sir GHULAM HUSSAIN: The rules are not ready yet.

The Honourable the PRESIDENT: The amount that is to be spent on that has not lapsed. If it does, they will probably come forward with some proposals.

Mr. M. M. KARBHARI: May I know whether the money is still lying in balance with Government?

The Honourable Sir GHULAM HUSSAIN: It is a sort of saving.

Rao Saheb P. D. KULKARNI: Are they going to provide this Rs. 25,000 in this budget for the very purpose?

The Honourable Sir GHULAM HUSSAIN: All the moneys that lapse go into the general balances. In this case, on the contrary, the House ought to be grateful to the Honourable Minister who says, "As the rules are not ready, will you help me in regard to the village uplift, which is a similar purpose, and give me the same money for that purpose?"

The Honourable the PRESIDENT: The House is entitled to ask, "There was an amount of Rs. 25,000 for village panchayats. It lapses.

Has Government made provision in the budget for the next year for that service ?"

The Honourable Sir GHULAM HUSSAIN : We do not know when the rules will be ready.

The Honourable the PRESIDENT : Presuming that the rules will be ready during the course of the next year, will Government come forward with necessary proposals ?

The Honourable Sir GHULAM HUSSAIN : I cannot say, Sir. The Honourable Minister is responsible for that.

Rao Saheb P. D. KULKARNI : At the time when the provision was first made in the budget the rules were not ready and yet Government could make the provision on this item. Even at this stage are Government not able to make the provision in the same way ?

Rao Bahadur G. K. CHITALE : Sir, the amount could not have lapsed before 31st March 1934 because we are still to run about a month more. So the amount is there in the budget or at least must be, because Rs. 25,000 were sanctioned at the last budget.

Dr. M. K. DIXIT : May I know if any special rules are necessary for carrying on propaganda work because this sum of Rs. 25,000 was allocated for doing propaganda work ?

The Honourable Khan Bahadur D. B. COOPER : Unless you know what sort of work the panchayat is supposed to do, what sort of propaganda are you going to carry on ?

Dr. M. K. DIXIT : Propaganda to establish village panchayats.

The Honourable Khan Bahadur D. B. COOPER : Simply visiting the villages ?

Dr. M. K. DIXIT : And carrying on propaganda.

The Honourable Khan Bahadur D. B. COOPER : Unless you know definitely what you are going to do there and unless the rules are there, you cannot do any work of that kind.

Mr. C. N. PATEL : Then why was the sum of Rs. 25,000 asked for if it was anticipated that that amount could not be spent during the current year ? Was it only meant to please this side of the House ?

The Honourable the PRESIDENT : Order, order. I cannot follow the honourable members. They seem to be talking to each other.

Mr. L. R. GOKHALE : Was there not an ideal before the Government as to the purpose for which the amount was to be spent ? What is the necessity of rules ? Why should it be said "there being no rules"? Has the money lapsed ?

The Honourable the PRESIDENT : That is a matter of the particular method which the Honourable Minister chooses to follow in pushing on the scheme, and the method may be in the best interests of the scheme. The question with which this House is concerned is regarding the amount of Rs. 25,000. The amount of Rs. 25,000 is there, as the Honourable the Finance Member says. Of course, it is not spent this year and

therefore lapses. As to what would happen next year is a question which would be considered, it seems, by Government later on.

Rao Bahadur G. K. CHITALE: The point is more important from this point of view. The wishes of the House were consulted, and an amount was sanctioned for a particular purpose, and not a pie of it is spent, and this side of the House will be entitled to move an adjournment of the House because their wishes are not met. That is the usual constitutional procedure.

Mr. G. S. GANGOLI: May I suggest that the entire scheme has followed our popular Minister Sir Rustom Vakil?

The Honourable the PRESIDENT: Next question.

Mr. G. S. GANGOLI: May I propose that the remaining questions be taken over tomorrow? Already we have taken 45 minutes, and this is a day for non-official business.

The Honourable the PRESIDENT: That cannot be done.

Rao Saheb P. D. KULKARNI: The amount has to lapse on the 31st of March. Before that, are Government willing to utilise the amount for propaganda work?

The Honourable Sir GHULAM HUSSAIN: It has already been surrendered.

Rao Saheb P. D. KULKARNI: The Honourable Minister is not giving any reply.

The Honourable Khan Bahadur D. B. COOPER: The reply has been given.

The Honourable the PRESIDENT: The reply given by the Honourable the Finance Member is that the amount has already been surrendered.

Rao Saheb P. D. KULKARNI: Was the consent of this House not necessary before surrendering the amount, when it was with the consent of this House that the amount was earmarked?

The Honourable Sir GHULAM HUSSAIN: It was not necessary. The rules were not ready, and therefore the scheme could not be carried out.

Rao Saheb P. D. KULKARNI: Is it equitable on the part of the Government——

The Honourable the PRESIDENT: The question has been threshed out thoroughly and fully. What the House should now do in the matter is left to the House, and what the Government should do is left to Government. I do not think the matter need be pursued further.

AGRICULTURAL COLLEGE, POONA: APPOINTMENT OF ASSISTANT PROFESSOR OF CHEMISTRY.

* Rao Saheb P. D. KULKARNI (Poona District): Will the Honourable Minister for Education be pleased to state—

(*a*) the name, age, caste, place of residence and the educational and other qualifications of the present Assistant Professor of Chemistry at the Agricultural College, Poona;

(*b*) the qualifications of his predecessor;

(*c*) whether it is a fact that before his appointment, the name of some other candidate was recommended for the post by the committee appointed for the purpose;

(*d*) if so, the reasons why he was specially selected in preference to the candidate recommended by the committee;

(*e*) whether there are any, and, if so, how many, instances in which the appointments were made from candidates not recommended by the committee?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) The information is furnished below:—

Name—Mr. N. Narayana.
Age —31 years.
Caste—Brahmin.
Place of residence—Bangalore.
Educational and other qualifications. } B.Sc., M.Sc., A.I.C., A.I.I.Sc.

(*b*) B.Ag., B.Sc.

(*c*) and (*d*) The Selection Board recommended two names. Government selected one of these two candidates.

(*e*) None so far as the Agricultural Department is concerned.

Rao Saheb P. D. KULKARNI: As regards (*a*), does the appointment made infringe the rules of recruitment?

The Honourable Dewan Bahadur S. T. KAMBLI: No, Sir; certainly not.

Rao Saheb P. D. KULKARNI: Mr. Narayana is a resident of Bangalore; Bangalore is outside the presidency, and rule No. 6 of the rules for recruitment lays down that men from this province should be appointed.

The Honourable Dewan Bahadur S. T. KAMBLI: Will the honourable member kindly read that rule?

Rao Saheb P. D. KULKARNI: It says "Subject to the provisions of part (2) of this rule, no person who is not a native of the Bombay Presidency may ordinarily be appointed to any post in the Provincial or Subordinate services."

The Honourable Dewan Bahadur S. T. KAMBLI: The passage read by my honourable friend contains the word "ordinarily".

Mr. L. R. GOKHALE: Was that considered?

The Honourable Dewan Bahadur S. T. KAMBLI: It was thoroughly considered.

Rao Saheb P. D. KULKARNI: What is the native place of the other candidate who was recommended by the committee? There were two persons recommended by the committee. One of them was appointed and he was a man from another province. What was the native place of the other candidate?

The Honourable Dewan Bahadur S. T. KAMBLI: If the honourable member gives me notice, I shall find it out for him.

Mr. MAHOMED HASHIM GAZDAR: In view of so much unemployment in the presidency, and when sufficient numbers from the presidency were available, I would like to know why the selection of a man from outside the presidency was made?

The Honourable Dewan Bahadur S. T. KAMBLI: On the ground of superior merit and efficiency.

Rao Saheb P. D. KULKARNI: Were there not efficient men in the Agricultural College in the Bombay Presidency also?

The Honourable the PRESIDENT: The reply shows that the Honourable Minister considered that, and as there was no efficient man or proper man for the post, Government had to choose from the outside candidates. That is the meaning of it.

Rao Saheb P. D. KULKARNI: There were two candidates who were recommended by the Selection Board. One of them must have been from this presidency. His claims were not considered. When there is so much unemployment in the presidency——

The Honourable the PRESIDENT: Is the honourable member going to advocate the cause of the unsuccessful candidate?

Rao Saheb P. D. KULKARNI: No, Sir. I want to see the principle followed. When there is unemployment in our presidency, the presidency men are not given a chance even when recommended by the Selection Board, and on the other hand persons from other provinces are given a chance. That is a trampling of the principle. Is that permissible?

The Honourable the PRESIDENT: The simple question is, why was the other candidate recommended by the Selection Board and who was the person from this presidency not selected, and why was an outsider selected in preference to the man whom the Selection Board recommended?

The Honourable Dewan Bahadur S. T. KAMBLI: I repeat what I said a little while ago, that the appointment of this person was made on the ground of efficiency and superior merit or qualifications.

Mr. C. N. PATEL: Are not more efficient men available for all other posts outside the presidency at cheaper rates?

The Honourable the PRESIDENT: Next question.

Rao Bahadur G. K. CHITALE: The principle is a little important. The rule is that ordinarily the posts, having regard to qualifications, will go to residents of this presidency. Now the rule is infringed on another ground. If there was no other candidate available, that would have been different. The Selection Board recommended two men. One of them was from the presidency, and under the rules he was entitled to the post, because the rules must be obeyed.

The Honourable Dewan Bahadur S. T. KAMBLI: There is no infringement of the rule. The word is "ordinarily".

Rao Bahadur G. K. CHITALE : Is the word "ordinarily" occurring in the rule to be interpreted in this manner, that when a man from the presidency with the necessary qualificat ons is available, another man from beyond the presidency should be imported ?

The Honourable Dewan Bahadur S. T. KAMBLI : I have stated that efficiency is to be first attended to, and on the ground of efficiency this particular person has been appointed.

Mr. L. R. GOKHALE : Did not the Selection Board think of the question of efficiency in making the selection ?

The Honourable Dewan Bahadur S. T. KAMBLI : My honourable friend must know that the Selection Board is not an appointing board; it simply recommends and the appointment rests with the Government.

The Honourable Sir GHULAM HUSSAIN : We are discussing the question on the assumption that the other candidate belongs to this presidency. I do not know whether that is correct.

Rao Saheb P. D. KULKARNI : I think he is from the presidency. Therefore I asked the supplementary question from what presidency he came, and the answer given was that notice of the question was required.

Mr. SHAIKH ABDUL MAJID : May I know whether the selected candidate possesses any degree of the Bombay University ?

The Honourable the PRESIDENT : Madras degree.

The Honourable Dewan Bahadur S. T. KAMBLI : If my honourable friend gives notice I shall find it out.

EUROPEAN SCHOOLS IN THE PRESIDENCY.

*Mr. J. G. MORE (Sholapur District) : Will the Honourable the Home and General Member be pleased to state—

(*a*) the total number of European schools in the Bombay Presidency;

(*b*) their names and places of location ;

(*c*) the total number of European boys in each of these schools during the official year 1932–33 ;

(*d*) the total number of Anglo-Indian, Indian Christian and Indian boys admitted in each of these schools separately during the year 1932–33 and the percentage of each of them to the European boys ;

(*e*) whether there is any limit prescribed by Government as regards the admission of Anglo-Indian and Indian Christian boys to these schools ;

(*f*) if so, what limit ;

(*g*) if not, why not ;

(*h*) the average monthly hostel charges per head incurred by European, Anglo-Indian, Indian Christian and Indian boys respectively ;

(*i*) whether it is a fact that boys from the Anglo-Indian and Christian communities are required to pay double fees;

(*j*) if not, why not;

(*k*) whether it is a fact that Indian boys admitted to these schools are required to pay double fees; if so, why;

(*l*) whether any concessions are given to the poor and middle class Indian boys admitted to these schools;

(*m*) whether these schools afford any facilities to the backward and depressed class boys;

(*n*) if so, what facilities?

The Honourable Mr. R. D. BELL: (*a*), (*b*), (*c*) and (*d*) The following statement gives the names and places of location of the European schools for boys and girls in the Bombay Presidency, and the total number of European and non-European pupils on their rolls during the official year 1932-33. As the only distinction made in the Code of Regulations for European Schools is between "European" and "non-European", detailed information as regards the number of Anglo-Indians, Indian Christians and other Indians is not available. The term "European" is defined in article 2 of the Code and signifies any person of European descent, pure or mixed, who retains European habits and modes of life:—

Serial No.	Name of School, and where located.	Number of European pupils.	Number of non-European pupils.	Total.	Percentage of non-European to European pupils.
	Boys' Schools.				
1	Cathedral Boys' High School, Bombay ..	197	77	274	28
2	St. Mary's High School, Bombay ..	351	73	424	17
3	Christ Church High School, Bombay ..	246	57	303	19
4	Barnes Boys' High School, Deolali ..	132	16	148	11
5	Bishop's High School, Poona ..	94	40	134	20
6	Boys' High School, Panchgani ..	59	13	72	18
7	Grammar School, Karachi	124	25	149	16
8	St. Peter's School, Bombay	38	19	57	33
9	Scottish Orphanage, Mahim	63	8	71	11
10	Railway School, Bombay	99	..	99	..
11	Railway School, Kalyan	61	22	83	26
12	Railway School, Manmad	40	16	56	28
13	Railway School, Sholapur .: ..	29	13	42	30
14	Railway School, Bhusawal	119	17	136	12
15	St. Mary's School, Belgaum	11	5	16	31
16	Railway School, Hubli	67	..	67	..
	Girls' Schools.				
17	Cathedral Girls' High School, Bombay ..	195	79	274	28
18	Convent High School, Bombay ..	237	89	326	27
19	Convent High School, Bombay ..	245	79	324	24
20	Convent High School, Bombay ..	145	62	207	29
21	Convent High School, Bandra ..	261	83	344	23

Serial No.	Name of School, and where located.	No. of European pupils.	No. of non-European pupils.	Total.	Percentage of non-European to European pupils.
	Girls' Schools—contd.				
22	Barnes Girls' High School, Deolali ..	139	22	161	13
23	St. Mary's High School, Poona ..	150	69	219	31
24	Convent High School, Poona ..	232	55	287	24
25	Anglo-Indian Home, Poona ..	111	41	152	37
26	St. Peter's High School, Khandala ..	101	18	119	18
27	Kimmins High School, Panchgani ..	61	17	78	28
28	Convent High School, Panchgani ..	97	39	136	40
29	Convent High School, Karachi ..	207	59	266	28
30	Convent School, Igatpuri	136	39	175	28
31	Railway School, Igatpuri	33	3	36	9
32	Railway School, Lonavla	44	11	55	25
33	European School, Kotri	10	2	12	20
34	Railway School, Bulsar	20	6	26	30
	Special Girls' Schools.				
35	Convent Normal Class, Clare Road, Bombay.	27	13	40	48
36	St. Mary's Training College, Poona ..	20	5	25	25
37	Young Women's Christian Association Commercial School, Bombay.	36	7	43	19

(*e*), (*f*) and (*g*) Article 7 (*d*) of the Code of Regulations for European Schools prescribes a limit of 30 per cent. of the total number of pupils in the case of non-European pupils.

(*h*) As all the European schools are private institutions managed by private bodies, Government are not concerned with the hostel charges levied by them ; nor can Government undertake to obtain the information from the schools concerned.

(*i*), (*j*) and (*k*) In some cases non-European children are required to pay double the fees charged to European children. The reasons for this were explained at length in the debate on the grant for European Education (Reserved) in the last budget session of the Council when the Honourable Member himself moved a motion for the reduction of the grant—*vide* pages 1216 to 1245 of the Bombay Legislative Council Debates, Volume XXXVII, Part XXII. Briefly stated, the reasons are partly that the European schools benefit financially by charging higher fees for non-European pupils, and partly that they are able to charge lower fees in the case of European children as the schools have been endowed and are maintained for their benefit.

(*l*) Government understand that concessions are given in some cases.

(*m*) and (*n*) The facilities for admission to European Schools are the same for all classes of non-Europeans including backward and depressed class boys.

MOTOR REGISTRATION AND DRIVING LICENSES: GOVERNMENT REVENUE.

*Mr. HOOSENALLY M. RAHIMTOOLA (Bombay City): Will the Honourable the Home and General Member be pleased to state—

(1) what revenue was derived by Government from Motor Registration, Motor Driving Licenses etc., in the year previous to the year in which the present enhanced rates were brought into force for (*a*) the whole Presidency and (*b*) the City of Bombay;

(2) what revenue is derived each year from these sources since the enhanced rates were brought into force for (*a*) the whole Presidency and (*b*) the City of Bombay?

The Honourable Mr. R. D. BELL:

	Rs.
(1) In 1929-30—	
In the whole Presidency	4,21,125
In Bombay City	1,73,864
(2) In 1930-31—	
In the whole Presidency	13,26,024
In Bombay City	6,20,041
In 1931-32—	
In the whole Presidency	13,50,381
In Bombay City	6,12,219
In 1932-33—	
In the whole Presidency	13,00,299
In Bombay City	5,92,656

KARACHI PANJRAPOLE: GRANTS OF LANDS.

*Mr. SHAIKH ABDUL MAJID (Karachi District): Will the Honourable Minister for Education be pleased to state—

(*a*) how much agricultural land has been granted by the Government to the Karachi Panjrapole and in which dehs and talukas respectively;

(*b*) on what conditions and terms that grant of land was made to the Karachi Panjrapole and for how many years' tenure;

(*c*) whether Government are aware that the Karachi Panjrapole, like other Panjrapoles, is trammelled by religious or sentimental obligations to maintain useless and sickly cattle also;

(*d*) whether Government are aware that many a time infectious diseases like rinderpest have sprung up from the Karachi Panjrapole cattle and have been reported by the Veterinary Assistant Surgeon at Karachi;

(*e*) whether Government are aware that there have been objections raised by the neighbouring agriculturists and cattle owners against considerable land grants having been made to the Karachi Panjrapole in their neighbourhood;

(*f*) if so, what action Government propose to take to cancel the land grants made to the Karachi Panjrapole ?

The Honourable Dewan Bahadur S. T. KAMBLI : (*a*) 5,000 acres in the Sangal, Okewari, Gujro, Babrano, Surjani and Nangan dehs of the Karachi Taluka.

(*b*) Of the 5,000 acres mentioned above, 851 acres were given on permanent tenure on payment of occupancy price and the remainder on a 5 years' tenure at a rent of Rs. 225 per mensem. Conditions were imposed for efficient management of the institution, the chief of which were the employment of a qualified staff, provision for improving the breed of cattle, the maintenance of a dairy and milk records and grading of the stock.

(*c*) Government are aware that this institution is bound to maintain such cattle if sent to it. As indicated in answer to clause (*b*) above, one of the conditions of the grant was the segregation of such cattle from the other animals and such cattle are in fact kept apart in a separate branch in Karachi City and are very few in proportion to the total number of animals maintained.

(*d*) No. Recently the Panjrapole cattle suffered from such diseases in common with other cattle of Karachi Taluka but there was no case in which the origin of an outbreak could be traced to the cattle of the Panjrapole. The Veterinary Assistant Surgeon is also employed by the Panjrapole as surgeon and he supervises the treatment of the affected cattle in the Panjrapole.

(*e*) Objections were raised from time to time by a small number of interested persons but they were found to be groundless on investigation.

(*f*) Does not arise.

Mr. SHAIKH ABDUL MAJID : May I know from the Honourable Minister whether these 5,000 acres included some kabuli lands of the zamindars, some Mohag lands and some lands which were reserved for grazing purposes ?

The Honourable Dewan Bahadur S. T. KAMBLI : I require notice of that question.

Mr. SHAIKH ABDUL MAJID : In the answer to part (*e*), it is stated :

"Objections were raised from time to time by a small number of interested persons but they were found to be groundless on investigation."

I want to know the meaning of the word "interested persons". I have got a poor knowledge of English.

The Honourable Dewan Bahadur S. T. KAMBLI : That is used in the ordinary sense.

The Honourable the PRESIDENT : It means persons who had interest in the land or persons who had no interest in the land but otherwise interested.

The Honourable Dewan Bahadur S. T. KAMBLI : "Interested persons" means those interested in opposing the grant of land.

Mr. SHAIKH ABDUL MAJID: Am I to understand that those interested persons are the persons who have been deprived of their kabuli land and Mohag land and the right of grazing their cattle?

The Honourable Dewan Bahadur S. T. KAMBLI: I require notice of that question.

Mr. SHAIKH ABDUL MAJID: Will the Honourable Minister give some indication as to the number of these interested persons and the nature of the objections raised by them?

The Honourable Dewan Bahadur S. T. KAMBLI: For that also I have to require notice.

Mr. SHAIKH ABDUL MAJID: May I know on what date this five years' tenure was sanctioned by Government?

The Honourable Dewan Bahadur S. T. KAMBLI: It is expected to expire next July.

Mr. SHAIKH ABDUL MAJID: From my information the tenure has already expired in September last. In accordance with Government Resolution No. 368 of 4th September 1928 the tenure has already expired and still the Panjrapole is in possession of the land.

The Honourable Dewan Bahadur S. T. KAMBLI: Well, Sir, I may give him my information. It is expected to expire next July.

The THAKOR OF KERWADA: Is not the Panjrapole a private institution?

The Honourable the PRESIDENT: It is private.

The Honourable Dewan Bahadur S. T. KAMBLI: In a sense it may be.

The THAKOR OF KERWADA: Under what law was the land acquired and given to a private institution like the Panjrapole?

The Honourable Dewan Bahadur S. T. KAMBLI: It is in a sense public institution also.

Mr. M. M. KARBHARI: May I know whether it is run on commercial lines?

The Honourable the PRESIDENT: It requires no answer. Panjrapole is not a commercial institution.

Mr. M. M. KARBHARI: In a Panjrapole the cows are milked and the milk is sold.

The Honourable Dewan Bahadur S. T. KAMBLI: The honourable member seems to possess more information.

Mr. SHAIKH ABDUL MAJID: The cattle committee that was appointed for Sind has given their opinion that the grant of land to this particular Panjrapole has not in any way materially improved the breed of cattle.

The Honourable Dewan Bahadur S. T. KAMBLI: I am not now aware of that. If the honourable member gives notice, I can find out.

SYED MIRAN MAHOMED SHAH: Will the Honourable Minister mention the number of cattle in the Pinjrapole ?

The Honourable Dewan Bahadur S. T. KAMBLI: I want notice.

SYED MIRAN MAHOMED SHAH: Does the grant of land to Pinjrapoles depend upon the number of cattle or any other principle ?

The Honourable Dewan Bahadur S. T. KAMBLI: I want notice.

THE THAKOR OF KERWADA: Have Government accepted the principle of giving grants of land for Pinjrapoles ? If they grant land to one Pinjrapole, will not other Pinjrapoles come up with similar demand ?

The Honourable Dewan Bahadur S. T. KAMBLI: I want notice of that.

Mr. SHAIKH ABDUL MAJID: This land was given on certain conditions and one of those conditions was the improvement of the breed of cattle. May I know from the Honourable Minister whether he has received any reports about the breed of cattle—whether it has improved or not ? Or have they not received any report during the last five years ?

The Honourable Dewan Bahadur S. T. KAMBLI: This will have to be considered at the time of renewal of the lease. The Chief Agricultural Officer has submitted a report on this point.

SYED MIRAN MAHOMED SHAH: Is it a fact that since the land was granted no report has been received by Government or called for by Government about the working of the Pinjrapole ?

The Honourable Dewan Bahadur S. T. KAMBLI: An investigation was made last year and there is the report of the Agricultural Officer based on the investigation.

THE THAKOR OF KERWADA: Only recently the Honourable Minister got through this House a Bill to improve the breed of cattle. Does the Honourable Minister propose to do so through the medium of Pinjrapole where unfit cattle are kept ?

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3 p.m.

The Honourable the PRESIDENT: The question hour is over. If honourable members have got any more questions to ask they may do it tomorrow.

Mr. SHAIKH ABDUL MAJID: I have only one or two more supplementary questions, Sir. Shall I be permitted to put them tomorrow ?

The Honourable the PRESIDENT: Yes.

BILL No. IX OF 1932 (A BILL FURTHER TO AMEND THE BOMBAY PREVENTION OF GAMBLING ACT, 1887).

Mr. L. R. GOKHALE (Poona City): Sir, I present the report of the select committee on Bill No. IX of 1932 (A Bill further to amend the Bombay Prevention of Gambling Act, 1887).*

The Honourable the PRESIDENT: The report of the select committee on Bill No. IX of 1932 (A Bill further to amend the Bombay Prevention of Gambling Act, 1887) is presented.

Mr. L. R. GOKHALE: Sir, I find there is one difficulty to proceed further with this Bill. It is this. Under Standing Order VIII 8 (2) (*a*) I find the following:

"(*a*) that the Bill as reported by the Select Committee be read a second time either at once or on some future date to be then stated: provided that no such motion shall be made unless copies of the report, of minutes of dissent and of the bill, if amended, have been despatched to each Member 15 clear days before the date appointed for the Session of the Council at which the report is presented, unless the President in exercise of his power to suspend this provision allows the motion to be made;....."

So, in this case the report and the minutes of dissent were in the hands of honourable members only two days or five or six days while others received them only today. I therefore request you, Sir, to allow me to take up the second reading during the next session of the Council. This is an important matter and ought to be discussed by the honourable members after they have fully studied the select committee's report and the minutes of dissent appended to it.

The Honourable the PRESIDENT: I think that is the only solution; to take it up in the July session.

The Honourable Mr. R. D. BELL: If you will permit me, Sir, I should like to say that I am very glad to see my honourable friend Mr. Gokhale back in the House after his unfortunate accident. I agree with him that it is not possible to proceed with the Bill today. I have myself caused inquiries to be instituted in Karachi and Kirkee, both of which places hold race meetings which will be affected by the Bill as amended by the select committee. I am quite prepared, however, if it is the desire of the honourable member in charge and the House to proceed with the Bill on the first day of non-official business after the Government business, to fall in with their wishes.

Mr. L. R. GOKHALE: The wording of the standing order is somewhat strict.

The Honourable the PRESIDENT: The proposal of the Honourable the Home Member is that the Chair should be approached to condone the delay and, if that is done, his proposal is that the Bill should be taken up at the next non-official day after Government business.

The Honourable Mr. R. D. BELL: That is in the hands of the House. I am prepared to meet their convenience in that connection.

The Honourable the PRESIDENT: There is one thing I have not quite followed, namely, if the Bill is taken up at the next session, what harm would it cause to Karachi and Kirkee?

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* Appendix 1.

The Honourable Mr. R. D. BELL: I have no objection to take that course, but I merely made a suggestion in case the honourable member wanted to proceed with it as early as possible.

Mr. L. R. GOKHALE: I will move it at the next session, Sir.

The Honourable the PRESIDENT: Yes.

BILL No. XXIII OF 1932 (A BILL FURTHER TO AMEND THE CITY OF BOMBAY MUNICIPAL ACT, 1888).

Rao Bahadur S. K. BOLE: Sir, I do not wish to move my Bill No. XXIII of 1932 (A Bill further to amend the City of Bombay Municipal Act, 1888).*

BILL No. XXIV OF 1932 (A BILL FURTHER TO AMEND THE CITY OF BOMBAY MUNICIPAL ACT, 1888).

Rao Bahadur S. K. BOLE: Sir, I do not wish to move my Bill No. XXIV of 1932 (A Bill further to amend the City of Bombay Municipal Act, 1888).†

BILL No. XXV OF 1932 (A BILL FURTHER TO AMEND THE SIND INCUMBERED ESTATES ACT, 1896).

First reading.

Mr. S. S. TOLANI (Western Sind): Sir, I beg to move that Bill No. XXV of 1932 (A Bill further to amend the Sind Incumbered Estates Act, 1896)‡ be read a first time.

Sir, under the Sind Incumbered Estates Act, when a zamindar or a jagirdar in Sind comes under the protection of the Manager, Incumbered Estates, all the suits in respect to his debts and liabilities are to be heard and decided by that Manager and if anybody is dissatisfied with his decision, an appeal against that decision lies to the Commissioner in Sind, if the appeal is filed within six months and his decision is final. It has been found from experience that the Commissioner in Sind does not go into the merits of the case and generally he does not send for the parties even for discussion but decides the case in their absence. In certain cases, he does not hesitate to go against the rules which have been framed by himself under chapter VII of the Act and so the litigants do not get proper justice from the Commissioner in Sind in cases referred to him in appeal. Besides, it is undesirable on the ground of public policy to vest in the executive final appellate power in claim suits and it will be more in accordance with the principle of justice to vest in the higher judicial courts the power to hear appeals from the decision of the Manager, Incumbered Estates, and therefore I move this Bill in order that the power of appeal shall lie with the district court instead of with the Commissioner in Sind. Under the Court of Wards Act, Act I of 1925, the same Manager manages affairs under the Court of Wards Act and if any body is dissatisfied with his decision in claim suits the salvation

* Appendix 2. † Appendix 3. ‡ Appendix 4.

[Mr. S. S. Tolani]

lies with the civil court, and therefore I see no reason why the same course should not be followed in the case of decisions of the Manager, Sind Incumbered Estates, also. With these few words, Sir, I move the first reading of the Bill.

The Honourable Sir GHULAM HUSSAIN: Will the honourable member kindly quote the year in which that Act was passed—the Act under which in the presidency proper an appeal lies to the civil court?

Mr. S. S. TOLANI: I said Bombay Act I of 1925. Court of Wards Act.

Question proposed.

Mr. MAHOMED HASHIM GAZDAR (Karachi City): Sir, I rise to oppose this motion. This Act has worked very satisfactorily all these years and, if the Commissioner in Sind is not infallible, the District Judge is not likely to be less infallible. You know, Sir, the zamindars in Sind are heavily indebted, they are most of them very uneducated people, they do not know how to keep proper accounts, with the result that they are swindled by their creditors. If they have to go to a court of law, it will further enhance their debts because they will have to go through the pleaders and, perhaps, instead of being saved, they will be completely ruined. I therefore oppose any change in this Act.

SYED MIRAN MAHOMED SHAH (Hyderabad District): Sir, I first thought I might be able to lend my support to my honourable friend's Bill which, however, unfortunately had not come to my notice in the form in which it had been drafted but now that I have seen it, I am sorry I cannot give my support to it.

Now, Sir, I find that my honourable friend has only substituted the authority of the district court for that of the Commissioner in Sind. The honourable member who preceded me (Mr. Gazdar) has already pointed out that by referring the zamindars, that is the encumbered men, to the civil courts, it will enhance their troubles, both financially and physically. One thing is their ignorance, which is well known; another thing is their slender purse. Both these are handicaps to the encumbered man to resort to the remedies that the civil courts can afford. We, practising lawyers, know how much time it involves and how much expenditure has to be incurred to get redress at the hands of the civil courts. It was precisely on that ground that Government deprived the civil courts of their jurisdiction over matters coming within the purview of the Manager of Encumbered Estates.

I must say here that Government should not make the Commissioner the final authority. Government should themselves move in this matter by amending the Act to the extent of allowing an appeal to Government themselves from the decision of the Commissioner. There has been a failure of justice on account of the lack of this provision. Of course the Commissioner is not infallible, and at the same time we have to look to the past history of the management of these estates, with the absolute control of the Commissioner over them. I will be able to quote instances

[Syed Miran Mahomed Shah]

in which there has been a failure of justice, even as regards proteges of the Manager. Even the protege under the Manager has not been able to get justice sometimes. In one case I did not confine my activities to the extent of going up to the Commissioner in Sind only. I brought certain outstanding grievances to the notice of His Excellency the Governor Sir Frederick Sykes, and the reply was of the stereotyped kind, that the matter has been referred to Government in a certain department for disposal; and the department later on summarily dismissed it, arguing on the basis that the Commissioner was the absolute authority, and his authority was absolute so far as matters under the purview of the Act were concerned and they could not interfere in his decision.

I should say that though we are not prepared to lend support to the Bill of my honourable friend Mr. Tolani, there is something in the administration of this Act which requires the early attention of Government; which requires an early remedy, a remedy from the point of view of the afflicted, from the point of view of the agriculturist, to whom this Act seeks to give relief. That remedy is the provision of a second appeal to Government whenever failure of justice occurs.

Of course the volume of work is so much that the Commissioner should not be expected to know each and every detail of it. He has to act upon the notes that are submitted to him of voluminous cases put up before him from time to time; so that there is a likelihood of a failure of justice. There happen to be failures of justice even in courts of law presided over by competent judges, and therefore the Commissioner should not be considered infallible. It is simply with a view to avoid failure of justice that we would suggest to Government to move in that direction, that is, to vest Government themselves with the right of entertaining second appeals from the appeal to the Commissioner in the first instance. With these few words, I oppose the first reading of the Bill.

MIR BANDEH ALI KHAN TALPUR (Hyderabad District): Sir, I rise to oppose the motion for amending the Sind Incumbered Estates Act moved by my honourable friend Mr. Tolani. His plea is that enough justice is not done to the creditors. Sir, from experience I find that the present system is working quite effectively, and I do not find any fault in the machinery of the present system. After all, the man who seeks the protection of the Manager of Incumbered Estates is a man who somehow or other, through his own fault perhaps, has incurred heavy debts, and the procedure of the civil courts is rather very lengthy. I think the real object of the Act will be lost sight of if, as the honourable mover of the Bill wants it, the District Judge is substituted for the Manager of Incumbered Estates, because in many cases the disposal of the civil suits takes a very long time; in some instances they carry on for years and years. When any matter is referred to the Manager of Incumbered Estates as regards the debt which is incurred by a man who comes under the protection of the Manager, the Manager himself calls the parties and tries to settle their differences, and I do not suppose that after examining

[Mir Bandeh Ali Khan Talpur]

the accounts which are submitted before him by the creditor much harm is done to the creditor. In many cases he is satisfied. In the event of any dissatisfaction, he appeals to the Commissioner in Sind, and the Commissioner in Sind himself looks into the matter properly and tries to see that justice is done to the party concerned. I do not think therefore that my honourable friend Mr. Tolani should press for the amendment of this Act, which is working quite satisfactorily. With these words, I oppose the motion for the first reading of this Bill.

Mr. L. R. GOKHALE (Poona City): Sir, this is a matter which concerns Sind. There is a principle involved in this Bill, and it is this, whether in the matter of estates managed by the Manager of Incumbered Estates in Sind, the powers of appeal should be vested in the revenue authorities or in civil courts. That is the principle which this amending Bill involves. I do not think anybody will say that justice, certainly in technical matters, is or can be had with equal efficiency and convenience from a revenue officer as from a judicial court. It will be seen from section 31 of the Act that appeals are allowed against orders passed under sections 14, 15, 16 and 22. These four sections contemplate certain orders being passed on application by the Manager, and upon those orders the Commissioner is vested with this power of appeal. Now, section 14 deals with claims not duly notified, and they are to be barred. Now, that question is a very important one. When notice is issued, it may very likely happen that the persons concerned may not be on the spot, and it may not be possible to produce or notify the claims in time, and a judicial officer will be in a better position to consider the justification for not notifying the claims in time. Section 15 deals with the determination of debts and liabilities. Now, will a busy Commissioner —and we know that Commissioners are very busy—have sufficient time and leisure to determine the liabilities and debts? Will he go into the intricacies of law and arrange the grades, the times and so on? Then section 16 deals with the power to rank debts and to fix interest. All these more or less are functions of a judiciary. I do not really see why this Act provides that this should be determined by an executive officer of the Government.

Whatever the reason may be, Sind has now certainly approached manhood; not only that, but it is going to be a separate province with its own Governor, and I believe it ought to be meted out treatment which the Presidency proper gets. In the Presidency proper the court of wards is of a similar nature as the manager of encumbered estates in Sind, with some slight difference; this is not the time when I can deal with this difference. I would point out that even in the court of wards there are powers vested in the judiciary after certain functions are exhausted by the Collector. The principle, therefore, as laid down in this amending Bill, is one of wider application and it is better that honourable members from Sind should very gladly take up the question as put forward in the Bill.

Mr. SHAIKH ABDUL MAJID: They are opposing the Bill.

Mr. L. R. GOKHALE: I find, on the other hand, that they are opposing the Bill. One honourable member has put forward his reason for opposition rather in a queer way. He suggests to the Government that they should amend the Act in important matters. That may or may not be so. We know that Government are busy with other matters and that they hardly get time to deal with such enactments and in proper time. We have now got an opportunity to do so, and if the Bill is allowed to go to select committee, whatever suggestions honourable members from Sind have to put forward may be put forward in the select committee, if we accept the principle that an executive decision should be open to an appeal to a judicial officer and not to a revenue or other executive officer. That is the point that is involved in this Bill.

The next point is, I do not know what is the method, what is the usual arrangement in Sind when the Commissioner is on tour. The Commissioners have to be on tour for a major part of the year outside the central places. Therefore, in Sind generally the parties, the agriculturists and others, will have to run after him. That is not a very convenient procedure. In fact, if the Commissioner is being burdened with heavy duties, this is another burden to him. Generally, my experience is that the revenue authorities do not think that these matters are of equal importance with their revenue duties. That is the general feeling. Of course, it may be right or it may be wrong. Considering all these points, I believe that the Bill should go through the first reading on the principle that has been mentioned by me and in the statement of objects and reasons. In the select committee we may see what further amendment will be necessary. With these words, I support the first reading of the Bill.

Mr. A. N. SURVE (Bombay City, North): Sir, I support the first reading of this Bill. You will notice, Sir, that this Act was originally passed in the year 1896. After that it has been amended only once, in the year 1906. That means that for over a quarter of a century the Act has been lying without a revision on the statute book. During this period of a quarter of a century and over, many things have improved, and even backward Sind has certainly made certain advances, and in view of the fact that there is a prospect of Sind being separated and a new state of affairs coming into existence there, it is necessary to see that the inhabitants of Sind are likely to get justice under the altered circumstances. As a matter of fact, it has been already stated that the executive officers, who are pressed with other administrative matters, have not that leisure and patience to go through all the technical and difficult points involved in a case. They have a sort of rough and ready way of dealing justice. Generally what happens is this: all the papers, when they are placed before the Commissioner, are gone through by his assistant, who puts up a note, on which the Commissioner passes his orders. But in a court of justice, all the matters are placed before a judge. He applies his judicial mind to them. There are two sides and both sides place their viewpoint before the judge, and there is judicial discretion. All these things contribute to justice being properly done but they are absent under procedure laid down under this Act.

[Mr. A. N. Surve]

Again, Sir, it will be seen from the first part of the Act, I mean the preamble, Sir. It reads as follows :

"Whereas it is expedient to amend the law providing for the relief of jagirdars and zamindars in Sind ;"

It will, therefore, be seen that this particular piece of legislation was at one time passed to protect a certain class, and it is necessary now to see whether that class as a whole still requires that protection. I think that if the House consents to pass the first reading, the Bill will be carefully considered in the select committee, and the Act will be amended in consonance with the spirit of the present-day progress. For these reasons, I support the first reading of this Bill.

Sardar BHASAHEB RAISINHJI, THAKOR OF KERWADA (Gujarat Sardars and Inamdars) : Mr. President, I do not like the change in the Sind Incumbered Estates Act contemplated by this Bill. The reason is very obvious. This Act is similar to the Talukdari Estates Act that we have in the Presidency proper, for the protection of the talukdars. It appears to me that although a District Judge is the highest tribunal of justice in the district, he has not got the same facilities as a revenue officer or executive officer to come in contact with the persons concerned and know more about the management of these estates. Invariably, the management of a property is taken up under the Sind Incumbered Estates Act at a juncture when there is heavy indebtedness, or the owner of the property is a minor. I think the touring district officer, even the Commissioner and the Collector, who are in direct contact with that locality, who have got subordinates on the spot, is a much better agency to manage the affairs of encumbered estates than the judiciary. Besides, the two honourable gentlemen who preceded me looked at the question from the angle of vision of lawyers ; but the fact is that this Act was brought into existence for the benefit of holders of incumbered estates and zamindars. The scheme of the Act is so arranged that great benefit will accrue to the zamindars. The House should look at the question from that point of view. I for one strongly hold the view that the Commissioner, who is invariably a senior officer, is the most competent person to look after their interests. Therefore, I oppose the Bill.

3-30 p.m.

Mr. G. S. GANGOLI (Kanara District) : Sir, I support the first reading of this Bill. My reason is simple. Either the present system is as good as might be desired or there is some defect in it. According to the honourable member Syed Miran Mahomed Shah, there is some defect. He said that though he approached the Government he could not get redress for his grievance. So, the present system requires improvement. I do not see why Government should be approached and requested to bring a piece of legislation when an honourable member has brought one before this House. It will be so much waste of time and energy. If there is any defect in the present Bill it can be set right in the select committee. The necessity for an amendment of the existing law has been proved by no less a member than Syed Miran Mahomed Shah. I therefore support the first reading of the Bill.

Mr. BHAILAL SARABHAI PATEL (Ahmedabad District): Mr. President, after hearing all the speeches, I feel it my duty to support the first reading of this Bill. We are now on the eve of a second Reform and it is a question of principle. While going through the Act hastily, I find it is an insolvency measure particularly applied to big estates, the smallest one of which must have revenue assessment of Rs. 300 on an average of five years. The debts of such an estate have got to be liquidated under a scheme contained in the Act from the initial stage up to the quota of distribution. All this has to be done by the Manager. But we are here concerned with the right of appeal. The question is whether that appeal should be to an officer who has little time because of his other duties,—I do not know what conditions prevail there,—or whether it should be to a judicial officer. This is the only small point involved. I do not understand how the estates or, for the matter of that, the departmental convenience will suffer, if the venue of appeal is changed from the Commissioner to a regular court. Whatever the extra expenditure involved in such a procedure to the estate, we all know what greater satisfaction would it be to the litigant, though he has already proved his claims with all the materials before a revenue officer who has considered them very carefully, to have them reconsidered by a judicial officer in a judicial way. Of course, there are a number of lawyers who are against this amendment. But the principle of the Bill is very good and it makes no great change which would strike at the root of the whole scheme of the Act. All the original proceedings are to be done by the Manager. Then only there is the venue of appeal to a judicial court. Therefore, I strongly support the first reading of this Bill.

Khan Bahadur A. E. PATEL (Northern Division): Sir, I had no intention to speak on this Bill. But after listening to the speeches of some of my honourable friends, and particularly of my honourable friend Mr. Bhailal Patel, of Ahmedabad, I am tempted to speak. Of course, I do not support the Bill. I beg to differ from the views expressed by them. My particular reason is this. The Act, as it is, is meant to give easy and speedy relief to incumbered estates. If the procedure is changed by changing the venue of appeal from the Commissioner to the District Court, the delays in disposal of civil suits are notorious indeed and it will become a very difficult procedure for those who are already immersed in debts and who therefore cannot afford to wait so long. Then again, if the appeal is to lie to the District Court, instead of to the Commissioner, we have ordinarily to pay stamp duties. I do not know whether the honourable member Mr. Tolani contemplates an appeal to the District Court without stamp duty being paid, as we do in the case of civil appeals. This stamp duty will be particularly very heavy in the case of those who are already incumbered. They will not be able to pay such heavy duties and will not possibly be able to take advantage of the same. This Bill will, therefore, frustrate the very object of the Act, if passed into law.

Rao Saheb B. G. DESAI (Kaira District): Sir, I support the first reading of this Bill. My honourable colleague from Broach desists from

[Rao Saheb B. G. Desai]

giving his support to the Bill on the ground of stamp charges. I would point out to the honourable member that there is no question of stamp duty here. The District Judges have been hearing many special petitions, revision applications of similar nature presented on a court fee stamp of only eight annas and the same procedure can be followed in the case of appeals under the Sind Encumbered Estates Act. Another fear he has expressed is that the course of litigation in a civil court will be lengthy. In case of original suits the fear expressed by him may be true and may have some weight but as far as appeals are concerned, the fears of lengthy procedure are clearly chimerical and unfounded. On the whole the object and principle of the bill are quite sound and laudable and therefore I support the first reading of this Bill.

Khan Bahadur A. E. PATEL: Is there any special provision for avoiding the ordinary court fees?

Rao Saheb B. G. DESAI: If any such amendment is deemed necessary in this behalf it can be suggested at the second reading. The first reading is only concerned with the principle of the Bill.

Mr. SHAIKH ABDUL MAJID (Karachi District): Sir, I rise to oppose the first reading of this Bill and I would make an appeal to this honourable House to give their serious consideration before coming to the decision of supporting my honourable colleague Mr. Tolani who has brought the amending Bill. I am sorry I do not possess the copy of the Gazeteer of the Province of Sind with me. Otherwise, I would have been able to quote from it what necessitated the passing of the Sind Incumbered Estates Act. When it was found through long experience that a great injustice was being done to the agricultural community and that the superior intellect got the upper hand in matters which are left to the civil courts, Government themselves felt the necessity in order to protect the illiterate agricultural community from the clutches of ingenious creditors by enacting this measure. I am surprised to find that my honourable friend Mr. Gangoli, who often sheds tears over the condition of the agricultural community in the Kanara district, and some of my honourable friends who cry hoarse and cry aloud about the ruined condition of the agricultural community now think it prudent and necessary to support the measure which, I am sure, if passed into law, will result in the ruination of the agricultural class.

Mr. L. R. GOKHALE: Are the Jahagirdars and Zamindars poor?

Mr. SHAIKH ABDUL MAJID: It is true that they are Jahagirdars and Zamindars, but only those who pay land revenue to the extent of Rs. 300 can benefit by this Act. In certain cases, when the estates are incumbered, it becomes impossible for the owner or for the heir to settle his debts and he approaches the Manager of the Sind Incumbered Estates and the Commissioner in Sind for protection, and both these officers take the measures to pay the claimants in convenient instalments the debts that they may be able to prove before the Manager or before the Commissioner in Sind. This being the case, when the

[Mr. Shaikh Abdul Majid]

agriculturists in Sind are already indebted to the extent of several crores of rupees,—more than 17 crores of rupees in Sind alone,—I should have expected this honourable House to come up with a measure for wiping out the debts or at least for suggesting schemes for enacting a measure which, if on the one hand should do justice to the creditors, should at the same time prove a sort of mercy to the debtors also. Instead of doing that, my honourable friend has come with an amendment which will really do more harm to the agricultural community and deprive them of the little benefit they are able to get by resorting to this particular protection. I may also appeal to Government that the Sind agriculturists have been expecting, since a very long time, that Government would enact some measures so as to protect them against the devices of the creditors and to help them materially in the way of enabling them to wipe out their debts as easily as they can. And they have already a grievance against the Bombay Government in regard to this negligence on the part of Government. From time to time, Banking Enquiry Committees and other committees, and commissions have made recommendations for the protection of the agricultural community, but very little substantial has been done in that direction and I expect that Government will not be a party to a measure which is bound to affect the agricultural classes very severely and very badly. On the contrary, I expect that they will oppose this Bill. If I were to persuade my honourable friend Mr. Tolani, I would impress upon him that it is no joke to prove a case in a civil court so easily as some of the claimants are able to do before the Manager, Incumbered Estates. A civil suit sometimes last for several years and it oftentimes ruins the parties that are involved in it——

Dr. M. K. DIXIT: You are talking about appeals only.

Mr. SHAIKH ABDUL MAJID: Even in matters of appeal, any court that has to go through claims of creditors against an agricultural debtor will have to go through a good deal of documentary evidence and it will take some time before it will be able to give its judgment on the dispute. As has been stated by my honourable friend the Thakor Saheb of Kerwada, the revenue officials are more in touch with the agricultural community and it saves time to refer such agricultural disputes to them. I think it is in the interests of both the creditors and the debtors that this Act was enacted. You cannot show a single clause from this Act which can prove that the creditors will not receive justice at the hands of the Manager or the hands of the Commissioner in Sind. Looking to the existing condition of the agricultural classes, in these days particularly, I hope no such measure will be passed which will fall very heavily upon them, and with these words, Sir, I oppose the first reading of the Bill.

Rao Bahadur G. V. PRADHAN (Nasik District): Sir, looking to the Act itself I fail to understand as to why there is so much hue and cry against the proposal that has been made by my honourable friend Mr. Tolani. It has been stated by the last speaker that the 'poor'

[Rao Bahadur G. V. Pradhan]

agriculturists will suffer if the district court is appointed the appellate court. First of all, this Act XX of 1896 does not at all apply to any poor agriculturist. It gives the class of persons to whom alone it applies, and by section 2 of the said Act it applies only to jagirdars or zamindars who pay assessment of not less than Rs. 300 a year.

Coming to the Deccan, if my honourable friends were to look at the agriculturists of the Deccan, they will find that there are very few landlords who pay Rs. 300 a year as assessment and that there are many who pay Rs. 5, Rs. 10 or Rs. 15, but as soon as the man pays Rs. 32 or Rs. 35, he is looked upon as a rich landlord. If these really poor agriculturists of the Deccan are satisfied with the decisions of the civil courts under the Deccan Agriculturists' Relief Act and if they are given the necessary concessions by way of instalments, by way of going into the previous history of the accounts, by way of not allowing interest which exceeds principal and so on, I fail to understand as to why the honourable members from Sind who call themselves 'poor' agriculturists are so much afraid of the decisions by way of appeal given by the district judges. In the first instance, the Manager, Incumbered Estates, will enquire into the case. He will also go into all matters which the zamindar may put before him. The Manager will be in a better position to understand the whole situation and will give his decision; and it is only after that decision is given, if the other party—not the jagirdar or the zamindar—is dissatisfied, he will go in appeal. If he goes in appeal, he will pay the stamp duty if at all stamp duty has to be paid even if the decision of the civil court or the district judge shall be against the agriculturist 'the zamindar or the jagirdar.' On the contrary, if at all we have learnt anything under this British rule, it is to have faith in justice, both in civil and criminal courts, where, on the sessions judges we depend for our justice. We do not rely upon the revenue authorities so much as upon the civil courts and particularly the district courts. If our faith in justice is to continue and if our brothers in Sind, whether they be jagirdars or otherwise, are to be taught to retain full faith in justice, I do not see any reason whatever why a district judge should not be called upon to decide the case in appeal. The question whether it would really take a long time or not is comparatively simple. In election cases, as one honourable member said, the petitions are disposed of in less than a month or, at the most, two months. If a special provision could be made that cases of appeals under the Act should be decided in, say, three months, I think that would not be a long period. But if any party amongst the population of Sind has reason to feel that he has not been justly dealt with even in a single case, that fact in itself proves that ultimately the law courts must be open to him. Law courts have been closed in certain special cases but these privileges have taken the form of certain important administrative measures taken by Government and which measures cannot be challenged in civil courts, but what is here to be decided? Here the only question that has to be decided is as to whether a particular decision between a creditor and a debtor given by the Manager is good or bad, whether it is proper or

[Rao Bahadur G. V. Pradhan]

not. If that is the only question to be decided, I should think that the civil courts or the district courts in Sind would be the only proper authorities to decide that question. The revenue authorities are not accustomed to decide such questions, and as we know, all such questions in the presidency proper are discussed and decided by the civil courts alone. If that is so, and if in the presidency proper, in cases under the Court of Wards Act it is the civil court which decides such questions, if under the Deccan Agriculturists' Relief Act it is the civil court again which decides such questions, I see no danger or anything of the sort about which my honourable friends from Sind should be afraid or as to why they should be afraid of the decisions of the district judges or even for the matter of that, of the decisions of the Judicial Commissioner in Sind. The appeals to the Revenue Commissioner in Sind would be more or less only formal. We, lawyers, know what disposition the Commissioner makes of them. The Commissioner's decision is always or usually given in a printed form, in which the Commissioner says that "the appeal is summarily rejected". We, lawyers, are accustomed to receiving such sort of decisions given by the Commissioners in appeal cases. Are such decisions sufficient to satisfy any one who gets dissatisfied with the judgment of the Manager, Incumbered Estates, and should such dissatisfied party not get a hearing, a proper judicial hearing, in a civil court? I think the cause of justice would be best served if an appeal to the district court were to be provided and for the matter of that, second appeal might even lie to the Judicial Commissioner in Sind. For all these reasons, Sir, I support the first reading of the Bill.

Mr. S. S. TOLANI (Western Sind): Sir, I am sorry that the question has taken a communal turn——

Honourable MEMBERS: Certainly not.

Mr. S. S. TOLANI: I am sorry, Sir, that my Mahomedan honourable friends have taken the stand that this involves communal matters——

Khan Bahadur A. E. PATEL: No, Sir, this is not a communal viewpoint that we have taken. There is a similar Act in force in Gujarat, called the Gujarat Talukdars' Act and there is no question of Mahomedan or Hindu in regard to this Act and in fact there are many Hindu talukdars and exactly the same provisions are applicable in both cases. There is no question whatever of Hindu or Muslim in regard to the working of this Act in Gujarat. There is also no appeal provided to any civil court.

Mr. MAHOMED HASHIM GAZDAR: Sir, I also object to the word "communal" used by my honourable friend Mr. Tolani.

The Honourable the PRESIDENT: Will the honourable member Mr. Tolani proceed?

Mr. S. S. TOLANI: The honourable member Mr. Gazdar pointed out that the zamindars of Sind are uneducated and that they are being swindled, and that therefore it is necessary that these zamindars should get protection. I do not know, Sir, whether the zamindars are being

[Mr. S. S. Tolani]

swindled or whether they are uneducated. On the contrary, I should think they are quite capable of managing their affairs. I do not desire to do away with the Act or to do anything which might be harmful to anybody, and all that I am demanding from the honourable House is that the power of appeal should lie to a competent court, whether it is the ordinary civil court or the district or the Judicial Commissioner's court or whatever it may be. As some of the honourable members have suggested, a select committee may be appointed to go into all these questions and I am quite agreeable to adopting that course, and so I would merely suggest at this stage that the first reading may be passed.

My honourable friend Mr. Miran Mahomed Shah said that he would have supported my Bill but for certain difficulties. He has indirectly supported my bill and pointed out that there has been a failure of justice in many cases by the Commissioner in Sind in deciding these appeals. He suggested that if the party is dissatisfied with the decision of the Commissioner in Sind, a second appeal might lie to the Government or that the Government should be the final authority to hear those appeals. That is exactly my grievance that the Commissioner in Sind does not give proper justice and looks at the matter from only the administrative point of view. He decides the matter *ex parte*, and in almost all the cases upholds the decision of the Manager, Incumbered Estates. And what is the grade of the Manager, Incumbered Estates? He is selected from the rank of Deputy Collectors. He is invested with so many powers under the Act that it is only fair in these modern times that the principle of my Bill should be accepted. I am very thankful to my honourable friends from the presidency who have taken the right course in lending their support to my Bill.

My honourable friend Mr. Shaikh Abdul Majid said that it will cause a great deal of expense and there will be delay in the disposal of the matter if it is referred to the Court in appeal. But, Sir, I would point out to my honourable friend that in an appeal I do not think there is any stamp duty to pay. An appeal can be filed on an eight-anna stamp, and there will be no delay in getting justice, because no witnesses are to be examined in appeal; only the judge will hear both the sides and give his decision.

4 p.m.

Sardar BHASAHEB RAISINHJI, THAKOR OF KERWADA: On a point of information. In the case of an appeal to a judge, would it not be necessary for both the parties to engage lawyers?

Mr. S. S. TOLANI: Now also as the present law stands in the case of appeals to the Commissioner they do engage pleaders. But sometimes he decides the matter without hearing the pleaders.

My honourable friend Mr. Shaikh Abdul Majid pointed out that there is no section in the Act which is prejudicial to the creditors, but I may inform him that in many cases the debts due to the banks are not being recognised by the manager, because he knows that he can safely reject the claim as there is no appeal against his order excepting to the

[Mr. S. S. Tolani]

Commissioner in Sind, who as I have said, does not go into the details of these claim suits regularly like a court.

If we have the Judicial Commissioner instead of the Revenue Commissioner, as an appellate authority, I think proper justice will be done, and therefore I would appeal to this honourable House to look at the question not from communal or any other considerations. If they do that, I feel sure that they will come to the conclusion that it is the best method of getting proper justice if the final appellate power is invested in a high judicial authority. Sir, we would not mind even if the Government were agreeable, if they are not in agreement with my proposal, to provide that an appeal should lie to them.

The Honourable Sir GHULAM HUSSAIN : Mr. President, the original object of this Act was to give rough and ready justice to the agriculturists who were being entirely ruined by the moneylenders of Sind. Sir, all my lawyer friends have been waxing eloquent during the last three days and posing—they will excuse me for using the word—as the best friends of the agriculturists saying that all sorts of concessions ought to be given to the agriculturists. Now, they want to make a distinction; they do not want to give concessions to the agriculturist in Sind. Today it suits them to turn round and give up all their anxiety for the agriculturists if the latter pay Rs. 300 assessment.

Mr. S. S. TOLANI : I do not think Rs. 300 assessment is a small amount.

The Honourable Sir GHULAM HUSSAIN : Sir, my honourable friend pays more than Rs. 300 assessment and yet when the motion for the reduction of the assessment comes on for discussion I am sure he will jump up and say "I am also entitled to that benefit." But today he does not want to save his own people from the clutches of moneylenders.

Mr. S. S. TOLANI : Only very big zamindars, jagirdars, who pay thousands as assessment are accepted under the protection of the Manager.

The Honourable Sir GHULAM HUSSAIN : The limit proposed is Rs. 300 and more.

Mr. S. S. TOLANI : I do not think moneylenders ask for such protection ?

The Honourable Sir GHULAM HUSSAIN : There is the definition.

Mr. S. S. TOLANI : I know the definition. But the Manager does not accept small zamindars paying about Rs. 300 or a little more under his protection.

The Honourable Sir GHULAM HUSSAIN : My honourable friend who pays more than Rs. 1,000 as assessment ought to be the last man to come forward——

Mr. S. S. TOLANI : In a civil court is a distinction made between the man who pays a little less assessment and the one who pays a little more ?

The Honourable Sir GHULAM HUSSAIN: I am coming to that. No doubt if we allow an appeal, it will create more work for the lawyers. I do not deny that.

An Honourable MEMBER: Not for the Bombay lawyers.

The Honourable Sir GHULAM HUSSAIN: No. It will create more work for the Sind lawyers and it will greatly benefit the money-lenders who have plenty of money and can employ the best lawyers. On the other hand the zamindar is a poor man who has no money; he is under protection and the manager gives him a pittance to live on till his debts are wiped off.

Now, Sir, the object of the Sind Incumbered Estates Act was to create a court which would be impartial, equitable and inexpensive. Will appeals to the District Court be inexpensive?

Mr. L. R. GOKHALE: There is no stamp duty.

The Honourable Sir GHULAM HUSSAIN: Look at the expense that will be involved. They will have to engage lawyers and the lawyers are not going to work for the man free, whether he pays an assessment of Rs. 200 or Rs. 300. Even, Sir, some of the lawyers, when they talk in this honourable House—they will excuse me for saying it—talk much more on matters which affect them than they talk about the court-fees and stamp duties that these poor people have to pay.

Now, Sir, another argument was advanced by my honourable friend opposite to me (Mr. A. N. Surve). He said this is an old Act of 1896; therefore it ought to be amended without rhyme or reason. On the contrary, I say that when this Act has worked very well for so many years there is no necessity of amending it.

Another argument that was advanced was that Sind is now going to be separated and therefore we the Bombay legislators should amend this Act. Why should they be so anxious about Sind? Let Sind be separated and it will look after itself.

I have very great respect for the legal acumen of my honourable friends Mr. Gokhale and Rao Bahadur Pradhan. What do they say? They say that the principle is a simple one, namely, that for purposes of appeal a judicial officer is to be substituted for an executive officer. May I ask them does the manager of encumbered estates give a judicial decision? He does not adopt the procedure of a civil court. If he were adopting such a procedure there would have been very great force in the suggestion that in appeal the procedure of the Civil Procedure Code should be adopted. The manager is a semi-judicial tribunal—an administrative tribunal I might call him. Had there been a judicial decision there would have been great force in the contention that it ought to be subject to appeal to a judicial authority. But he is not a judicial authority and therefore there is no necessity of allowing an appeal to a judicial court. What will be the result if we allow it? The poor man will have to spend more. Even in District Courts we know how long it takes to dispose of civil suits. Very few of the judges like to occupy themselves with civil cases and such cases have been pending everywhere for a number of years. The manager observes none of the

[Sir Ghulam Hussain]

provisions of the Civil Procedure Code or of the Evidence Act. Ultimately there is the Commissioner who is in the best position to decide these matters. In this connection I may tell my honourable friend Syed Miran Mahomed Shah that any man who is not satisfied with the decision of the Commissioner in Sind can apply in revision to the Government of Bombay. The Government of Bombay have revisionary powers.

Mr. S. S. TOLANI: Where is that?

The Honourable Sir GHULAM HUSSAIN: Though it is not provided in the Act, the Commissioner is a subordinate of the Government of Bombay.

Mr. S. S. TOLANI: Does it say that there shall lie any appeal against the decision of the Commissioner?

The Honourable Sir GHULAM HUSSAIN: I said, revision, not appeal.

Mr. S. S. TOLANI: I doubt if Government can do it.

The Honourable Sir GHULAM HUSSAIN: Yes, Government have the power of revision. So honourable members who are friends of the agriculturists——

Mr. M. M. KARBHARI: I am a friend of the agriculturist, and I want to know from Government whether a creditor under this Act will ever be prevented from getting redress from the civil court. That is the only information I want. Without going to the manager or to the Commissioner for the recovery of his debts, would any creditor, in the event of his not being able to recover the money from the estate, be prevented from going to the civil court?

Mr. S. S. TOLANI: He is absolutely barred.

The Honourable Sir GHULAM HUSSAIN: As soon as a man comes under protection, it is the manager who has to decide.

Mr. M. M. KARBHARI: He is prevented from going to the civil court.

The Honourable Sir GHULAM HUSSAIN: Yes. Before he comes under the protection of the Act, he can be proceeded against in a civil court.

So, Sir, by the proposed Bill, we are introducing an expensive machinery instead of the inexpensive machinery that exists, and we are also introducing the delays, the oppression and other evils that result from the civil courts. The cases will go on for a number of years. There will be first appeal, second appeal, third appeal and so on, and by the time the case finally ends, the agriculturist whom Government want to protect against the moneylender will be completely ruined. So, I trust honourable members will reject this Bill.

Question put, and negatived.

BILL No. X OF 1933 (A BILL TO REGULATE THE RENTS OF PREMISES IN THE BOMBAY PRESIDENCY).

First reading.

Mr. R. R. BAKHALE: Sir, I beg to move that Bill No. X of 1933 (a Bill to regulate the rents of premises in the Bombay Presidency) be read a first time.*

It is not, Sir, without a feeling of nervousness that I rise to move the first reading of this Bill. I am possessed of that feeling, not because I entertain any doubt about the justness of the cause which I am privileged to serve through this Bill, but because I fear that I have undertaken a responsibility which, in the absence of adequate resources at my command, I may not be in a position to carry out efficiently. Indeed, Sir, I consider that this is a kind of legislation which Government alone can pilot with thoroughness and efficiency. But I assure this House that I have not introduced this Bill in a moment of rashness. All of us who felt the necessity of a rent review waited long enough for a move to come from Government. When we were disappointed, it was considered desirable to make a private effort. I am, however, inclined to think that Government's reluctance to introduce the Rent Bill does not necessarily mean that they are hostile to it. There are measures which, for reasons of policy, Government may not like themselves to introduce. But they may not mind if others do it and carry them through. I sincerely trust that this is one of such measures, and I hope that Government would be sympathetic to this Bill, and that if they unfortunately find themselves unable to lend their active support to it, they will not go to the length of putting their whips on when the Bill goes to the division.

I hope, Sir, that I am correct when I say that the main principle underlying this Bill is that there should be regulation of rents of premises in the Bombay Presidency.

The Honourable the PRESIDENT: I have not followed that.

Mr. R. R. BAKHALE: I said that the only principle underlying this Bill is that there should be a regulation of rents of premises in the Bombay Presidency. I believe that the House will be committed only to this broad fundamental principle and to nothing else if it passes the motion now under discussion. The manner and the method of the regulation of rents, the extent to which they should be reduced and the premises to which this Bill should apply, that is to say, whether the scope of the Bill should be restricted only to premises which fetch rents below a certain minimum such as that I have indicated in clause 1 of the Bill—these are all matters of details which can be settled at the subsequent stages of the Bill. I am emphasising this aspect of the question in the very beginning of my speech because it is possible that circumstances may have altered since the Bill was first drafted in 1931 and because I am anxious that the points I have just enumerated should be adjusted, wherever necessary, to changed circumstances. If, for example, it is proved during the course of discussion or in the Select Committee to which, I hope, the Bill will be referred, that the tenants occupying

* Appendix 5.

[Mr. R. R. Bakhale]

premises fetching a certain minimum rent which may be less than that laid down in the Bill, require no protection of the law either because the rents have gone down or because the law of demand and supply has operated itself, I am willing to meet such cases. If, again, it is shown that since this Bill was drafted, rents of certain class of premises have gone down and that, therefore, a reduction of 25 per cent. in rents over what they were on the 1st of January 1930, is unjustifiable, I shall be only too glad to consider such cases as well. I want to assure all the honourable members of this House, and particularly those who represent landlords and other capitalist interests, that I do not want to be harsh on anybody. What I am anxious about is to lighten the distress of the middle classes and the working classes which form a vast majority of the population; and I feel confident that this anxiety is shared by the honourable members of this House.

I do not think, Sir, that it is necessary for me to deal in the year 1934 with the question of State intervention in the matter of controlling rents of premises in abnormal times. That question has been discussed times without number in previous years and I believe that the principle of State intervention has been fully established. A battle royal on this principle had been fought within the borders of this Presidency during the Rent Bill days of 1918; and it can be safely asserted that the Government of Bombay, the Bombay Legislative Council and the Municipal Corporation of Bombay have stood committed to this principle. The Honourable Mr. Carmichael who piloted, on behalf of this Government, the Rent Bill of 1918 in the Bombay Council, emphasised that the principle of State intervention had long been established. Mr. P. R. Cadell, a distinguished Member of the Civil Service, who was then an official member of this Council, laid it down as a fundamental principle that "without any subscription to the principle of Socialism we must all agree that there are certain commodities such as land, air and water which all the subjects of the Crown if they have a right to live, have a right to share and which cannot be allowed to be cornered or exploited beyond a certain point"; and you will be surprised to know, Mr. President, that in support of this statement, Mr. Cadell enthusiastically quoted a passage from Mr. Lloyd George's famous Budget speech of 1909. One of the back benchers of those days who, I am glad to say, today occupies a foremost position as the Leader of this House was a warm supporter of the principle of State intervention and cordially supported the Rent Bill of those days. So did another member of this House who was as distinguished and conspicuous in those days as he is today —I mean my honourable friend, Mr. Kamat. The only hard nut which could not be cracked then as it cannot, I am afraid, be cracked now, that I have been able to detect during the fight on the principle of State intervention, is my honourable friend, Mr. J. B. Petit. But even he the champion of exploded economic theories succumbed, I am glad to say, to the exigencies of the situation when he wrote in his minute of dissent to the Rent Act Committee of 1921 thus:—"But if ever there

[Mr. R. R. Bakhale]

was any justification for this measure (i.e., the Rent Bill), it was perhaps only on two main grounds, viz., firstly, the temporary character of Act.... and secondly its application to the very poor." May I hope, Sir, that if my honourable friend is satisfied on these two grounds now when theories of economics have much more advanced than when he wrote his minute he will again succumb to the same exigencies of the situation and acquiesce in the passage of this Bill? But, Sir, as against Mr. Petit I have an equally weighty, if not weightier, authority belonging to the same fraternity of industrialists. In his minute of dissent to the report of the Committee appointed by the Bombay Corporation in 1918 to consider the question of high prices and house rents in Bombay City, my distinguished friend, Mr. H. P. Mody, the present Chairman of the Bombay Millowners' Association, in emphatically stating that relief to people with fixed income and leading a certain standard of life was necessary, said :—

"Some members seem to think that the poor down-trodden landlord was a much abused individual who was sought to be robbed of his just dues by those who wanted to turn philanthrophists at other people's expenses. There was a feeling that it is a question of demand and supply and that a general restriction on the landlord's right to dictate his own terms was unjustified and uncalled for.....For my part, in common with a large number of people, I welcome generally the measures which Government propose to take to check a condition of things which was fast developing into a crisis."

Lastly, Sir, I desire to quote another authority whose constitutional and legal knowledge was never disputed when it was alive and which once occupied the exalted office which you, Sir, are occupying today. Presiding over a monstrous public meeting of the citizens of Bombay which was organised to support the Rent Bill of 1918 and at which my honourable friend Mr. B. S. Kamat was present, Sir Narayan Chandavarkar said as follows on 12th of March 1919 :—

"The main argument advanced by its opponents (i.e., the opponents of the Bill) seems to be that it unduly interferes with the sacred rights of property and that it violates the legal maxim—'the Englishman's house is his castle.' But it must be remembered that the legislative policy of more or less all civilised countries has been moving these fifty years in the direction of the principle that labour is the touch stone of property and ownership, especially with reference to land and building and that all profits which accrue to property from abnormal causes independent of the labour of their owner, are subject to the regulation and control of the Government in the public interest. In short, the right of the State to control such profits rests on the law of unearned increment..... Property is sacred because and only so far as the labour spent for and on it is sacred... Labour and labour only makes the landowner and his rights."

The Honourable Mr. R. D. BELL: May I know whether the honourable member is quoting Sir Narayan Chandavarkar or his own opinion? It is not clear.

Mr. R. R. BAKHALE: I have quoted Sir Narayan Chandavarkar. Now I am speaking for myself.

[Mr. R. R. Bakhale]

I have quoted these authorities not because I wanted to refresh the memories of such of them as are fortunately with us today but because I wanted to emphasise that the principle of State intervention underlying this Bill had been discussed threadbare in this Presidency and had been accepted by all responsible bodies and men. If I succeed in proving, as I hope to do, to the satisfaction of this House that the economic crisis which forced Government to resort to rent legislation immediately after the war, has arisen now and deserves to be tackled in the way in which it was tackled fifteen years ago, I think I shall have made out a case in favour of State intervention and of my Bill.

Among the grounds that were advanced by Government when the rent legislation of 1918 was introduced, the following were most important: (1) Insufficiency of housing accommodation; (2) influx of more population in Bombay city; (3) enormous rise in rents; and (4) the fact that rents used to absorb most of the rise in wages. If, Sir, I show that these causes operate today, though some of them may exist in different form, will it be too much to expect that I have made out a case which should command the respect of Government and force out their support for this Bill? I hope to place before this House a few additional grounds as well in support of the Bill. But let me first take the grounds on which Government of those days based their case for legislation.

Sir, as I have already said, the first rent legislation was enacted in 1918; and whatever conditions in respect of insufficiency of housing accommodation and increase in population existed then, must have been reflected in the 1921 census. If a comparison is made between the 1921 and 1931 census figures, it will, I believe, clearly show whether any improvement in the housing condition has or has not taken place.

The Honourable the PRESIDENT: May I interrupt the honourable member? Is he likely to take a long time?

Mr. R. R. BAKHALE: Yes, Sir.

The Honourable the PRESIDENT: The House is now adjourned to 10 o'clock, to-morrow, Saturday, the 24th February 1934.

No.1 Bk Hb 149—5

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Saturday, the 24th February 1934.

The Council re-assembled at the Council Hall, Bombay, on Saturday, the 24th February 1934, at 10 a.m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present:

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr. A. B.
ADVANI, Mr. P. B.
AMINUDDIN, Mr. SAIYID
ASAVALE, Rao Bahadur R. S.
BAKHALE, Mr. R. R.
BANGI, Mr. A. K. J.
BELL, the Honourable Mr. R. D.
BHUTTO, Sir SHAH NAWAZ
BIRADAR, Sardar MAHABOOBALI KHAN
BOLE, Rao Bahadur S. K.
BULLOCKE, Mr. A. GREVILLE
CHIKODI, Mr. P. R.
CHITALE, Rao Bahadur G. K.
CLEE, Mr. C. B. B.
COOPER, the Honourable Khan Bahadur D. B.
COVERNTON, Mr. S. H.
DAVIS, Mr. G.
DESAI, Mr. H. R.
DESAI, Mr. S. B.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
D'SOUZA, Dr. J. ALBAN
EWBANK, Mr. R. B.
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GARRETT, Mr. J. H.
GAZDAR, Mr. MAHOMED HASHIM
GHULAM HUSSAIN, the Honourable Sir
GHULAM NABI SHAH, Khan Bahadur
GILDER, Dr. M. D.
GOKHALE, Mr. L. R.
GOVER RORA, Mr.
GREAVES, Mr. J. B.
HUMPHREY, Mr. JOHN
JAN MAHOMED KHAN, Khan Bahadur
JITEKAR, Mr. HAJI IBRAHIM
JOG, Mr. V. N.
JONES, Major W. ELLIS

Kalbhor, Mr. G. M.
Kamat, Mr. B. S.
Kambli, the Honourable Dewan Bahadur S. T.
Karbhari, Mr. M. M.
Kennedy, Mr. T. S.
Kulkarni, Rao Saheb P. D.
Lane, Mr. C. M.
Lely, Mr. W. G.
Mackie, Mr. A. W. W.
Matcheswalla, Mr. G. E.
Maxwell, Mr. R. M.
Meherbaksh, Khan Bahadur S.
Mehta, Mr. M. H.
Mitha, Mr. Mahomed Suleman Cassum
Modi, Sardar Davar T. K.
More, Mr. J. G.
Navle, Rao Bahadur N. E.
Owen, Mr. A. C.
Parulekar, Rao Bahadur L. V.
Patel, Khan Bahadur A. E.
Patel, Mr. Bhailal Sarabhai
Patel, Mr. C. N.
Patel, Khan Bahadur Vali Baksh A.
Patil, Dewan Bahadur D. R.
Patil, Mr. N. N.
Petit, Mr. J. B.
Pradhan, Rao Bahadur G. V.
Prater, Mr. S. H.
Rahimtoola, Mr. Hoosenally M.
Resaldar, Mr. A. K.
Roose, Mr. F. O. J.
Servai, Mr. A. E.
Shaikh Abdul Aziz, Mr.
Shaikh Abdul Majid, Mr.
Shankarrao Jayaramrao Zunzarrao, Mr.
Sindha, Mr. Madhavsang Jorbhai
Smart, Mr. W. W.
Solanki, Dr. P. G.
Surve, Mr. A. N.
Surve, Mr. V. A.
Syed Miran Mahomed Shah
Syed Munawar, Mr.
Talpur, Mir Bandeh Ali Khan
Thakor of Kerwada, Sardar Bhasaheb Raisinhji
Tolani, Mr. S. S.
Turner, Mr. C. W. A.
Vakil, Mr. Pestanshah N.
Vandekar, Rao Bahadur R. V.
Wadke, Mr. B. P.

STARRED QUESTIONS AND ANSWERS

The Honourable the PRESIDENT: Questions. Yesterday, supplementary questions were going on in connection with the honourable member Mr. Shaikh Abdul Majid's question No. 1 on the Fourth List.

An Honourable MEMBER: The honourable member is not present.

The Honourable the PRESIDENT: The next question.

COTTON GAMBLING IN BOMBAY CITY.

*Mr. A. N. SURVE (Bombay City, North): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether Government are aware that the gambling known under the name of American futures or Cotton numbers or Ank Farak is spreading very rapidly among the poor working classes in the Bombay City;

(*b*) the names, prices and circulation of vernacular daily news-sheets or newspapers published in Bombay City solely or principally for the purpose of giving information about the closing and opening rates of cotton prices prevailing in the New York and Liverpool Markets, with forecasts of rise or fall in prices and advertisements of tipsters and astrologers who profess to give advice on this subject;

(*c*) whether Government are aware that such news did not receive the same wide publicity before as it is receiving at present;

(*d*) whether Government are aware that even the men in the street are interested in this news;

(*e*) the reasons why Government do not suppress the publication of this news in quarters where its knowledge is used solely for the purpose of gambling;

(*f*) whether Government are aware that closed envelopes containing the supposed winning figures relating to cotton prices are sold in the streets of Bombay;

(*g*) whether such envelopes are also exposed for sale in *Pan-bidi* and tobacco shops which are licensed by the Excise Department;

(*h*) whether Government are aware that a new class of beggars called Mustans has come into existence who fleece the ignorant people under the pretence of possessing occult powers of giving the winning numbers;

(*i*) the punishment inflicted by the Chief Presidency Magistrate of Bombay upon Gopal Narayan for running a gambling house in the guise of a cap shop at Gaiwadi;

(*j*) the number of caps that were found in this shop when the police made a search in it;

(*k*) whether it is a fact that the accused had stated to the C. I. D. constable who went into the shop with marked money to buy a cap that the former received bets on cotton futures;

(*l*) whether Government have noticed the proceedings of this case as reported on page 10 in the issue of *Times of India*—local edition—of July 20th and 26th, 1933;

(*m*) what steps Government have taken or intend to take in the near future to control the spread of cotton gambling among the general public?

The Honourable Mr. R. D. BELL: (*a*) Yes.

(*b*) A statement giving the particulars of known daily vernacular news-sheets or newspapers of the nature mentioned is laid on the Council table.

(*c*) Yes.

(*d*) Yes.

(*e*) The publication of the forecasts in newspapers does not come within the provisions of the Bombay Prevention of Gambling Act which deals with actual wagering or betting only.

(*f*) Yes.

(*g*) Yes.

(*h*) Yes. They are not beggars as a rule. Fakirs, Sadhus and even imbeciles who have not enough intelligence to understand what is being asked of them are included in the category and the betting public seems to believe that these people are able to forecast the number and pester them for the figures.

(*i*) Gopal Narayan was sentenced to pay a fine of Rs. 75 or in default three weeks' rigorous imprisonment.

(*j*) No cap was found in the shop, but only empty cases.

(*k*) Yes.

(*l*) Yes.

(*m*) Every effort to exercise the powers granted under the Bombay Prevention of Gambling Act against betting in cotton futures is being made by the Police. Government on their part have directed the Public Prosecutors to press for deterrent sentences on persons convicted of such offences.

Name of News-sheet or Newspaper.	Price.	Approximate circulation.
1. Daily Whole Tip Forecast news	One pice.	3,000 a day.
2. Kanhayalal News	,,	2,000 ,,
3. ,, ,, (Supplement)	,,	2,000 ,,
4. New York Danka	,,	800 ,,
5. Jangalwala Opening news	,,	700 ,,
6. Daily Samachar	,,	3,000 ,,
7. ,, ,, Forecast	,,	} 1,500 ,,
8. ,, ,, Whole Tip Forecast	,,	
9. ,, ,, (Supplement)	,,	1,000 ,,
10. Moti Daily news	,,	1,000 ,,
11. ,, ,, (Supplement)	,,	600 ,,
12. Telephone	,,	1,000 ,,
13. ,, (opening)	,,	100 ,,
14. Raj Vilas	,,	200 ,,
15. Opening News	,,	1,000 ,,
16. General Cotton Reporters Appendix	,,	1,000 ,,
17. Mazgaonwala opening	,,	250 ,,
18. Dhum Dhadaka	,,	2,000 ,,
19. ,, ,, (Supplement)	,,	500 ,,
20. Jordar Patrika	,,	2,500 ,,
21. Sadanand	,,	3,000 ,,
22. Daily News	,,	5,000 ,,
23. Kamgar Patrika	,,	2,000 ,,
24. Nava Sandesh	,,	2,000 ,,
25. Daily Sayankal with supplement	,,	2,000 ,,
26. Ram Dhadaka	,,	3,000 ,,
27. A One news	,,	1,000 ,,
28. Bhagwa Zenda	,,	2,500 ,,

Mr. A. N. SURVE: With reference to part (*d*) of the answer, may I know with what object men in the street are interested in the news?

The Honourable Mr. R. D. BELL: I do not know any of these men in the street. I cannot tell.

Mr. A. N. SURVE: With reference to part (*e*), in view of the fact that such publication promotes gambling, why do Government not take steps to bring the publication of forecasts in non-commercial newspapers within the provisions of the Bombay Prevention of Gambling Act?

The Honourable Mr. R. D. BELL: The publication of this news is not within the scope of the Gambling Act.

VILLAGES IN POONA DISTRICT HAVING KOLI POPULATION BUT NO SCHOOLS.

*Mr. A. N. SURVE (Bombay City, North): Will the Honourable Minister for Education be pleased to state the number, names and locations of villages in Poona District having considerable Koli population (that is to say, where, if a school is opened, Koli students would be available in such numbers as would justify the opening of a school there) in which there are no schools?

The Honourable Dewan Bahadur S. T. KAMBLI: Schools might ordinarily be opened in those villages where the total population is over 500, but it would hardly be reasonable to insist on the Local Authority opening more schools in these days of financial stringency. From the accompanying statement, which gives the necessary information, it will be seen that in three of these villages the school had to be closed on account of poor attendance.

Statement showing the number, names and locations of villages in Poona District having a population of over 500 Kolis but no schools.

No.	Name of village.	Taluka or Peta.	Population.	Remarks.
1	Pargaon tarf Madh	Junnar (Taluka) ..	542	
2	Taleran ..	Do. ..	845	
3	Tejur ..	Do. ..	536	
4	Sangnore ..	Do. ..	688	
5	Anjanvale ..	Do. ..	542	
6	Hadsar ..	Do. ..	529	
7	Devale ..	Do. ..	560	
8	Ghera-Purandhar ..	Purandhar (Taluka)	723	
9	Borghar ..	Ambegaon (Peta) ..	1,246	There was a school in each of the last three villages. But it was closed on account of poor attendance.
10	Jambori ..	Do. ..	896	
11	Asane ..	Do. ..	652	

Mr. A. N. SURVE: With reference to the remark in the statement "There was a school in each of the last three villages. But it was closed on account of poor attendance," may I enquire whether the Honourable Minister has enquired into the cause of poor attendance in these schools?

The Honourable Dewan Bahadur S. T. KAMBLI: I have not enquired into that question, Sir.

DISTRICT SCHOOL BOARD, RATNAGIRI: PUBLICATION OF SENIORITY LIST OF TEACHERS.

*Mr. A. N. SURVE (Bombay City, North): Will the Honourable Minister for Education be pleased to state—

(*a*) at what intervals the seniority list of primary teachers in Ratnagiri District used to be published when the said teachers were under the Director of Public Instruction;

(*b*) whether the same practice has been followed by the School Board in that district since it took over the teachers under its control;

(*c*) when that Board took over the control of these teachers from the Director of Public Instruction;

(*d*) when the School Board published the seniority list of teachers after it took over the control from the Director of Public Instruction?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) Up to the year 1920 the vernacular teachers' directory was published yearly and after that it was published in 1922 and 1925.

(*b*) No.

(*c*) On 1st June 1926.

(*d*) In 1932 for the first time.

COW SLAUGHTER IN DADU.

*Mr. S. S. TOLANI (Western Sind): Will the Honourable Minister for Education be pleased to state—

(*a*) whether Government have received any resolutions dated the 25th June 1933 from the Hindu Panchayat of Dadu in connection with the slaughter of cow by the Mahomedans on the 24th June 1933 in the premises of the Veterinary Hospital of Dadu;

(*b*) if so, what action they have taken or propose to take in the matter?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) Yes.

(*b*) The annual increment in pay of the Veterinary Assistant Surgeon has been stopped for a year and he has been transferred. Criminal proceedings were instituted against the compounder and the peon of the dispensary who were also implicated in this affair but they have been acquitted.

DACOIT ABDUL RAHMAN.

*Mr. S. S. TOLANI (Western Sind): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether it is a fact that the Larkana District police chased dacoit Abdul Rahman and his gang after the Buthi dacoity and traced

the foot-prints as far as village Gauspur in Nasirabad tahsil of British Baluchistan;

(*b*) whether it is a fact that the tracks led through most of the Jamali tract which extends from Imambux Jamali, taluka Shahdadkot, district Larkana, right up to Jhatpat, a distance of about 75 miles;

(*c*) whether it is a fact that village Gauspur in British Baluchistan belongs to Mir Jafar Khan Jamali and his relatives;

(*d*) whether it is a fact that before the arrest of Abdul Rahman after his escape from police custody, the Sukkur and Jacobabad police had an encounter with him in Mir Jafar's village;

(*e*) whether Government are aware that the police have always suspected that Abdul Rahman is being harboured by Mir Jafar Khan or that the latter has information about him;

(*f*) if so, whether Government have approached the British Baluchistan authorities, in whose jurisdiction Abdul Rahman is believed to be residing, in the matter of his arrest; if so, with what result?

The Honourable Mr. R. D. BELL: (*a*) Yes.

(*b*) Yes.

(*c*) Yes.

(*d*) No.

(*e*) Government decline to answer this clause.

(*f*) The Baluchistan authorities have been co-operating whole-heartedly, having sent the Chagai Levy Corps to assist in securing the dacoit, while the local officials have concentrated their whole attention on this matter.

Mr. S. S. TOLANI: With reference to part (*e*), what objection has Government in declining to answer the question?

The Honourable Mr. R. D. BELL: We think, on principle, it is not reasonable that honourable members should ask Government whether they have any kind of suspicions against any one in particular.

Mr. S. S. TOLANI: What principle is involved in this?

The Honourable Mr. R. D. BELL: The principle of asking Government whether they have any suspicions against any one in particular. I do not think the procedure of asking questions was intended to elicit information of that kind.

Mr. SYED MUNAWAR: Do I understand that it is a question of policy?

The Honourable Mr. R. D. BELL: Fairness rather than policy.

"DAILY GAZETTE" OF KARACHI AND WHIPPING TO MR. GANDHI.

*Mr. S. S. TOLANI (Western Sind): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether the attention of Government has been drawn to questions and answers on an adjournment motion in the Legislative Assembly in its Autumn Session of 1933, regarding the *Daily Gazette* of Karachi and whipping to Mahatma Gandhi;

(*b*) whether it is a fact that the Government of India undertook to send all proceedings in this connection to the Bombay Government to take such action as it deemed fit;

(*c*) if so, what action the Bombay Government has taken in the matter?

The Honourable Mr. R. D. BELL: (*a*) Yes.

(*b*) They undertook to convey the proceedings of the Legislative Assembly to this Government for information.

(*c*) The proceedings were sent to the Commissioner in Sind for information.

Mr. S. S. TOLANI: In reply to (*b*) and (*c*) it is stated that the Government of India undertook to convey the proceedings of the Legislative Assembly to this Government for information only. Has the Honourable the Home Member gone through the debates of the Legislative Assembly that took place on 12th September 1933 regarding this motion and the questions and answers on that subject?

The Honourable Mr. R. D. BELL: Yes, Sir.

Mr. S. S. TOLANI: Is there no mention in the proceedings that the Government of India would forward the proceedings to this Government to take any action they deemed fit?

The Honourable Mr. R. D. BELL: I do not recollect the exact words used by the Honourable Member. The proceedings were ultimately sent to the Government of Bombay for information.

Mr. S. S. TOLANI: Not for any action?

The Honourable Mr. R. D. BELL: I am merely quoting the word of the communication received from the Government of India.

Rao Bahadur G. K. CHITALE: May I know whether the Government have even expressed their disapproval of this tendency developing among the newspapers?

The Honourable Mr. R. D. BELL: I understand the question to be whether Government have expressed their disapproval of this article Government expressed no opinion about it whatsoever.

GOA LOTTERIES AND AMERICAN FUTURES.

*Mr. B. P. WADKE (Bombay City, South): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether Government are aware that Goa lottery tickets are sold in shops publicly;

(*b*) whether Government are aware that American Future Cards are also sold in shops and elsewhere publicly;

(*c*) if so, what steps Government have taken to stop their sale;

(*d*) whether it is a fact that thousands of rupees are drained away monthly to Goa in the shape of lottery tickets;

(*e*) if so, what steps Government have taken to stop this drain;

(*f*) whether Government have considered the desirability of starting a lottery under its auspices and utilising its proceeds towards the establishment of new hospitals in the presidency and the up-keep of the existing ones;

(*g*) whether Government are aware that this drain is a great loss to the presidency ;

(*h*) if so, what steps Government propose to take to improve the situation ?

The Honourable Mr. R. D. BELL : (*a*) Yes.

(*b*) Yes.

(*c*) and (*e*) In the present state of the law no action can be taken in respect to the sale of Goa lottery tickets. The sale of the American Future Cards does not come within the provisions of the Bombay Prevention of Gambling Act which deals with actual wagering or betting only.

(*d*) Yes.

(*f*) Yes.

(*g*) Yes.

(*h*) An amendment of section 294-A, Indian Penal Code, is necessary in order to bring the sale of Goa lottery tickets within its purview. This was recently represented to the Government of India who in 1932 decided not to pursue the matter. The Government of Bombay are not taking any further steps.

Mr. B. P. WADKE : May I know whether the sale of such cards and tickets is legal ?

The Honourable Mr. R. D. BELL : The position is fully described in the answer to the question, and I do not think it is desirable to enlarge on that.

Mr. SYED MUNAWAR : May I know, with reference to parts (*c*) and (*e*) whether Government propose to amend the Prevention of Gambling Act so as to declare these American futures to be gambling within the meaning of the Act, as Government see that this evil is on the increase in the City of Bombay in particular ?

The Honourable Mr. R. D. BELL : No, Sir.

Mr. B. P. WADKE : With reference to (*f*), Government merely say "Yes". May I know when they will start these lotteries in the presidency ?

The Honourable Mr. R. D. BELL : The answer does not indicate that Government are going to start these lotteries in the presidency.

The Honourable the PRESIDENT : The reply only says that Government have considered it. If the honourable member wishes to know what conclusion was reached, he may ask a supplementary question.

Mr. B. P. WADKE : What is the result of the consideration ?

The Honourable Mr. R. D. BELL : Sir, I may say that one result did not occur and that was the decision to start these lotteries.

Mr. B. P. WADKE : People from Goa take away money from people in British India. Is it to the interest of the presidency ?

The Honourable Mr. R. D. BELL : No, Sir ; I think it is not.

Mr. B. P. WADKE: So the Government realise the correct position of the situation. Then why should Government not take early steps to relieve the people of this presidency? Why should the money be allowed to go from this presidency?

The Honourable Mr. R. D. BELL: That question is the subject of a resolution on the agenda, and I propose to answer it when it is moved. I do not propose to answer it now, in reply to a supplementary question.

Mr. B. P. WADKE: If Government give a reply, it will help the mover of the resolution to meet their points while discussing the resolution.

The Honourable Mr. R. D. BELL: This, Sir, is a very big and complicated social question, and I cannot answer a supplementary question like that offhand.

Mr. B. P. WADKE: Government admit that it is a wrong thing that money should be taken away to Goa. We are put to great hardships. We have to send our money out of the presidency, and in addition help the H.O.H. Fete which His Excellency has started. Outsiders are allowed to take away our money from our pockets. Is it not?

The Honourable Mr. R. D. BELL: I do not know, Sir, why the honourable member says "we have". No one compels the honourable member to send his money out of the presidency.

Mr. B. P. WADKE: Because the Government have not taken any steps to keep the money in the presidency. They have allowed our money to be taken out of British India.

UNSTARRED QUESTIONS AND ANSWERS.

GOVERNMENT SERVANTS: COLLECTION OF SUBSCRIPTIONS.

Mr. SHAIKH ABDUL MAJID (Karachi District): Will the Honourable the Leader of the House be pleased to state—

(*a*) whether it is open to a Government official to collect subscription from people within his jurisdiction for the activities in which he is interested without taking the previous permission of Government;

(*b*) whether there are any orders of Government on the point;

(*c*) if so, what those orders are?

The Honourable Sir GHULAM HUSSAIN: (*a*) No.

(*b*) and (*c*) The orders of Government are that no official agency should be employed for the collection of subscriptions for any memorial or reception fund, or for any object, without the express previous sanction of Government.

UNEMPLOYMENT AMONG HANDLOOM WEAVERS.

Mr. V. A. SURVE (Ratnagiri District): Will the Honourable Minister for Education be pleased to state—

(*a*) the number of candidates that have come out successful from the Government Handloom Weaving Institute, Poona, since its inception;

(*b*) how many of them are employed and how many are unemployed;

(*c*) what attempts have been made by Government to find out employment for such candidates;

(*d*) whether Government are aware of the public opinion that it is a waste of public money to spend Rs. 12,000 annually on such an institution;

(*e*) whether Government are aware of the public feeling that they are shaking off the belief of those interested in handloom weaving industry by adding to the number of unemployed handloom weavers;

(*f*) what measures have been taken by the Director of Industries or by the Registrar of Co-operative Societies to help the poorly financed handloom weavers?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) 37.

(*b*) 30 and 7.

(*c*) The Department of Industries maintains a register of students passing out from the Institute. It gives preference to them whenever vacancies occur in its weaving section and writes to them whenever it comes to know of any suitable vacancies. Assistance is also given to the past students by the weaving staff of the Department in starting their own factories.

(*d*) No.

(*e*) No. On the contrary, applications from several centres for schools and demonstrations for teaching hand weaving by improved methods and modern implements have been received and when attempts are made to transfer a school or demonstration from one centre to another after a year or so local weavers frequently apply for an extension to enable them to take full advantage of the institution.

(*f*) The Co-operative Department finances handloom weavers through Weavers' Co-operative Credit Societies. There are 53 such societies with a total working capital exceeding 2½ lakhs.

NASIK DISTRICT SCHOOL BOARD: CLERKS.

Rao Bahadur R. V. VANDEKAR (Nasik District): Will the Honourable Minister for Education be pleased to state—

(*a*) the number of clerks with their qualifications, length of service and caste in the Nasik District School Board;

(*b*) how many of them are temporary and how many permanent;

(*c*) how many of them were lent by Government and how many were engaged by the District School Board;

(*d*) how many of those engaged by the District School Board receive Government contribution?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*), (*b*) and (*c*) The statement printed below furnishes the required information.

(*d*) Government contribution is paid for the first five posts mentioned in the statement. No contribution is paid for the remaining four posts as they have not been sanctioned by Government.

Information pertaining to clerks in the office

Serial No.	Name of clerk.	Designation.	Whether lent by Government or appointed by the Board.	Whether appointed permanently or temporarily.
1	2	3	4	5
				Posts sanctioned by
1	Vacant ..	Head clerk ..	....	....
	Mr. R. V. Khasnis ..	Officiating clerk.	Lent by Government.	Officiating ..
2	Mr. R. V. Khasnis ..	Senior clerk ..	Do. ..	Lent permanently to the Board.
	Mr. D. T. Dhamale ..	Officiating clerk.	Appointed by the Board.	Officiating ..
3	Mr. S. D. Bhadkamkar.	Junior clerk ..	Lent by Government.	Lent permanently to the Board.
4	Mr. D. B. Paranjpe .	Do. ..	Do. ..	Do. ..
5	Mr. J. N. Nagpure ..	Do. ..	Appointed by the Board.	Permanent ..
				The following 4 posts are not
6	Mr. H. T. Patodkar..	Junior clerk ..	Appointed by the Board.	Permanent ..
7	Mr. R. U. Wagh ..	Do. ..	Do. ..	Probationer ..
8	Mr. W. I. Pathan ..	Do. ..	Do. ..	Do. ..
9	Mr. D. T. Dhamale..	Do. ..	Do. ..	Permanent ..
	Mr. A. D. Kadwe ..	Do. ..	Do. ..	Temporary ..

of the District School Board, Nasik.

Caste.	Qualifications.	Length of service on 1st December 1933.			Remarks.
6	7	8			9
Government.		Y.	M.	D.	
....	....		....		
Brahmin ..	S.F., 1910 ..	22	4	16	Mr. Khasnis is at present appointed by the Board to officiate as Head Clerk, but his appointment is not sanctioned by the Director of Public Instruction.
Do. ..	Do. ..	22	4	16	
Maratha ..	V.F., 1917 ..	7	11	11	
Brahmin ..	S.F., 1913 ..	19	1	19	
Do. ..	Matric and S.F., 1918.	14	2	15	
Weaver ..	S.L.C., 1921 ..	7	11	10	
sanctioned by Government.					
Gujarati ..	V.F., 1917 ..	14	11	15	
Maratha ..	Inter Arts, 1925 ..	1	5	21	
Muhammadan ..	*Nil* ..	1	5	15	
Maratha ..	V.F., 1917 ..	7	11	11	Mr. D. T. Dhamale is at present appointed by the Board to officiate in place of Mr. R. V. Khasnis No. 2 above.
Nhavi ..	Matric, 1932 ..	0	7	19	

BILL No. X OF 1933 (A BILL TO REGULATE THE RENTS OF PREMISES IN THE BOMBAY PRESIDENCY).

The Honourable Mr. R. D. BELL: Sir, may I make a request to the honourable member (Mr. Bakhale) to come forward? It is rather difficult to follow him from this distance.

Mr. R. R. BAKHALE (*Moving to the front benches*): Before I proceed with my speech, may I, with your permission, Sir, submit to you a petition which has been signed by several thousands of the tenants of the city supporting the Rent Restriction Bill? I am responsible for that petition, in so far as its contents are concerned.

The Honourable the PRESIDENT: Has the honourable member signed it?

Mr. R. R. BAKHALE: Yes, Sir.

The Honourable the PRESIDENT: The petition will be placed on the table.

Mr. R. R. BAKHALE: Sir, when you adjourned the House yesterday, I was dealing with the four main considerations which weighed with the Government of Bombay in 1918 in enacting their rent legislation, and I was trying to point out that the considerations which existed then exist now and therefore there is a case for rent legislation.

Sir, as I have already said before, rent legislation was enacted in 1918, and whatever conditions in respect of insufficiency of housing accommodation and increase in population existed then must have been reflected in the 1921 census. If a comparison is made between the 1921 and 1931 census figures, it will, I believe, clearly show whether any improvement in the housing conditions has or has not taken place. In making this comparison, I have mostly drawn upon the figures and comments in the 1931 Census Report, Volume IX, relating to the Cities of the Bombay Presidency. In 1921, the population of Bombay City was 1,176,000 and showed an increase of 196,000 over the 1911 population. In 1931, the enumerated population was 1,161,400 and showed a decrease of 14,000 over the 1921 figure. The Census Commissioner, however, points out in his report that the 1931 figure is vitiated by faulty vital statistics. He calculates that if vital statistics and immigrants are taken into account, the population of 1931 should be 1,171,300, that is, a small decrease of 4,700 over the 1921 figure. It should also be remembered, as is pointed out by the Executive Health Officer of the Bombay Municipality, that the final count in 1931 was taken at a time when there was trade depression necessitating an exodus of the unemployed to their villages. Their number should be, according to him, 150,000. Owing, further, to the civil disobedience movement, about 10,000 persons, according to the same officer, must have escaped enumeration. The addition of these two figures would make the 1931 population 1,300,000 that is, an increase of 124,000 over the 1921 figure. I may mention that the area in acreage has increased during the same period by 414·88; but the increase is entirely in A, B and C wards and nowhere else. At the same time it should be remembered that during the same period

[Mr. R. R. Bakhale]

"there has been," in the words of the Census Commissioner, "no great improvement in lowering of the density of population in over-crowded localities". These figures and facts conclusively show that the influx of population which, among other reasons, necessitated the 1918 rent legislation, has not only become permanent but it has been increased by 124,000 during the decade ending 1931. I, therefore, submit, Mr. President, that I have made out a case for rent legislation from the point of view of population.

I now come to the insufficiency of housing accommodation. And I again take, for the purposes of comparison, 1921 and 1931 figures. The number of buildings increased by 6,618 from 45,716 in 1911 to 52,334 in 1921; and yet it was considered in 1918 that the housing accommodation was insufficient. In 1931, the number of buildings decreased by 1,501, from 52,334 in 1921 to 50,883 in 1931; and this decrease is found only in residential buildings and nowhere else. The census figures further show that bungalows and dwelling houses decreased from 12,371 in 1921 to 9,624 in 1931; servants quarters from 2,982 in 1921 to 1,023 in 1931; and huts from 9,084 in 1921 to 5,459 in 1931. It is only the chawls which have shown a rise from 4,725 in 1921 to 9,075 in 1931. But I shall show presently that in spite of this rise, the pressure of inhabitants in the chawls has not appreciably decreased. The census figures show that in 1931, 67 per cent. of the population as against 64 per cent. in 1921 occupy rooms in which the number of occupants in each is 5 persons and less at a time. I may further inform the honourable members that in A, B, C, D, E and F wards of the city in 1931, 125 persons as against 104 in 1921, 223 as against 222, 482 as against 333, 261 as against 232, 690 as against 652, and 417 as against 381 in the respective wards occupy rooms in which the number of occupants in each is from 6 to 9 persons. These figures are to the nearest hundred persons. "This actually means," in the words of the Census Commissioner, "general overcrowding of the mass of the population."

Let us consider the position from another point of view. The percentage of one-roomed tenements to the total tenements was 81 in 1931 as against 70 in 1921—which shows a small increase—but the percentage of occupants to total population has risen from 66 in 1921 to 74 in 1931. Two, 3, 4 and 5-roomed tenements have actually been reduced from 14, 7, 4 and 3 per cent. in 1921 to 11, 3, 2 and 1 per cent. in 1931. In the words of the Census Commissioner, these "figures do not indicate general improvement in housing but they do seem to suggest that the housing conditions for the working classes are better in 1931 than in 1921, since there are more tenements of the kind that meets their needs and the number of persons per room in such tenements has fallen. Thus one-roomed tenements are now 81 per cent. of the total number instead of 70 per cent. in 1921; but on the other hand, 74 per cent. of the city's population is living in them instead of only 66 per cent. in 1921." The total number of one-roomed tenements was 197,516 in 1931. Sixty-five per cent. of these tenements contain

[Mr. R. R. Bakhale]

2 families, and 18 per cent. contain 3 families; single rooms containing more than 3 families are now few. "The conditions, on the other hand," the Census Commissioner further says, "in respect of two and three-roomed tenements seem to be worse. The proportion of two-roomed tenements has fallen from 14 per cent. to 11 per cent. in the decade and the fall in the population occupying these tenements from 14 to 12 per cent. indicates perhaps that many of the lower middle class have gone to live in one-roomed tenements. But this has led to no improvement in the two-roomed tenements where the number of persons per room has risen in the decade from 2·11 to 2·51." The Labour Office report on the enquiry into the middle class family budgets in Bombay City published in 1928, states that 81 per cent. of the middle class families live in one or two rooms and that a majority or nearly 60 per cent. of the families live in two rooms only. The Census Commissioner concludes that "the conditions in 2, 3 and 4-roomed tenements seem definitely to have worsened. There is more overcrowding in them than in 1921.....There is little doubt that many who had two rooms in 1921 have only one room and these persons are now suffering from overcrowding to a larger extent than before."

I have so far given only comparative figures of 1921 and 1931 to show how the position stands to-day, and how it compares with what existed in 1921. What are the conclusions one can draw from them?

"The general conclusions to be drawn are:

(1) that if an average of more than two and half persons per room were taken as indicating 'overcrowding' in Bombay, 86 per cent. of the Bombay population would be considered to be overcrowded and housed so inadequately that the streets have to be used universally to supplement the sleeping accommodation which the houses themselves cannot provide;

(2) that 96 per cent. of the individuals composing Bombay's population do not know what having a room to themselves means; and

(3) that only 4 per cent. of the population live in conditions which ensure reasonable privacy and domestic seclusion.

Such conditions as I have described must be more reminiscent of the 'Black Hole' of historical memory than of any modern city pretending to sanitary living conditions."

These are strong words, Mr. President, but I assure you they are not mine. They are used by Mr. H. T. Sorley, M.A., Indian Civil Service, Provincial Superintendent of Census Operations, Bombay Presidency, and are quoted from the Census Report of 1931. But whether the language used is strong or mild, the facts are conclusive and show that the ground of insufficiency of housing accommodation is as strong to-day as it was in 1918 when the Rent Act was enacted.

I now deal with the other two considerations, namely, the rise in rents and the absorption of most of the wage increase in rents. The honourable members may be aware that the Rent Acts had allowed, I believe, for an increase of 15 per cent. over the rents which prevailed on the 1st of January 1916. But the rent census which was taken by the Labour Office of the Government of Bombay in 1924, and the results

[Mr. R. R. Bakhale]

of which were published in the *Labour Gazette* of October of that year, showed that the rents of the working class and middle class dwellings rose in 1923–24 by 69·3 per cent. and 75·0 per cent. respectively over 1914–15. In explaining this apparent illegal increase over that allowed by the Rent Acts, the Labour Office pointed out that the said Acts "did not apply to buildings built and occupied after the 1st of January 1916, and that they did not restrict the increases which took place in old dwellings lived in by all classes from 1914 to the end of 1915—increases which in some cases were not inconsiderable." It may be assumed that these increases in rents continued till the Rent Acts were in operation. But what is the position after their repeal? Let the Labour Office figures again speak. In 1931, it again conducted an enquiry into working class house rents in Bombay and published its results in the May (1931) issue of the *Labour Gazette*. The results showed that in 79·4 per cent. cases, the rents had remained stationary, in 13·6 per cent. cases the rents went down by 8 per cent. and in 7 per cent. cases they went up by 12 per cent. In other words, 7 per cent. of the working class population is paying 81·3 per cent. more rent than in 1914–15, nearly 80 per cent. is paying 69·3 per cent. more than in 1914–15, and 13 per cent. is paying 61·3 per cent. more than in 1914–15. I claim, Sir, that these figures taken from official sources show as conclusively as they did fifteen years ago that the rise in rents is as high today as it was then and make out a case for a rent legislation.

10-30 a.m.

The last point dealt with as one of the arguments in favour of the rent legislation of those days was the absorption of most of the rise in the wages. Today, Sir, there is not only no rise in wages but there is a definite fall, and that too on a large scale. The Labour Office report on the working class budgets in Bombay published in 1923 shows that house rent formed 7·7 per cent. of the total expenditure of an average working class family in 1921–22. It is well known that by that year the wages had reached their peak and it was then contended on behalf of Government that the house rent absorbed a disproportionately large share of wages. Today the wages have gone down and I give a few illustrations in support of my statement. The wages of an urban unskilled labourer have gone down from twelve annas in 1927 to annas nine and five pies in 1932; and those of an urban skilled labourer have gone down from Rs. 1–13–0 in 1927 to Rs. 1–8–3 in 1932. Take again an organised industry like the textile industry. The highest cut is to be found in the group of 11 mills, of which 7 are now closed after having made and continued the cut, which have reduced wages to the pre-war level in the case of those workers who are not put on the rationalisation basis and the cut comes to 44·5 per cent. In the case of 44 mills, some of which have now been closed after having made and continued the cut, it is seen that in the case of piece-workers, 23 mills have cut wages from 11 to 15 per cent.; 9 from 16 to 20 per cent. and 12 from 21 to 30·5 per cent. and that in the case of time-workers, 16 mills have

[Mr. R. R. Bakhale]

reduced wages from 7 to 10 per cent., 13 from 11 to 15 per cent., 4 from 16 to 20 per cent. and 11 from 21 to 26·5 per cent. With these heavy wage reductions which, I submit, take the wage level lower than what existed in 1918, it can easily be imagined what a large slice of wages the present rents take away. And on the top of these reductions, there are easily 60,000 persons unemployed in the textile industry alone; and therefore, the question of rise or fall in wages does not arise at all in their case. In the case of the middle classes, the situation is equally, and perhaps more, deplorable. The Labour Office report on middle class family budgets, to which I have already referred, has estimated that rents absorb 14·8 per cent. of the total monthly expenditure of the middle class families earning between Rs. 75 and Rs. 225 per mensem. It has also shown that the lower the income, the larger the percentage rent a middle class family has to pay. It is thus clear that the percentage rents in the case of those families earning Rs. 75 and less is more than 16·4 of the total expenditure, which is the average percentage rent for families earning between Rs. 75 and Rs. 125. This was the case before 1928 when the Labour Office report was published. The situation is now worsened by the fact that the salaries have gone down by 5 to 30 per cent. and more and to that extent the percentage of rents in proportion to the total earnings has increased. For new recruits in the services, reduced grades of salaries have been introduced, thereby disturbing, to the disadvantage of the new recruits, the proportion between rents and earnings. Then, again, Sir, there has occurred serious unemployment among the middle classes the extent of which it is not easy to contemplate with equanimity. Like the budget of the Bombay Government, most of the offices, both Government and private, are attenuated, a fact which deserves consideration.

Sir, I have so far used, for the purpose of making out a case for this Bill, the Census and the Labour Office figures in order to show that the abnormal conditions which prompted the Government of Bombay to enact rent legislation in 1918 exist today. I shall now take the relevant municipal figures and deal with them as briefly as I can. When I was reading the Council Debates of 1918 on the Rent Bill, I found that speaker after speaker had referred to the number of buildings in the City and their gross valuations to show that rents had gone up. While I recognise that gross valuations may be an index of the progress or otherwise of the building operations in the city, they are hardly a definite test of ascertaining the extent of rise or fall in rents. In the first place, the properties are divided, for the purposes of assessment, into about 90 classes; and the residential premises are only one of such classes. In the second place, the basis of assessment is different for different kinds of properties. For example, properties belonging to Government, railways, the Port Trust and mills, are assessed differently from residential premises; and they form big factors in the fluctuations in gross valuations. I, therefore, consider that block figures of gross valuations are not a safe guide to find out the rent levels in the city. Even then it is seen that, in spite of the fact that the increase in the

[Mr. R. R. Bakhale]

number of new buildings over the demolition of old buildings being only 2,590 during the period of ten years, 1922–23 and 1931–32, the gross valuation has shown a steady rise every year up to 1930–31. It was 1,125 lakhs in 1922–23 as against 1,500 lakhs in 1930–31. In 1931–32, it has gone down by only 35 lakhs which is still higher by 339 lakhs over the 1922–23 figures. But, Sir, it is, in my opinion, no use taking these general figures which contain a number of factors which may be so powerful in themselves that they may not help us at all in finding out the position of the rents. I, therefore, take the figures, as worked out by the municipal authorities, of gross assessment in relation to the increase or decrease in rents. It is seen from these figures that there has been a net decrease in the gross valuation of the properties by Rs. 107 lakhs on account of fall in rents during the last seven years. But, Sir, these figures require further explanation if they are to be fully understood. It must be recognised that these again are block figures and contain the assessments of buildings like big business premises on the one hand and chawls on the other. A small fall in the assessment of the former will eat up all the rise in the assessment of the latter and the gross figures will show that on the whole there is a fall in rents. I shall make this clear by taking two concrete instances. Take a business premises of four floors—the ground floor containing four shops and the next four floors containing ten offices each. Let us suppose that the rent for the ground floor is Rs. 400 per shop, and for the first, second, third and fourth floors the rent is respectively Rs. 500, Rs. 600, Rs. 700 and Rs. 800 for each office. The gross valuation of this building for the purposes of assessment comes to Rs. 2,92,295. As against this, take a chawl of four floors—the ground floor containing four shops and the next four floors containing 20 tenements on each floor. Let us assume that the rent for the ground floor is Rs. 100 per shop, and for the first, second, third and fourth floors the rent is respectively, Rs. 15, Rs. 20, Rs. 25, and Rs. 30 per tenement. The gross valuation of this chawl comes to Rs. 24,800. Now, let us assume that in the business premises, 1 shop on the ground floor, 2 offices on the first floor, 3 offices on the second floor, 4 offices on the third floor and 5 offices on the fourth floor fell vacant and that the rent for each shop and office was reduced by Rs. 100. The gross valuation of the buildings, under these conditions, comes to Rs. 1,65,684. There is thus a fall of Rs. 1,26,611 in gross assessment owing to the fall in rents. As against this, let us assume that the chawl has no vacant shop or tenements but that its rent is increased by Rs. 50 for each shop and Rs. 5 for each tenement on each floor. This makes the gross valuation of the chawl Rs. 31,559. There is thus a rise of Rs. 6,757 in gross valuation on account of the rise in rents. The municipal records show both the rise of Rs. 6,757 due to the increased rent and fall of Rs. 1,26,611 due to decreased rent; but by deducting the former from the latter, the records conclude that on the whole the rents have fallen. But, Sir, it must be remembered that 84 tenants in the chawl have suffered by increased rents as against only 29 tenants in the business premises who got relief by reduced rents.

[Mr. R. R. Bakhale]

The point I want to emphasise is this, that even a small number of partially vacant but large-sized premises with reduced rents so bloat the block figures of assessments that big increases in rents in a large number of tenements are not detected. It is therefore not safe to rely too much on these block figures. Besides, it should not be forgotten that these figures are not maintained by the Municipality with a view to watch the rent levels but solely with the object of assessing properties to the general tax. If they had been kept with that object, there would have been sub-division of properties and we would have been in a better position to compare rents in different years. If proper comparison is to be made, a rent census is the only remedy. In the earlier part of my speech I have given the results of such censuses conducted by the Bombay Labour Office and I may refer to the census taken, though on a modest scale, by the Bombay Tenants' Association which, I understand, has sent copies of the results of its enquiries to the honourable members.

The conditions I have so far attempted to describe are, it will be agreed, on a par with those that existed when the Rent Act was enacted and during the period of its continuance. Today, Sir, they have been worsened in certain other respects which deserve a reference. In those days, increase in commodity prices, rents etc. was accompanied by increase in salaries and wages as well. If there was excessive expenditure, it was counterbalanced, to a certain extent, by rise in earnings. This cannot be denied. But today the position is not what it was then. I have already pointed out that salaries and wages have gone down considerably. I also recognise that the prices of agricultural commodities have gone down. But it should be remembered that food-stuffs form only 43·4 per cent. and 54·8 per cent. of the total expenditure of a middle class family and a working class family respectively. And whatever relief people might have got by reduced prices of food-stuffs, has been offset to a large extent by increased taxation, central, provincial and local and by extra expenditure on education and medical aid. The income tax minimum has reached the lowest level that one can think of; and the Bombay Municipal Corporation has only the other day increased the general tax by one per cent.—which is sure to be passed on to the tenants. It cannot also be denied that owing to the axe of Government and local bodies on education, medical aid, etc. the general public has got to spend more on this necessary expenditure. Even in 1927–28 when the axe was not so vehement as it is now, the middle classes and the working classes were spending 23·4 per cent. and 18·5 per cent. respectively of their total expenditure on miscellaneous items, including education and medical aid. This percentage must have been increased in recent years. Consider the case of a tenant from any point of view and you will find that it is not only as bad as it was fifteen years ago but it is worse in certain other respects which I have briefly indicated. The law of demand and supply cannot operate fairly in Bombay city when the supply is hundred times behind the demand; and it will be nothing short of cruelty to leave the tenants entirely at the mercy of the landlords.

[Mr. R. R. Bakhale]

when there is such dire distress all round. Writing as far back as 25th September, 1922, the "Times of India",—the European Group will please note—wrote as follows in a leading article with a caption "Rents and Commonsense":—

"Where the Rent Acts are still needed, and will be needed for many years, is in the dwelling houses of the middle and lower classes... The supply (of houses) is still terribly inadequate..... In the meanwhile, the middle class tenants ought to be protected against the consequences of house shortage..... The middle class families have no margin whatever on their incomes..... By that time (i.e. when the Acts cease to operate), the only people who need protection will be the middle classes. For them, it will be easy to enact special legislation—protection must be given to all tenants of houses with rentals of two hundred or a hundred and fifty rupees and under to ensure ....until the housing accommodation overtakes the demand."

I may also inform the honourable members, particularly those belonging to the European Group, that the National Government—and not the Labour Government—in Great Britain passed only last year a law extending the Rent Acts of 1920-25 for a further period of five years ending 24th June 1938. It is a fact universally acknowledged that the conditions in Great Britain are far better than those in Bombay and yet the Government in that country which is predominantly Tory thought it advisable to extend the period of the Rent Acts by five years. I claim, Sir, that this is one more proof of the necessity of a rent legislation in Bombay.

I apologise to the House and to you, Sir, for having wearied them and you with these dry details. I had no intention to occupy the floor of the House for such a length of time. I, however, felt that it was my duty to present to the honourable members as complete a picture as possible and then to leave them to judge my case on its merits. I have endeavoured to import no sentiment into my speech; nor have I attempted to use any rhetorics. All that I have tried to do is to present the case with facts and figures, and with inferences and arguments based on them. It is now for the honourable members to consider my case dispassionately and vote as their conscience will dictate to them. I am one of those members in this House who have been ploughing their lonely furrow all these years. We belong to no party in this House; and, therefore we command no organised strength behind us. The stamp of our being nominated members has put us at a disadvantage in certain quarters. Our voting against Government on many occasions has branded us as untouchables in certain other quarters——

The Honourable Mr. R. D. BELL: Nonsense.

Mr. R. R. BAKHALE: Whatever that may be, I appeal to every honourable member of this House to look only to the merits of this Bill and, if he does it, I have no doubt that the motion I have made, will be passed and that the Bill will thereafter be referred to a select committee. [*Applause.*]

Question proposed.

Mr. J. B. PETIT (Bombay Millowners' Association): Mr. President, I rise to oppose the first reading of this Bill.—(*Hear, hear*)—The time for saying "Hear, hear", is coming later on. I do so with very great

[Mr. J. B. Petit]

regret, indeed, because I readily admit and realise that the purpose which my honourable friend, the mover, has in view, is the alleviation of the sufferings of the poor, which has my whole-hearted sympathy, but which, I am sorry to have to add, he is endeavouring to attain in a manner absolutely incompatible with the principles and policy of this House; and therefore wholly unacceptable to it.

In broad terms, the principle underlying the measure is *not* "the regulation of the rents of premises in the Bombay Presidency" as the mover has told us, but the introduction, by a legislative enactment, of artificial restrictions in the normal operation of the laws of supply and demand.

In order to mitigate the force of this objectionable feature of it and to make it acceptable to the House, it is sought to introduce an element of discrimination in its application by limiting its scope in the first instance to residential structures in the Town and Island of Bombay, and the Suburban and Thana districts, and by further restricting its operation only to small tenements, fetching rents up to a certain figure. In spite of these self-denying ordinances, thus imposed by the mover himself upon the purview of his own measure, the main principle is still there in all its nakedness; and the question that the House is now being called upon to consider and determine, is whether it should in this manner agree to impose artificial restrictions and limitations upon the rights of private individuals and upon the normal operation of the ordinary laws of supply and demand. That is the one and only principle involved in this Bill, its several restrictions and limitations notwithstanding. I accordingly beg to urge most earnestly upon the serious attention of the House, the absolute necessity of approaching and determining this question wholly as a matter of public policy, which, if once accepted in this light-hearted manner, is bound to lead in due course to far-reaching consequences of a most dangerous and unprecedented character, causing unlimited complications in various ways, and particularly by a demand for its application in other directions, which it will then be impossible to resist with any show of reason.

Personally, Sir, I am emphatically of opinion that the principle involved in the measure is so revolutionary and fraught with such serious implications for the future that it should not be accepted at least without the most careful examination, and that the first reading of the Bill should therefore be thrown out. I shall endeavour briefly to show why I have come to this conclusion and why I recommend this honourable House to do likewise, unless, of course, it is definitely of opinion that the time for state-intervention in such matters and the nationalization of various public and semi-public activities, has come.

In considering this Bill, which has apparently been drafted on the lines of the previous Rent Acts and intended to be an extension of those measures,—and indeed in considering all proposals of a similar character,—

[Mr. J. B. Petit]

the most important thing to bear in mind, is the fact that they were all originally meant to be only emergency measures, temporarily introduced for remedying the serious dislocation caused by the special and extraordinary conditions generated by the war, which were unheard of before. These measures were accordingly always recognised and tolerated as such, both by the Government and the public; and it is principally in consequence of this fact that even the two small extensions that were given to the original Rent Act of 1918, were generally agreed to with the greatest hesitation and unwillingness, merely in order to enable the public to gradually adjust themselves to normal conditions without undue risk of dislocation, which such a process of transformation might otherwise have entailed. And it was always admitted and understood that they should not be retained on the statute-book a moment longer than absolutely necessary.

Let us now pause for a moment and see for ourselves whether those special and extraordinary conditions are still there to justify this measure and whether the mover has made out any case at all for it. Let us also examine the several other grounds upon which the honourable member bases his proposal. When we have done so, what do we find? We find that to-day, not only are those unusual war-conditions not there, not only is there no widespread scarcity of residences or undue rise in properties and rents, or even unfair profiteering anywhere, but on the contrary the conditions are all overwhelmingly in favour of the tenants and almost entirely against the property-owners, who are all practically well-nigh ruined. We find that, owing to the terrible and unprecedented industrial and economic depression that this city, in common with the rest of the country, has been going through for the last 10 years, and a combination of other well-known world-causes, too numerous to be referred to in detail at the present moment, all properties in the town have dropped heavily in value, in some cases even below the pre-war level; and rents have in consequence gone down very substantially in all the quarters of this city, with the result that there are now numerous properties even in the best and most fashionable localities which cannot find tenants either for love or money.

An Honourable MEMBER: Question.

Mr. J. B. PETIT: Who said "Question"? I personally know of instances in which even coveted tenancies in the most prominent centres in the town have had to be voluntarily reduced by 25 per cent. to 50 per cent., and in some cases even by 100 per cent. in obedience to this downward tendency. The slump in the better localities is reflected in its turn upon the humbler parts of the town which have all proportionately felt its effect. We all know for a fact that even public bodies like the Municipality, the Improvement Trust and the Development Department, have lost and are losing heavily from month to month and year to year in consequence of this huge drop, to the detriment of the public purse. The honourable member who questioned my statement, cannot be ignorant of these facts. Without going into minute details, I would like to invite

[Mr. J. B. Petit]

the attention of the House to a few very broad and telling facts from official records :—

1. Out of about 16,000 one room tenements in the chawls of the Development Department, as many as 8,000 or 50 per cent. tenements were vacant in August 1933. The position was particularly bad at Worli, where, as is well-known, vacancies on a very large scale have always continued; and even today, practically all the chawls are unoccupied, resulting in a loss of Rs. 2,00,000 per year to the Department at the old rate of Rs. 4 per room or Rs. 2,40,000 per year at the enhanced rate of Rs. 5 per room, which, I understand, has been brought into force recently.

My figures are all up to August 1933, when this Bill was on the agenda. If anything, the position has slightly worsened since then, thus making the mover's case weaker and mine stronger.

2. The Municipal Commissioner in an authentic communication, states that in August 1933, out of a total number of 36,988 houses (both residential and business) in the town of Bombay, as many as 8,000 were practically vacant for the whole year, or in other words, more than 21 per cent.

3. In the same communication, he also says as follows :—

"In my opinion there is no stringency of residential houses at present, except in some most favoured localities such as Girgaum."

4. He further says :—

"That in view of the extraordinary number of vacant tenements and the unprecedented development of schemes such as Dadar and Matunga, it cannot be said that there is any necessity of reviving the Rent Restriction Act."

5. At page 153 in paragraph 6 of his Administration Report for the year 1930–31, the Municipal Commissioner writes as follows :—

"The number of complaints received during the year against the valuation of properties for the year 1931–32 was abnormally high, namely, 9,834 against 4,845 received in 1929–30 against the valuations for 1930–31, and 870 in 1920–21 against the valuations for 1921–22. To cope with the inspection of properties so as to complete it in two months before the 15th of March 1931, an additional staff of 6 Deputy Superintendents and 6 Ward Inspectors and 10 clerks for the Head-quarters Office was obtained for a period of two months with the sanction of the Standing Committee. This exceptionally enormous rise in the number of complaints, which beat all previous record, was due to the continued slump in trade and consequent economic depression, which was reflected in a heavy fall in the rents of business premises in particular and of residential buildings in the occupation of the higher, middle and the poor middle classes of the population in general."

I invite the attention of the honourable member, who interrupted me a little while ago, to this authoritative statement.

6. Again, the official records of the Municipality and the Improvement Trust show that between the years 1927 and 1932, i.e., a period of five years, there were as many as 4,659 new buildings built in the city of Bombay comprising 3,335 shops and godowns containing 12,258 square yards of floor-area; and 14,724 tenements erected, containing 61,498 square yards of floor-area; thus giving a net total increase of floor-area of 73,756 square yards during the five years' period under

[Mr. J. B. Petit]

reference. The total average increase in the number of buildings thus obtained, is 900 per year.

7. It is interesting to note that owing to the downward tendency of rents in Bombay, the number of complaints received against the valuation of the Assessment Department for Property Taxes for the years 1930–31 to 1933–34 and the percentage of reduction in the valuations which had to be given in consequence, showed a marked increase over previous years. The figures briefly are as follows :—

Year.	Number of complaints.	Percentage of reduction in valuation.
1930–31	5,033	7·06
1931–32	9,834	9·66
1932–33	7,308	6·55
1933–34	7,669	9·38

8. It is equally interesting to note that in consequence of continued vacancies, the number of applications received and the amounts paid towards refund and drawback for the years 1930–31 to 1932–33 showed a substantial increase over previous years, as will become apparent from the following statement :—

Year.	Refund.		Drawback.	
	Total number of applications.	Amount paid.	Total number of applications.	Amount paid.
		Rs. a. p.		Rs. a. p.
1930–31 ..	5,428	1,54,823 1 8	7,734	3,19,506 6 0
1931–32 ..	7,815	2,50,085 0 0	10,357	4,12,100 14 0
1932–33 ..	7,389	2,36,168 4 2	9,677	3,63,728 0 0

9. But, Sir, the most interesting and convincing proof of the unenviable plight of property-owners, has been supplied by the largest and perhaps the most harassed landlord of Bombay, I mean, the City Improvement Trust. This public body, as we are all aware, owns numerous spacious chawls, specially built for the purpose of supplying one-room tenements to the poorest of the poor. What is the state of affairs there ? At least this was the condition in August 1933; and I am reliably informed that the position is very much the same now, if not worse. In the J. J. Hospital area, the rents were reduced from Rs. 17 to Rs. 9 per room in order to meet the demand of the public and in order to tempt the people to occupy the chawls which then continued to be vacant. Still, what was the result ? There were 300 vacancies in August last in spite of this substantial reduction in rent.

Mr. B. P. WADKE: Those vacancies may be on account of the riots. Because the riots took place, the people left those tenements.

Mr. J. B. PETIT: My honourable friend conveniently forgets that there are no riots at present; nor were there any riots two or even six months ago.

In the Love-Lane chawls, there were in August 1933, more vacancies than tenants, even though the rents were reduced from Rs. 17 to Rs. 9 per room. In the Chandanwadi chawls, I admit that there were no vacancies, even though the rents were raised from Rs. 4-8-0 to Rs. 7 per room. This goes to show that there is a distinct demand for these tenements in that area even though the rents are higher. At Imamwada also, all the chawls were occupied, although the rents were raised from Rs. 4-8-0 to Rs. 7 per room. This shows that where there is a demand, the chawls are occupied normally; and where there is none, the vacancies continue even though there are ample reductions in rent.

I can go on multiplying instances of this kind by the dozens. I can also put before this honourable House, convincing details of the numerous disadvantages under which the owners of properties were unjustly and arbitrarily placed by the previous Acts,—a state of affairs, which will practically be re-introduced in the event of the honourable member's Bill being passed. I, however, purposely refrain from going into all these details at the present moment because I do not feel myself called upon to do so; but I shall produce them during the second reading of the Bill, if that stage is at all reached, which however, I hope, will not be the case.

What is the sum total of all the facts and figures that I have placed before this House? In view of this information, it is pertinent to ask the advocates of this measure what justification there is in their present demand. I wish to know, Sir, by what canons of justice and equity it is sought to arbitrarily deprive one section of the public of its legitimate rights of property and individual liberty for the benefit of another? Let us remember that all land-lords are not rich. Out of about 20,000 property-owners in the town (to quote the figures for August 1933, the number may have increased now), over 10,000 are so helpless and poor as not to get even Rs. 300 per annum out of their properties; and of the remainder, many are helpless widows, who are solely dependent upon their paltry rent for their livelihood. What is the excuse for depriving these unfortunate human beings of their legitimate dues and putting them into the pockets of others, not a few of whom are certainly far better off than those whom they propose to despoil with the help of the measure under discussion? I wish to know by what process of reasoning and by what law of equity such poor people are to be prevented from charging, not only purely economic rents which they would be perfectly entitled to do, but even such miserable returns as they can with difficulty eke out of their properties owing to the depression; and that too, not for the purpose of profiteering, but with the sole object of making two ends meet? [*An Honourable Member:* Question.] Is it a crime on their part to have invested their money in properties? If not, why should such persons

[Mr. J. B. Petit]

be prevented from getting even their present low market-returns out of their holdings, merely because they happen to have invested in properties ?

There can be one and only one answer to all these questions: and that is, that there is absolutely no justification for this iniquitous measure. But even assuming for the moment for argument's sake that all that the honourable member has said in favour of his bill is correct and assuming further that he has made out a good and unimpeachable case for enacting such special measures for giving relief to the poor tenants, I wish to inquire why such relief—even if well-deserved—should be given at the expense only of one class of citizens, *viz.*, the house-owners, to the exclusion of others ? If I could not support, I could at least have understood a proposal for giving such relief from the revenues of the State or at the expense of local bodies, provided of course that the principle had been once accepted and considered to be sound. But to ask the House to agree to give it at the expense and from the pockets of the house-owners, is to expect it to be a party to a totally unfair, inequitable and indefensible proceeding. In order better to understand the utter absurdity of the attitude that our honourable friend is asking the House to adopt, let us take a concrete instance. Take two men ; one worth a crore, whose investments are all made, say, in 6½ per cent. tax-fee development-loans ; and another worth only half a lakh, whose investments are all made in residential chawls containing one-room tenements. The effect of the honourable member's bill, if passed, will be, that whilst the man with a crore will merrily go on earning his 6½ per cent. on his investment and will not even pay income-tax on it, the poor land-lord will not only not be allowed to earn his proper economic return, but even his full market-rent, which under prevailing conditions may not be 5 per cent. or even 4 per cent. and will also have to pay income-tax in the bargain. And all this, merely because he happens to have invested in residential chawls !

The honourable the mover of the Bill in the course of his opening speech, among other things, said that the principle of imposing restrictions on rents on residential properties had already been accepted both by this honourable House and by the Bombay Municipal Corporation. I most emphatically repudiate this statement, and challenge the honourable member to substantiate it. As I have already said before, the acceptance of a measure of this character and indirectly the principle of artificial restrictions involved in it, was no doubt tolerated by this honourable House and also by the Bombay Municipality during the extraordinary period of the great war, having regard to the unprecedented and exceptional circumstances that then prevailed. But it was always understood that that was not to be regarded as a precedent for similar legislation in the future. Control had to be similarly imposed on various commodities and in other ways at that time, but no one in his senses has ever claimed that that should be made either the practice or the precedent for the application of that exceptional principle for all times and in every possible direction.

[Mr. J. B. Petit]

I repeat what I have already said that the object which my honourable friend has in view in bringing forward this measure has my complete sympathy. But I am opposed to the manner in which it is sought to be advanced and the method employed in achieving it.

Mr. R. R. BAKHALE: What is the alternative ?

Mr. J. B. PETIT: It is hardly for me to suggest. It is the honourable member's Bill. But, I may say at once that I agree with him in thinking that there are certain bare necessities of life which it is the duty of every civilized Government to place within the easy reach of the poor; and among these, I include residences, food and clothing—to say nothing of the free gifts of nature such as air, light and water which are already available to all human beings in every civilized country. But it is quite another thing to say that these necessities of life should be supplied even to the poorest of the poor and the neediest of the needy out of the pockets of another class of citizens who may perhaps themselves be as needy and as poor, if not more. If these necessities cannot be had by the poor except on very prohibitive and harsh terms, then I am entirely at one with him in demanding that the State should take such steps as may put them within their easy reach. What those steps should be, is a matter for consideration. They may even involve state-management or at least state-control of these necessities, and must be most carefully examined and weighed in all their bearings before they can be accepted. If such a broad policy is advocated by my honourable friend, I am in complete agreement with him and shall certainly help him in getting it accepted. But until we have done so and until this honourable House has accepted the principle of state-control involved in it, he has no right to lay down a rule such as the one he seeks to do and base his structure on it, as though the policy and the principle involved in it had already been examined and finally accepted. In the meanwhile, Sir, I submit that the present measure must be judged and determined only on the basis and from the standpoint of our existing laws. When this is done, I contend that it cannot possibly be defended and justified on any ground other than that of pure and simple commandeering of private property, which is the practical effect of what the honourable member is proposing to do but which this honourable House can and ought never to agree to.

For all these reasons, Sir, the Bill moved by my honourable friend Mr. Bakhale is wrong in principle and totally inconsistent with the policy of this House; and should therefore be rejected. I humbly request this honourable House to act accordingly and to throw out the first reading thereof.

Mr. A. N. SURVE (Bombay City, North): Mr. President, I have to give my tribute of praise to the honourable mover of this Bill for all the labour he has taken in putting his case very succinctly and to many in a convincing manner. He is appealing to the House for support to his Bill, in spite of his admission that he belongs to no particular party. But to claim support on the strength of a party is really a weakness I should

[Mr. A. N. Surve]

say. I am sure the collective wisdom of this House seldom goes wrong; therefore, whether he belongs to a party or not, the logical statement of his case will win for him many supporters.

There are two ways of judging this question. One is in the conservative way and the other is in the liberal way. If we look at it from a conservative point of view we look for precedents. Therefore, the question will be whether there has been any precedent for such a rent control. The history of our Council discloses that our predecessors had actually enacted two measures for controlling the rents—one for premises generally and the other for small premises only. Even this House had given extensions to those enactments when their terms had expired. Therefore, so far as the tendency of this House is concerned, you will see that when it felt that there was need it had gone out of its way to support pieces of legislation in spite of their being restrictive in nature.

Then, Sir, there are other points also. They are whether this kind of restrictive legislation is resorted to in our presidency only or in other places also. We know when an emergency arises, we have to take extreme measures. The honourable member Mr. Bakhale has already stated that in England, the land of liberty and freedom, this Act has been further extended for a period of five years very recently. Therefore, if on the whole, the legislation will have a beneficent effect I think it should be enacted.

Now, Sir, taking into account the condition that prevailed in 1918 and the condition prevailing at present, the need for the legislation is apparent but on entirely different grounds. At that time people had plenty of money; and their pockets were ringing with coins. To-day the coins have disappeared and people are finding it very dfficult to find even the means of their subsistence. There is unemployment. It is patent from the fact that 60,000 mill operatives are unemployed. Take even the educated classes. The unemployment problem among them also is very acute. At the time of our prosperity, practically everybody was employed, whether he was competent or incompetent, efficient or inefficient, it did not matter. At that time hands were needed and nobody looked to their competence. They were paid the wages which they demanded. To-day even the most efficient men do not find employment. They themselves and their families are starving. These are the conditions which meet our eye to-day; therefore, the need of beneficent legislation is certainly unquestionable. Even the condition of those who are employed is bad. There is reduction of wages. Sometimes the reduction is very heavy, whether we look to the salary earners or wage earners. You have to take that into account. This unemployment has led many persons to such distressed circumstances that some of them have even committed suicide. Some people have become so desperate that they indulge in acts of violence. Therefore, you will see that the bad state of affairs is leading the public into very desperate ways. It is therefore but necessary that we should apply our minds to see how we can check this growing evil.

[Mr. A. N. Surve]

Then, Sir, there is a change in the outlook also. Formerly it was considered that the few should be provided for at the expense of many. But that way of thinking is undergoing a change. Now, we are looking at things in such a way that though a few should be inconvenienced the many should be provided for. In that way you will see that the number of tenants is certainly far more than the number of landlords. If you want to give relief to the larger number then the necessity of having a legislation of this kind is quite evident.

Then, Sir, there is another aspect also of this question which will have to be looked into, that is, the effect of good housing on health and efficiency. If you have good housing conditions, naturally the efficiency increases and the health remains sound. On the other hand if the housing condition is bad, it means loss of health and loss of efficiency also. If it means loss of health, it is the State that has to bear the expenses because they have to maintain the hospitals. It has to give medical relief. Similarly loss of health even leads to crime. That means additional expenditure on Police and expenditure for maintaining courts of law. Therefore, in order to ensure public health and to effect a saving to the State it is absolutely necessary that Government should take steps to ensure good housing accommodation. Take the other aspect also; if there is good housing accommodation, it leads to increased efficiency. The effect of that is there is more and better protection, which goes to add to the volume of wealth of the country. From that point of view also, it is absolutely necessary that the public should be given good housing accommodation.

Then, Sir, look at this question from another point of view also. You will find that during the control period the building operations were more brisk. There was a reason for that but since the control was withdrawn, the building operations have slackened. Under the old Act the new premises were always exempted from the operation of the Rent Act. Therefore, naturally during that time many people went in for building houses but the moment the Act had expired there was no inducement. You will see, Sir, that the buildings constructed after the expiry of the Rent Act were fewer than they were during the control period. I think the same thing will be repeated as a result of this Bill if it is passed into law. In that way it encourages, I may say, building operations also.

Of course, I quite admit that a legislation of this kind is distasteful to some, because it interferes with the liberty of individuals with regard to their own property. Therefore, if we do not wish to have this kind of legislation, the only way to escape it is to encourage the co-operative housing movement in Bombay. There are many vacant plots. Land is lying idle in the hands of the Development Department, the Municipality and the Improvement Trust, which is now amalgamated with the Municipality. If ways and means are found to finance individual builders, the question of this vacant land will not remain unsolved. Only money is to be provided

11-30 a.m.

[Mr. A. N. Surve]

and individual builders will build their own houses on small plots and they will thus be solving the problem of housing accommodation. Another point is that this land is now a white elephant to these public bodies and it will be sold away and they will be freed of their burden of debt and payment of interest on it. Therefore the real remedy is to promote the building of houses on a co-operative basis. I do not know whether Government is going to consider this suggestion of mine.

Even if the Bill survives the first reading—I hope it will—we have to see that our spirit is not vindictive. There is no idea of splitting the public into two camps, landlords and tenants. The landlords are as much a section of the public as the tenants and therefore it is the duty of this House to see that justice is being done equally between both sections of the public. There should be fair treatment to both. Our idea should be to protect one against the other. I hope the Select Committee will work on those lines.

I have only one more suggestion to make, and that is with regard to the definition of "standard rent". The Bill suggests a novel way of calculating the standard rent. Under the old Act standard rent was calculated on the basis of the rent of premises in 1916 *plus* a certain percentage, whereas the honourable member Mr. Bakhale's bill proposes the other way. He takes the rent of 1930 and then reduces it by a certain percentage. I do not think that he has taken into consideration the injustice that he is doing to certain landlords. He thinks that cent per cent. of the landlords have increased the rents after 1929, when the Rent Act went out of operation. Many landlords have not increased their rents, and if the honourable mover's definition is accepted, it will do an injustice to them. Our idea is to give justice to all. Therefore, I think that many improvements are necessary and the Select Committee should take them into consideration and see that the Bill is given a form which will meet the present need and still be fair and just to both the landlords and the tenants. I support the first reading.

Mr. A. E. SERVAI: Mr. President, I rise to oppose the first reading of this Bill. The Bombay Rent Act, 1918, has been cited as a precedent; but it cannot be so treated, seeing that, as its very title declares,—the Bombay Rent (War Restrictions) Act,—it was a war measure, undertaken when the Empire was just emerging from the throes of a worldwide struggle; and the exceptional conditions then prevailing can hardly be compared with those now in existence.

I admit that the present times are abnormal, but the landlords have to face them as well as any other section of the community, and no valid reasons have been given why a particular section should, because the times are bad (for which it is in no way responsible), be penalised and brought under control and its liberty of action restricted.

In spite, however, of the bad times, rents have actually been reduced in varying degrees, as my honourable friend Mr. Petit pointed out, and this reduction, Sir, has been brought about not out of any sentiment

[Mr. A. E. Servai]

of sympathy or philanthropy on the part of the landlords, who know as well as any one else how to take care of themselves, but it is due entirely to the operation of the inexorable economic law of supply and demand. There might be some excuse, Sir, for a punitive measure of this character if the supply of houses fell considerably short of the demand for them, if all building operations had entirely ceased and if the landlords were therefore free to dictate their own terms. We know that this is not the case. The supply is there, but the trouble unfortunately is that many tenants, when their resources have diminished, do not like to shift to other available quarters the rents of which might be within their altered means, for the simple reason that they do not desire to put themselves to any inconvenience resulting from such transfer, but expect their landlords to come to their rescue. For example, a large number of Development Department chawls at Worli are vacant; they are nicely situated and the rent is as low as Rs. 5 per room. But they find no occupants because they are not at the very doors as it were of business of the class of persons for whom they have principally been constructed. And even in the DeLisle Road and Naigaum areas, over 500 Development Department chawls are still vacant. The rent at DeLisle Road is Rs. 8 per room and that at Naigaum is Rs. 7 per room.

It is thus hardly fair or equitable to force legislation of this type on landlords; and such special treatment at the expense of a small section of the community should receive no support or encouragement from this honourable House.

Moreover, the principle involved in the Bill is, I submit, a dangerous one. If the landlords are controlled to-day as proposed, the same action can be demanded quite justifiably when the price of, say, cloth or any other commodity in daily use has risen and the people have no patience till things adjust themselves as they needs must in time. It would then be difficult to draw a line.

Mr. G. S. GANGOLI (Kanara District): Sir, I want to support the first reading of this Bill, simply because it helps poor people residing in the great cities. The previous speaker said that the Rent Restriction Act was passed at a time when the conditions were abnormal. If the present is not an abnormal time, I should like to know when it is, because though there is no war going on on the battle field, we are engaged in fighting off the wolf from the door. That is a greater war than the Great War of 1914. [*Interruption.*]

In supporting this Bill, I have to bring out a small point, which may appear to be trifling, but which matters much. I have come across cases in which some of the Gujarati or other Hindu owners of houses charge 13 months' rent for one year in every three years. They charge, not according to the Gregorian calendar, but according to the Hindu calendar, and every three years there is "*Adhik Mas*". So they find it advantageous to take rent according to the Hindu calendar. But they pay to the Municipality according to the Gregorian calendar. [*Honourable Members*: "No."]

[Mr. G. S. Gangoli]

I appeal to the Government that if they cannot see their way to support this Bill, they should at least remain neutral. I hear that they are going to oppose the Bill. I hope that is not a fact, but from the time taken by the honourable member to convince this House, I could see that he was nervous that the Government might oppose the Bill. It is really a wonder to me, because not a single Member of the Cabinet is from Bombay. None of them has got a vested interest in Bombay. If this Bill cannot be passed at this sitting, I am sure it will never be passed into law, because in the next Council a Member from Bombay may be holding the portfolio. So this is the fittest moment to pass this piece of legislation. I would earnestly appeal to the Government Members that if they cannot see their way to support this Bill, they should remain neutral and leave the non-official members to decide. With these words, I beg to support the first reading of the Bill.

Rao Bahadur R. S. ASAVALE (Bombay City, North): Mr. Deputy President, I rise to support the first reading of this Bill. Sir, my reasons for doing so are these.

The honourable mover of the Bill has already declared that the Bill should not be passed straightway but that it should be sent to the Select Committee and the defects, if any, should be carefully scrutinised there. I do not differ from the honourable member Mr. Petit as regards many of the statements of facts he has made, but he forgets one thing, that the position of the labouring classes especially is a very bad one and they are hard hit owing to cut in their wages and stoppage of work in some mills. They are placed in such a position that it is quite impossible for them to pay the rent at all. Unless and until Government provides them with some work, it will be very difficult for these people to pay even these reduced rents. I am not referring to the clerical staff employed in some of the business places and Government offices. They might pay the reduced rents. But as far as the labouring classes are concerned, it would be very difficult for them to pay even the reduced rents under any circumstances until the restoration of wage cut and provision of some work.

Therefore I would request the Government, first of all, to appoint a committee to go into the question of working of the cotton mills and particularly into the reduction of wages and to remove unemployment by providing work for these labouring classes residing in the city of Bombay. Sir, these men generally belong to the agricultural classes. As the prices of agricultural products have gone down considerably, they cannot even pay the land revenue to Government. In order to pay this revenue with fear of losing their lands they come to big cities to get some work and earn some money. For these people the rents obtaining at the present time are high, and it is at such places the rents have increased since the abolition of the Act, that is, since the year 1929.

Sir, the Bill has been framed on anything but right and correct lines and it therefore requires much improvement. I would certainly urge that its principle should be accepted by the Government as well as this

[Rao Bahadur R. S. Asavale]

side of the House and that it should be sent to the Select Committee wherein we shall have sufficient time to look to both the landlords' and the tenants' interests. The Rent Act should be applied specially in such localities in which the rents have been increased since the abolition of the Rent Acts. But, Sir, those landlords who have not at all increased their rents after the abolition of the Rent Acts should not unnecessarily be harassed and the rent of their properties should not be brought under control. The Act might be so framed that only those landlords who are really harassing the tenants should be asked to suffer in regard to the reduction of rents and not all the other landlords. Sir, we know very well that the rents of many properties in the north of Bombay have gone down. I do admit that there is no doubt about it, but as a landlord myself, every month I am losing in all nearly Rs. 300 owing to some vacancies and the reduction of rents in my properties, but, Sir, reduction in rents is not done by many landlords and therefore this Act is necessary. I hope that the House will accept the principle of the Bill and send it to a Select Committee. With these remarks I support the first reading of the Bill.

Mr. V. A. SURVE (Ratnagiri District) (Addressed the House in Marathi): Sir, I rise to support the first reading of the Bill moved by my honourable friend Mr. Bakhale. The plight of tenants living in Bombay has become very pitiable. The condition of Government servants is somewhat better because they get their salaries every month without fail, but the case of those who are in private service such as mills and factories is certainly unenviable, because sometimes if not often they do not get salaries for three months at a stretch. Since the control was removed, the rents have shot up at enormous rates. A petty grocer who used to pay Rs. 15 per month has now got to pay Rs. 55 to Rs. 60. The rent of a room 10′ × 10′ which used to be Rs. 3 a month has gone up to Rs. 7 and those who are thrown out of employment and do not earn a pie for six months know what it means to face the landlords' demands and insistent demands for their rents. The rent of a hut with toddy palm leaves for a roof was 12 annas a month but the Bombay Municipality has forced such a hut to be roofed with a corrugated iron sheet and the rent has gone up from 12 annas to Rs. 3 or Rs. 3½ a month. The business premises which used to pay rents of Rs. 300, Rs. 250, Rs. 500, Rs. 700, Rs. 100, Rs. 80, Rs. 50 and Rs. 40 have had their trade taken away by hundreds of hawkers and salesmen who, for want of other employment, take the goods such as cloth, etc., etc., to the very doors of the population. The same is the case in all professions and avocations. Incomes have gone down considerably whereas the rents have been showing a decided tendency to go up, bringing misery in their train to those who have to pay those rents. I think Government would do well to make it a rule that there should be a certain maximum rent per brass. This method will be both just and equitable to the landlords and the tenants and nobody will have cause to complain about it.

[Mr. V. A. Surve]

When His Excellency the late Governor Sir Frederick Sykes was nearing his term of office, he instituted a village improvement scheme. To make this scheme really helpful to the workers and agriculturists, the various District Magistrates were instructed to see what they could do in the matter. I wonder whether anything really worth doing has so far been done by the authorities so that Government will rightly earn the name of "Ma-bap Sarkar" who always are keen to promote the best interests of the poor people, namely, the workers and the peasants.

With these few words, I support the first reading of the Bill moved by my honourable friend Mr. Bakhale.

Mr. S. H. PRATER: Sir, I rise to support the first reading of the Bill, because it aims at giving a measure of relief to a section of the people who very badly need it—I refer to industrial labour and to the lower middle classes in the city of Bombay. In 1918 Government introduced a Rent Restriction Act and extended its operation for a further period in order to protect the people from undue exploitation. It was a humane piece of legislation which gave relief at a time when it was sorely needed. But, Sir, that legislation was brought into force during the boom period when there was practically no unemployment, when the incidence of taxation was low and when the people were generally in a better position to meet the demands made upon them. The boom was followed by a period of depression, more terrible than any we have ever known and which left a trail of want and misery more devastating than anything which was produced by the War. Admittedly, all classes of people have been affected by this depression, but if we limit ourselves to the urban population, no class has been so affected as the class to which my honourable friend Mr. Bakhale is now appealing. I refer to the industrial labour and the lower middle classes, people in subordinate employment in offices, petty tradesman and professional men in a small way of business, people on whom a certain standard of culture and education has imposed a certain standard of living. These are the people who have been most affected by the depression. The fall in agricultural prices has brought about a contraction in trade and resulting retrenchment, which has seriously affected industrial and professional occupations. In normal times Government employment would be expanding and industrial and professional occupations would be expanding, but under the existing conditions these channels of employment are increasingly restricted. Any advantage which the lower middle classes or the labouring classes might have obtained by the fall in the cost of living has been offset by unemployment, reduction in salaries and increased taxation. At present you have three bodies vying with one another to dig deeper and deeper into the taxpayer's pocket. You have the Imperial Government, the Provincial Government and the local authority. Our local Government has added three points to the handle of its Finance Bill and with this three-pronged fork it is trying to dig as deep as possible into pockets in which our competitors have already dug a deep hole. What I am trying to indicate is that

12 noon.

[Mr. S. H. Prater]

the conditions which exist now so far as these classes are concerned are far worse than those which existed during the boom period when restrictive legislation was passed.

It may be said that there has been a certain fall in rents, but that fall is scarcely appreciable in houses occupied by these classes. Again, it might be said that this legislation discriminates against the enterprise of a particular section of the community. But, at the same time, it is an emergent legislation intended to meet emergent conditions, and my honourable friend Mr. Bakhale has amply proved and cited figures to prove that these conditions continue to exist, and for this reason, I cordially support the first reading of this Bill.

Dr. P. G. SOLANKI: Sir, I rise to support wholeheartedly the Bill of my honourable friend Mr. Bakhale. Many honourable members have spoken in support of this Bill, and I also join my voice in the chorus of this support. Sir, this Bill is overdue. The people in the city of Bombay are so much put into difficulties in all the walks of their life. As the previous speaker has said, the lower middle classes, the labouring classes and the lowest of all, those who are in the menial services are being hard hit. Sir, the landlords had their champions and have their champions in this House, and the greatest champion is my honourable friend Mr. Petit. Even he, who is most conservative and who is the greatest custodian of the rights of the landlords and the capitalists, had to admit the principle of this Bill. But he does not like the vicious principle of asking the Government to intervene.

Sir, I would just like to enquire as to who are some of these people who are called landlords in Bombay, and how they got their money and how they managed to build big buildings and flats. Sir, these landlords generally come from the commercial classes or the industrial classes. They make money by thousands and lakhs by their enterprise in the city in the commerce in which they are engaged, or they bring money from outside and buy lands at cheap rates, not only from the Government and the Improvement Trust but also from the needy and indebted old landlords and the old and poor widows, for whom my honourable friend Mr. Petit showed so much solicitude. When these rich commercial people want to acquire the houses and the lands, they always try to find out sources and agents through whom they can buy lands from these needy and indebted people at the lowest and cheapest rate possible; these people who are in need of money may be possessing properties worth about Rs. 10,000 and they are at times out of necessity forced to give away their houses at a nominal price of Rs. 2,000 to Rs. 3,000. These are the ways how these people become landlords. What did these landlords do during the boom period? I know of cases of people who had not a single pie in their pockets but had commercial sense. When the war broke out they managed to get hold of some men of means and these people joining hands in the enterprises, they started agencies, approached the big officers in the military department or the commissariat and they got big orders and very big contracts

[Dr. P. G. Solanki]

and thus some of these people have become masters of money and capitalists. They got plots on lease at cheap rates by influence and built buildings worth lakhs and lakhs; and it is these people who come forward during these days of depression to say that their houses are lying vacant and they cannot find tenants to give them rents. It is these people who made their money very cheaply, people who never sacrificed anything, people who made money, I should say, from the agonies and the hardship of the people who sacrificed their lives and their property and their most valuable and dearest ones. It is the latter who have their grievances against the former. The landlords come forward in this House to protest whenever any of the persons belonging to the masses of the people, try to redress the grievances of these poor people who have been hit hard in these days of depression and unemployment amongst the labouring classes, millhands and lower middle classes.

Sir, I had my own doubts whether my honourable friends from the European group would support this Bill or oppose it. I am really very glad to find that my honourable friend Mr. Prater has come forward and supported this Bill. I know that his community is also very hard hit. In these days of depression nobody has escaped. Even our mighty Provincial Government has not escaped—mighty in this way that they can devise ways and means by which they can bring in income from any source they like; even out of dust they can make money, provided they choose to do so. But what do they do, Sir? They always try to see to the land revenue, the income tax and to the other taxes and assessments which the landlords have to pay. That is one of the sources which fattens their exchequer, and I do believe that this false sentiment of theirs will drive them away from extending the sympathy which they ought to show at this juncture towards the poor tenants, and if that is so, I am afraid that they might perhaps oppose this Bill. I shall be really very sorry if I find the Government benches opposing this Bill. The Government benches who are really for the betterment and comfort of the people should not at this juncture say "Here this is a fight, not between Government and the people, not between themselves and the dissatisfied political agitators; it will be a fight between the landlords and the tenants, and so let them decide the issue between themselves."

I do not run down all the landlords. There are many generous and kind-hearted landlords whom I know; they have forgone their arrears of rents for one year and even two years, during these days of depression from their old tenants. But there are Shylocks and very heartless landlords who would not lose or forego their pound of flesh, and they would exact money from even the poorest tenants, who may be occupying a room for which they have to pay Rs. 10 to Rs. 15. Sir, I know of instances where the labourers in the offices or in the mills, occupying one or two rooms, through no fault of theirs, but out of misfortune, are thrown out of work, owing to the disfavour and displeasure of the jobber or manager, and they fall into arrears of rent. Some of the

[Dr. P. G. Solanki]

hard hearted landlords have not even the patience to give the men a chance to find out some other employment so that they may wipe off the arrears of rent. The landlord at once runs to the court, issues summons, and there is a distress warrant, and the tenant is ejected out of his rooms without any mercy. Sir, this is the lot of hundreds and thousands of the poor labourers; this is the lot of hundreds and thousands of the lower middle class people, the clerks and other servants who are working in the offices and pedhis of the merchants. It is not a question of war between communities and communities. It is a question of adjusting differences between the capitalists, the landlords on the one hand and the honest hard working labouring population of this city on the other. Under these circumstances, I am not surprised to see my honourable friend Mr. Bakhale coming forward and asking the aid of Government—a man who always avoids seeking the help and protection of the Government. I know that my honourable friend will be the last man to ask the Government for aid, if he could manage without it and he could rely upon the good sense of the landlords. But, Sir, that sense the landlords are rather wanting in. If that had not been the case, I do not think any man would come forward and try to doubt the honesty of purpose of the landlords. Sir, these landlords ought to have of their own accord come forward offering reductions in the large rents which they do not deserve. They know very well that 60,000 men in Bombay are out of employment in the mills, and thousands are driven away from the offices in Bombay city. Even the lower middle class merchants themselves are at a loss to find out ways and means to make both ends meet.

Dewan Bahadur D. R. PATIL: What is the rent the poor people have to pay?

Dr. P. G. SOLANKI: About 20 or 25 years ago a poor man living in a one-room tenement had to pay a rent of Rs. 2-8-0 to Rs. 3 per month, but now he has to pay from Rs. 9 to Rs. 12 per month.

Sir, I fully agree with what my honourable friend Mr. V. A. Surve said. He said that there should be gradations in the rents according to the area of each tenement. There may be differences between the rooms which may have electric lights and fans and other things in big flats and the rooms and flats which have none of these comforts. They should make differences between such rooms and the rooms which have not got any of these comforts and amenities. Sir, this relief is required for the poor and the poorest. The rents were increased during boom times. I do admit some of the landlords have decreased them. As I have said, there are some landlords who are generous and charitable. They have come to the rescue of their tenants. But persons who became landlords in the boom times and people who made money without any sacrifice and without any trouble have no sympathy and no mercy for their tenants. They are greedy for their interest, their capital and their money. I would suggest that some sort of amendment must be made in the Bill in the select committee, so that Government may put down

[Dr. P. G. Solanki]

the principle that the landlords should levy rents to an extent which might bring them an interest of about 5 to 6 per cent. on their capital or total outlay. [*An Honourable Member:* That is very heavy.] If it is very heavy, it may be lowered down to 4 per cent. so that it may be fair and just for the landlords to charge rent on that basis. Then it will not lie in the mouth of such landlords to say that they are losing their interest and their capital is dead. Sir, we from the people and the masses would like to come forward and meet these landlords in that way. But in this matter nobody else can do this but the Government, and I believe it is for this very reason that my honourable friend Mr. Bakhale has asked for State intervention, which I do not think my honourable friend Mr. Petit would grudge. If he is the friend of the poor as he says, if he feels for them, I do not really know why he ought not to accept the principle of this Bill. He ought to have shown at least more sympathy by saying that the Bill should be referred to a select committee on which he ought to have volunteered his services, and he could have suggested such ways and means by which he could have modified this Bill and made it better for his class of people. If this Bill is not passed by this House or at least referred to a select committee then I am afraid there will be great discontent. In the local papers every day articles appear in Marathi, Gujarati and English papers, asking for this Rent Act, if not on the lines of the Act of 1918, at least in accordance with the present day conditions. Looking to the trade depression and the general unemployment, this Bill must go through the House. I am afraid Rent Restriction Bill alone is no remedy. If this sort of depression of trade continues and if the unemployment problem remains unsolved, without Government contriving some means to employ the people, and if the congestion of the people remains unchanged as at present, I am afraid there will be a civil war between the landlords and the people. To avert that evil overtaking the country, I request Government not to oppose this Bill. If they cannot support the Bill, I appeal to them to remain neutral and leave the House to vote upon it. With these words, I wholeheartedly support this Bill.

Mr. MAHOMED SULEMAN CASSUM MITHA: Sir, my honourable friend Mr. Bakhale is aware of my sympathy towards the poor and labouring classes. I have always supported any measure in their interest whether in the Corporation or in the Council; but in fairness and justice, I am opposed to this Bill, as I do not consider that the present position warrants any interference on the part of Government. It cannot be said that there exists any shortage of housing accommodation in Bombay City or that rents have not fallen. On the other hand, I do not deny that there may be some cases of hardship, but in a question of this sort one cannot legislate for the few. Broadly speaking, therefore, I am for leaving matters as they are and I have no doubt that through the operation of the law of supply and demand rents will of necessity adjust themselves to present conditions without the need of any special legislative action.

Now, Sir, I would like to refer to the remarks of the honourable member Dr. Solanki. He asked Government not to oppose this

[Mr. Mahomed Suleman Cassum Mitha]

measure. Sir, if Government were to enact a measure of this character, nobody would invest any money in either Government security or land. May I ask the honourable member, as my honourable friend Mr. Petit said, whether he is prepared to legislate that a man who has invested Rs. 10,000 in 6½ per cent. Government security should get only a——

Dr. P. G. SOLANKI : A certain percentage should be put.

Mr. MAHOMED SULEMAN CASSUM MITHA : I am sure those people who have got Government securities giving a return of 6½ per cent. would never accept 3½ per cent. Why do you penalise only the landlords ? If Government are to interfere at a time like this, when rents are going down and when 90 per cent. of landlords have mortgaged their property nobody will come forward hereafter to invest in lands. Sir, with all the sympathy the honourable member Dr. Solanki has got for the poor and labouring classes—he is a member of the Corporation—may I ask him why the Corporation should not give their chawls free of rent or at reasonable rent to the poor and labouring classes ? Instead of that only recently the Corporation have increased the rents of their chawls on the ground that the rent charged was not adequate. They have done so, in spite of the fact that there is a large majority of elected members.

Dr. P. G. SOLANKI : Corporators are capitalists.

Mr. MAHOMED SULEMAN CASSUM MITHA : They are elected.

Dr. P. G. SOLANKI : By the power of their purse and the influence accruing from money these members in the Corporation got themselves elected. It is they who supported the motion.

Mr. MAHOMED SULEMAN CASSUM MITHA : I am surprised at the remark of the honourable member that they supported the motion. Where are the voters ? It is their duty to hold a protest meeting and call upon those corporators who supported the higher rent in the Corporation——

Dr. P. G. SOLANKI : There is a move.

Mr. MAHOMED SULEMAN CASSUM MITHA : I am glad.

Sir, the Bill brought forward by the honourable member Mr. Bakhale is uncalled for and unjust at the present time. The honourable member Dr. Solanki remarked that the people who have invested in landed property are getting very good return. I may inform him that properties that were sold for Rs. 8 lakhs in boom time, cannot get an offer at present for a lakh or a lakh and a half. Many landlords have filed insolvency petitions, because they could not pay their debts and their properties are mortgaged. The honourable member Dr. Solanki wants to restrict the income of the landlords to 3 or 4 per cent. But why stop there ? Why not get Government to legislate for the reduction of interest on their securities from 6½ per cent. to 3½ per cent. ? Why not bring in legislation to restrict the profits of Corporations like Tramway Company, who even in these days pay dividends of 14 per cent. ? With these remarks I oppose the Bill.

Mr. HOOSENALLY M. RAHIMTOOLA (Bombay City) : Sir, first of all, we should see whether there is any justification for passing such

[Mr. Hoosenally M. Rahimtoola]

a measure at this time. If there is any justification for it, it must be either that the rents have increased or that there is scarcity of houses, so that people will be paying higher rents because there is no other place to go to. What is the condition of the Bombay city at present? Instead of the rents increasing the rents are falling and instead of there being a scarcity of houses a large number of houses are either vacant or are partially occupied. This is the report of the Commissioner to the Municipal Corporation. He says: "It will be seen that for the two years 1930-31 and 1931-32 together, the fall in rent was responsible for a total reduction in gross value of Rs. 62,57,230 in respect of privately owned properties. The fall is a substantial one, and the causes mainly responsible for it still continue to operate." Sir, members of the Corporation know that in these days the time of a number of municipal officers is fully occupied in revising the assessment on buildings. Where only one officer was doing this work in the past, now there are more than half a dozen officers who are engaged in this work from day to day from 12 to 6 o'clock. That shows that the rents are falling every day. Municipal councillors also know that the Municipality has to pay very large amounts in refund of property taxes on account of vacancies. This shows that there is no scarcity of buildings and that the rents are falling. So, there is no justification for passing such an emergency measure which was passed during the war time.

My honourable friend the mover of the Bill wants to reduce the rents on the ground of unemployment or poverty. Then, the remedy is quite different. I would suggest that we should have unemployment relief or poverty relief by the State and not reduce the rents and penalise one class of citizens. Under these circumstances, I oppose the Bill.

Mr. SYED MUNAWAR: Sir, I support wholeheartedly the first reading of this Bill which has been so very ably moved by my honourable friend Mr. Bakhale. He deserves warm congratulations of the House for the lucid exposition of facts and figures, and the very clear manner in which he has placed instructive details in connection with the Bill before the House. The reasons and the factors which justified a legislation of this character in 1918 are seen to-day in a more aggravated form.

What are these factors? In 1918 the trade depression was not felt. As against that, to-day we have so much acute trade depression, so much reduction in wages and salaries, increase in the rate of income-tax which is now imposed on even incomes over Rs. 1,000 a year, increasing unemployment brought about by economic depression, increase in the railway fares and education fees. [*Interruption.*] Railway fares in respect of third class passengers have not been reduced but they have been kept on a high level. In the year 1918, as pointed out by my honourable friend the mover, there was practically no unemployment; there was an influx of population from up-country to Bombay to take up all sorts of work. Government felt that it was necessary to enact a measure to safeguard the interests of the tenants in

[Mr. Syed Munawar]

order that rack-renting landlords might not fleece the tenants. Now, Sir, what is the position? As has been admitted by my honourable friend Mr. Petit, in Chandanwadi, there are chawls for which there is a great demand and there are no vacancies in those chawls with the result that the rents in those chawls have been kept at a high level. He also admitted that in the Girgaum ward there is a great demand for tenements, the rents for the tenements have not fallen, and there is no appreciable increase in the number of buildings erected. Similarly, Sir, there are other localities in the city like Bhuleshwar, Mandvi and in those congested parts where labour population lives, where there are, of course, certain buildings which are partially vacant or many new buildings have come into existence, but still the rents have not at all shown a tendency to decrease. Are these rents economic rents?

12-30 p.m.

I shall presently prove that it is a very profitable business for landlords to invest their capital in buildings. I understand on reliable authority that during the last two or three years, persons who had fixed deposits in banks or had purchased Government securities—especially people who had deposits of Rs. 4,000 or Rs. 5,000 or securities worth Rs. 4,000 or Rs. 5,000—withdrew their deposits from banks or sold off their securities only with the object of purchasing or erecting houses, and they have erected houses as a matter of fact. What does that show? Because the interest on these fixed deposits and on Government paper had fallen, they thought that it was not a paying proposition for them any longer to keep money in fixed deposits or invest in Government securities, and they withdrew their money from those investments, with the result that to-day Government, when it is in need of money, has to raise a loan for their public works or works of public utility. I can give you an instance where a landlord purchased an old house for Rs. 2,500. [*An Honourable Member:* Rs. 2,500?] Yes, Rs. 2,500. It is in Falkland Road, Masjid Gully. Its monthly rental was Rs. 75. He bought it for Rs. 2,500, and spent Rs. 2,000 on repairs, and he is now getting Rs. 125 per month as rent instead of Rs. 75, that is Rs. 50 more. We can work out the interest on the total investment of Rs. 4,500, making deductions for municipal taxes, vacancies, unrecoverable arrears, miscellaneous expenses, and also depreciation. He gets a net return of more than 12 per cent. on the outlay. Is this not more profitable for the landlord in Bombay than to invest his money in Government securities or keeping it in fixed deposits with banks?

Apart from this, Sir, my honourable friend Mr. Petit has pointed out that during the last five years, an area of 73,000 square yards has been built upon. What does it show? It goes to prove my own contention, that the landlords are no longer shy of erecting new houses but are thinking that it is a better plan to build houses than to invest in banks or Government securities. The honourable member Mr. Petit also admitted that the rents in respect of chawls carrying low rents—in Imam Wada—has risen from Rs. 4-8-0 to Rs. 7 a month. By whom are these chawls

[Mr. Syed Munawar]

tenanted? Most of the occupants of these chawls are poor people, such as clerks getting Rs. 40 or Rs. 50, and peons getting Rs. 20. Peons getting a pay of Rs. 20 have to pay a rent of Rs. 7 per month. What is left for them to maintain their families? The plight of the tenants in Bombay is really very miserable, Sir, and more pitiable now than ever before, and this piece of legislation, as pointed out by my honourable friend Dr. Solanki, is long overdue. I also admire the courage with which my honourable friend Rao Bahadur Asavale, who is himself a landlord and a builder, came forward to support the Bill [*An Honourable Member:* Conditionally!] came forward to support the principle underlying the Bill and suggested that it should be referred to a Select Committee. I have myself tabled certain amendments to this Bill. All these amendments can well be considered in the Select Committee, to which my honourable friend the mover of the Bill is agreeable. I hope the House and the Government will be convinced of the necessity for rent control and pass this Bill into law.

Mr. MAHOMED HASHIM GAZDAR (Karachi City): Sir, I rise to oppose the first reading of the Bill which seeks to control and regulate rents.

The honourable member Mr. Petit has very ably stated all the facts and figures showing how the landlords are suffering. The honourable mover of the Bill has said in the statement of objects and reasons that he has brought the present Bill on the lines of the Bills of 1918. The measures of 1919 were War restriction measures. It was a restriction imposed on human inclinations to profit. It was to stop profiteering and not to ruin a suffering class of community that those Acts were passed. During the Great War it was found very necessary to restrict many human activities, social, economic and others, and on account of the general rise in prices, the general prosperity and the temporary increase in population in Bombay and Karachi ports on account of military operations, it was found very necessary that some sort of protection should be given to the tenants in those two cities. But now things have changed altogether. There is no overcrowding. There are many vacant houses; rents have gone down, and still protection is being asked for. Even the Bombay Tenants' Association admits that rents have increased only in 25 per cent. of the cases since the restrictions were removed. They state that out of 1,400 cases there has been no change in 700 cases, while in 25 per cent. of the cases there have been actually reductions and in only 25 per cent. of the cases the rents were increased. You will find that these were cases in which the landlords were suffering because the old buildings were treated differently under the 1918 Acts. Of course on account of general depression, unemployment and many other causes, there is a lot of suffering in the middle and lower classes, but for that reason only one community should not be mulcted. It must be the community at large which should go to the help of the suffering. It is for Government or the local authorities to find out means to help the people at this critical stage. I do not know how my honourable friend

[Mr. Mahomed Hashim Gazdar]

Dr. Solanki would like it if 25 per cent. of the income of his class—that is, doctors—was taken away for the relief of the sufferers. [*Dr. P. G. Solanki:* We will accept it.] I am not sure whether that principle will be accepted. The honourable mover of the Bill has tried to show that he wants to give relief to the middle classes or the lower middle classes, but I find that there is a provision in the Bill which seeks to protect people who are paying Rs. 200 by way of rent per month. I do not think any middle-class man can afford to pay even Rs. 40 a month by way of rent——

Mr. R. R. BAKHALE: May I inform the honourable member that the definition of a middle-class man made by the Bombay Labour Office is that a middle-class man is one who pays rent from Rs. 50 up to Rs. 750 per month.

Mr. MAHOMED HASHIM GAZDAR: I do not think then that such a class requires any protection or relief from landlords.

I am also very much surprised, Sir, to see that he has included business premises in the purview of his Bill. There are many vacancies in business premises so that the business houses do not need to be protected. I will just quote one example to illustrate how miserable is the condition of landlords in Bombay. A gentleman purchased a property in Chinch Bunder, Dongri, on a 999 years' lease from the Bombay Improvement Trust. He had to pay about Rs. 2,000 monthly lease rent to the Bombay Improvement Trust and about 17 per cent. by way of taxes to the Bombay Municipality. He had spent about two lakhs on construction of that property. What does he find to-day? He finds that he is not able to recover even what he has to pay to the Municipality and the Improvement Trust. He offered to make a free gift of that property to the Improvement Trust and in spite of the fact that nearly two lakhs had been spent on that property by the owner, the Bombay Improvement Trust refused to resume that plot, saying that it would merely be a liability on them. I negotiated in that matter and the owner had to pay Rs. 20,000 to get free of that property, and drop like hot coal a property worth two lakh rupees. It is, therefore, the landlords that need protection and not the tenants. If that is the condition and if the landlords cannot even pay the municipal and other taxes, which of course the Municipality recovers from them, whether the property is vacant or whether rents are reduced or not, why does my honourable friend Mr. Bakhale want that a further reduction of 25 per cent. of their incomes should be given for relief? If relief is needed and needed badly, then let the State give it. Under the proposed Act it will be compelling landlords only to give a contribution of Rs. 2½ crores a year for relief of the unemployed and others who are well off.

My honourable friend Dr. Solanki wants a committee to be appointed to investigate and fix 5 per cent. return for the landlords. I think the landlords of Bombay and Karachi——

Dr. P. G. SOLANKI: I said 4 per cent.

Mr. MAHOMED HASHIM GAZDAR: I think the landlords of Bombay and Karachi will be quite happy if they can only secure some legislation by which they will get 4 per cent. net return. I am sure some landlords are not getting even 1 per cent. and in some cases they are in fact losing.

Sir, the population of Bombay might have increased since the year 1918 just as it did in the town of Karachi, but the figures of building construction in Karachi and Bombay show that the volume of building construction is more than the increase in population, and hence I do not see any need for this Bill to regulate and control rents in either of these cities or in the presidency as a whole.

I think, Sir, that the principle underlying this Bill is very dangerous. Once this House accepts this principle, I do not know where we shall end. I wonder whether my honourable friends would agree to applying the principle of taxing and collecting 25 per cent. of incomes of business firms, lawyers, doctors etc. for the public generally? I fail to see why the honourable the mover proposes to fix the standard rent at 25 per cent. below the rent of 1930. I do not know that in the year 1930 there was any general abnormal rise in rents due to any particular cause. On the contrary, I find that the rents have been coming down since 1928 and 1929, while Government at time of passing Rent Acts in 1918, time of boom and profiteering, actually allowed an increase of 25 to 33 per cent. on premises fetching rents of Rs. 50 and more.

With these remarks, Sir, I oppose the first reading of this Bill.

Rao Bahadur G. K. CHITALE (Ahmednagar District): Sir, I rise to support the Bill. The underlying principle of the Bill as it would appeal to a layman is to give relief to the poorer people who, according to the statistics placed before us, are nearly 67 per cent. of the population of Bombay. I am not going to enter into the technicalities of the question which have been sufficiently well explained in a speech of over one hour which has been made by the honourable mover. It may be that the speech suffered from its length, but the substance of it will go down into the proceedings of this Council and will be a monumental argument in support of the measure.

I should think, Sir, that you must look at it not altogether from the capitalistic point of view, but also from the socialistic point of view. I would put it on a broader basis. I am prepared to admit that these landlords who are trying to acquire as much land as possible, enough and to spare, at prohibitive price may not be getting a proper return on their investment. I take the instance of the plot on which stands the Central Bank building. This building was built by the Tata Bank, and the plot was purchased at a prohibitive price, if I remember rightly at some hundreds of rupees per square yard; and it may be that even with the rent the tenements in the buildings are charged, they may not be getting a proper return on the investment. Sir, after 1920 or 1922 the boom disappeared and the riches of Bombay also disappeared along with it, and the motor cars of the owners came into the hands of the taxi-drivers. That showed, Sir, that that decline was due more to expensive habits

[Rao Bahadur G. K. Chitale]

of luxury than any poverty. But as far as I know, there is no doubt that in the last five years or so, many people, even of my profession, have gone in for house building in Bombay. I also know that the prices that were asked six years back for a plot have now been halved, and it is quite a business proposition now to put up a decent building and earn a handsome return of at least 6 per cent. If that is so, even on the basis of a reduced rental, the rents would be such as not to be within the means of middle class gentlemen getting, say, on an average Rs. 100 per month. The honourable mover has proved to the hilt by statistics, and it is not challenged by anybody, that a large portion of the earnings, to the extent of 15 per cent. are taken up by the rental, and although the prices of food stuffs have come down, still it does mean a lot of hardship to the poor people whom this city is bound to house properly. The further fact that appealed to me was that we find that many people, for want of proper habitation, have to sleep on the streets, if the statistics are correct. I should think it is a shame to a city like this, which boasts of good, tarred roads, wherein crores of rupees have been spent, and splendid buildings including a marine drive have been constructed, that it should not be able to house its own population in a decent building, and should allow small tenements of one or two rooms to be occupied by groups of people, which must be very insanitary and injurious to their health.

The point, Sir, however is that I am not sure that the provisions of the Bill are not capable of being improved upon later on in the select committee and I should think, Sir, that even if the Government think it their duty to oppose such a measure for the mere principle, it should be allowed to go to a select committee. We have a splendid example of how the Racing Bill of my honourable friend Mr. Gokhale has been put through the select committee, almost threadbare, beyond recognition. Still, I shouldthink, as a matter of principle, the Government side would be well advised in accepting the principle of it and then trying to do justice to the several interests which must be also protected. Of course, I know that whatever we may think, we are helpless. The sledge hammer will come in and with the majority vote it is likely that our object will be defeated. In spite of that we must enter our protest and say that the principle of the Bill is sound. Though we may not succeed to-day, I am sure one day at least it will triumph.

Mr. SHAIKH ABDUL AZIZ (Central Division): Sir, I support the Bill brought forward by my honourable friend Mr. Bakhale. At present I am reminded of my honourable friend Mr. Mir Mahomed Baloch. If he had been here he would have certainly supported this measure. But the honourable member Mr. Gazdar who has come in his place is opposed to it on certain principle which best suits his purpose.

The first point is why the help to the workers must come from the landlords alone? It was argued why the landlords should be penalised for the welfare of the workers? Whatever the merit of the principle may be, it has been accepted in England [*Interruption*]. The Rent Act in England has been extended to 1938. This has been pointed

[Mr. Shaikh Abdul Aziz]

out by the honourable member Mr. Bakhale. So, we cannot say that this principle has not been accepted anywhere else. If this principle has already been accepted, why should not the landlords of Bombay be asked to help the workers to some extent by reducing the rent which they have already been getting ?

It has been pointed out from the report of the Commissioner of the Municipal Corporation that he is against such sort of legislation. Some such information was given by my honourable friend Mr. Rahimtoola. But in the address that was given to His Excellency by the labourers in 1932 it was mentioned :—

"The direct necessity of reduction in the house rents by having a legislation to that effect is quite clear from the very fact that the Municipal Corporation of this premier city has passed a resolution commending the above to the Government of Bombay by an overwhelming majority even when they felt that reduction in rents should mean reduction in the value of buildings on which the Corporation assess these buildings, with a consequent reduction in the total income of municipal assessment."

A majority of members of the Corporation supported this measure.

Mr. MAHOMED SULEMAN CASSUM MITHA : May I interrupt the honourable member ? May I ask him why the same members of the Corporation have increased the rents of Improvement labour chawls ?

Mr. SHAIKH ABDUL AZIZ : This fact also may be true though I do not know. Here we have to take into consideration what is really good for the poor classes. In my opinion this measure which is really in the interest of the poor should not be opposed and therefore I wholeheartedly support the Bill.

It being 1 *p.m., the House adjourned till* 2 *p.m., on Monday, the* 26*th February* 1934.

BOMBAY : PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Vol. XXXIX—Part VII

Monday, the 26th February 1934.

The Council re-assembled at the Council Hall, Bombay, on Monday, the 26th February 1934, at 2 p.m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present:

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr. A. B.
ADVANI, Mr. P. B.
ALLAHBAKSH, Khan Bahadur
AMINUDDIN, Mr. SAIYID
ANGADI, Rao Bahadur S. N.
ASAVALE., Rao Bahadur R. S.
BAKHALE, Mr. R. R.
BANGI, Mr. A. K. J.
BELL, the Honourable Mr. R. D.
BHUTTO, Sir SHAH NAWAZ
BIRADAR, Sardar MAHABOOBALI KHAN
BOLE, Rao Bahadur S. K.
BULLOCKE, Mr. A. GREVILLE
CHIKODI, Mr. P. R.
CHITALE, Rao Bahadur G. K.
CLEE, Mr. C. B. B.
COLLACO, Dr. J. A.
COOPER, the Honourable Khan Bahadur D. B.
COVERNTON, Mr. S. H.
DAVIS, Mr. G.
DESAI, Mr. H. R.
DESAI, Mr. S. B.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
D'SOUZA, Dr. J. ALBAN
EWBANK, Mr. R. B.
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GARRETT, Mr. J. H.
GAZDAR, Mr. MAHOMED HASHIM
GHULAM HUSSAIN, the Honourable Sir
GHULAM NABI SHAH, Khan Bahadur
GILDER, Dr. M. D.
GOKHALE, Mr. L. R.
GOVER RORA, Mr.
GREAVES, Mr. J. B.
HUMPHREY, Mr. JOHN
JAM JAN MAHOMED KHAN, Sardar Bahadur
JAN MAHOMED KHAN, Khan Bahadur

Jitekar, Mr. Haji Ibrahim
Jog, Mr. V. N.
Jones, Major W. Ellis
Kale, Rao Bahadur R. R.
Kamat, Mr. B. S.
Kambli, the Honourable Dewan Bahadur S. T.
Karbhari, Mr. M. M.
Kennedy, Mr. T. S.
Kulkarni, Rao Saheb P. D.
Lane, Mr. C. M.
Lely, Mr. W. G.
Mackie, Mr. A. W. W.
Matcheswalla, Mr. G. E.
Maxwell, Mr. R. M.
Meherbaksh, Khan Bahadur S.
Mehta, Mr. M. H.
Mitha, Mr. Mahomed Suleman Cassum
Modak, Rev. R. S.
Modi, Sardar Davar T. K.
More, Mr. J. G.
Naik, Sardar Rao Bahadur B. R.
Navle, Rao Bahadur N. E.
Nawab Shah Rookh Shah Yar Jung Bahadur
Owen, Mr. A. C.
Parulekar, Rao Bahadur L. V.
Patel, Khan Bahadur A. E.
Patel, Mr. Bhailal Sarabhai
Patel, Mr. C. N.
Patel, Khan Bahadur Vali Baksh A.
Patil, Dewan Bahadur D. R.
Patil, Mr. N. N.
Petit, Mr. J. B.
Pradhan, Rao Bahadur G. V.
Prater, Mr. S. H.
Rahimtoola, Mr. Hoosenally M.
Resaldar, Mr. A. K.
Roose, Mr. F. O. J.
Servai, Mr. A. E.
Shaikh Abdul Aziz, Mr.
Shaikh Abdul Majid, Mr.
Shankarrao Jayaramrao Zunzarrao, Mr.
Sindha, Mr. Madhavsang Jorbhai
Smart, Mr. W. W.
Solanki, Dr. P. G.
Surve, Mr. A. N.
Surve, Mr. V. A
Syed Miran Mahomed Shah
Syed Munawar, Mr.
Talpur, Mir Bandeh Ali Khan

THAKOR OF KERWADA, Sardar BHASAHEB RAISINHJI
TOLANI, Mr. S. S.
TURNER, Mr. C. W. A.
VAISHAMPAYAN, Dr. V. G.
VAKIL, Mr. PESTANSHAH N.
VANDEKAR, Rao Bahadur R. V.
WADKE, Mr. B. P.

STARRED QUESTIONS AND ANSWERS.

SURAT MUNICIPALITY : REDUCTION IN PRIMARY TEACHERS' PAY.

* Mr. G. S. GANGOLI for Dr. M. K. DIXIT (Surat District) : Will the Honourable Minister for Education be pleased to state—

(*a*) whether Government are aware that there are certain teachers in the Surat Municipal primary schools holding certificates of training from Baroda and Rajkot training colleges and Godhra Methodist class ; if so, how many from each of the institutions ;

(*b*) whether Government are aware that they were employed by the Municipality before 1923 ;

(*c*) whether Government are aware that up to the 31st August 1931 these teachers were paid according to the time-scale fixed for the trained teachers holding certificates from the Ahmedabad Training College ;

(*d*) whether Government are aware that they were employed by the Municipality on the understanding that they would be put on the level with those holding certificates from the Ahmedabad Training College, as regards their pay and promotions ;

(*e*) whether Government are aware that in 1926 the Educational Inspector, Northern Division, observed that these teachers should be paid according to the scale fixed for the teachers holding Ahmedabad Training College certificates ;

(*f*) whether Government are aware that the pay of some of these teachers was reduced to the grade of untrained teachers by the committee of management from 31st August 1931 ;

(*g*) whether Government are aware that when the Committee of Management ceased to exist, the Municipality took charge of the School Board and restored the pay of these teachers to the time-scale by their resolution No. 17 of 20th February 1932 ;

(*h*) whether Government are aware that when the new School Board was constituted, it again reduced the pay of these teachers, and further ordered the recovery of the amount drawn by them in excess of pay of the grade of untrained teachers ;

(*i*) whether Government are aware that the School Board is not acting up to the resolution of the local authority in this matter ;

(*j*) whether Government are aware that this reduction in pay has been made in case of some teachers only and not all ; if so, why ;

(*k*) what steps Government propose to take to remove this injustice and to restore the pay of these teachers to the time-scale prevalent at the time when they were engaged ;

(*l*) the names of the Chairman of the Committee of Management and that of the School Board which reduced the grade of these teachers ?

The Honourable Dewan Bahadur S. T. KAMBLI : (*a*) Yes. There are 7 teachers under the Surat Municipality holding the certificates of the following training institutions :—

Training College, Rajkot	3
Training College, Baroda	2
Methodist Training College, Godhra	2
Total ...	7

(*b*) Of the 7 teachers mentioned above, only 2 were employed before 1923 ; 4 in 1925 ; and 1 in 1927.

(*c*) Yes.

(*d*) No such undertaking appears to have been given to these teachers.

(*e*) The Educational Inspector informed the Local Authority in 1926 that the Baroda and Rajkot Training College certificates were recognised but at the same time stated that the matter had been referred to the Director of Public Instruction for orders. The Local Authority was informed by him in 1929 that the certificates of the Baroda and Rajkot training institutions could not be recognised for purposes of Primary Education Rule 2 (*e*).

(*f*) Yes.

(*g*) Yes.

(*h*) Yes.

(*i*) Government have recently issued orders laying down certain principles regarding the pay to be given to teachers holding Rajkot, etc., Training College certificates. The Municipality has been advised to regulate the pay of the teachers concerned accordingly. It is reported that the question of regulating the pay of the teachers concerned according to the orders of Government is under the consideration of the School Board of the Municipality.

(*j*) Yes. The pay of the three teachers appointed after 30th June 1923, has been reduced. Of the remaining 4 teachers, 2 were appointed before 30th June 1923, and they are paid according to the scales laid down by Government on March 24, 1924, for such teachers and the remaining 2 who belonged to the Godhra Methodist Training College appeared for the certificate examination of the Government Training College for Women, Ahmedabad, and are paid according to the certificates held by them.

(*k*) The pay of the teachers concerned will be regulated in accordance with the orders of Government referred to in the reply to part (*i*) of the question. In the circumstances, the question of paying these teachers according to the time-scale prevalent at the time of their employment (i.e., giving them time-scale of pay prescribed for trained teachers) does not arise.

(*l*) Dewan Bahadur Thakorram Kapilram Mehta, C.I.E., B.A., LL.B., was the Chairman of the Committee of Management and also of the School Board which reduced the grade of the teachers in question.

THE BOMBAY SPECIAL (EMERGENCY) POWERS ACT: ARRESTS IN SIRSI, DISTRICT KANARA.

*Mr. G. S. GANGOLI (Kanara District): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether it is a fact that one Gopalakrishna Ganapaya Hegde and three others of Sirsi, district Kanara, were arrested and detained under section 3 (1) of the Bombay Special (Emergency) Powers Act, 1932, on 24th June 1933;

(*b*) on what date they were released;

(*c*) whether it is a fact that they were detained in custody for a period exceeding fifteen days;

(*d*) if so, under whose authority;

(*e*) whether it is a fact that the offers of some of them either to have an open trial or to accept an undertaking of loyalty and good behaviour were rejected;

(*f*) whether it is a fact that they are required to present themselves before the Police twice every day and to reside at places away from their homes?

The Honourable Mr. R. D. BELL: (*a*) Yes.

(*b*) On the 11th July 1933.

(*c*) Yes.

(*d*) Their detention beyond the fifteen days was due to a misunderstanding.

(*e*) Statements were made by the four persons that they had not taken any part in the civil disobedience movement and would not take part in future. These statements were not believed.

(*f*) They are required to report themselves to the Police twice daily, but the original orders requiring them to reside at a place away from their homes were modified by the District Magistrate on the 21st November 1933 with the result that the movements of three of them are now restricted to their usual place of residence, viz., Sirsi Town, while the fourth person, who is also confined to Sirsi, is a resident of a village close to it.

Mr. G. S. GANGOLI: In reply to my question (*d*), it is stated that "their detention beyond the fifteen days was due to a misunderstanding." May I know the nature of the misunderstanding and how the persons concerned came to be detained illegally without any order?

The Honourable Mr. R. D. BELL: Sir, these four men were arrested under section 3 of the Special Powers Act, and the District Magistrate reported, as he is required to do under the Act, their arrest to Government, and at the same time asked for the extension of the period to two months.

Unfortunately, his letter was not read in that manner in the Secretariat. His reference to the two months' extension was not read at the time as a definite request. It was anticipated in the Secretariat that he would make a subsequent report, if necessary, on that point; and the result was that on the 15th day he found that he had received no orders, either granting or refusing the extension. He assumed that the orders must be in the post and telegraphed the following day. It took necessarily about a day to look into the matter in the Secretariat, and it was then found that it would be illegal after the period of 15 days to extend the period. Government therefore wired to the District Magistrate to release the men.

Mr. G. S. GANGOLI: With reference to question (*e*), the reply is:

"Statements were made by the four persons that they had not taken any part in the civil disobedience movement and would not take part in future. These statements were not believed."

May I know what the test is for believing or disbelieving such statements? The persons concerned say: "Either let us have a trial or accept our apology or undertaking." They were all men of some repute. Their statements were rejected, and they were detained on a misunderstanding. May I know what is the test for accepting or rejecting a statement?

The Honourable Mr. R. D. BELL: The main test is their recent behaviour, and their ideas and Government's ideas of what constitutes participation in the civil disobedience movement. They denied that they had ever taken any part in the civil disobedience movement. That was their opinion. Government's opinion was the opposite. Government had definite evidence to their satisfaction that they had so participated, and were unwilling to accept their assurance that they would not participate in the movement in future.

Mr. G. S. GANGOLI: What were the materials for Government to come to such a conclusion?

The Honourable Mr. R. D. BELL: The District Magistrate's report.

Mr. G. S. GANGOLI: And for the District Magistrate? These things happen in villages. The Magistrate is not expected to visit the villages. Does it depend upon the sweet will of the police?

The Honourable Mr. R. D. BELL: So far as Government are concerned, they rely on the District Magistrate's report.

Mr. G. S. GANGOLI: And the District Magistrate? Has he got to rely on the police?

The Honourable Mr. R. D. BELL: To a very great extent, yes, Sir.

Mr. G. S. GANGOLI: May it also be due to misunderstanding, as in the case of their detention? With reference to the last portion of the reply to (*f*), viz., "the fourth person, who is also confined to Sirsi, is a resident of a village close to it", may I know the distance between the village and Sirsi?

The Honourable Mr. R. D. BELL: I cannot give the exact distance in miles.

Mr. G. S. GANGOLI: Is it 9 miles? He has got to cultivate land in the forest nearly 9 miles from Sirsi. The reply is that the village is close to Sirsi. Is that how the Special Powers Act is administered?

The Honourable Mr. R. D. BELL: Possibly, the honourable member is correct in his estimate of distance. I think it is not incorrect to describe it as being close to Sirsi.

CIVIL SURGEONS FOR KANARA.

*Mr. G. S. GANGOLI (Kanara District): Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) the names and dates of service of the Civil Surgeons in Kanara during the years 1931, 1932 and 1933;

(*b*) the total amount of travelling allowance paid to them on their transfers during that period?

The Honourable Khan Bahadur D. B. COOPER: (*a*) and (*b*) A statement giving the requisite information is placed on the Council table.

Statement showing the names of the Civil Surgeons of the Civil Hospital, Karwar, the periods they held charge of the Hospital during the years 1931, 1932 and 1933 and the travelling allowance drawn by them on account of transfer.

Serial No.	Name and designation.	From	To	Travelling allowance.	Remarks.
				Rs. a. p.	
1	Mr. K. A. Contractor, L.M.&S., B.M.S.	*	5th February 1931.		* Had the charge from 31st May 1926.
2	Mr. R. A. Kalle, M.B.B.S., F.R.C.S. E., B.M.S.	6th February 1931.	31st May 1932.	129 9 0	
3	Khan Bahadur D. J. Asana, L.M.&S., F.C.P.S., B.M.S.	1st June 1932.	22nd November 1932.	965 0 0	
4	Mr. R. A. Kalle, M.B.B.S., F.R.C.S. E., B.M.S.	23rd November 1932.	19th March 1933.	72 0 0	
5	Mr. M. G. Oka, L.M.&.S., B.M.S.	20th March 1933. 8th September 1933.	1st April 1933 .. 31st December 1933.	313 0 0	Was on leave on Medical certificate from 2nd April to 7th September 1933.
6	Mr. K. K. Mankodi, L.M.&.S., B.M.S.	27th April 1933.	7th September 1933.	86 12 0	
			Total ..	1,566 5 0	From 2nd April to 26th April 1933 it was in charge of Senior Subordinate Medical Service Officer.

Mr. G. S. GANGOLI: The officers in item No. 2 is the same as that in No. 4. For the intervening period of 4 months, another officer was brought in and the cost came to nearly Rs. 1,000 by way of travelling allowance. Is this retrenchment? Within a short period 6 Civil Surgeons were repeatedly transferred. May I know the reason for this?

The Honourable Khan Bahadur D. B. COOPER: Exigencies of public service.

COMPETITIONS APPEARING IN BOMBAY NEWSPAPERS.

* Mr. M. M. KARBHARI (Thana and Bombay Suburban Districts): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether the attention of Government has been drawn to the competitions appearing in the newspapers of Bombay, e.g., the *Times of India* Illustrated Weekly (the "Adders Competitions" appearing in the issue of the 26th November 1933);

(*b*) whether Government are aware that the Illustrated Weekly issues its editions with numbers and advertises and awards prizes to lucky numbers;

(*c*) whether they are aware of the method of ascertaining the lucky numbers;

(*d*) whether they are aware that these competitions amount to lotteries within the meaning of the Indian Penal Code or the Gambling Act;

(*e*) if so, whether Government intend to take steps to prosecute the editor of the "Illustrated Weekly of India";

(*f*) if not, what other steps they propose to take to stop these competitions?

The Honourable Mr. R. D. BELL: (*a*) Yes.

(*b*) Yes.

(*c*) No.

(*d*) They do not appear to fall within the provisions of section 294-A, Indian Penal Code or of the Bombay Prevention of Gambling Act, 1887.

(*e*) Does not arise.

(*f*) None.

Mr. M. M. KARBHARI: To my question (*c*), "whether they are aware of the method of ascertaining the lucky numbers", the reply is "No". May I know if Government have taken the trouble to make themselves aware of the procedure adopted in this case?

The Honourable Mr. R. D. BELL: No, Sir.

Mr. M. M. KARBHARI: Will it be worth their while to enquire into the matter?

The Honourable Mr. R. D. BELL: I doubt it, Sir.

Mr. M. M. KARBHARI: Will it not be in the public interests if it is found that it does come under the offence of lottery?

The Honourable Mr. R. D. BELL: The application of the law of gambling is a somewhat delicate matter, and I am not prepared to give any information which may enable other people to evade it.

Mr. M. M. KARBHARI: To my question (*d*), the answer is: "They do not appear to fall within the provisions of section 294-A, Indian Penal Code or of the Bombay Prevention of Gambling Act, 1887." May I know what exactly Government want to convey by the expression "they do not appear"?

The Honourable Mr. R. D. BELL: They do not appear to Government to fall within those provisions.

Mr. M. M. KARBHARI: I would like to know whether any legal opinion has been taken on this point, or whether it is merely the opinion of the Honourable Member.

The Honourable Mr. R. D. BELL: Government have not taken legal opinion.

Mr. M. M. KARBHARI: Will Government be pleased to consult the Legal Remembrancer or the Advocate General on this point?

The Honourable Mr. R. D. BELL: No, Sir.

Mr. M. M. KARBHARI: Is it a fact that in these competitions there are more than one solutions—sometimes two, sometimes three, and so on?

The Honourable Mr. R. D. BELL: Which competitions?

Mr. M. M. KARBHARI: The competitions referred to in my question, part (*a*). Are Government aware that there are more than one solutions to these puzzles—sometimes two, sometimes three, and so on?

The Honourable Mr. R. D. BELL: No, Sir.

Mr. M. M. KARBHARI: If that is so, will Government be pleased to state their opinion as to whether they come under the provisions of the law?

The Honourable Mr. R. D. BELL: If the honourable member gives me further notice, I shall consider.

Mr. M. M. KARBHARI: Is it true that in these competitions the editor has arbitrary and unfettered choice as to the winner and that the winner is selected not according to merit but according to fancy or to some temporary rule which the editor may choose to adopt?

The Honourable Mr. R. D. BELL: I am not so aware.

Rao Bahadur G. V. PRADHAN: With regard to answer to (*d*), is it possible to give an answer without knowing the answer to question (*c*)?

The Honourable Mr. R. D. BELL: It is not possible to give an absolutely final opinion without a knowledge of the method of ascertaining the lucky numbers.

Rao Bahadur G. V. PRADHAN: How is it then that in this particular case the answer is that they do not appear to fall within the provision of section 294-A, Indian Penal Code or of the Bombay Prevention of Gambling Act, 1887, without ascertaining the method of finding out the lucky numbers?

The Honourable Mr. R. D. BELL: There is no *prima facie* case in this instance so far as Government are aware.

The Honourable the PRESIDENT: Next.

PRIMARY TEACHERS IN RATNAGIRI DISTRICT: LEAVE ON FULL PAY.

*Rao Saheb P. D. KULKARNI (Poona District): Will the Honourable Minister for Education be pleased to state—

(*a*) whether the services of one Laxman Sagun Chavan were transferred from the District Local Board, Ratnagiri, to the Practising School of the Training College, Poona;

(*b*) the period for which his services were so transferred;

(*c*) how long he actually worked in the said school;

(*d*) whether privilege leave on full pay was given to the said teacher during his transfer to the said Practising School; if so, how much;

(*e*) who paid the leave contribution for that leave;

(*f*) whether the District Local Board was asked to pay for that contribution;

(*g*) whether Government have allowed that amount in the datum line grant or have allowed it to the extent of ⅔rds out of the new expenses;

(*h*) if the latter, why so;

(*i*) whether privilege leave on full pay is given to primary teachers in the Ratnagiri District; if not, why not and why it was given to Laxman Sagun Chavan;

(*j*) whether privilege leave on full pay was given to S. V. Prabhu, Head Master, Kochra;

(*k*) if so, whether Government have allowed the leave contribution in the datum line grant;

(*l*) what amount is contained while fixing the datum line grant in the said grant for leave contribution for the contingency of leave on full pay?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) Yes.

(*b*) The period of his deputation was not fixed.

(*c*) From 17th March 1932 to 31st May 1933.

(*d*) Leave on average pay on medical certificate (not privilege leave) was given to him from 1st October 1932 to 31st March 1933; he was also given leave on average pay without medical certificate from 1st April 1933 to 8th April 1933 and on half average pay from 9th April 1933 to 30th April 1933, while he was in this school.

(*e*) The District School Board, Ratnagiri, paid a part of the leave contribution and a part was paid by Government.

(*f*) Yes. The Board was asked to pay their share of the contribution.

(*g*) and (*h*) Before the transfer of control the expenditure on account of leave allowances was included in the item "pay of staff", expenditure on account of which in the datum year has been included in the datum line grant which is a block grant. In paying the Government grant to a District Local Board the approved actual expenditure for the year is taken into account, the datum grant fixed for the board is paid as a block grant, and a further grant equal to ⅔rds of the difference between the approved expenditure and the datum line expenditure is generally then paid. The Government grant is thus not adjusted against the separate items of expenditure.

(*i*) No privilege leave is given to Primary teachers in the Ratnagiri District, because the District Local Board, Ratnagiri, have not as yet framed their own leave rules for their primary teachers, and, therefore, the leave rules continued in Bombay Civil Services Rules are applicable. According to these rules leave on average pay on medical certificate (not privilege leave) was granted to Mr. Chavan while he was at the Training College for Men, Poona.

The District Local Board, Ratnagiri, unless there are special reasons, do not ordinarily give leave on average pay.

(*j*) Leave on average pay was given to Mr. Prabhu by the Board as a special case.

(*k*) Attention is invited to the reply to clauses (*g*) and (*h*) above.

(*l*) The expenditure incurred on leave contribution before the transfer of control was not shown separately but the expenditure incurred on this account in the datum line year was included in the head "pay" and hence no separate amount for leave contribution included under the datum line can be given.

Rao Saheb P. D. KULKARNI: Was Mr. Chavan's case of leave an ordinary case or a special case?

The Honourable Dewan Bahadur S. T. KAMBLI: An ordinary case.

Rao Saheb P. D. KULKARNI: Whilst on medical leave, can he work in any other institution and draw pay for his work in that institution taking in addition his ordinary regular pay in the first appointment which he holds? Is it allowable?

The Honourable Dewan Bahadur S. T. KAMBLI: He can draw pay due and allowable while on medical leave. He could not be in actual service while on leave.

Rao Saheb P. D. KULKARNI: Is it not against the rules?

The Honourable Dewan Bahadur S. T. KAMBLI: I do not think so.

Rao Bahadur G. K. CHITALE: That is to say, may we understand that a man may be on medical leave and still earn pay in another institution?

Rao Saheb P. D. KULKARNI: Was he really sick or nominally sick?

The Honourable Dewan Bahadur S. T. KAMBLI: A person who is allowed to draw pay under medical certificate is supposed to be suffering from ill-health or some disease or some indisposition.

Mr. L. R. GOKHALE: Does the Government know that he was actually working elsewhere?

The Honourable Dewan Bahadur S. T. KAMBLI: Government is not so aware.

Rao Saheb P. D. KULKARNI: The reply to (*d*) states that leave on average pay on medical certificate was given to him from 1st October 1932 to 31st March 1933 and the reply to (*c*) states that he actually worked in the said school from 17th March 1932 to 31st May 1933. Is it not clear from this that during the period of leave on medical certificate he was working in the training college at Poona and drawing his pay?

The Honourable Dewan Bahadur S. T. KAMBLI: I cannot follow the honourable member's question. Will he kindly repeat it?

Rao Saheb P. D. KULKARNI: Leave on medical certificate was given to Mr. Chavan from 1st October 1932 to 31st March 1933. He was working in the Practising School of the Training College, Poona, from 17th March 1932 to 31st May 1933 as stated in the reply to (*c*).

These dates are included in his service as leave and he was given pay for that period. Is it legal and in accordance with the rules ?

The Honourable Dewan Bahadur S. T. KAMBLI : It was legal, and it was in accordance with rules that he was given these leaves and he was not then in active service in any institution during the period of leave.

Rao Saheb P. D. KULKARNI : While on medical certificate, how can he work in the training college and how can he draw pay ? That is my supplementary question.

The Honourable Dewan Bahadur S. T. KAMBLI : I would like the honourable member to show me where it is stated that Mr. Chavan was working in the practising school during that period.

Rao Saheb P. D. KULKARNI : If the Honourable Minister were to read the replies to (*c*) and (*d*), he will understand my supplementary question which is a very simple one, viz., when Mr. Chavan was on leave on medical certificate, how can he work in some other institution during that period of leave on medical cerificate and draw pay for that period for his work in that institution in addition to his ordinary pay in his regular appointment ?

The Honourable Dewan Bahadur S. T. KAMBLI : The two are not irreconcilable. During a part of the period when he was attached to the practising school he was on leave ; and being on leave he could not be in active service in any institution.

Rao Saheb P. D. KULKARNI : What is the fact ? Was he actually drawing double the salary for the same period in respect of the two institutions, viz., was he drawing salary for a particular period of time in respect of those two institutions at one and the same time, although during that period he was on leave on medical certificate and therefore not supposed to be in active service and therefore not entitled to his full pay ?

The Honourable Dewan Bahadur S. T. KAMBLI : He does not seem to have drawn double the salary. If the honourable member gives me notice, I shall find it out for him.

Rao Bahadur G. V. PRADHAN : The question (*c*) is there already.

Rao Bahadur G. K. CHITALE : Did he draw double pay ? That is the question.

The Honourable the PRESIDENT : It has come out from the facts stated in the reply to (*d*) that he was on leave on medical certificate from 1st October 1932 to 31st March 1933. The Honourable Minister has also said that Mr. Chavan was working in that school from 17th March 1932 to 31st May 1933. Therefore, the period of illness is included in that long period when he was working. The honourable member therefore asks as to how Mr. Chavan could draw his pay for the sick leave period when he was said to be actually working.

The Honourable Dewan Bahadur S. T. KAMBLI : He may have been on leave during a part of the transferred period on medical certificate. Being on leave he was not in active service in any institution.

The Honourable the PRESIDENT: If he was actually working in any institution during the period of his sick leave, why was he paid for that period?

The Honourable Dewan Bahadur S. T. KAMBLI: He was attached to the practising school from 17th March 1932 to 31st May 1933 and during this period he went on leave.

The Honourable the PRESIDENT: So he did not actually work?

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, it evidently appears so.

Rao Bahadur G. V. PRADHAN: The answer is wrong then.

Rao Saheb P. D. KULKARNI: The question was whether he was actually working under the Ratnagiri School Board or under the Practising School and the answer is "practising school".

Rao Bahadur G. V. PRADHAN: The question was "how long he actually worked in the said school".

The Honourable Dewan Bahadur S. T. KAMBLI: It must be taken with reference to the context.

Mr. L. R. GOKHALE: Does it not mean that he drew double salary for the same period?

The Honourable Dewan Bahadur S. T. KAMBLI: He has not taken double pay at all.

Rao Saheb P. D. KULKARNI: Will the Honourable Minister make enquiries to see whether he has taken double pay or not and give us that information?

The Honourable the PRESIDENT: Order, order. No newspaper reading is allowed in the House.

The Honourable Dewan Bahadur S. T. KAMBLI: If the honourable member Rao Saheb Kulkarni will give me notice, I will find out. So far as I am aware, he did not draw double salary.

Rao Bahadur G. K. CHITALE: Why is notice required? Say it is a mistake, it does not matter.

The Honourable Dewan Bahadur S. T. KAMBLI: I have already told you the fact that the statement that he was working in a school does not actually mean that he was in fact working all the time. The reply has been given in reference to the question asked, viz., whether he was working under the District Local Board, Ratnagiri, or whether he was working at the practising school. He was attached to the practising school and during that period, i.e., when he was attached to the practising school, he was on leave for a certain number of days.

Mr. L. R. GOKHALE: Do not the two periods overlap? The question is about that pay for the overlapping period and we wish to know whether Government are going to ask Mr. Chavan to refund the pay which he has drawn in excess or whether Government think that the double payment made to him is right.

The Honourable Dewan Bahadur S. T. KAMBLI: I am not aware that there was any double payment at all made to Mr. Chavan; and if the honourable member wants further information, let him see me during the recess when I shall fully explain the position to him.

Rao Saheb P. D. KULKARNI: How many cases similar to that of Mr. Prabhu have been made by the District Local Board, Ratnagiri, by giving extraordinary leave?

The Honourable Dewan Bahadur S. T. KAMBLI: I would ask for notice of the question.

Rao Saheb P. D. KULKARNI: Why have the Government given their share of the pay of this teacher, whose case is made special by the District Local Board?

The Honourable Dewan Bahadur S. T. KAMBLI: Under the rules it is admissible.

Mr. G. S. GANGOLI: At first it appears that he was allowed leave salary, and that while he was working in the training school he is on leave. But there is another reply which goes against that, the reply given to part (*e*), viz., "the District School Board, Ratnagiri, paid a part of the leave contribution and a part was paid by Government". If that is so, he was not on leave when he was in the training college?

The Honourable Dewan Bahadur S. T. KAMBLI: It is not irreconcilable as I have already explained. He was on leave for a certain number of days when he was attached to the practising school. If my honourable friend wants to have further information, I would request him to see me in the recess hour.

AGRICULTURAL EXHIBITION AT PANDHARPUR.

*Rao Saheb P. D. KULKARNI (Poona District): With reference to the assurance given on page 1181 of Volume XXXVII of the Bombay Legislative Council Debates, in connection with the above subject, viz., "I will make an enquiry", will the Honourable Minister for Education be pleased to state—

(*a*) whether he has made the enquiry and, if so, with what result;

(*b*) what amount has been recovered from the Village Improvement Committee and on what date?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) Yes. The result was communicated to the honourable member in Government letter, No. L.C. 4930-A, dated 25th July 1933.

(*b*) An amount of Rs. 522-11-6 was credited to Government on 7th February 1933.

WASHING AWAY OF BRIDGE BETWEEN VADGAON AND BARAMATI.

*Rao Saheb P. D. KULKARNI (Poona District): Will the Honourable the Home and General Member be pleased to state, with reference to part (*d*) of the reply to my question on the above subject, printed at pages 267-68 of Volume XXXV of the Bombay Legislative Council Debates—

(*a*) on whom the responsibility is fixed for the loss sustained;

(*b*) what steps, if any, have been taken to make good the loss and what amount has been actually recovered and from whom;

(*c*) what he proposes to do about the remaining amount;

(*d*) what steps, if any, have been taken against the officers responsible for the loss, against which officers and with what result?

The Honourable Mr. R. D. BELL: (*a*) Mr. W. H. E. Garrod, Executive Engineer. Mr. Mahomed Niaz Ahmad, Sub-divisional Officer.

(*b*), (*c*) and (*d*) Government took disciplinary action against these two officers but the case of one has been re-opened.

VISAPUR JAIL.

*Rao Saheb P. D. KULKARNI (Poona District): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether it is a fact that the condition of the Visapur Jail is unhealthy and unsuitable for human habitation;

(*b*) whether it is a fact that the climate of the place is most unsuitable to the health of the prisoners;

(*c*) if so, whether Government propose to close down the jail and select some other suitable place in its stead;

(*d*) whether it is a fact that owing to scanty water supply no proper cleanliness can be kept in the jail;

(*e*) whether it is a fact that the water there is most detrimental to the health of the prisoners;

(*f*) if so, what steps Government propose to take to remove these evils;

(*g*) how many cases of typhoid occurred among the prisoners during each of the last three years;

(*h*) the names and qualifications of the medical officers who looked after the health of the prisoners during the last three years;

(*i*) the cost of medicines used for the prisoners during that period, and the remedies adopted for the cure of the invalids;

(*j*) whether it is a fact that unhealthy foodstuffs are supplied to the prisoners in the said jail;

(*k*) if so, what steps Government propose to take to remove this grievance?

The Honourable Mr. R. D. BELL: (*a*) No.

(*b*) No.

(*c*) Does not arise.

(*d*) There is an unlimited water supply available.

(*e*) No.

(*f*) Does not arise.

(*g*) 1930—3.
1931—Nil.
1932—29.

(*h*) Lieut.-Colonel Gharpurey, I.M.S., was consultant during the whole period.

1930 }
1931 } Mr. Faiz-ullahkhan, a Senior S.M.S. Officer.

1932 (*i*) Mr. P. M. Bhoj, M.B.B.S., and
(*ii*) Mr. R. B. Karnalkar, S.M.S. Officer.

(*i*) Cost of medicines was—

	Rs.
1930	3,023
1931	1,553
1932	5,734

All the remedies that were considered necessary in the interest of the health of the invalids were adopted.

(*j*) No.

(*k*) Does not arise.

Dr. V. G. VAISHAMPAYAN: As regards (*b*), I should like to know whether malaria is prevalent in the Visapur jail?

The Honourable Mr. R. D. BELL: No, Sir; not specially prevalent.

Dr. V. G. VAISHAMPAYAN: I want to know whether it was brought to the notice of the Honourable Member last year that there was malaria there, and the number of cases was in excess of the number of cases that used to take place normally every year.

The Honourable Mr. R. D. BELL: I have no recollection of this matter being specially brought to my notice last year.

Rao Saheb P. D. KULKARNI: With regard to (*i*) in 1931 Rs. 1,533 was spent on medicine, while in 1932 the amount spent was Rs. 5,734. Does it not indicate that there are so many more patients suffering from so many diseases in Visapur jail?

The Honourable Mr. R. D. BELL: No, Sir.

Rao Saheb P. D. KULKARNI: Then, what was the necessity of spending so much more money on medicine for the strong inmates of the jail?

The Honourable Mr. R. D. BELL: I cannot explain now the details of the expenditure.

Mr. L. R. GOKHALE: What is the reason for the abnormal increase in the cost of medicines in 1932?

The Honourable Mr. R. D. BELL: I cannot explain the circumstances. There was, I think, in 1932 an outbreak of enteric, which has been referred to before in this House. But I cannot explain what the jail population was during that year, or any other circumstances which affected the expenditure on medicines.

Dr. V. G. VAISHAMPAYAN: Could the Honourable Member say whether there were any deaths due to typhoid fever in this jail in 1932?

The Honourable Mr. R. D. BELL: Yes, Sir; there were.

Dr. V. G. VAISHAMPAYAN: Could the Honourable Member give us the number?

The Honourable the PRESIDENT: Next question.

HANDBOOK OF PESHWA DAFTAR.

*Rao Saheb P. D. KULKARNI (Poona District): Will the Honourable the Revenue and Finance Member be pleased to state, with reference to the reply to my question on the above subject, printed at pages 43–44 of Volume XXXVI of the Bombay Legislative Council Debates—

(*a*) whether the handbook has been finally approved by Government;

(*b*) in what language it is published;

(*c*) the date of its publication, its price and the place where it is kept for sale;

(*d*) whether Government intend to publish it in Marathi;

(*e*) the reasons why the preparation of the handbook is not being entrusted to the Honorary Secretary of the Bharat Itihas Sanshodhak Mandal of Poona;

(*f*) whether Government are aware that such a course would not entail any expenditure on them?

The Honourable Sir GHULAM HUSSAIN: (*a*) Yes.

(*b*) In English.

(*c*) Date of publication. 24th May 1933.

Price .. Annas 11 or 1*s.* 2*d.*

Place of sale .. The Government Book Depôt, Bombay, and all recognised booksellers in Bombay and elsewhere.

(*d*) Yes.

(*e*) Because he cannot be allowed to have access to every document unless it is examined by Government.

(*f*) Does not arise.

DHULIA MUNICIPALITY: EXTENSION OF TERM OF OFFICE OF COUNCILLORS.

*Mr. J. G. MORE (Sholapur District): Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) whether it is a fact that the Dhulia Municipality failed to publish the electoral roll in time; if so, the reasons therefor;

(*b*) whether Government are aware that the present body of councillors of that municipality is not very careful in the discharge of its duties;

(*c*) if so, whether Government have considered the inadvisability of extending the term of office of its councillors?

The Honourable Khan Bahadur D. B. COOPER: (*a*) Yes; the voters list was not properly prepared in accordance with the provisions of the Municipal Act and Rules, and the Municipality did not dispose of the objections for the revision of the voters list in time, and consequently the election roll could not be published in time.

(*b*) No such complaints have been received by Government but in the matter of the revision of the voters list and publication of the election roll it is evident that there has been some negligence.

(*c*) Government agreed to the extension with reluctance. They considered that on the whole it was more convenient to grant a short extension of three months only for the reasons given in their Notifications No. 8583, dated the 19th and 28th December 1933 (copies of which are placed on the Council table) than to resort to any more drastic action.

GENERAL DEPARTMENT.

Bombay Castle, 19th December 1933.

No. 8583.—The following draft of a notification, which it is proposed to issue in exercise of the powers conferred by section 25 of the Bombay Municipal Boroughs Act, 1925 (Bom. XVIII of 1925), is published for the information of all persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration on or after the 28th December 1933 :—

Draft Notification.

No. .—Whereas the term of office of the present councillors of the Dhulia Municipal Borough expires on 31st December 1933, and whereas the Municipality has not yet published the revised election roll in accordance with rule 11 (2) of the Municipal Election Rules and whereas this failure of the Municipality to comply with its election rules has rendered it necessary that the term of office of the present councillors should be extended, it is hereby notified under sub-section (1) of section 25 of the Bombay Municipal Boroughs Act, 1925, that the current term of office of the said municipal borough shall be extended up to 31st March 1934.

By order of the Government of Bombay (Transferred Departments),

R. B. EWBANK,
Secretary to Government.

GENERAL DEPARTMENT.

Bombay Castle, 28th December 1933.

No. 8583.—Whereas the term of office of the present councillors of the Dhulia Municipal Borough expires on 31st December 1933, and whereas the Municipality has not yet published the revised election roll in accordance with rule 11 (2) of the Municipal Election Rules and whereas this failure of the Municipality to comply with its election rules has rendered it necessary that the term of office of the present councillors should be extended, it is hereby notified under sub-section (1) of section 25 of the Bombay Municipal Boroughs Act, 1925, that the current term of office of the said municipal borough shall be extended up to 31st March 1934.

By order of the Government of Bombay (Transferred Departments),

R. B. EWBANK,
Secretary to Government.

Mr. J. G. MORE: With regard to (*b*), with whatever amount of reluctance Government extended the term of the Dhulia Municipality, is it not in the nature of a reward for negligence ?

The Honourable Khan Bahadur D. B. COOPER: No.

Mr. J. G. MORE: Then, what is it ?

The Honourable Khan Bahadur D. B. COOPER: Government could not do anything better.

Mr. J. G. MORE: Will it not be a precedent for other municipalities to copy? There may be negligence on their part and they might ask for extension. If Government give an extension for one municipality, other municipalities might get unfair advantage?

The Honourable Khan Bahadur D. B. COOPER: Yes, and therefore Government have asked the municipality concerned to take action against the chief officer, who is responsible for this mistake.

COTTON DUTY IN BOMBAY CITY.

*Mr. J. B. PETIT (Bombay Millowners' Association): Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) what is the total amount collected up to the end of 1932 from the Town Duty levied under Bombay Act No. XX of 1920 on raw cotton imported into the city of Bombay by sea or land from any part of India at the rate of Re. 1 for every bale weighing approximately 3½ cwts.;

(*b*) how much of it has been handed over to the Municipality;

(*c*) how much of it has been kept by the Government;

(*d*) how the Government share has been utilised;

(*e*) whether a pledge had not been given by the Government to utilise their share towards the erection of chawls for the labouring classes;

(*f*) whether it is a fact that a substantial portion of the share of the Government has been used for wiping out the loss on the Sahar Railway built by the Development Department; if so, what is the exact amount used for this purpose;

(*g*) whether the Government intend to refund this amount and use it for the purpose for which it was originally intended;

(*h*) when the Government propose to reduce this duty as recommended by the Indian Tariff Board (Cotton Textile Industry Inquiry) in paragraph 66 of their Report of 1927, to 8 annas per bale on all cotton consumed by the mills in Bombay by the grant of a refund to the mills on proof of consumption?

The Honourable Sir GHULAM HUSSAIN: (*a*), (*b*) and (*c*) The total amount collected up to the end of 1932–33, after deducting collection charges, was Rs. 3,68,83,160. Out of this, Rs. 1,58,07,068 were retained by the Municipality and Rs. 2,08,32,458 were credited to Government up to the end of 1932–33. The balance of Rs. 2,43,653 was credited to Government in April and July 1933.

(*d*) The Government share of Rs. 2,08,32,458 received up to the end of 1932–33 has been utilised as follows:—

	Rs.
(1) Amount transferred to the Industrial Housing Scheme	1,59,65,791
(2) Amount utilised for meeting the deficits in the Revenue accounts of the Suburban Schemes including Central Salsette Railway ..	48,66,667
	2,08,32,458

(*e*) The attention of the Honourable Member is invited to section 195 (B) (2) of the City of Bombay Municipal Act.

(*f*) A sum of Rs. 22,65,697 out of the receipts from the Cotton Cess was used up to the end of 1932–33 to wipe out the loss on the working of the Central Salsette Railway. This sum, together with the sum used on other suburban schemes, does not exceed the amount fixed by section 195 (B) (2) of the Municipal Act.

(*g*) Does not arise.

(*h*) The attention of the Honourable Member is invited to the reply to clause (*a*) of his question put at the September 1932 session of the Legislative Council and printed at pages 441–443 of the Legislative Council proceedings of 23rd September 1932.

Mr. J. B. PETIT : Will the honourable member kindly say how section 195 (B) of the City of Bombay Municipal Act applies to this matter ?

The Honourable Sir GHULAM HUSSAIN : I would refer the honourable member to that section. If he reads it, he will find it out for himself.

Mr. J. B. PETIT : Is the honourable member aware that copies of the City of Bombay Municipal Act are not made available to honourable members here ?

The Honourable Sir GHULAM HUSSAIN : They must be in the Library. I have nothing to do with the arrangements in the Legislative Council here.

Mr. J. B. PETIT : Is it fair to refer honourable members to Acts which are not made available here, when the answers given to questions refer to them ?

The Honourable Sir GHULAM HUSSAIN : I may tell the honourable member that it is not my fault.

The Honourable the PRESIDENT : The rule is that when there are any particular Acts before the House for amendment, copies of those Acts are supplied to honourable members. Other Acts which are not specifically under consideration by the Council are in the Council Library, and honourable members may refer to them if they need the help of those Acts.

Mr. J. B. PETIT : May I enquire of the honourable member how this section applies to the matter contained in part (*e*) of my question ? My question was whether a pledge had not been given by the Government to utilise their share towards the erection of chawls for the labouring classes ?

The Honourable Sir GHULAM HUSSAIN : I would again refer the honourable member to the section of the City of Bombay Municipal Act.

Mr. J. B. PETIT : I am asking how that section applies. I quite see that the honourable member has referred me to it ; but I am entitled to know how it applies ?

The Honourable Sir GHULAM HUSSAIN : Unless he reads the section, he will not come to know how it applies.

Mr. J. B. PETIT: Was the undertaking given jointly by the Government and the Municipality?

The Honourable Sir GHULAM HUSSAIN: Everything is in the Act. There is no question of an undertaking. It is done under a statute passed by the legislature.

Mr. J. B. PETIT: Was not an undertaking given by the Government that chawls for the labouring classes would be erected by them out of the proceeds of this tax?

The Honourable Sir GHULAM HUSSAIN: I must correct the honourable member. We have been acting in this respect under the Act, and not on the strength of any undertaking.

Mr. J. B. PETIT: Will the honourable member kindly tell me if the Central Salsette Railway was erected in furtherance of the scheme of the Government to erect chawls for the labouring classes?

The Honourable Sir GHULAM HUSSAIN: It was in connection with the suburban development scheme.

Mr. J. B. PETIT: Then it was not erected in furtherance of the scheme of the Government to supply chawls for the labouring classes!

The Honourable Sir GHULAM HUSSAIN: We are, under the Act, allowed to spend a certain amount of money on the suburban development schemes, and that railway was built for that purpose.

Mr. C. N. PATEL: In violation of the pledge that was given by Government———

The Honourable Sir GHULAM HUSSAIN: We have been acting under the Act.

Mr. C. N. PATEL: The question is whether no pledge has been given.

The Honourable Sir GHULAM HUSSAIN: The pledge has nothing to do with legislation. You cannot get over legislation passed by this House.

Mr. C. N. PATEL: I take it there was a pledge.

The Honourable Sir GHULAM HUSSAIN: No pledge.

Mr. J. B. PETIT: When the cotton cess was imposed, was a pledge not given to the cotton trade and industry that it was being imposed for the purpose of facilitating the erection of chawls for the labouring classes?

The Honourable Sir GHULAM HUSSAIN: It was intended that a part of the amount should be utilised for the erection of chawls.

Mr. J. B. PETIT: Was it only one of the objects?

The Honourable Sir GHULAM HUSSAIN: Yes.

Mr. J. B. PETIT: Is the honourable member satisfied that the object has been fulfilled by the application of the proceeds towards the reduction of the loss on the Central Salsette Railway?

The Honourable Sir GHULAM HUSSAIN: Again, I refer the honourable member to the section of the Municipal Act.

Mr. J. B. PETIT : Was not a pledge given to the trade that the entire proceeds of this tax would be devoted towards the erection of chawls for the labouring classes ?

The Honourable Sir GHULAM HUSSAIN : No.

Mr. J. B. PETIT : Is that borne out by the proceedings of the Council ?

The Honourable Sir GHULAM HUSSAIN : We are following the particular section of the Act.

Mr. J. B. PETIT : Was the Central Salsette Railway constructed for the purpose of promoting the erection of chawls for the labouring classes ?

The Honourable Sir GHULAM HUSSAIN : In connection with the suburban scheme. It is already stated in the reply.

Mr. J. B. PETIT : Was not the suburban scheme undertaken entirely for the purpose of developing the suburbs and not for the purpose of erecting chawls for the labouring classes ?

The Honourable Sir GHULAM HUSSAIN : That is clear. It needs no explanation from me.

GRIEVANCES OF A PRIMARY TEACHER IN THE RATNAGIRI DISTRICT.

*Mr. A. N. SURVE (Bombay City, North) : Will the Honourable Minister for Education be pleased to state—

(*a*) whether it is a fact that there is a teacher by name Mr. B. R. Varadkar who is posted at Hadi in Malwan Taluka of the Ratnagiri District ;

(*b*) the length of his service, his qualifications and pay ;

(*c*) what pay other teachers with similar qualifications and length of service get ;

(*d*) whether he was at all given the school allowance ;

(*e*) whether it is a fact that about 70 or 80 other teachers who are junior to him have obtained that allowance ;

(*f*) whether it is a fact that his three increments have been stopped and he has been debarred from holding the Head Master's charge ;

(*g*) whether it is a fact that he has preferred an appeal to the District Local Board in the matter ; if so, when ;

(*h*) whether the said appeal has been disposed of by the District Local Board, Ratnagiri ; if not, what time is usually taken by that board for the disposal of such appeals ?

The Honourable Dewan Bahadur S. T. KAMBLI : (*a*) Yes.

(*b*) He is a first year trained teacher with 14 years service and his pay is Rs. 28 per mensem.

(*c*) They draw the same pay, viz., Rs. 28, but some get in addition a Head Master's or 1st Assistant's allowance.

(*d*) He was given Head Master's allowance of Rs. 5 per mensem for 16 days in October 1929.

(*e*) Yes.

(*f*) Yes.

(*g*) Yes, on 24th February 1933.

(*h*) Yes. The District Local Board have approved of the action taken by the School Board.

Mr. A. N. SURVE : With regard to part (*e*) of the question it is asked :

"whether it is a fact that about 70 or 80 other teachers who are junior to him have obtained that allowance ; "

The answer to that is 'Yes'. May I ask the Honourable Minister under what circumstances these 70 or 80 teachers got the allowance and he did not get it ?

The Honourable Dewan Bahadur S. T. KAMBLI : It is a matter primarily for the school board to decide it. I may tell my honourable friend that it is not only seniority that is taken into consideration but merit also is taken into consideration for the purpose of this allowance.

Mr. A. N. SURVE : May I know the date on which his appeal was decided ?

The Honourable Dewan Bahadur S. T. KAMBLI : If the honourable member gives notice, I will find it out.

DISTRICT SCHOOL BOARD, RATNAGIRI : TEACHERS' COMPLAINTS.

*Mr. A. N. SURVE (Bombay City, North) : Will the Honourable Minister for Education be pleased to state—

(*a*) whether it is a fact that the teachers of the District School Board, Ratnagiri, have made a representation to Government complaining against the said board ; if so, will its copy be laid on the Council table ;

(*b*) whether Government have taken any action on the representation ; if so, what action ; if not, the reasons therefor ?

The Honourable Dewan Bahadur S. T. KAMBLI : (*a*) A representation dated 20th March 1933, from the President, Primary Teachers' Association, Ratnagiri District, addressed to Government was received by the Director of Public Instruction on 31st July 1933, through the Educational Inspector, Bombay Division. A copy of it is placed on the Council table as desired.

(*b*) The Director of Public Instruction has asked the Chairman, District School Board, to arrange to pay the teachers concerned allowances due under the rules from 1929–30 to 1932–33.

Accompaniment to Council question No. 2 clause (a) put by Mr. A. N. Surve, Bombay City, North.

No. 103 of 1932–33. Rajapur, 20th March 1933.

From

President,

Primary Teachers' Association,

District Ratnagiri.

To

The Provincial Education Secretary to Government, Bombay Presidency.

Sir,

I have the honour to place the following grievances of Primary teachers before you, and to request you to give gracious consideration to them and order them to be removed as early as possible.

1. In accordance with Government Press Note, No. 560/1923 Primary Teachers get attendance allowance which is taken into account in the adjustment of pension and this allowance is increased by Rs. 5 if attendance goes beyond 75. But in this District the schools whose attendance has exceeded 75 since the year 1929, have not received the increment of Rs. 5 which is due to them. On the contrary, in schools whose attendance has fallen the cut of Rs. 5 has been made in the attendance allowance.

2. Consequently, teachers who retired during the last two years have been put to a loss; and those also who are to retire in a year or two will have to sustain a loss in their pension.

3. These teachers have also sustained a cut of 12½ per cent. in their pay along with other teachers. Thus teachers coming under this category have to bear three-fold injustice. The services of all these teachers date from before the year 1923.

4. The District Board has given no consideration to other complaints hence on behalf of Primary Teachers I request your honour to consider these grievances graciously and to see that justice is done to the already poorly paid Primary Teachers.

I have the honour to be,

Sir,

Your most obedient servant,

(Signed)

President, Primary Teachers' Association,
District Ratnagiri.

Respectfully submitted through

The Educational Inspector, B. D., Bombay.

The Director of Public Instruction,
Bombay Presidency, Poona.

GOVERNMENT HIGH SCHOOL AT HYDERABAD, SIND: PROPOSED TRANSFER TO MOSLEM EDUCATIONAL SOCIETY.

*Mr. S. S. TOLANI (Western Sind): Will the Honourable Minister for Education be pleased to state—

(*a*) the terms upon which Government have decided to transfer the land and buildings and equipments of the Government High School at Hyderabad, Sind, to the Moslem Educational Society of that place;

(*b*) whether the terms have been formally accepted; if not, whether any time limit has been fixed for their acceptance;

(*c*) whether the deposits of money required by Government have been made; if not, when they are likely to be made;

(*d*) whether Government have received any protest or representation from the citizens of Hyderabad; if so, what they intend to do in the matter;

(*e*) whether it is a fact that the Educational Society and Vidyalaya Society of Hyderabad, Sind, have made representations to Government to transfer the Government High School to them; if so, whether Government intend to consider them favourably;

(*f*) the reasons for transferring the High School to the Moslem Educational Society in preference to other societies;

(*g*) whether Government are aware that both the Hyderabad Educational Society and the Vidyalaya Society are conducting

education of Moslem boys exactly in the same manner as the education of Hindu boys without interference with their religion;

(*h*) if so, whether Government have considered the advisability of transferring the school to one of the aforesaid two societies;

(*i*) whether Government are aware of the fact that one of the buildings of the Government High School in question known as Metharam Hall, was built at the expense of Diwan Metharam and of the public including the Hyderabad Municipality; if so, whether Government have considered the feasibility of transferring the building to the Moslem Educational Society without the consent of the donors;

(*j*) the net deficit to Government every year for maintaining the Government High School at Hyderabad after credit has been taken for fees, etc.;

(*k*) what grant-in-aid Government intend to give to the Moslem Educational Society for running the school after transfer has been effected;

(*l*) the amount of scholarships donated by Government annually for educating Moslem boys in the High School;

(*m*) whether the donation will continue to be in addition to the grant;

(*n*) whether the Moslem Educational Society has any endowment fund of its own; if so, what is the annual interest which they will devote towards the maintenance of the school?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) The terms sanctioned by Government are printed below.

(*b*) Yes.

(*c*) Yes.

(*d*), (*e*) and (*f*) Government received the representations and offers referred to, but as the Muslim Educational Society were the first in the field with the offer to take over the High School and as there are 3 aided Boys' High schools and 4 Middle schools, in addition to 3 recognised middle schools for boys (excluding the Muslim Anglo-Vernacular School) in the town of Hyderabad, managed and controlled by non-Muslims, they did not consider other offers. Government have insisted as one of the conditions of transfer, that the school shall be kept open to all communities without distinction of caste or creed (*vide* condition (8) of the terms).

(*g*) Yes.

(*h*) The attention of the Honourable Member is invited to the reply to clauses (*d*) to (*f*) above. As there are a number of institutions in Hyderabad managed by associations or societies composed mainly of Hindus, Government consider it desirable to give a chance to a Muslim organisation to run a similar institution.

(*i*) Please see condition (7) of the terms. It may, however, be stated that more than half the cost of the building was met from Government, local board and municipal funds and public contributions.

(*j*) The following are the figures for the last five years :—

Year.	Amount.
	Rs.
1927–28	17,678
1928–29	21,420
1929–30	17,612
1930–31	18,542
1931–32	17,592

(*k*) The attention of the Honourable Member is invited to paragraph (11) of the terms.

(*l*) Government Middle or High School scholarships—whether 'open' or 'special'—are not attached to any Government or non-Government institutions specifically.

(*m*) Does not arise.

(*n*) According to the information of Government the Muslim Educational Society has at present no endowment fund of its own.

Conditions subject to which the Government High School, Hyderabad, and the Additional Training College Building have been transferred to the Muslim Educational Society, Hyderabad.

(1) That on or before the 1st June 1933, the Society shall submit to the Director of Public Instruction a certificate, signed by the Agent, Imperial Bank of India, Hyderabad Branch, and stating that an account called the "Hyderabad High School Building Account" has been opened in the bank by the Society and that a sum of Rs. 38,000 has been credited to that account.

Note.—This condition has been fulfilled.

(2) That the Society shall obtain from the Bhawalpur Durbar within six months from the date of demand by the Director of Public Instruction the promised building grant up to a limit of Rs. 25,000.

(3) That if the cost of the ground floor of the building exceeds the estimate of Rs. 63,000, the Society shall be responsible for raising the money required in excess.

(4) That the Society shall complete the buildings as per approved plans, before 1st March 1934. Should the Society decide to entrust the work to a private contractor with the previous approval of Government, the contractor shall work under the supervision and guidance of a Public Works Department Officer whom Government may be pleased to appoint. The Society shall be held responsible to see that such orders and instructions, verbal or written, as are issued from time to time during the course of building operations by the Public Works Department Officer are carried out faithfully by the contractor.

(5) That the Society shall not claim a building grant.

(6) That the Society shall comply with all the conditions imposed by Government before 1st March 1934 and shall arrange to take over from Government the management of the High School on or before 1st April 1934.

(7) That the Metharam Hall shall be retained and used by Government for such purposes as they please.

(8) That the Society shall keep the High School open to all communities, without any distinction of caste or creed; that at least 50 per cent. of the seats and free-studentships calculated at the rate of 30 per cent. of the number of Muslim boys on the rolls on 1st May in the preceding year, shall be reserved for Muslim boys; that at least 30 per cent. of the seats in the school shall be reserved for non-Muslims for a period of five years in the first instance, the percentage of the seats to be reserved thereafter being fixed by Government at the end of that period; that the seats reserved for non-Muslims may be filled by Muslim boys, only if a sufficient number of the former are not forthcoming for admission to the school within 15 days from the commencement of each school

term and that non-Muslim boys belonging to the Advanced, Intermediate and Backward classes shall be given, for the first 5 years in the first instance after the date of transfer of the school to the Society, free-studentships admissible at the same percentage and on the same conditions as those fixed for such communities in the Government High Schools in Sind.

(9) That the Society shall keep the present permanent Government staff, including the Head Master, pending Departmental convenience, on the understanding that, as occasion offered, this staff should be gradually reduced in consultation between the Society and the Director of Public Instruction. That with effect from 1st April 1934 (i.e., salary for April 1934 to be paid in May 1934) the salaries of the present Head Master and of the Government staff of the school shall be paid by the Society on their present scales of pay, any cut ordered by Government such as the 10 or 5 per cent. cut being refunded to Government, on the understanding (*a*) that Government would forego leave and pension contribution, and (*b*) on the further understanding that the Society should pay the salaries of teachers when on leave. The staff thus transferred shall be subject to the administrative control of the Society, provided that if the Society impose any form of punishment on any of the transferred staff an appeal shall lie to the Director of Public Instruction and, if necessary, to Government, whose decision shall be final.

(10) That those members of the present Government teaching staff of the school, who do not hold any substantive or probationary appointments in the Department will cease to be in the employ of the Department, with effect from 1st April 1934, unless it is feasible conveniently to provide for them in the Department. By mutual consent they may be retained by the Society as their own employees on such terms as may be agreed upon.

(11) That for the first year (i.e. for the period from 1st April 1934, to 31st March 1935) a block grant equal to the net approved expenditure of the school up to a limit of Rs. 15,000 payable in three equal instalments in April, August and January shall be paid to the Society for the upkeep and maintenance of the school in a proper state of efficiency; that for the second and third years (i.e. for the periods from 1st April 1935, to 31st March 1936, and from 1st April 1936, to 31st March 1937) block grants up to the limits of Rs. 12,500 and Rs. 10,000 respectively, shall be paid in three equal instalments in April, August and January on the same basis and that thereafter the Society shall receive as grant from Government the same percentage of the Society's approved expenditure as Government give to other aided institutions from time to time, provided that the school is maintained and administered according to the requirements of the Department.

(12) That on the completion of the ground-floor to the satisfaction of Government, the Additional Training College buildings which are now used as a Boarding House for Muslims shall be transferred permanently to the Society, provided that in the event of the Society being mismanaged or failing to run the hostel efficiently, of which fact Government shall be the sole judge and their decision final and conclusive, Government shall be at liberty to resume possession of the Additional Training College Buildings and the site and of such equipment and furniture as were transferred to the Society, without any compensation.

(13) That in the event of mismanagement and failure of the Society to run the High School efficiently, of which Government shall be the sole judge and their decision final and conclusive, or in the event of the Society failing to comply with any of the conditions mentioned above, Government shall be at liberty to resume control of the High School and to take possession of all buildings including those built by the Society and such equipment and furniture as were transferred to the Society, without any compensation.

(*a*) that the Society shall maintain and keep in good condition and substantial repair all the buildings, site, furniture, apparatus, etc., transferred to them, and

(*b*) that the Society shall pay all rates, charges, assessments, expenses, etc., leviable or chargeable in respect of the premises and buildings.

Mr. S. S. TOLANI: What was the object of transferring this high school to a public society?

The Honourable Dewan Bahadur S. T. KAMBLI: My honourable friend knows that it is in accordance with one of the recommendations of the Thomas Committee.

Mr. S. S. TOLANI: That means on financial grounds?

The Honourable Dewan Bahadur S. T. KAMBLI: It is in accordance with the recommendation of the Thomas Committee.

Mr. S. S. TOLANI: What will be the net saving to the Government in a year by transferring this school to the society?

The Honourable Dewan Bahadur S. T. KAMBLI: The terms and conditions under which the transfer has taken place appear on pages 15 and 16. The net saving will be the difference between the grant payable and the expenditure now incurred. The honourable member may well calculate for himself and find out the difference from the figures given in the printed reply. It will be about Rs. 2,500.

Mr. S. S. TOLANI: Is it worth while to transfer the school for the sake of Rs. 2,000 or 2,500?

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, we have taken action according to the recommendation of the Thomas Committee.

CLOSING OF GHAR CANAL.

*Mr. S. S. TOLANI (Western Sind): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether it is a fact that Ghar Canal flowing from the town of Larkana with a discharge of about 5,000 cusecs and getting water direct from the river has been bunded on one side by Dadu Canal near Pirsheer and by Rice Canal near Lohoria on the other side;

(*b*) whether it is a fact that this bunded portion gets water from Rice Canal and Dadu Canals;

(*c*) what quantity of water is admitted into the bunded portion and how it is utilised;

(*d*) whether it is a fact that Ghar Canal was a seasonal canal and by the present arrangement it is made a perennial canal, getting water only from Dadu Canal;

(*e*) whether it is a fact that as compared to old Ghar there is practically no flow and it has become almost a stagnant pool of water;

(*f*) whether it is a fact that the water of this canal has been many times analysed by the Health Department at the request of the Municipality and that the analysis has shown that there exist germs which are injurious to the health of the town;

(*g*) whether it is a fact that health of the town has been adversely affected and malaria, typhoid and intestinal diseases are on the increase;

(*h*) whether it is a fact that the death-rate in the town has increased; if so, will the Honourable Member be pleased to give a comparative statement of the death-rate of last 18 months ending June 1933 with that of the three previous years;

(*i*) whether it is a fact that the sub-soil water level has increased and affected many houses in the town;

(*j*) how many houses have actually fallen and how many have become dangerous to live in;

(*k*) what steps Government propose to take to save the town of Larkana from disease and ruin due to the closing of the Canal?

The Honourable Mr. R. D. BELL: (*a*) Yes.

(*b*) Yes.

(*c*) About 40 cusecs are admitted into the bunded portion from the Rice Canal during the kharif season for irrigation and silting purposes, and about 35 cusecs from the Dadu Canal in the rabi season for irrigation as well as for flushing out the ponded water into the empty Rice Canal.

(*d*) The old Ghar Canal was an inundation canal. The bunded portion is now getting water as stated in reply to clause (*c*).

(*e*) This length of the Ghar now carries the small discharge mentioned in (*c*) at low velocity. It is not stagnant.

(*f*) The answer to the first part of this clause is in the affirmative. The analyses have failed to show the presence of any germs injurious to health in the water.

(*g*) and (*h*) It is reported that malaria has increased and that mosquito larvæ are found in the Canal. Intestinal diseases have considerably decreased and the increase of typhoid in 1933 is probably due to some other factors as the water of this canal is not used for drinking purposes. On the whole the death-rate shows a decline and it cannot be said that the health of the town has been adversely affected. The comparative statement required is laid on the Council Table.

(*i*) and (*j*) The sub-soil water level has risen but only in the same proportion as the general rise in the sub-soil water level throughout the District. The small rise in the sub-soil water level at Larkana has not affected houses in the town.

(*k*) Does not arise as the arrangements described in reply to clause (*c*) have worked satisfactorily.

Statement showing total death-rate from all causes in Larkana Town for the period of 18 months from January 1932 to June 1933 and the previous five years.

Month.		Total death-rate per 1,000 per annum.	Year.	Total death-rate.
1932	January	24·37	1928	29·09
	February	27·37	1929	50·58
	March	27·23	1930	31·58
	April	32·49	1931	20·30
	May	24·84	1932	24·85
	June	29·54	1933	20·69
	July	12·42		
	August	14·33		
	September	23·63		
	October	22·93		
	November	39·39		
	December	46·34		
1933	January	37·74		
	February	28·42		
	March	20·44		
	April	12 80		
	May	14·33		
	June	13·29		

Mr. S. S. TOLANI: With regard to the first part of (*f*) may I know whether the Health Department have analysed the Ghar Canal water chemically or bacteriologically?

The Honourable Mr. R. D. BELL: Both, Sir.

Mr. S. S. TOLANI: With regard to second part of (*f*), the reply given is:

"The analyses have failed to show the presence of any germs injurious to health in the water."

Again it is stated in the reply to (*g*) and (*h*):

"It is reported that malaria has increased and that mosquito larvæ are found in the canal."

Does the Honourable Member or the Health Department think that malarial mosquitoes are not injurious to health?

The Honourable Mr. R. D. BELL: The answer is that there are no injurious germs.

Mr. S. S. TOLANI: What does the Honourable Member think about the malaria larvæ?

The Honourable Mr. R. D. BELL: It is not usual to describe the mosquito as a germ.

Mr. S. S. TOLANI: It is stated in the reply to (*g*) and (*h*) that the increase of typhoid in 1933 was due to some other factors. Have Government enquired what those factors are?

The Honourable Mr. R. D. BELL: Not that I am aware of.

Mr. S. S. TOLANI: Does the Honourable Member give the reply without a full knowledge of things?

The Honourable Mr. R. D. BELL: I may explain that the water of this canal is not used for drinking purposes. It cannot be the cause of typhoid.

Mr. S. S. TOLANI: If the Honourable Member says that it is not used for drinking purposes, does the Honourable Member know that it is used for bathing and washing purposes and people are getting skin disease when they take bath in the canal which shows that the analyses of the health department is not correct?

The Honourable Mr. R. D. BELL: Typhoid is not a skin disease.

Mr. S. S. TOLANI: Whatever it is, the water is injurious to health.

The Honourable Mr. R. D. BELL: The answer is as given. It covers all those points.

The Honourable the PRESIDENT: Next question.

Mr. S. S. TOLANI: I have not done with this question, Sir. This is a very mportant question affecting the health of my town.

With regard to (*i*) and (*j*), The reply is "The small rise in the sub-soil water level at Larkana has not affected houses in town"; is it a fact that when the Honourable the General Member and the honourable member

the Secretary of the Public Works Department when they came in Larkana on the 18th and 19th January on their Sind tour received complaints that the sub-soil water had risen and many houses were affected and the health of the town suffered due to Ghar water? Is it a fact that he received complaints from various quarters?

The Honourable Mr. R. D. BELL: No, Sir.

Mr. S. S. TOLANI: Then, I refer to (*k*). May I tell him——

The Honourable Mr. R. D. BELL: Sir, the honourable member may ask a question, but he may not tell me anything.

Khan Bahadur ALLAHBAKSH: Sir, the Honourable Member has told Mr. Tolani in reply that the people did not drink water from the Ghar Canal. Is the Honourable Member aware that the sub-soil water which is taken from the wells is also water from the Ghar Canal, and therefore it is used indirectly for drinking purposes?

The Honourable Mr. R. D. BELL: It may be possible that the wells obtain their supply by seepage from the Ghar Canal, but I have no information about the condition of water in the wells.

Mr. S. S. TOLANI: Answer to clause (*k*) shows that Government are not prepared to improve the present state of affairs. I was informed that when the honourable member the Secretary of the Public Works Department——

The Honourable the PRESIDENT: Will the honourable member ask a question?

Mr. S. S. TOLANI: Is it a fact that when the honourable member the Secretary of the Public Works Department was in Larkana, he gave verbal orders to the Executive Engineer, Rice Canal, that he should take charge of the Ghar (Minor) and that he should give about 70 cusecs of water from the Rice Canal?

The Honourable Mr. R. D. BELL: I am not aware of this being correct.

Mr. S. S. TOLANI: No orders were issued in that connection? Have Government considered the scheme drawn up at a conference presided over by Sir Charlton Harrison of narrowing down the Ghar Canal to some extent?

The Honourable Mr. R. D. BELL: Yes, Sir; I think some scheme of that nature was considered.

Mr. S. S. TOLANI: When are Government likely to put it into operation?

The Honourable Mr. R. D. BELL: Never.

PRISONERS IN VISAPUR JAIL.

*Dr. V. G. VAISHAMPAYAN (Sholapur City): Will the Honourable the Home and General Member be pleased to state:—

(*a*) how many prisoners there are at present in the Visapur Jail;

(*b*) how many of them were convicted under the Indian Penal Code;

(*c*) what the working hours of prisoners under the Jail Manual are;

(*d*) at what times food is to be given to them according to the Jail Manual;

(*e*) when they are expected to close their daily work and return to their barracks or cells;

(*f*) whether it is a fact that in August and September last, the non-political prisoners in this jail were made to work till late in the evening and that they used to return to the Jail at about 7 p.m.;

(*g*) whether it is a fact that they were given the evening food after 7 p.m.;

(*h*) if so, the reasons why such irregular procedure was followed in the case of these prisoners?

The Honourable Mr. R. D. BELL: (*a*) 803 on 2nd February 1934.

(*b*) 617.

(*c*) to (*e*) The attention of the Honourable Member is invited to rules 668, 677 and 679 of the Bombay Jail Manual, Part I.

(*f*) No.

(*g*) No.

(*h*) Does not arise.

Dr. V. G. VAISHAMPAYAN: After a careful perusal of the Jail Manual, I would now like to know whether there was any deviation from the rules of the Jail Manual in the months of August and September?

The Honourable Mr. R. D. BELL: I must have further notice of that question.

LOCAL AUTHORITIES AND SCHOOL BOARDS: DIFFERENCE OF OPINION.

*Rao Bahadur R. V. VANDEKAR (Nasik District): Will the Honourable Minister for Education be pleased to state—

(*a*) whether Government are aware that difference of opinion still exists between Local Authorities and their School Boards in some places like Ratnagiri and Nasik;

(*b*) whether they have enquired into the matter with a view to find out the real causes of the difference of opinion;

(*c*) if so, what the causes are;

(*d*) what action they propose to take to rectify this state of affairs?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) Yes, in a few cases.

(*b*) and (*c*) The differences are generally due to the desire of Local Authorities to exercise control over School Boards in matters of detail which are within the sphere of the School Board.

(*d*) A general circular† of which a copy will be supplied to the Honourable Member has been issued by the Director of Public Instruction for the information and guidance of all School Boards and Local Authorities explaining to them as precisely as possible the legal position

† Kept in Secretary's Office.

regarding delimitation of the spheres of the Local Authority and of the School Board under the Bombay Primary Education Act, 1923.

Attention is invited to sub-paragraphs 1, 2 and 3 of paragraph 16 of the Education Review No. XIV—June 1933.

Rao Bahadur G. V. PRADHAN: May I know when the model rules are likely to be ready? We sent our rules several times to Government, but Government rejected those rules. We asked them for model rules, but no model rules are forthcoming yet.

The Honourable Dewan Bahadur S. T. KAMBLI: Model rules as to what?

Rao Bahadur G. V. PRADHAN: Model rules regarding primary education.

The Honourable Dewan Bahadur S. T. KAMBLI: The rules under the Primary Education Act are there.

Mr. R. B. EWBANK: Perhaps the honourable member refers to regulations under section 27. Regulations must be first proposed by the local authority.

Rao Bahadur G. V. PRADHAN: Several municipalities have sent these regulations, and Government have rejected all of them without advising any modification.

The Honourable Dewan Bahadur S. T. KAMBLI: It is too broad a statement to say that the regulations sent in by all the municipalities have been rejected.

Rao Bahadur G. V. PRADHAN: I had written to Government to know whether the regulations sent in by any of the municipalities had been approved, and the reply I got was that in no case the regulations had been accepted.

The Honourable Dewan Bahadur S. T. KAMBLI: May I know the exact reply?

Rao Bahadur G. V. PRADHAN: It is not here; it is in my office.

Rao Bahadur R. V. VANDEKAR: May I know whether any regulations are prepared by any of the district school-boards and submitted to Government for sanction?

The Honourable Dewan Bahadur S. T. KAMBLI: I will require notice of that question.

Rao Bahadur R. V. VANDEKAR: It has reference to the question already asked. I do not see any necessity for a fresh notice.

CLOSURE OF FACTORIES.

*Rao Bahadur R. V. VANDEKAR (Nasik District): Will the Honourable the Home and General Member be pleased to state—

(a) the number and names of factories in the presidency which were closed from the year 1928 and the reasons for their closure;

(b) whether Government intend to take any active measures to support the staple industry of the presidency;

(c) if so, what measures;

(*d*) whether Government are aware that the present unemployment will ultimately adversely affect the Government revenues involving additional taxation ?

The Honourable Mr. R. D. BELL: (*a*) A list* of 61 perennial and 172 seasonal factories which were working on 1st January 1928 or subsequently but are now closed is placed on the table. The principal reason for closure is general trade depression. Of the 172 seasonal factories 163 are cotton gins and presses which have been affected by reduced crops and are frequently closed under pooling arrangements.

(*b*) and (*c*) Direct measures of assistance, such as duties on imports, are the province of the Central Government. It is not clear to what sort of active measures the Honourable Member refers.

(*d*) Government are fully aware that the existence of unemployment is detrimental to Government revenues.

UNSTARRED QUESTION AND ANSWER.

ROAD TRANSPORT TAXES: CONVERSION INTO PROVINCIAL TAX.

Mr. JOHN HUMPHREY (Karachi Chamber of Commerce): Will the Honourable Minister for Local Self-Government be pleased to state what steps Government propose to take towards commuting the various taxes on road transport into one Provincial tax ?

The Honourable Khan Bahadur D. B. COOPER: The question is under the consideration of Government.

ENQUIRY INTO THE QUESTION OF REDUCTION IN WAGES IN THE COTTON MILL INDUSTRY.

The Honourable the PRESIDENT: The Honourable the Leader of the House wants to make a statement.

The Honourable Sir GHULAM HUSSAIN: Mr. President, I would like to make a statement on behalf of Government in connection with the speech of my honourable friend Mr. Bakhale at the time of the general discussion about labour.

Government having observed that reductions in wages have been effected or are in contemplation in several centres of the cotton mill industry in this Presidency, consider it desirable that the fullest possible information should be obtained and made available to the public on this important matter.

Government are further of opinion that the quickest and most satisfactory method of achieving this object is by departmental inquiry.

They have, therefore, instructed the Labour Office to make a special investigation, which will include consideration of evidence, oral or written, submitted by the interests concerned, in order to ascertain the following facts :—

(*a*) the extent of the reduction in wages of workpeople employed in the cotton mills in the Bombay Presidency, since the 1st January 1926 ;

* Kept in Secretary's Office.

[Sir Ghulam Hussain]

(*b*) whether these reductions have been uniform in the cotton mills at each centre of the industry;

(*c*) whether the cost of living of the working classes has fallen during this period, and to what extent;

(*d*) what has been the average rise or fall in real wages during this period in the various centres of the industry;

(*e*) where wage reductions have been effected or are contemplated, the reasons therefor;

(*f*) the extent to which "rationalisation", for example "efficiency schemes", has been introduced in the cotton mills of the Bombay Presidency, and the effect such schemes have had upon wages and the conditions of work of the operatives; and

(*g*) the extent of unemployment in the cotton mill industry and its causes.

Government have further decided temporarily to strengthen the staff of the Labour Office in order to enable the investigation to be completed as rapidly as possible.

ADJOURNMENT MOTION re: INDUSTRIAL STRIKE AT SHOLAPUR.

Mr. R. R. BAKHALE: Sir, I beg leave of the House to make a motion for the adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance, namely, the situation created at Sholapur by the closure of certain mills and by the action of the local authorities in prohibiting certain individuals from addressing the workers.

The Honourable the PRESIDENT: The motion was placed in my hands and I have admitted it. The motion is as the honourable member has read it.

The Honourable Mr. R. D. BELL: Mr. President, I think it is only fair to the House to say very briefly that, while this is a matter of public importance, as any industrial strike always is, it does not seem to me to be a matter of urgent public importance. The strike began on the 15th of February and in some of the intervening days at least all the mills have been working. Yesterday three are reported to have been working and there is, for a strike, nothing abnormal in the present situation.

The second part of the proposed motion relates to the prohibition of certain individuals from addressing the strikers. This is action which is ordinarily taken under the District Police Act when individuals begin to address, and threaten further to address, the strikers or any other section of the public in inflammatory speeches. There are three individuals concerned, one of whom belongs to Sholapur and the other two are recent arrivals for the purposes of this strike who intend apparently to incite the local population to adopt methods which are likely to result in a serious disturbance of the public peace. Apart from the fact that there

[Mr. R. D. Bell]

is a strike and the further fact that action has been taken in the ordinary way under the District Police Act for the maintenance of the peace, there is nothing extraordinary or exceptional in the situation which requires that any special measures should be urgently taken.

The Honourable the PRESIDENT: Now that objection has been taken to the motion, the procedure is that I should ask the House whether they support the motion of the honourable member; but before that, I would like to refer to one fact. The method which this Council has followed in testing the urgency of a matter is to see whether the occasion has arisen, during the session of the Council or within such a period as not to give an opportunity to an honourable member to table a resolution in the ordinary way. I particularly made it a point to ask the honourable member Mr. Bakhale, when he placed this motion in my hands, whether this was a matter which had arisen before or after the session began; and if I remember aright, he said that it was a day before he presented this motion to me that he had learnt, and the public had learnt, of the occurrence at Sholapur. We now find that occurrence took place, or it began in some form, on the 15th, that is, 4 days before the session started (the session began on the 19th). That did not give much of an opportunity to the honourable member to move otherwise than by tabling an adjournment motion. However, objection is taken, and I would like those honourable members who wish to support the motion to stand up in their places. (*Count taken.*) Twenty-five members not having stood up, leave is not granted.

BILL No. II OF 1934 (A BILL FURTHER TO AMEND THE BOMBAY FINANCE ACT, 1932).

The Honourable Sir GHULAM HUSSAIN: Mr. President, I introduce Bill No. II of 1934 (A Bill further to amend the Bombay Finance Act, 1932)*.

The Honourable the PRESIDENT: The Bill is introduced.

First reading.

The Honourable Sir GHULAM HUSSAIN: Sir, I move that Bill No. II of 1934 (A Bill further to amend the Bombay Finance Act, 1932) be read a first time.

Sir, I will make only a brief statement in support of the motion. I may assure honourable members of this House that Government have the good of the commercial community as much at heart as that of the agriculturists. In fact, Government are for the people of the whole Presidency. We have heard, Sir, so much of the Reorganisation Committee. Every now and then we have been told that we have not given effect to the Reorganisation Committee's report, but I may bring to the notice of the honourable House that one of that Committee's recommendations was that surcharge on electricity should be made permanent. However, for the present, we are not making it permanent, as the Bill shows.

*Appendix 6.

[Sir Ghulam Hussain]

Honourable members will excuse me when I say that there has always been a good deal of vague and loose talk about the recommendations of the Reorganisation Committee. The other day I showed in detail what effect we had given to the recommendations of the Committee. What we have not done is that we have not compelled local bodies to find out 50 lakhs, and have not closed colleges and schools, or cut down co-operative societies, etc. I would urge honourable members not to indulge in such loose talk. They must talk with the book, not without the book.

Now, the position is this. There is a great demand from almost every member of the House, that we should make liberal provision for concessions to the agriculturists who have suffered very much. At the same time, no member wants us to reduce the activities of the nation-building departments. If any honourable member wants to reduce the revenue that we expect from this Bill, then it is for the honourable House to decide how we should act. Should we cut down the liberal concessions which we propose to give to the agriculturists, and should we cut down the activities of the nation-building departments, or should we go to the help of rich syndicates, the electric companies, who have large reserves? Every company is paying its shareholders very large dividends—12 per cent., 15 per cent., and 10 per cent. Is there any other industry which is so prosperous? I can say without fear of contradiction that if any industry is prosperous today, it is the electric industry. With these words, I move that the Bill be read a first time.

Question proposed.

Mr. C. N. PATEL (Kaira District): Sir, I rise to oppose the first reading of this Bill. I do appreciate the Honourable the Finance Member's difficulties, and I do also appreciate the spirit underlying his speech in support of the Bill. I also appreciate the fact that he is prepared to make concessions in favour of the agriculturists by way of giving them remissions for the recent damages. He now asks us, in consideration of that, to support the Bill. Sir, in my speech on the Budget I had asked one question as to the extent of the damage caused to the agriculturists by the recent frost. I waited for the necessary information to come from the official benches, but the same was never given to us. I myself assess the damage at crores of rupees. I also told the House that the condition of the agriculturists was pitiable. That fact has not been denied, but all that we have till now heard by way of solace is that there is expectation of relief being granted to the agriculturists to the extent of 8 lakhs. Whether that will be sufficient——

3 p.m.

The Honourable Sir GHULAM HUSSAIN: May I correct the honourable member, Sir? He has not read my speech properly. I have clearly said that we are making provision for remissions and suspensions of 8 lakhs for those who have suffered by frost, but we do not know the final position, as we have not got the reports yet.

Mr. C. N. PATEL: The position may not be known or perhaps it may never be known. Such information could have been gathered if the Honourable the Finance Member wanted to gather it. But I really regret that the information is not available. These are times when the agriculturists are most hard hit. The Honourable the Finance Member has advised us not to talk at large but to talk with facts and figures, but these facts and figures are more available to him than to us and if he cannot, with all his vast resources, get all the facts and figures, the only course left open to us is to go on dinning into his ears the sad plight of the agriculturists from what least information that we have. Sir, I have said before that the plight of the agriculturists is a very pitiable and a very sad one and it is very difficult for the ordinary agriculturists to make the two ends meet. If the Honourable the Finance Member will accept this proposition, then I will ask him to consider how detrimental to the agriculturists would the working of his Finance Bill prove to be.

I will not speak a word about that portion of the Bill which affects electricity, but so far as the court fees and stamps are concerned, they do affect the agriculturists and it is time that these short-time Bills, which were originally adopted for the purpose of tiding over temporary difficulties, should now be given a go-by to. In these times, Sir, when prices have gone low, one request that has been coming from this side of the House is that Government ought to curtail the salaries of their servants and make retrenchment wherever it is possible. That aspect of the case has never been considered and in fact, if I may put it so, even the 5 per cent. cut is being regarded by Government officers to be a great burden on them. Many of them are looking forward to the day when this 5 per cent. cut will be done away with and they must be moving heaven and earth in order to avoid that little sacrifice that they are called upon to make. But, Sir, the main supporters of Government are the agriculturists and when they are in such a sad plight, is it not up to Government to make a permanent cut of say at least 10 per cent. whereby all these extra Bills can be avoided? Sir, we are told that if this Bill is not passed then the nation-building activities will suffer. That the nation-building activities will suffer is an excuse which has succeeded times out of number in persuading this House to vote supplies and to vote additional taxation, but really speaking, Sir, the same Government make no difference between these nation-building activities of the State because they believe that all the activities of the State are nation-building and in fact they have gone to the length of telling us that the police is there and that it is also a nation-building activity of the State. So also, perhaps the Revenue Department, the Judicial Department and every other department is a nation-building department, because without all these the nation cannot prosper. Looking at the question from this point of view, I will concede that all these are necessary departments, but the question is that we have to decide between two evils viz., at a time when the people cannot afford to pay, is it proper to ask them to pay more and more money so that you can go on spending in any manner you choose? That is the only simple proposition before the House and if the honourable House is of the

[Mr. C. N. Patel]

opinion that the time has come when the House should assert itself and force Government's hands and force them to come to some solution, namely, by doing their bit in reduction of salaries and in reduction of the cost of administration, if they come to terms like that, then certainly I for one will not object to the continuance for one year more of this Finance Bill, but we have waited long enough, that is what I have been feeling myself, for a request to come from the official side of this honourable House. Government have told us that they have tried their level best to accept the recommendations of the Reorganisation Committee, but I am really sorry that that is not true. At any rate, I for one am not satisfied that the Government have done their best in accepting the various recommendations. They have readily accepted those which brought them money——

The Honourable Sir GHULAM HUSSAIN: May I ask the honourable member to point out those recommendations to which he refers and which he says we have accepted readily because they bring us money?

Mr. C. N. PATEL: Recommendations for extension of fees, closing down of schools and so on. I do not deny that they are recommendations, and that exactly is what I say, namely, that you readily catch at those suggestions of the Reorganisation Committee which save money to you in this shape which does not hit the Government servants as such. But, Sir, on a previous occasion I have tried to show how the Indian officer is more than well paid, more than what even the mighty British Government has been paying to its own servants. That being the case and our country being a very poor country with very poor resources at our command, is it not up to the Government and is not the time come when Government should take courage in both hands and effect a cut of at least 10 per cent.? And unless they do that, I submit the House will be well advised in rejecting this Bill.

Mr. G. S. GANGOLI (Kanara District): Sir, I should have liked the Honourable the Finance Member to bring forth this Finance Bill after the demands and grants were first discussed and disposed of. Unless the demands and grants are discussed and voted or otherwise, this is just like putting the cart before the horse, because we do not know what the actual deficit will be and what the actual income will be. I would certainly request him first of all to discuss the budget and to get it disposed of, and then if there is a deficit or if a surplus is required by him to run the administration, then he would be well advised to bring forth some such money bills. But, Sir, just at present, I do not know why this extension is necessary for an additional High Court Judge, for the additional police in Ahmedabad and Bombay and for the Back Bay Scheme. If these three items were not there, he would not require this money bill at all. On the other hand, what does he hold out for the agriculturist? Nothing. Just when we are sitting here in this gilded hall as it were, every sort of harassment is going on there in the villages for recovering every pie of land revenue from the agriculturists and it so happens that every time the Finance Bill is presented here and the Budget

[Mr. G. S. Gangoli]

is being discussed, land revenue is being recovered in the villages. Thus, after all, our existence here does not appear to be a reality and I think we are all talking in unreal terms. The Honourable the Finance Member has got so much sympathy for the agriculturists, but yet I am quite sure that he has not ordered a single line to the village authorities that they are at least to deal with them in a liberal way and not to harass them. Today is the 26th February and by this time every pie of the first instalment must have been recovered and where it is not paid, there must have followed the one-fourth penalty, attachments, forfeitures and so on. Before he came here with these money proposals, he should very well have given us some definite idea as to the exact amount he was going to remit or suspend, and if he had done so, we would have been in a much better position than we are now in. As it is, we come here only to vote money bills or some other form of taxation or to pass laws, but we always return empty-handed so far as the agriculturists are concerned although it is the agriculturists who send us into this Council as their representatives.

In his reply to the general discussion, Sir, the Honourable the Finance Member said that there had been no revision in land revenue. That is not a fact. Land revenue was revised in 1924-25——

The Honourable Sir GHULAM HUSSAIN: I did not say that it was never revised.

Mr. G. S. GANGOLI: He again said that the income had come down. Even in Sind land revenue has gone down because a large area is uncultivated and lying fallow, and even if we are going to increase the revenue, the income that is actually derived will be less and less because more and more land is going out of cultivation. Again, Sir, he says that before the Reforms Government had so much revenue from land assessment.

The Honourable Sir GHULAM HUSSAIN: During the general discussion, Sir, I promised to give a day for the discussion of land revenue.

Mr. G. S. GANGOLI: I think, Sir, I can discuss this when the Money Bill——

The Honourable the PRESIDENT: The question is whether that argument is within the scope of the motion before the House. The proper time for such points would be when the demand for the Revenue Department comes up for discussion.

Mr. G. S. GANGOLI: With due deference to the Honourable the Finance Member and to the Chair, I submit, Sir, that as land revenue is not going to be taken up first there is no time for us to bring all these grievances before this honourable House during the general discussion when there is a time limit of 20 minutes, but now there is no time limit and legally we are entitled to discuss all these points. So, Sir, I submit that land revenue was revised and that there has been a constant change in the headings, for example, grazing has been taken away from land revenue, irrigation dues were taken away and by this means all that has

[Mr. G. S. Gangoli]

been shifted, and in this manner they show that they have lost so much in land revenue, but that is not a fact. When he talked so much of remission and suspension I said "what about the other parts except Sind?" I see from the last report on the land revenue administration of the Bombay Presidency including Sind, that in Sind alone for the last year out of 125 lakhs only 75 lakhs have been recovered and 50 lakhs were not recovered. The Honourable the then Finance Member Sir Govindrao promised a remission of four annas in Kanara, but in real actuality not a single pie was remitted.

Now, Sir, I again submit here that the way in which land revenue is collected is very far from satisfactory. There has been harassment of the——

The Honourable the PRESIDENT: This again is another matter which could very well be left for discussion later on when the proper time comes. I do not wish to interrupt the honourable member or any one else. When a taxation Bill is before the House, honourable members would be perfectly right in pointing out certain grievances which should be remedied before taxation is asked for, and those grievances should be brought up in the main, but the land revenue policy or its administration and the manner how it works in the various branches, is hardly a right subject to be discussed now.

Mr. G. S. GANGOLI: I submit, Sir, that if the Honourable the Leader of the House does not so propose, it does not lie with the Honourable the President to say that we can discuss land revenue later on because we are not beginning with land revenue.

The Honourable Sir GHULAM HUSSAIN: I have already agreed to give one day for discussion of the land revenue demand.

The Honourable the PRESIDENT: If the House desires, the Honourable the Finance Member will permit that demand to be taken up first.

Mr. G. S. GANGOLI: If the House desires. There is that big "if".

The Honourable Sir GHULAM HUSSAIN: I will give them any day that they like during the 12 days allotted for the discussion of demands.

Mr. G. S. GANGOLI: Let me then take——

The Honourable the PRESIDENT: I suppose it may be taken for granted that Land Revenue would come up for discussion?

The Honourable Sir GHULAM HUSSAIN: Yes, Sir.

Mr. G. S. GANGOLI: Coming, Sir, to the general grievances, one of our grievances is that in spite of a resolution being carried in the Poona session year before last, we are not having three sessions of this Council, with the result that some of the non-official work cannot be conveniently discussed at all. Even in this session we have got only six days allotted for non-official business, of which two days are already over, and there is not enough time for discussing non-official measures during the general discussion, the time limit for it being 20 minutes for each member. The

[Mr. G. S. Gangoli]

result is that our grievances are there, and we will have to take them back in our pockets. That is another grievance. Either let us have three sessions or, as was suggested once, more days for non-official business. This brings us to another question, viz., the way in which questions are answered.

The Honourable the PRESIDENT: The honourable member has understood the ruling, or rather, the direction of the Chair. It would be saving much of the time of the House if references are made in connection with this Bill to the finances or to any other important and main grievances. If a grievance is made that copies of certain documents or orders issued by the Government are not supplied, that is really a matter for the general discussion of the Budget.

Mr. G. S. GANGOLI: Before coming to the Acts themselves, viz., the Electricity Duty Act and the Court-fees and Stamp Acts, I shall make out another grievance, at least within the purview of what the Chair has ruled. I say there has not been a reduction of the right sort. The Honourable the Finance Member stated that one Secretary's post is retrenched and the posts of one or two Deputy Secretaries have been abolished. Again, Sir, I would take him back to the pre-Reform days, and we find that even with the reduction of one Secretary there are more Secretaries, more Deputy Secretaries and Under Secretaries than there were before the Reforms. In spite of the reduction of the posts of some pattewalas here and there, General Administration costs us much more than it cost us before the Reforms, or soon after the Reforms, and what is retrenched is only one post of Secretary in the Public Works Department. I do not think under General Administration any post is retrenched. Sir, in the pre-Reform days the Revenue and Finance Secretary was one and the same person. Now, the Revenue and Finance Member is one and the same person, but the Secretaries for Revenue and Finance are different. There has been no reduction in the posts. As regards the reduction of pay, of course there have been some committees headed by the late lamented Sir Rustom Vakil or Mr. Thomas. But on those committees there was no non-official body to say what the real sort of reduction and retrenchment should be. This part of the House was never elected on such a committee nor consulted as to how the real reduction in the scales of pay or retrenchment should be made. We have been saying that there has been retrenchment even at the cost of efficiency, not retrenchment of the right sort. We have been always saying that the pay of the officers, both Indian and European, should be such as the agriculturists or peasants can afford to pay. That has been our clamour, and it has been really a cry in the wilderness.

Now, let me come to the Court-fees and Stamp Acts. In addition to court fees and stamps which have been enhanced from the time the Reforms were introduced in this presidency, they exact much more in the shape of process fees, copying fees, registration fees and so on. Also the scales of fees levied under the Stamp Rules or the rules of the High Court have been doubled, at times trebled also, so much so that litigation

[Mr. G. S. Gangoli]

costs us now-a-days four to five times more than what it cost before the days of the Reforms. All this perhaps the Honourable the Finance Member does not know, or the House is not concerned with. The charges are increased so much so that the poor agriculturist in these days has to pay twice, thrice and even four times. He is unable to pay the sowcar. Then the sowcar drags him to court. He has to pay all these expenses of cost. Then again comes the Revenue Department to deprive him of his holding by putting it to auction. On the other hand, Sir, the expenditure on the Judicial Department and Civil Works is very much curtailed. The pay of sub-judges is curtailed by nearly 200 per cent. as it were, and they are given more small cause powers. They can dispose of hundreds of cases in a day, and with all that the poor agriculturist has to pay much more for litigation. And justice also is not as cheap or as even as could be desired under this administration.

This brings me to another point, viz., the cadre of sub-judges. There is a distinct difference.

The Honourable Sir GHULAM HUSSAIN: I would remind honourable members that this is really a matter which should be discussed when the cut under the Judicial Department is moved. But if they want to pursue this and waste the time of the House, I have no objection.

The Honourable the PRESIDENT: I have given in the main the guidance for the discussion of the subject before the House. Honourable members have understood me and their past experience would also show them as to how they should order their remarks.

Mr. G. S. GANGOLI: Is not the Court-fees Act before the House?

The Honourable the PRESIDENT: That portion of the Court-fees Act which is included in the Finance Act is before the House.

Mr. G. S. GANGOLI: And the Stamp Act?

The Honourable the PRESIDENT: In the same way.

Mr. G. S. GANGOLI: So, I wanted to make out that there has been an additional court fee and stamp fee to be levied at the cost of the agriculturist, but there has not been the same amount of justice that could be obtained in the pre-Reform days. That is, even in the manner of the administration of justice there has been a deterioration. That is exactly what I am trying to show. If that is beside the point, I cannot help it. (*Honourable Members:* Go on.) In one word, I would only say that the personnel of the sub-judges has been decreased, and the justice that is dispensed now-a-days is not such as could be desired. There are small cause suits in which the agriculturist is the debtor; he does not want to contest the suit; he is honest. Such suits are decided in no time, but such an agriculturist is taxed all the more by the process fees and stamp fees. There should be a rule that in cases in which an honest agriculturist admits his liability, he should be charged half the court fees that may be recovered from a person who unnecessarily troubles the court and wants to go on with all the elaborate procedure. Or, if

[Mr. G. S. Gangoli]

there is a compromise or an *ex parte* decree, only half the court fees should be recovered. Otherwise, there would be no difference between the litigious debtor and the honest debtor who comes to the court and says that he accepts the liability, but is unable to discharge it. This alternative rule could be introduced in revising the scale of court fees.

As for the stamp duties, they also fall heavily on the agriculturist. He has to sell his land now-a-days very cheap, and the registration fees also are doubled. He gets very little for his land, and he has to spend much more for documents, on stamps and registration, and as all this falls on the poor agriculturists, I think so far as the agriculturists are concerned we will not be well advised in supporting this Bill before the budget is discussed.

Mr. L. R. GOKHALE (Poona City): Sir, this time I rise to support this money Bill. It may seem really surprising that I should do it, but I will give the reasons why I do it. The four departments of the State or rather the four interests of the State are (1) the agriculturists, (2) beneficent activities, (3) industrial and commercial interests and (4) the services. These are the four interests which are to be carefully guarded in adjusting our budget, and the first and foremost of them to my mind is that of the agriculturists. I would have been certainly very glad to support this Bill unconditionally if we were told how much amount of remission and suspension Government propose to give. The Government are very often laconic, very often unintelligible, very often not giving their words their full effect in action. That is what we find. As a matter of fact, these three Acts together bring to the Government not less than 25 lakhs of rupees; the electricity duty will bring them about 9 lakhs and more, and the additional court fees and stamps might bring them something like 20 lakhs of rupees and more. An attempt was made to get correct figures of these taxes last year, but they were not available. But from the rough estimate that I make I take that the least that Government can expect from these three sources of taxation will be something like 25 lakhs to 30 lakhs of rupees.

Now, what is the return from the Government for this? Out of the 30 lakhs or 30 lakhs and more, what is the Government going to give back to the agriculturist? The only promise that has been made is that so far as Government thinks the remissions would be 8 lakhs; and no suspensions yet.

The Honourable Sir GHULAM HUSSAIN: The honourable member is again misreading my speech. I have said that in addition to remissions and suspensions, we have provided 8 lakhs for frost damage only. We hope we may not have to give more; but the reports are still awaited.

Mr. L. R. GOKHALE: I quite appreciate the remark, and we may know hereafter that the Government have not to remit anything more. But it is the approximate figure that is wanted, not merely the idea of remissions and suspensions. I think it is now nearly three weeks since Government arrived at the figure of 8 lakhs of rupees. Have Government not received any further

3-30 p.m.

[Mr. L. R. Gokhale]

information yet? I thought that when the Bill was being introduced by the Honourable the Finance Member, he would be kind enough to give us a rough idea of the amount of remissions and suspensions in the whole of the Presidency. The rules are, Sir, that suspensions for a number of years can be recovered, even for a period of three years. This year I am told that there is an order that one and one-third years' suspensions *plus* the current assessment should be recovered.

The Honourable Sir GHULAM HUSSAIN: In the Deccan, one and a half.

Mr. L. R. GOKHALE: I am more concerned with the Deccan. In my district this order will be applicable. As a matter of fact prices have gone down 50 per cent., and further the cold has affected the crops, and other calamities have come, and to add to these calamities there is the Government calamity of enforcing these people to pay the arrears. In the Poona district, as a matter of fact, I know that the whole of the first instalment has been almost fully recovered. Among the many good fortunes of Government, this is one good fortune, that they have got Revenue officers who are over-zealous. They look more to the Government revenue. So, this one of the misfortunes of the people is the good fortune of the Government. Hence it is that nearly the whole of the first instalment has been recovered in the Deccan districts. It will be said now that if the people, even though the frost was there, could pay the first instalment, why should they not pay the second? If that argument is advanced, I am sure to-morrow there will be no remissions given.

The Honourable Sir GHULAM HUSSAIN: Was there frost in Poona district?

Mr. L. R. GOKHALE: I never said there was frost in Poona. I said there was depression in the prices and consequent other miseries. I know in two or three places in the Poona district there was frost; it was not so heavy and, in fact, it was not so general. What I say is, it may not be frost in Poona, but in many districts, for example in Nasik district, there has been frost, which has destroyed the grape crop, and the remissions in Poona and Nasik put together will not be enough to cover the losses in the Nasik district. I would like Government, before the discussion proceeds further, to take us into confidence, and tell us exactly what remissions and suspensions will be given. Therefore, I am giving my support to this Bill conditionally, believing in the good faith of the Honourable the Finance Member. My idea is, and I say, "If we are giving you more money, please at least be just, if not generous, in reducing the burden upon the agriculturist."

We know, Sir, what is the plight of the agriculturists. I am not going to speak about the other interests now. And the good luck of the Finance Department is that the Honourable Member is able to set up one interest against the other. This is one of the weapons used by the Government. When the commercial interest is concerned in a question and they do not want to support it, the interests of the agriculturists are put forward.

[Mr. L. R. Gokhale]

When the agriculturists' interests are involved, Government say "You have got only lip sympathy; the Government benches know better". That is the way in which Government are able to meet us, and that is the way in which Government are able to carry their way and always have a majority; and when the whip is sent round, they in fact get the majority, without delay. I do not blame the Government. By setting up one interest against another, they always get a majority. So, in this matter at least the course I have suggested ought to be followed in the case of the agriculturist, who is the backbone of the country. I know I may be told "You are living in a town; what have you to do with the agriculturist?" But my residence in a city means residence not out of touch with the agriculturist. I know how they are suffering, and yet I find that the Government have not, at least in action, done anything for them, though in words they have expressed wide sympathy for the agriculturists. Therefore, my request is that Government should now tell us definitely that at least there will be so much remission and so much suspension for the presidency as a whole. I do not make any difference whether it is Poona district or Nasik district, or whether it is the much affected district of my honourable friend Dewan Bahadur Patil, where the effect of the frost upon the cotton crop has been very bad and the loss very heavy. I have got letters from friends of mine in the cotton districts, in which they say that the cotton crop has suffered most, that their crops are almost gone in some places, and in other places they are very poor. It will also be seen from the agenda for this session that there are so many resolutions about the remission of taxes and the lightening of the burdens of the agriculturists, but I know very few of them will be reached. One of the safety valves for Government is that many heads of the Departments in the budget will not be reached. Whether the discussion under the head land revenue is reached or not, I hope the Honourable the Finance Member will see his way to give a remission from 10 to 50 per cent. according to the necessity of particular districts. I again repeat if the Honourable the Finance Member had placed before the House what he was going to do in regard to remissions, when he moved the Bill, we would have been in a better position to know the intention of Government. But he did not do so. Not that he could not do it but he did not want to do it. Still he expects us to support the Finance Bill. I have already told him that I am going to support the Bill and at the same time I feel sure that the Honourable the Finance Member will take us into his confidence and tell us what he proposes to do with regard to remissions. The land revenue should not be fully recovered. I know that Government will get an extra amount from tobacco. I have got some figures and I shall quote them if wanted. I understand that the realisation during the last 9 months is much more than what was expected or estimated. Again, as far as the Excise revenue is concerned, I understand that there has been such a fight for getting the shops that the Honourable Minister in charge of the Department is jolly over it. What are they going to do with these extra amounts? They are going to have

[Mr. L. R. Gokhale]

the revenue from the Finance Bill, they are going to have an extra revenue from tobacco and excise. All these extra amounts should go towards the help of the agriculturists.

Of course, I agree with my honourable friend Mr. Gangoli in thinking that the Government servants are being very kindly treated. If there is any individual who is safe in the Dependency of India, who is not adversely affected by the fall of the prices, it is the Government servants. The Government servant is the only fortunate individual. When there is a fall in prices, they are benefited. When there was a rise in prices the Government servants profited by increase of 30 and 40 per cent. in their salaries. Whether the prices go up or come down, they are benefited. The Government consist of Government servants and naturally they have their sympathy. But they should think that they are the custodians of the welfare of the other people also. Government have reluctantly cut down only 5 per cent. of their salaries. What were the prevailing prices in those days and what are they to-day? Is there not a fall of 30 and 50 per cent. in the prices of commodities, though it may not be so much in rent? If that is so, why should they not effect a proportionate reduction in the salaries of Government servants? We were told and we know that the increases were given on account of the high prices of commodities. Now, the prices have gone down materially and still the salaries of Government servants remain the same except for the small cut of 5 per cent. I shall be very glad to know what Government have got to say in regard to this matter. At least, if in course of time Government bring in a proposal for the reduction of the salaries of their servants, that will satisfy the House. When I speak about Government servants, I have not in mind the I.C.S. officers, because it is not within our competence to discuss their salaries. It is their goodness, if they voluntarily accept a reduction of 10 or 20 per cent. I know some Civilians in Bihar have voluntarily given a portion of their salaries to the people of that province stricken by earthquake. In Bihar the people were stricken by earthquake but we have here the continuous earthquake of a terrible fall in the prices and other circumstances. It will be very kind on their part, if the I.C.S. officers come forward with a voluntary cut in their pay. I make the same appeal to the Executive Councillors. As regards the Ministry, it is a voted item. If I argue that such and such Minister is worth so much and therefore he can afford to forgo a certain portion of his salary, I shall be told that it is not my province to discuss their wealth. If we make a motion that they should receive only Rs. 40,000 they have got a majority in the House and our motion will be defeated. But I may appeal to them, as they were brought up in the villages, as they have moved with the villagers and as they know what their conditions really are, that they should accept a reduction in their salaries. They know what I am stating is a fact. I hope the Honourable Leader of the House will not say that I have only lip sympathy. He will see it is honest sympathy that is felt on this side of the House towards the agriculturists. They are the backbone of the country. If the Executive Councillors and Ministers surrender a portion of their salary as a matter

[Mr. L. R. Gokhale]

of fact it will help the agriculturists a great deal who will be very grateful.

Lastly, I want to say this. I hope that the Honourable the Finance Member will say in winding up the debate on the Finance Bill that Government will not come next year before this honourable House with proposals for additional taxation. (*Interruption.*) I am told that this Government will not be there. If that is so, their undertaking will not be of any value. In case they remain, I hope they will give the undertaking that they will not come forward next year with this proposal for additional taxation.

There is one more circumstance about the finances of this year. My honourable friend Mr. Bakhale wants to better the condition of the labourers and every one is in sympathy with his object. He wants that the landlords who have constructed buildings investing lakhs of rupees should not get good rents. But nobody tries to put before the House constructive proposals as to how much should be saved by this House for the purpose of bettering the condition of the agriculturists and developing the beneficent activities of the nation-building departments. As regards beneficent activities, their claims should not be overlooked. The Honourable the Finance Member told us that he has provided 29 lakhs more for those departments. What is 29 lakhs in the matter of developing the material welfare of a nation? The Honourable the Finance Member knows the ways and means followed in civilised European countries. I do not want the five year plan of Russia to be adopted here. I want him to follow the ways of Germany. India is after all a nation of human beings. We are suffering very much for want of beneficent activities. Indians know what is going on outside India through newspapers and the advance those countries are making. So, I hope the Honourable the Finance Member will consider all these points and take steps to satisfy the just expectations of people. Therefore, I am supporting this Bill on the ground that the Honourable the Finance Member will undertake to help the agriculturists with remissions and suspensions, to provide more grants for the nation-building departments for their beneficent activities, and to assure the House that they will not bring forward this measure for additional taxation next year. Upon these conditions, Sir, I give my humble support to this Bill.

Mr. J. B. PETIT (Bombay Millowners' Association): Mr. President, I am very sorry, Sir, that I am unable to support the Bill presented to us by the Honourable the Finance Member. As I have said on several occasions before, this House has always been willing in the past to support the Government in all their legitimate endeavours to balance the budget and to otherwise help them to the utmost of its ability in restoring the financial position of the Presidency to its former healthy and prosperous condition. In order to attain this end, and particularly with the object of not embarrassing the Government in their present unfortunate predicament, it has hitherto, readily and without demur, sanctioned one taxation measure after another, and gone on renewing

[Mr. J. B. Petit]

the same from year to year, even against its better judgment. But it did so in the past on the distinct understanding and in the confident hope that the Government in their turn would appreciate this consideration on its part and take the earliest possible opportunity, if not of completely abolishing, at least of substantially reducing the huge load of emergency-taxation which is well-nigh crushing the Presidency under its deadly weight. But, Sir, we have noticed with profound regret that in the matter of taxation, our Government are subject to the usual failing of all Governments in this respect. It is now painfully clear to the House that these emergency-taxes, sanctioned in the first instance as a special case, have the unfortunate tendency of becoming permanent; and that the honourable the Finance Member does not appear to be in any haste to abolish them. This unfortunate attitude of indifference on his part is as unfair to the Government as it is to this honourable House; and the time has now come to put a stop to it for once and for all. I am perfectly certain that if a serious and consistent attempt had been made in that direction, it would have been quite possible for the honourable the Finance Member to produce a balanced budget, and the necessity of coming to this House once again this year with the Finance Bill, could have been easily obviated. That this was not done, is a matter for which this honourable House has a right to complain, particularly because it has hitherto not only readily and spontaneously given every facility to the Government in their efforts to restore the financial equilibrium of the Presidency but has also repeatedly gone out of its way to suggest ways and means of attaining that end. Not the least of such suggestions was the immediate desirability and urgent necessity of giving effect to some of the most reasonable recommendations of the Thomas Committee which have either been summarily rejected or arbitrarily shunted aside or unduly delayed by the Government without sufficient reason or any apparent justification.

The Honourable Sir GHULAM HUSSAIN: Will he point out any such instances?

Mr. J. B. PETIT: Yes, Sir, I am going to do that directly. I have got the report before me and I shall point out with facts and figures that what I say is absolutely correct.

Instead of sympathising with us in our disappointment and irritation, for which the honourable the Finance Member himself is very largely responsible, it is deplorable that he should have taken it upon himself to accuse us of the offence of "*indulging in loose talk and of talking without books*". It is a remark which he should have been the last person in the world to make, having regard to the fact that this charge can be more appropriately levelled against himself and his department than against the members of this honourable House. I repeat, Sir, with all the emphasis that I can command, that if the Government had been more prompt in this matter than they have been, that if they had arrived at rapid decisions on the merits of every question without yielding to the pressure of vested interests and other extraneous considerations, that if they had taken the House more into their confidence than they

[Mr. J. B. Petit]

have done, it would certainly have been possible for them to present a balanced budget this year and to dispense with the Finance Bill. Even now, I appeal to the honourable the Finance Member to reconsider many of his decisions in view of the fact that they have been arrived at on insufficient data and without adequate consideration of the larger interests of the province. May I now request him to kindly follow me when I refer him to the recommendations of the Thomas Committee item by item ?

If the honourable member will kindly turn to page 2 in the final issue dated the 31st August 1933 of the Statement of Action taken by the Government on the recommendations of the Thomas Committee, he will find that serial No. 7, entitled, "*travelling allowances to other officers*" —and serial No. 8, entitled, "*permanent travelling allowance*" are both still under the consideration of the Government, although over a year has elapsed since the publication of the Report. One of the remarks on the item is that "*the Finance Department has called for detailed reports on permanent travelling allowances from all the Secretariat Departments and these reports are under examination*". We had a similar reply six months ago, and almost the same reply about this time last year. These important items are thus still "*under the consideration*" of the Government! Are we then wrong, Sir, in complaining of unusual delay ?

Then, if we turn to serial No. 14, entitled "*rent-free quarters*",—

The Honourable Sir GHULAM HUSSAIN: Will the honourable member give me the reference ?

Mr. J. B. PETIT: Page 3 of the final Statement of Action taken on the recommendations contained in the Thomas Committee report. The remark of the Government is as follows:—

"*All cases of rent concessions are being examined by the Finance Department in the light of the recommendations of the Committee.*"

This was practically the statement we had six months ago, and also about this time last year; and still, Sir, we are again getting the same explanation to-day! It is for the honourable member to explain the cause of this wonderful activity on the part of his department!

Then, if the honourable member will kindly turn to page 4, serial No. 21, entitled: "*special pay*", he will see that the reply is that "*all cases in which special pay is granted are now being examined*". The matter was also "*under examination*" this time last year. Unfortunately for us and the Province, this wonderful examination seems to be never-ending!

Then, Sir, let us go to page 5, serial No. 23, entitled "*Sind allowance*". The matter is said to be "*under reference to the Government of India*". May I point out that we had exactly the same answer last year ? I would like to know whether reminders on the matter have been sent to the Government of India, and also what other steps have been taken by the Government to expedite a decision on this important question.

[Mr. J. B. Petit]

Then, Sir, let us turn to page 5, serial No. 24, entitled: "*Special Pay, Deputy Commissioner, Upper Sind Frontier*". Last year, we were told, that the matter was "*under examination*". This year, the matter is "*under reference to the authorities in Sind*"! Between the two, there is inordinate delay. Among other remarks, we find a statement that "*the Commissioner's report is still awaited*". May I know when the Commissioner will be good enough to submit his report and how long we are expected to wait for this precious document? I wonder, Sir, why the Government are tamely putting up with such dilatory methods! Have they no driving-force left in them?

Then, Sir, page 5, serial No. 25, entitled: "*Classification of special pay for leave and pension*". The remark is: "*This case is under examination in the Finance Department*". Last year, the matter was "*under reference to the Provincial Governments*"; this year, it is "*under the examination of the Finance Department*". May I know, Sir, when the matter is likely to emerge out of this endless process of references and examinations; and when the Government expect to reach a definite decision thereon?

Then, Sir, page 5, serial No. 26, entitled: "*Leave rules and leave pay*" and "*Leave reserves*". In connection with these two questions, the remarks are:—

"References have been made in connection with this question to the other provincial Governments. Their replies are awaited."

How long are we to wait for their replies and how long are we to sit quiet over the matter?

Then, Sir, page 5, serial No. 27, entitled: "*Reduction in Secretariat*". There is considerable delay even here. It is true that the Government have decided to abolish one post of Joint Secretary, P. W. D., from 1st November 1933 and promise to abolish another Secretary's post when the reforms-work is over. It is however difficult to understand the force or cogency of this reasoning. Apparently, any excuse for continuing a a fat post is good for the Government!

Then, Sir, page 6, serial No. 32, entitled: "*Pensions*". The remarks are: "*Under consideration in the Finance Department*". The matter was said to be "*under examination*" six months ago; now, Sir, it is still "*under consideration*". And, yet, Sir, we are repeatedly told that there is no delay on the part of the Government!

Then, Sir, page 7, serial No. 35, entitled: "*Judicial vacations and holidays*". The matter appears to have been indefinitely postponed, because of some difference of opinion about some details between the Government and the High Court!

Then, Sir, page 10, serial No. 47, entitled: "*Assessing all vacant land belonging to the Government of India*". Against this item in the remarks column we have only the cryptic statement: "*Not accepted*". Why, we have not been told! There appears to be no reason why the Government should not have accepted this important recommendation. There are various other suggestions of a very valuable character which have been

[Mr. J. B. Petit]

similarly jettisoned for which we have been vouchsafed only the cryptic answer: "*Rejected*". It is possible that there may have been good reasons for such decisions; but the House has been purposely kept in the dark about them!

The Honourable Sir GHULAM HUSSAIN: What will be the total amount even if most of them are accepted? Not even Rs. 50,000 or or Rs. 60,000.

Mr. J. B. PETIT: I am not at present going into the details of the amount that is likely to be saved, although I am quite sure the figure mentioned by the honourable member is absolutely beside the mark. I am only pointing out for the moment that there are many very important and far-reaching recommendations for reduction made by the Thomas Committee, on which the Government have either not yet come to a decision as they should have, or have taken the unwise step of rejecting them without sufficient justification, or out of regard for vested interests and other extraneous considerations. If there were good reasons, they would certainly have been put before the House. This is all that I am trying to point out at the present moment. The time for striking the totals will come later on.

4 p.m.

Then, Sir, let us turn to page 16, serial No. 77, entitled: "*Reduction of one post of Superintendent of Excise*". There is again the pontifical remark: "*Rejected*". Why, we do not know. The Government do not even care to give us their reasons, probably because they have none to give! But, then, under such conditions they cannot blame us for drawing our own conclusions; and least of all, can they accuse us of indulging in "*loose talk*"! I do not think that would be fair.

Then, Sir, page 16, serial No. 79, entitled: "*Supply of liquor to Sind from Nasik and closing Kotri distillery*". This has been rejected. Why, we are not told. The Thomas Committee went into all these matters very carefully. It is quite possible that they have made a wrong suggestion; but surely the House ought to have been taken into the confidence of the Government and told why it has been rejected. On such matters, the Government cannot merely make cryptic statements of this kind and then expect the House to agree with them!

Then, Sir, page 17, serial No. 83, entitled: "*Reduction of two forest divisions*". This is still "*under examination*", although a part of the recommendation appears to have been given effect to.

Then, Sir, page 18, serial No. 86, entitled: "*Substituting a new Central prison for Arthur Road Jail and House of Correction at Bombay and the District Prison at Thana*". The report called for from the Public Works Department has not yet been received. The matter was said to be "*under examination*" last year. This is another instance of inordinate delay!

Then, Sir, page 18, serial No. 88, entitled: "*Elimination of I.M.S. element in Jail Department*". The matter is subject to the Secretary of State's orders. This is one of those arrangements, which are absolutely wrong in principle and morally indefensible; and on which the country

[Mr. J. B. Petit]

holds a very strong and emphatic opinion. Still, nothing seems to have been done in the matter uptil now. The House may go on shouting, but the Government do not appear to take the slightest notice of its feelings and sentiments.

Then, Sir, page 21, serial No. 99, entitled: "*High Court Funds*". This item, as I said before, relates to an amount of Rs. 2¼ crores. The explanation in the remarks-column is anything but satisfactory. When this question is going to be tackled in right earnest and finally decided, we do not know; but it is regrettable that there should be so much delay in connecton with it, when the amount involved goes into crores.

Then, Sir, page 22, serial No. 108, entitled: "*Reducing post of Political Assistant to Commissioner in Sind*". The explanation of the Government is: "*The post of Political Assistant is to be kept in abeyance for a year*". Why only for one year, we do not know. As usual, there is no explanation!

Then, Sir, page 24, serial No. 124, entitled: "*Building a new but small European General Hospital*". The explanation is: "*Public bodies primarily interested have been consulted and their replies have not all been received*". A similar statement was made six months ago in Poona in reply to a question asked by me; and the same statement is before us again to-day! Why is there so much delay in giving effect to the recommendation, although the saving that may be caused thereby, will run into lacs? Vested interests again!

Then, Sir, page 24, serial No. 126, entitled: "*Continuing the post of Lay Secretary on cheaper basis*". The statement is:—

"The pay of the Lay Secretary has been reduced, but Government have not accepted the proposal that his functions should be less wide than at present."

Why not? Again, no reasons given!

Then, Sir, page 25, serial No. 127, entitled: "*Recovery of charges from States and other Governments for maintaining their mental patients and lepers*". The matter is said to be "*under examination*"; and it is further stated that "*other Governments and Indian States will shortly be addressed*". The recommendation is thus still floating in the distant future!

Then, Sir, page 25, serial No. 129, entitled: "*Recovery from the Government of India of difference of cost between employing I.M.S. or I.M.D. officers and B.M.S. officers*". This is again one of those inequitous arrangements, which are subject to the Secretary of State's orders. Nothing tangible, however, seems to have been done in the matter yet!

The Honourable Sir GHULAM HUSSAIN: It has been done, if you will read the remarks.

Mr. J. B. PETIT: I have read the remarks, Sir; the statement of the Government winds up by saying that the matter is "*under consideration*". In a matter of this importance, a truly national Government would have shown more persistence and grit.

Then, Sir, page 26, serial No. 131 (*b*), entitled: "*Reorganization of District Police*". The matter has been "*under examination*" for over

[Mr. J. B. Petit]

a year. A report has now been received from the Inspector-General of Police and it is said to be "*under consideration*". This is yet another instance of inordinate delay. There appears to be no propelling force in the Government!

Then, Sir, page 26, serial No. 133, entitled: "*Claiming contribution from Government of India for G. I. P. and N. W. Railway Police*". We are told that the matter is under the consideration of the Government of India. We were given exactly the same explanation last year; and still no further steps appear to have been taken. One wonders, even if reminders have been sent to the Government of India!

Then, Sir, page 27, serial No. 135, entitled: "*Reducing one post of Assistant Manager and one of Mono-type Mechanic*". The recommendation has been given effect to only in part. About the remainder, the statement says: "*The post of Assistant Manager to continue till a vacancy occurs*". We do not know why the recommendation of the Thomas Committee to abolish it immediately, was not accepted. Again, the influence of vested interests seems to have prevailed!

Then, Sir, page 27, serial No. 139, entitled: "*Revised pay scales for Printing and Stationery Gazetted Officers*". The remark is: "*The Superintendent, Government Printing and Stationery, has been consulted. His report is awaited*". The item was said to be "*under examination*" last year; this year "*a report is awaited*". These are indeed wonderful ways of expediting decisions on important recommendations!

Then, Sir, page 28, serial No. 142, entitled: "*Charging all officers 10 per cent. of pay for Government quarters*". Nothing appears to have been done in this matter. The explanation given is unconvincing. It seems that the present rules are going to prevail and nothing is going to be done. Again, the influence of vested interests!

Then, Sir, page 31, serial No. 162, entitled: "*Retrenching the post of Electrical Engineer to Government*". I do not know why the Government have rejected this. There is no reason given. The only explanation we have, is the monosyllabic remark: "*Rejected*". Why did the Thomas Committee make that recommendation? They must have had good reasons; and if the Government think that they were wrong, surely the House is entitled to know why they have come to this conclusion. This is again, Sir, another instance of the influence of vested interests!

There are many other items of equal importance, which I can quote from the report, where the Government have either taken no action at all, or which they have unduly delayed, or unfairly rejected out of considerations other than the good of the province. But I refrain from trespassing upon the indulgence of the House any further. Had I not been challenged by the Honourable the Finance Member to do so, I would not have troubled the House with the list which I have placed before it at such length, even at the risk of being tedious. But, for that, Sir, I am sure the House will not hold me responsible.

[Mr. J. B. Petit]

What is the sum-total of all these details that I have placed before the House and of many others, which are still there but which I have not read out? Only one; and that is: that the Government have not done and are not doing everything in their power to take advantage of the valuable recommendations of the Thomas Committee Report for the purpose of improving their financial position. I submit, Sir, that in that respect, they have not carried out the pledge that they had given to this honourable House. I feel, Sir, and feel most strongly, that if the Government had taken this report more seriously into their consideration than they have done and had examined all the recommendations contained in it only on their merits without being unduly influenced by vested interests and other extraneous considerations, it would have been quite possible for them to obviate the necessity of coming to this House again with a request for the extension of the Finance Bill.

The Honourable Sir GHULAM HUSSAIN: What is the total amount of all these items which he has referred to? It will not come to more than thousands. If you see the original report and calculate on the basis of that, you will find that all those items will not bring us very much.

Mr. J. B. PETIT: The honourable member cannot possibly be right. It is unthinkable that all these recommendations will only yield Rs. 20,000. I have not gone into the figures, but I shall challenge the honourable member, with my eyes closed, that all these recommendations cannot possibly amount only to Rs. 20,000. I am perfectly certain of that. I am quite willing to sit with him round the table, and put figure upon figure and prove that the total amount involved in all these recommendations cannot possibly be Rs. 20,000 only.

The Honourable Sir GHULAM HUSSAIN: I said thousands of rupees.

The Honourable the PRESIDENT: Order, order. The Honourable the Finance Member says that all these items which the honourable member has referred to will amount at the most to thousands, and not lakhs.

Mr. J. B. PETIT: I am sorry that I did not hear the honourable member quite clearly at first; but I am quite certain that he is entirely wrong in his estimate. My own calculation is that the saving that will be effected, will go into lakhs. But I am quite willing to sit with him round the table, work out the figures jointly with him and submit the totals to this honourable House before this sessions is prorogued. I am perfectly certain that the result will be some figure running into lakhs and not the paltry amount mentioned by the honourable member. If, however, by some chance, the honourable the Finance Member can convince me with facts and figures that he is right and I am wrong, and that the several items I have read out including those that have been rejected, will not yield more than a few thousand rupees, then none will be more pleased than I to apologise to him and to admit that the

[Mr. J. B. Petit]

Government have done enough so far as the Thomas Committee's recommendations are concerned. It will then be for us to suggest other methods by which retrenchment can be effected.

The Honourable Sir GHULAM HUSSAIN: With regard to those which we have rejected, we have good reasons for rejecting them. I shall tell the honourable House those reasons in due course.

Mr. J. B. PETIT: Sir, I do not deny that the Government may have had very good reasons in some cases. With some of them, I am myself in complete agreement. But in many others, I respectfully submit, that I have very grave doubts as to the soundness of the reasons that have led the Government to take the action that they have done, be it either of commission or of omission. In many of their decisions, it is quite clear that vested interests have been tamely allowed to prevail; and in some others, the Government have displayed a lamentable lack of imagination and courage without which it is not possible to effectively deal with a situation at once so complicated and so serious. At any rate, there will be a very sharp difference of opinion between him and honourable members on this side of the House. That being the case, I venture to think that the Government are not entitled to ask this honourable House to give them an extension for another year of the taxes embodied in the Finance Bill. I feel, Sir, that if even now the Government seriously applied themselves to the task of examining all the recommendations of the Thomas Committee in a cordial and sympathetic spirit, it would still be possible for them to revise many of their decisions, with the result that no further taxation would be found necessary. It behoves the Government therefore to do their utmost to save the province the continuation of this burden for one more year. Such a course becomes all the more obligatory upon them, having regard to the fact that besides the scheduled taxes, we have already given them considerable recurring revenue from the provincial tobacco-tax, and also the proceeds of the road tolls, amounting roughly to Rs. 8 lakhs, which they have themselves got hold of, directly the Thomas Committee Report recommended them. When considering the financial position of the Government, all these additional sources of revenue, which we have willingly and readily given them without any condition, have got to be taken into account. But, if even then the Government can't make both ends meet, then I say that there is something wrong with them and this House is entitled to complain.

For all these reasons, Sir, I hope that the House will reject this Bill, as the Honourable the Finance Member has not made out a case in its favour and there is no reason why the scheduled-taxes contained in it should be continued year after year, although the House had sanctioned them only for one year in the first instance as a special case. Now that these taxes are unfairly sought to be indefinitely continued and the Government are not in a hurry to give them up, the only alternative open to us, is to adopt a firm attitude and to throw out the Bill. I accordingly strongly recommend this honourable House to do so.

The Honourable the PRESIDENT: Before I allow any other honourable member to speak on the Bill, I would like to clear the position of some of the amendments I have before me and to state my view of them—as to what stage they can be discussed at. I understand that the Bill is mainly and only for the purpose of extension of the taxes for one year more. The principle of the Bill is actually the period for which the present Act which expires on the 31st March should continue. Now, there are six amendments tabled by four honourable members—Mr. Humphrey, Mr. Greaves, Mr. A. N. Surve and Mr. Hoosenally M. Rahimtoola. I think that the very nature of the amendments shows that they agree to the extension, but with the alterations which they suggest. Therefore, to my mind, these would form matters of detail. If the principle of the extension of the Money Bill is accepted, then these details may be gone into at the second reading—details as to whether certain schedules or chapters be omitted or certain alterations should take place in the schedules or not. However, I am not unwilling to accept any other view, if honourable members are anxious that their amendments should be taken as amendments of principle for some strong reasons. If the Honourable the Finance Member also agrees with that, I have no objection to those amendments being taken at this stage as amendments of principle. But to my mind, the real principle is whether the Act should be extended for one year more. If that is accepted, then all these alterations suggested in the amendments can be taken up at the second reading as matters of detail. However, I am open for suggestions, if any.

Mr. J. HUMPHREY: I am perfectly prepared to accept your ruling, if the Honourable the Leader of the House is willing to accept it.

The Honourable Sir GHULAM HUSSAIN: I have no objection.

The Honourable the PRESIDENT: The Honourable the Leader of the House is agreeable to take them at the second reading.

Mr. J. HUMPHREY: All right, Sir. I reserve what I have to say for the second reading.

Dr. J. A. COLLACO (Bombay City, South): Sir, I rise to oppose the first reading of this Bill. I am afraid the cry of all of us will be a cry in the wilderness, because the Honourable the Finance Member has effectively disarmed any opposition that he might have met from the representatives of the rural areas by flourishing before their eyes the remissions in land revenue and the extra grants in nation-building departments. We supported the Bill last time in order to enable the Government to tide over their financial difficulties, and I hope the Finance Member will come to our help in our difficulties now. It was understood that the Bill would be only for one year. But to-day history has repeated itself. Once a tax is imposed it becomes very difficult to remove it. It has the same effect on Government as opium or alcohol has on an individual. They get accustomed to it, and it will be more difficult for the Honourable the Finance Member to remove it, the longer it is kept on the statute book.

[Dr. J. A. Collaco]

Sir, this Finance Bill hits the urban areas and especially Bombay City more than any other part of the Presidency, because in electricity alone we are paying three times as much; so also in stamps duty. The Honourable the Finance Member said that he has got the welfare of the urban areas as much at heart as that of the rural areas. Well, he has not shown it very much. Here is a chance for him to make a gesture of that goodwill by accepting the amendment of my honourable friend Mr. Humphrey.

Rao Bahadur R. S. ASAVALE (Bombay City, North): Mr. President, I rise to give my support to the first reading of this Bill, for two reasons only. The first reason is that this morning the Honourable the Finance Member made a statement as regards the enquiry into the conditions of the textile workers; the second reason is the promise that he has given as regards the remissions and suspensions to be given after an enquiry to the agriculturists classes.

But, Sir, I have to place certain grievances before him, as I had no chance to speak during the general discussion of the Budget. I would now request the Honourable the Finance Member, who is in charge of the department which deals with the pay of peons, to see that the house rent allowance of Government peons, which has been reduced from Rs. 7 to Rs. 4 per month, is restored. Last year the House will remember that I maintained that there should be no cut in the peons' house rent allowance. Sir, they are paid a monthly salary of Rs. 20. There is no gradation system. They were formerly getting Rs. 7 per month as house rent allowance and out of that sum nearly 50 per cent. has been now reduced since June last. Is it, Sir, possible for these poor people to get a room in the city of Bombay on Rs. 3 or Rs. 4 per month? As the Honourable the Finance Member has shown a surplus in the next year's Budget, I ask whether it is not possible for him to restore the cut in the house rent allowance of poorly paid peons. What is the amount involved? I do not think it is more than Rs. 4,000. That amount can be got from any item, say contingencies. I would therefore request the Honourable the Finance Member again to look into this question and see that these poorly paid men are not penalised.

According to the statement of the Honourable the Finance Member, an enquiry is going to be made by the Labour Office into the economic condition of the textile labourers and the cut in their wages. I would suggest that he should not stay his hand after this enquiry is completed but he should appoint a small committee just like the Fawcett Committee to go into the cuts in the wages of the textile workers. I hope that he will see his way to appoint a small committee consisting of official and non-official members to go into this question. If this is done, I am quite sure he will get the blessings of not only the poor workmen but of the whole Presidency at the time of his retirement from Government.

I would also request him to explore further avenues of retrenchment. He has admitted that all avenues have not been exhausted. If he goes into that matter, I am sure he will find some more money and the next

[Rao Bahadur R. S. Asavale]

year's budget, if he remains here, will be a surplus budget and these taxes which are now proposed will not be necessary next year. With these remarks, I urge the Honourable the Finance Member again to go into the question of the economic condition of the labouring classes.

Rao Bahadur G. K. CHITALE (Ahmednagar District): Sir, some of my honourable friends, who gave their limited support, took the wrong end of the stick. It appears to me that while speaking on the last year's extension of this Act I stated and deliberately stated that the revenues of Government so far estimated were much below the mark and that therefore the Council would be well advised in not relying on the dire necessity of further taxation. At the end of the year we find a betterment of 28 lakhs of rupees in the revenue earning capacity of Government *plus* about 16 to 20 lakhs from other activities. It appears to me also clear because I find, in some of the items which the Honourable the Finance Member will put before us by way of additional expenditure and which has been circulated to us, that under Reserved XIX he wants the House to vote about 13 lakhs more than we have found any provision for either under the White Book or under the Blue Book. I am referring to the demands which the Honourable the Finance Member will make later on and under Reserved XIX, Reserved XX, Reserved XVII, Reserved XVIII and Reserved 45-A the total cost comes to about 30 lakhs for which he intends to ask this Council in order to meet the necessary expenditure on these several heads which he has mentioned. For instance, Sir, it appears that in the latest revised estimate under the head Refunds a provision was made for Rs. 2,59,000 but he wants Rs. 36,000 more. In the other head Commuted Value of Pensions charged to Capital, a provision was made for 8 lakhs and odd but now he wants Rs. 6,82,000 more. Then in Superannuation Allowances and Pensions, he asks us for Rs. 5,12,000 more and in Commutation of Pensions again he wants Rs. 25,000, and so the total comes to about Rs. 13,00,000. Under these circumstances, I reiterate my objection that the revenue receipts of Government are under-estimated, and they are proved at least by the last year's figures to such an extent that the revised estimates now approaching completion appear to the Honourable the Finance Member to justify the extraordinary expenditure of about 13 lakhs of rupees. The point that I wish to impress upon this House is that if we are all united in the genuine effort for retrenchment, let us follow what we did in the year 1922-23 when a big cut of 60 lakhs of rupees was insisted upon. The present betterment of revenue by this new Finance Act including electricity duty, stamps and court-fees will amount to about 30 lakhs, and it is therefore pertinent to note that this Act was first passed in 1921 and later on its life was extended by four years in the first instance and then in subsequent years it was thought necessary that the Government should be given a breathing time to see that their financial position was put right by making several requests to the Government of India and looking up the other financial resources of this Government, but it appears to me that if the complaint of this side of the House, namely, that sufficient retrenchment has not been made, is

[Rao Bahadur G. K. Chitale]

true, then I add my humble voice to that complaint. I should think, Sir, that the only remedy that lies in our hands is to put an end to this yearly taxation bill. If we cut off this 30 lakhs of rupees, I am sure Government is not going to come to a stand-still. It will never come to a stand-still but will be showing our power over them and supplying evidence that this House is not so meek as it looks, neither is it so strong sometimes as it ought to be; but still, Sir, the present position of the House is due to the fact that we have no bonds between us. Everybody talks of poor agriculturists and of the sympathy for them. Those who are in the commercial line talk of looking after their own interests. May I ask my commercial friends who want a particular thing to go through, is it not the proper time for them to join us in throwing out this Bill and to insist upon retrenchment which I am sure the Government, which did not hesitate to do in the dire days of 10 years back, will now attempt to effect by performing this financial feat and getting 70 lakhs without the levy of additional taxation? I should think, Sir, that that is the proper step to take. It is not the point of grievances, it is not the enumeration of grievances which is to tell upon them; this "grievances before taxation" is a shibboleth which can never materialise at least in India. I am therefore appealing to my European friends to gird up their loins and to join us on this side and I am appealing to my Muslim friends also that if they want their own interests which they think are not properly cared for, they should join us and we can then squarely beat the Government on this ground of an all-round retrenchment of 30 lakhs of rupees. The point, Sir, I am making is that instead of adopting an attitude of negation which attitude does not appeal to me, let us adopt a militant attitude, but even the militant attitude does sometimes fail and has failed previously. Unless, therefore, the Honourable the Finance Member convinces me that Government will not go on for a day more unless we give him this additional taxation, I do not think I shall be able to revise my opinion, but still, Sir, I am sure that the Honourable the Finance Member can assure us that this void of 30 lakhs in his budget is not going to stop his activities. I think Government might do now what they did ten years ago and make a proportionate cut in all its various departments. I know that he will make a very big grievance of it and say that he will cut out all our beneficent activities and the provision of 29 lakhs which he has made——

The Honourable Sir GHULAM HUSSAIN: What about the Revenue Department?

Rao Bahadur G. K. CHITALE: My reply to that is that after the cut is passed here, after these bills are thrown out by the House, it will be for the Government to consider the necessary ways and means, but these small things will not matter. If my European friends think that it is necessary, let us grasp one stick and say this town duty must go, this cotton cess must go. Unless we do this, we are not going to achieve anything of that kind, and I should think that this is the only other effective remedy that is in our own hands and that too because only once

[Rao Bahadur G. K. Chitale]

a year we can effect a cut of 30 lakhs in a budget of about 15 crores. I think the proportion is so small that I am sure the Honourable the Finance Member will at once say that the necessary retrenchments are made—he has them up his sleeves I am sure—and thus we will also perhaps teach him a lesson that this House is not going to be so meek after all.

Apart from that question, there is a larger question still.

The House adjourned for tea till 5 p.m.

(*The House re-assembled at 5 p.m.*)

Rao Bahadur G. K. CHITALE: Mr. President, in continuing my argument, I wish to point out, as I did in the opening part of my speech on the general discussion of the budget, that the total expenditure of Government now is a little over 6 crores, and I suggested that that is too large an expenditure to be borne by this Government, lean as its finances are and the sources of revenue are almost drying up, and therefore every year we have to pile taxation on taxation, which is resented by the people. Sir Chunilal Mehta, speaking on the 24th of February 1928, said that the Government had the dire necessity of coming to this Council for renewing the life of these Bills, and he added that Government were in negotiation with the Government of India for finding new sources. He went on to say:

"I think that it will not be possible, circumstanced as we are and within the limitations of the Act, so far as I can see at present, unless there is a very great revival of trade and of Government revenue, to undertake recurring expenditure, unless you have assured yourself also of recurring revenue. I do not think any honourable member who has spoken so vehemently about the stability of the finances of this Government will be able to doubt that statement. Secondly, I explained to the House that a longer period of life for the bill was necessary because of the negotiations that are going on with the Government of India. We hoped that the negotiations would come to an end within the current year. I explained to the House in detail the circumstances under which it was not possible for the Government to come to a final settlement with the Government of India. We are not alone in this matter. All the other provinces are concerned, and certainly the Government of India is also concerned."

Then he went on to say:

"Sir, I have said I leave it to the House. I have always endeavoured to work in harmony with the House."

I believe that is also the policy of the present Finance Member. Sir Chunilal went on to say:

"I say that all these schemes for taxation or administrative schemes are best carried out by harmony between Government and the Opposition."

I am making a point of this, that it is possible to say that if an amount of over 6 crores is distributed among about 3 lakhs of persons who in various capacities are serving the Government, even though the comparison may be grotesque, still the per head income of a public servant would come to somewhere about Rs. 2,000, as against the average income of the tax-paying people of Rs. 45 a year per head. I am speaking of the income which goes into the pockets of the Government servants as a class and also I am taking into consideration the capacity of the general taxpayer, which is estimated roughly at an income of about Rs. 45 per year per head. Also, having regard to the very large depression in which

[Rao Bahadur G. K. Chitale]

the rupee is now held, surely a rupee of cash is equal to about one-sixth of its price in commodities. Therefore, my point is that the new taxation which the Government now want to impose presses hard upon these people and barring perhaps the electricity tax, the other taxes, particularly by way of stamps and court-fees press harder on the poor people. It is a truism to say that even the stamp fees are increased, the people have to buy those stamps before Government can get any revenue, and it is possible to argue and convince my friend the Honourable the Finance Member that it is mostly the agricultural classes who have to buy them, and they form about 70 per cent. of the population. Naturally stamps have to be paid for, and they have to borrow both for litigation and for taking loans, and therefore, in my opinion, the increased taxation, both on stamps and court-fees, falls very heavily on the earning capacity of the people whom we propose to tax. Sir, these Bills for increased taxation are being renewed from year to year. Having regard to what I have stated before, I should think that, apart from any intricacies, I have made out a case for relaxing this load of taxation as far as possible, and the difference can only be made up from the salaries of Government servants, whose position, monetarily speaking is very much better than that of the ordinary ryot. According to the land revenue policy, uniformity is aimed at. Naturally it is yet too early to speak of any reform in that direction. But until that reform comes in, naturally this load of taxation would grow more and more.

As regards the excise policy, as many shops as possible are being opened in order to get more revenue, and even if we deduct the larger part or proportion of this income which is paid by the people living in urban areas, still may I point out that shops which were closed for over 20 years are being reopened in my district, a district which is proverbially poor, which is affected so very heavily by trade depression, agricultural indebtedness and everything else? I am making a present of these facts to this Government, in order that the policy may be considered in all its bearings.

The next point, Sir, is that the present orders of the revenue authorities in my district are that assessment of 1½ years is to be recovered, and as far as I understand it, there are the reports of the revenue authorities that there has been some frost in some villages, but the damage is calculated at from 1 per cent. to 3 per cent. No doubt the cotton crop has suffered. There is also the depression and having regard to all these facts, there can be no doubt that the position of the Government servant is infinitely better than that of the ordinary ryot. Deducting this population of about 300,000 of Government servants, there remains a population of 21,800,000, whom Government want to fleece by way of this extra taxation. The point that I am making is that at least so far as the present revenue policy is concerned, we cannot be satisfied if the Honourable the Finance Member insists that one and half times the annual assessment is to be realised this year. No doubt, he may be right in calculating that about 8 lakhs would be needed for giving relief on account of a particular act of God, namely, frost. But I should appeal to

[Rao Bahadur G. K. Chitale]

him, even though he may not agree with my calculations, not to insist upon these collections, at least at this stage. I am a believer in having a clean cut rather than ventilating our grievances, but that is another matter. I should think that this is a position which can best be described by a word which may be rather unparliamentary, but I cannot better express than by saying that it is a subterfuge to say that Government are going to give them relief, because by the end of March when this concession will be over, almost the whole of the revenue will have come in, and the result of these orders, as I have stated in my speech on the general discussion of the budget, is almost nil. That the Honourable the Finance Member must have his sinews of war, I do admit, and the Opposition, when convinced, will give him those sinews of war.

I have considered the position as to how far Government will be worsened if this Bill is thrown out. I have calculated that the exact increase by way of increased court-fees and stamp duties is about 18 lakhs. If the increased taxation on court-fees and stamp fees is not renewed, and if Providence helps Government as it did last year, in having a betterment of revenue to the extent of 28 lakhs, I do not think that a very big hole in the finances of Government is likely. But even if that is not the result, I should think that the Government will carry on, because His Majesty's Government must be carried on under any circumstances, but the cut for the various departments will be proportionately very small, because I remember that when the cut of 60 lakhs was carried in the Council, both the reserved and the transferred departments bore it in a certain proportion, and the incidence was not more than about 5 per cent.—I think it ranged from 5 to 7½ per cent. I should think that even law and order and the other departments which will have to bear this proportionate cut will not be so weakened that the government cannot be carried on. Under these circumstances, I feel it my duty to appeal to my honourable friends to see that this cut is carried; and, if Government make out a case that their budget items of revenue are calculated with such mathematical accuracy that next year the revised statement when presented will not show any additional revenue—I do not think that kind of exactitude we can expect—I might inform them that if they collect the suspended assessment in the past years they will easily get 18 lakhs. From the report of the Public Accounts Committee during the last 12 years, it is clear that big calamities like floods and frosts have not occurred frequently. I think it would be a much better policy to see that this cut is carried when reserving to Government the necessary powers to make both ends meet. I therefore very strongly support the cut and I hope the House will rise to its full stature and support me.

The Honourable the PRESIDENT: I am obliged to say a word. I know several honourable members would like to speak on the Bill and I wonder whether it would be possible to close the debate on the first reading at about 5-45 p.m. I hope honourable members will try to save the time of the House.

Sardar Rao Bahadur B. R. NAIK: Mr. President, we are told by the Honourable the Finance Member that this is not a new Finance Bill but

[Sardar Rao Bahadur B. R. Naik]

it is an old one which is about to expire and the life of which is to be extended. Nobody denies the right of Government to come to the elected representatives of the people for supply of funds because no government can be run without funds, but to my mind there is a limit both to demand and supply.

We are indirectly told this afternoon by the Honourable the Finance Member that perhaps he would not have come to this side of the House for the sanction of this Bill had it not been for the fact that he is very anxious to extend the measure of relief to the agriculturists who have been affected by the calamity of frost, cold wave and also on account of the fall in prices to a point which is below the cost of production. Furthermore he said that if this Bill is not passed by this honourable House he will be compelled to cut down the budget grants for the nation-building departments. Well, Sir, the Honourable the Finance Member had got support in the past to this bill and on the ground that larger measures of relief will be given to the agriculturists; he will also get support now. But I would like to point out to him that he has provided only 8 lakhs for giving relief to the agriculturists on account of damage caused by the frost and cold spell in the whole of the presidency. On this score he is making enquiries as to the total value of damage that has been caused. I said the other day and I repeat again that before the enquiry is completed perhaps the people will have been asked to pay up the entire assessment for the current year. I should like to put him this question whether the 8 lakhs he has provided will suffice. This presidency produces one-third of the cotton produced in India—15 lakhs of bales. Deducting the quantity produced by the Indian States, this presidency produces 10 to 11 lakhs of bales of cotton. If you deduct the cotton crop of Khandesh which is not very much affected by the frost, because the cotton was ready and was picked before the frost, even on a most conservative basis the loss which the agriculturists will have to undergo cannot be less than 5 per cent. on the whole and the amount of loss will come to 60 lakhs in cotton alone, leaving aside the loss in other Rabi crops. Will he give an assurance when he wants the sanction of this House for this Finance Bill that he will be prepared to give at least remission to the extent of Rs. 60,00,000? The other day there was a question raised about the remission in Madras. I may inform him that a committee was appointed there of the members of the Legislative Council to find out ways and means as to how relief should be given to the agriculturists of that presidency. It must be pointed out that Committee had nothing to do with any damage caused by natural causes. The committee recommended that a remission of 4 annas per rupee should be given on account of the low prices of agricultural commodities. The Government of Madras accepted 12½ per cent. or 2 annas in the rupee, which comes to Rs. 60,00,000. Last year, they gave a remission to the extent of Rs. 40,00,000. What is the remission that was given by this Government? The other day, while introducing the budget, the Honourable the Finance Member said that he has been giving remissions year after year to the agriculturists of this presidency. For his information, let me

[Sardar Rao Bahadur B. R. Naik]

quote the figures. In 1932, for the Northern Division, which pays a total revenue of 1,18 lakhs, a remission of Rs. 1,83,000 was given, that is to say, 1¼ per cent. of the total land revenue of that division. If he takes the Central Division, it will be a poorer figure still in respect of remission than the Northern Division, and the same thing as regards the Southern Division. I know a great deal of remission was given in regard to Sind for the reason that Sind had suffered a good deal. Can the Honourable the Finance Member say that he has given relief to the agriculturists on account of the fall in prices ? I say neither remission nor any other relief has been given on account of the fall in prices to the agriculturists of this presidency. I challenge the Honourable the Finance Member to refute my statement. I respectfully suggest to him to get the paper called *The Japan Chronicle* from any book depôt or newspaper sellers of the 18th January and see what the Japanese Government is doing. The agriculturists of Japan have been receiving relief on account of the fall in prices and depression. In the last budget session, the Finance Member of that Government reduced a certain percentage from the amount given as relief and transferred it to Army and Navy. What sort of row was kicked up by the agricultural interests the Honourable the Finance Member will know if he only refers to that paper.

The Honourable Sir GHULAM HUSSAIN : I am not in charge of the Army and Navy.

Sardar Rao Bahadur B. R. NAIK : I am not referring to Army and Navy, what I say is that a small amount from relief grant was transferred to Army and Navy. What I request the Honourable the Finance Member to do here is to cut out a certain percentage from the Government servants' salaries or some other source and transfer it for giving relief to the agriculturists who are hard hit due to the heavy fall in prices. Unless you reduce the salaries you pay to your Government servants, substantially, your finances will never improve. In no country this scale of salary is paid to Government servants. You will get the approval of this House for the Finance Bill this year also, but at the same time this side of the House feels that unless you give a larger measure of relief to the agriculturists—8 lakhs will not at all suffice—it will never give any satisfaction to this side of the House. I have already pointed out that even on a conservative basis the least that will be required for giving relief is 60 lakhs for the presidency proper as I do not know the condition in Sind. So far as North Gujarat is concerned, you have admitted that there is a great damage ; in South Gujarat the damage may be less than in North Gujarat ; and in Central and Southern Divisions the damage may be less than in South Gujarat. But the damage is there and relief must be given. I reserve my right either for supporting or opposing this bill till I hear the statement of the Honourable the Finance member about giving relief to the agriculturists.

Now, there is another important matter connected with land revenue, but as there is no time at my disposal and as the Honourable the Finance

[Sardar Rao Bahadur B. R. Naik]

Member has been pleased to give two days for the discussion of the head Land Revenue I will discuss it at the opportune moment.

The Honourable Sir GHULAM HUSSAIN: I have said one day.

The Honourable the PRESIDENT: One day at the beginning.

The Honourable Sir GHULAM HUSSAIN: During the 12 days.

Sardar Rao Bahadur B. R. NAIK: I have already received the list of demands for grants and I see the demands are to begin from the bottom. As there is no time now, I shall discuss the matter when the head Land Revenue comes up for discussion. But one thing I wish to bring to the notice of the Honourable Member is this. The matter from his point of view may be trifling and he may not know it. But the Finance Secretary knows it. I wish to bring it to the notice of this honourable House that in the year 1932 this House was asked to pass the Cotton Contracts Act. In order to get this House to pass sections 9 and 10 of that Act, this House was given an inducement under section 3 of the Act, that there shall be ¼th growers' representatives on the Board of the East India Cotton Association, i.e. five representatives of the growers. This section has not as yet been given effect to. I know the Government of Bombay could not get time as they have not even prepared the rules and bye-laws under the Panchayat and Weights and Measures Acts. But in this case the East India Cotton Association have to prepare and they have prepared bye-laws and only the figure 2 is to be changed to 5. This however has not been done by that body, nor Government have pressed them to do so, in spite of the clear provision of the Act that charter shall not be given to that or any other body unless all provisions of the Act are fully complied with. Nothing can be more amazing than this.

The Honourable Sir GHULAM HUSSAIN: The Finance Department has nothing to do with it.

Sardar Rao Bahadur B. R. NAIK: It is with the Finance Department. I am stating my grievance. If only the Government of Bombay would have asked the association to change the bye-law, the association would have done it before long. This Act, we were told, was passed primarily in the interest of the agriculturists of the Bombay presidency by the Bombay Legislature. Look at the anomaly. Before the bye-law requiring 5 members of the growers to be on the Board of the East India Cotton Association was amended the Government of Bombay wrote to the Indian Central Cotton Committee to elect three representatives of growers for the East India Cotton Association which that body did in August last and communicated the names to the association. The East India Cotton Association however did not accept the three representatives of growers on the ground that their bye-law provided only 2 (two representatives) and they had not changed the bye-law. The result was that even the two representatives could not sit on the Board for six months. The Indian Cotton Committee, waiting for the amendment of the bye-law for six months at last communicated two

[Sardar Rao Bahadur B. R. Naik]

names in the beginning of last month to the East India Association, 5-30 p.m. one from the Punjab and another from Central Provinces. Bombay presidency produces one-third of the total cotton crop of India and Bombay town handles about two-thirds of the total cotton crop of India and here is an anomaly that under the Act of this Council representatives of other provinces sit on the Board of East India while Bombay presidency which has the largest stake in cotton remains unrepresented on that Board. It is not the fault of the Indian Central Cotton Committee. They had selected three members, one from Bombay presidency also but the East India Cotton Association does not make room for the third member by amending the bye-law nor does Government press that body to do so. Here are plain facts and it is for the honourable members to judge the *bona-fides* of Government. I cannot understand the underlying motive nor the attitude both of Government and the East India Cotton Association. I am not very keen on this matter. I say however that if you find the growers' representatives unworkable, by all means scrap the section from the statute book but do not suspend the operation of a section of the Act arbitrarily. Government were very anxious to get the Bill passed, and they threw sections 9 and 10 as a bait to this Council by providing section 3. They said: "Five members representing the agriculturists will be sitting on the Board under section 3." Bombay is now unrepresented on that Board, and very few honourable members know this fact.

I will not, Sir, take more time of the honourable House, because you have wanted me to finish my speech in a few minutes as other honourable members want to speak. But I would only remind the Honourable the Finance Member that the policy of drift will not do any longer. He should take courage in both hands and follow such policy as will not put him to the necessity of coming to this House again for this taxation. One cannot be bled white. You know that the taxable capacity of the people has been reached. I am not going to tax the patience of the House by giving the figures I have given two years ago. You will refer to the debates of 1931-32. I do not know if figures will ever convince Government. Government must take this House into confidence and cut at the very root of the difficulty, namely, the adjustments of the salaries of Government servants in proportion to the economic condition of the people. If they do that, they will be able to leave a rich legacy to their successors.

Rao Bahadur R. R. KALE (Bombay University): Sir, since the inception of the Reforms we have had this periodical taxation. This periodical taxation gives scope for a review of the situation every year; yet we find that it has been difficult to give up this taxation altogether. However, I am not going to deal with this subject of taxation, except to say——

Mr. PESTANSHAH N. VAKIL: A little louder please.

Rao Bahadur R. R. KALE: Either we have to refuse this taxation or sanction this taxation and claim some relief in another taxation, namely, the land revenue, which I must say has fallen very heavily on the poorer classes of the people. It is for the House to choose between these two alternatives. The choice will depend upon what the Honourable the Finance Member, who also happens to be in charge of the Land Revenue Department, has to say. We have heard so often from him about the necessity for relief to be given to frost stricken areas. I am not going to say much about that relief. But I would like to know from him what relief he is going to give in respect of a factor which is common to all the presidency, viz., that of prices irrespective of the frost. That is a point on which I want an unambiguous statement from the Finance Member. I find that as regards the present collections of land revenue they all proceed on the annewari basis, viz., the full assessment is being recovered even though the crop is 6 annas or 8 annas, and therefore no relief is being given on the basis of fall in prices. That kind of relief may be given; I am not saying that it should be given to the fullest extent or even in proportion. But I am directing my remarks to the claim for relief on the score of fall in prices. I say some one anna or two annas in the rupee must be given in consideration of the fall in prices. The present system is very rigid and it must be made elastic. That is what is done in Madras and the United Provinces. Work out a formula by which some one or two annas in the rupee will be given as relief throughout the presidency to cover this common factor of the fall in prices. Coupled with this is the question of the cut in salaries. I have already stated during my speech on the general debate that as the prices have fallen there should be a corresponding cut in the salaries. The price fall has affected the agriculturists also. Because prices have fallen the agriculturists do not get the prices which they used to get. The prices have fallen by nearly 50 per cent. I therefore appeal to the Honourable the Finance Member to look into the situation and make an announcement. We have been told that last year some remissions were given. But as a matter of fact, we do not know if there is any remission. First of all there is suspension, and when that suspension is not collected for three successive years it automatically becomes remission. Government say that there have been remissions of that type. But the local authorities on the spot will for some reason or other always so manage things that as soon as two years are over a good year comes in and suspensions do not ripen into remissions. That is the way matters are administered. But I am avoiding here all that sort of thing. I am confining myself to the claim that there should be a reduction of land revenue to meet the fall in prices. In Madras, they have made a distinction between assessments which have been revised and assessments which have not been revised. Do that also here if you please. In the case of lands whose assessments have been revised recently, the settlement officers had taken the war prices into consideration and fixed the assessments high; 33⅓ per cent. increases were made. Therefore, in those cases at least the fall in prices ought to be considered and relief given. If this new taxation is necessary to give such relief, then the House will be well advised to sanction it.

[Rao Bahadur R. R. Kale]

Give one or two annas in the rupee according to whether the assessments are revised or unrevised. That is the basis taken in Madras.

With these remarks I leave it to the Honourable the Leader of the House, who is also the Revenue Member, to make a declaration. This House will then be in a position to judge whether we should pass this Finance Bill.

The Honourable Sir GHULAM HUSSAIN: Sir, I have every sympathy with the agriculturists. While replying to the general debate, I quoted certain figures about our total land revenue before the war, in 1911-12, and showed that the same revenue was being collected to-day.

Mr. M. M. KARBHARI *rose.*

The Honourable Sir GHULAM HUSSAIN: I do not want interruptions. Then, I quoted the figures for 1931-32, and 1932-33, and showed that we had made remissions of 49 lakhs and 39 lakhs during those years. I have not got the exact figures now, because I never thought that there would be a general debate on this Bill after the general discussion was over. That will show that we do give concessions to meet the fall in prices. While giving remissions we will take every factor into consideration and we will be, as my honourable friend Rao Bahadur Chitale demanded, just and generous to the agriculturists.

Now, Sir, I come to my honourable friend Mr. Petit. He always starts with the bogey of the Thomas Committee. He has stated that we have not cut down in this direction and that.

First, I will ask him to read the statement about "travelling allowances to other officers." He will see that we have actually provided 2 lakhs, and ultimately it will be Rs. 2,50,000.

Now, another item he referred to was rent-free quarters. We give rent-free quarters only to principals of colleges, because they have to be on duty there, and to medical officers whose presence on the spot is absolutely necessary. Yet, even those few cases we are examining. But what will be the amount? Very little.

Then, he referred to Sind allowances. In the case of existing incumbents, Sind allowances cannot be cut down; but in the case of new entrants, we have decided not to give Sind allowances.

Then, Sir, the Deputy Commissioner's allowance is Rs. 200 or Rs. 300. We have withdrawn that too.

Reduction in the Secretariat is connected with the formation of the Headquarters Boards. Though this House has decided against the formation of these Boards, yet we have reduced in the Secretariat one Joint Secretary, and we have kept in abeyance one Assistant Secretary's post, and as soon as the Reforms work is over, we will consider the question of the abolition of another Secretary's post.

Then, pensions. Pensions will not benefit us now. As regards new entrants we have revised the scales, as honourable members must have seen.

[Sir Ghulam Hussain]

"Assessing of vacant lands belonging to the Government of India." We are subordinate to the Government of India. They will not allow us to assess their lands, as it would be one Government assessing the lands of another Government.

"Reduction of one post of Superintendent of Excise." Now, that is the Excise Department. The department says: "We pay you so many crores of rupees. If our establishment is reduced, there will be no supervision, and there will be illicit distillation." Those were the reasons.

Then with regard to the supply of liquor to Sind from Nasik and the closing of the Kotri distillery. Well, Sind is going to be separated. The old contractors have their machinery, etc., worth over 2 lakhs, and if the proposal had been accepted, it would have put the Presidency to a loss of about 2 lakhs.

With regard to Forests, we have made reductions. Out of two divisions, we have cut down one division, and in the case of the remaining division, we have reduced the establishment.

With regard to Jails, the recommendation relates to the substitution of a new Central Prison for Arthur Road Jail and the House of Correction at Bombay and the District Prison at Thana. Well, the Public Works Department is preparing the plans and estimates. Of course that will not save much money. We might have to incur more expenditure. That was one of the recommendations that the honourable member Mr. Petit singled out.

Then I come to the elimination of the I.M.S. element in the Jail Department. Honourable members know that we will be only too happy to employ non-I.M.S. officers. But it is not in our power, as it rests with the Secretary of State. However, we have made a reference to him on this subject.

With regard to the High Court funds, we have prepared a Bill and sent it to the Government of India.

Then, with regard to European Hospitals, the whole question is to be examined by a Committee which is going to be appointed by the Honourable Minister. [*An Honourable Member:* "When ?"] He will announce it in a day or two.

With regard to the continuance of the Lay Secretary's post, we have reduced the salary attached to the post. Actually, since the appointment of the Lay Secretary, he has been showing a saving every year. I think we ought to continue him for some time if we can get larger sums of money.

Serial No. 129—Recovery from the Government of India of difference of cost between employing I.M.S. or I.M.D. officers and B.M.S. officers. Under the Devolution Rules, we are bound by the orders of the Secretary of State to employ a certain number of I.M.S. officers.

Formation of Police Board. We cannot constitute one Board when the whole general question of formation of Boards has been set aside. That won't give us any retrenchment or revenue. With regard to

[Sir Ghulam Hussain]

item No. 133—claiming contribution from the Government of India for G. I. P. and N. W. Railway Police—we have addressed the Government of India on this subject. The question is pending with them.

We have reduced the scales of pay in the Printing Department.

Now I take item No. 142—charging all officers 10 per cent. of pay for Government quarters. At present we charge either 10 per cent. of their pay or the economic rent. Those who receive higher salaries occupy bungalows with higher rent. We have in fact given effect to that recommendation too. If the economic rent of a bungalow is Rs. 200, we cannot charge Rs. 300 because the occupant happens to be a Government servant.

Honourable members will thus see that almost all the important recommendations of the Reorganisation Committee have been given effect to. I hope therefore the honourable House will pass the first reading of the Bill. As one of my honourable friends said, it is not a mere help to Government; it is something more. It will give some relief to the agriculturists.

Rao Bahadur R. R. KALE: I understood the Honourable the Leader of the House to say that the pre-Reform land revenue figures were higher than they are now——

The Honourable Sir GHULAM HUSSAIN: Nearly the same.

Rao Bahadur R. R. KALE: May I know whether it is a fact that the revenue under "Forests" which used to be included under Land Revenue in pre-Reform days is not so included now and is shown separately as Forest has been a transferred Department?

Mr. C. G. FREKE: The pre-war figures which have been published in the Blue Books of 1926-27 and earlier years are compiled on precisely the same basis as in the post-Reforms period.

Rao Bahadur R. R. KALE: That is not an answer to my question. My point is that forest revenue was included in Land Revenue in the pre-Reforms period. Is it so included now or is it shown separately?

Mr. C. G. FREKE: The reply to that is that the pre-War figures that have been quoted by the honourable member have been compiled from the old accounts on precisely the same basis as are the figures which have been shown to-day.

Mr. M. M. KARBHARI: The revenue from forests on malki lands and some of the minor forests managed and sold by the Collector, as far as I know, was credited under Land Revenue.

Bill read a first time.

Question, "That the Bill be read a first time," put, and agreed to.

Second reading.

The Honourable Sir GHULAM HUSSAIN: Sir, I now move that Bill No. II of 1934 (A Bill further to amend the Bombay Finance Act, 1932) be read a second time.

Bill read a second time.

Question put, and agreed to.

Bill read clause by clause.

Clause 1 (*Short title and commencement*) ordered to stand part of the Bill.

Clause 2 (*Amendment of section* 2 *of Bom. II of* 1932)—

The provisions of Part II of the Bombay Finance Act, 1932, hereinafter called the said Act, relating to the levy of duty on consumption of electrical energy, the amendments made in the Court Fees Act, 1870, in its application to the Presidency of Bombay by the provisions of Part III of the said Act, and the amendments made in the Indian Stamp Act, 1899, in its application to the Presidency of Bombay by the provisions of Part IV of the said Act, are hereby continued in operation for a further period of one year by the substitution of the word "three" for the word "two" in sub-section (3) of section 2 of the said Act.

Mr. J. HUMPHREY (Karachi Chamber of Commerce): Sir, before I move the amendment standing in my name, I should like to thank the Government for according their permission to my doing so. It was perfectly easy for them——

The Honourable the PRESIDENT: The honourable member is referring to His Excellency the Governor's sanction—not the Government's sanction.

Mr. J. HUMPHREY: Yes, Sir. His Excellency's sanction. It was perfectly easy for His Excellency—in fact, he had the right—to refuse that sanction. But permission was granted and both I and the group to which I belong much appreciate that action.

Sir, I now move:

Add a new clause 3 to Bill No. II of 1934 as follows, namely:

"3. The whole of Part II of the Bombay Finance Act of 1932 relating to the Electricity Duty shall be deleted and the remaining sections 12 to 19 shall be renumbered as sections 3 to 10."

Sir, the grounds on which I move this amendment and on which I earnestly ask the House to support it, are simple and fundamental. It is an unjust tax. Now, Sir, the principles of equitable taxation are everywhere admitted. They are that the tax burden should be equally shared by all members of the community, or in the case of special taxes, should bear a direct relation to the advantages enjoyed. The one possible exception to this general rule is possibly a tax on luxuries. But what is actually a luxury in these hard times it is difficult to define. For instance, some official financiers are inclined to regard a motor car as a luxury. I am perfectly certain that if honourable members of this House or the Honourable Members of Government had to walk from their residences to this Hall, they would not regard it as a luxury. And one has to remember that a feature of luxury taxes, where they exist, is that they are optional. One need not use a motor car unless one wants to and one need not pay the tax unless one uses a motor car. Anyone can do without a luxury and can therefore escape a special tax charge.

I cannot imagine that any one in this honourable House will seriously argue that electricity is a luxury. Electricity is not available everywhere. I have always maintained that this country is backward in this

[Mr. J. Humphrey]

respect. But where electricity is available it is unquestionably an absolute necessity. It is a necessity whose use a wise Government would encourage by every means in its power, in the certain knowledge that it adds to the health, comfort and well-being of the people. Can any one deny the hygienic advantages of electric lights over hot and smelly oil lamps and of electric fans over hand *punkahs*? Those advantages must be particularly obvious to Members of Government, whose official residences are bountifully provided with these amenities, as also the offices in which they work. I do not think they pay any tax on the fans and lights——

The Honourable Sir GHULAM HUSSAIN: We do pay.

Mr. J. HUMPHREY: Not in the offices.

The Honourable Sir GHULAM HUSSAIN: In the residences.

Mr. J. HUMPHREY: Not in their offices. Otherwise they would have realised the incidence of the tax.

There can be no disagreement that the electricity tax can be finally dismissed from the category of luxury taxes. Dismissing the tax from that category, what therefore is it in practice? I would respectfully ask this honourable House to consider this aspect of the burden. It amounts to singling out for a special impost 85,000 of the people of this Presidency—that is the approximate number of consumers and embraces also, I believe, power consumers—out of the general population of 25 millions. It is a tax, therefore, that violates the essential canon of equitable taxation, namely, that the burden should be equitably distributed over the whole community. I do not think, Sir, that it can be seriously argued that any service whatsoever is given by Government to the users of electricity. The electricity industry has grown without any assistance whatever from Government. It is entirely the fruit of private enterprise. On the contrary, if this aspect of the tax is stressed, I think the boot is on the other leg for the allowance made by the Government for the collection of the tax—and this will probably not surprise honourable members of this House—is less than the actual cost of collection. To that extent, therefore, Government have still further penalised those who invested in the companies which provide us with this amenity, by depriving them of this share in the revenues of the licensees which should legitimately go to those who have embarked their capital on these enterprises. Who are the people singled out for this special impost? Have they been guilty of any social offence for which they should be charged? Or have they so flourished at the expense of the community that they are fit subjects for special taxation? I submit, Sir, that no such line of argument can be seriously considered. There are no doubt a few rich men here and there—their number is rapidly growing smaller under severe economic depression and high taxation, and here in Bombay shall we include those who pay the Cotton Cess, to whom this burden is of small account? And then of course there are a handful on high fixed salaries on whom also the burden is light. But the bulk of the users of

[Mr. J. Humphrey]

electricity for lights and fans consists of small tradesmen struggling to make a living in these hard times—of middle class and lower middle class folks struggling to maintain their standard of living amid the acute depression, hundreds, nay, thousands of whom are carrying a heavy family burden arising out of the severe unemployment. Thousands of these are in the mofussil towns and centres where the shock of low prices, as pointed out by the honourable member, Mr. Patel, for all classes of produce is terribly felt. Of all classes in the community the users of electricity have the greatest claim to the consideration of Government. A tax unjust in itself is peculiarly unjust when we consider the position of those upon whom it almost exclusively falls. Why, then, Sir, has this limited class been selected from the millions in this presidency for this special and I maintain unjust impost? That question admits of only one answer—and I do not think it will be seriously challenged by the sponsors for the renewal of the surcharge. In their eager haste for additional revenue from any source, the Government *discovered* the users of electricity. "Here", said they, "we have a limited section within our grasp. The vast majority of them cannot escape a surcharge, wriggle as they may. A surcharge will cost us nothing to collect, we can sit at ease and see these lakhs of rupees flow in." That, Sir, is the origin of this surcharge. Consumers of electricity happened to be the easiest victims. All considerations of tax equity were therefore submerged beneath the wave of convenience. I ask this honourable House not to be diverted from the consideration of the fundamental injustice of this tax by any figures which may be thrown at it. I would urge the honourable members of this House not to be led astray by specious statistics from any quarter from a consideration of the basic injustice of this tax. There is an old saying which warns us that there are three degrees of untruth—lies, preposterous lies and statistics. I would ask this House not to be diverted from the trail by any red herrings which may be drawn across the path which leads to elementary justice. I am not in the least concerned with the rates charged for electricity by licensees. That has no relation to the tax. On the contrary, the lower the rates charged for electricity, the higher the incidence of the tax. If the licensee gave away electricity or charged one pie per unit for supply, the injustice of the tax would be unaffected. Sir, the Honourable the Finance Member made a remark about the electrical companies suggesting that they all made huge profits. Actually, I do not think we need consider the question of profits of electrical companies. We all know that the Government of India deal faithfully with profits through income tax and surcharges. As far as individual cases go, I will quote one case and one case only, because it comes from the constituency which I have the honour to represent. I am authoritatively informed from Karachi that the tax has unquestionably had a most prejudicial effect on the normal increase in the consumption of electrical energy by lighting and fan installations in the year ended the 31st March last. We shall no doubt be told that this is not so. Indeed, the Finance Secretary has told us in advance such is his intention. Well, Sir, we, businessmen, have

[Mr. J. Humphrey]

learnt to be humble before the all-pervading knowledge of the official. We are accustomed to being told that we do not know our business, and we shall sit meekly at their feet when we are told so again. But, Sir, I am an obstinate person and I retain a predilection for the views of those who know from constant first-hand experience, over those who sitting in the placid air of the Secretariat wrench a few figures from their context. I return therefore to the proposition I put before this honourable House in the opening sentences of these remarks. The electricity duty is an unjust tax. It violates all the canons of an equitable tax burden. It falls on those—a very limited section of the community—who for the most part are the least able to bear it and who ought not to be asked to bear it. It should not remain a part of our revenue system for another day and therefore I ask this honourable House to give its support to the amendment I now move. I move the amendment, Sir, as it has been read out already.

Question proposed.

Mr. PESTANSHAH N. VAKIL (Ahmedabad City): Sir, of all the factitious opposition that has been sedulously engineered against a relatively harmless form of taxation, that against the electricity duty from the European group of members is the one that is most surprising. Sir, in all conscience, this tax is comparatively less harmful than many other burdens which press so heavily upon shoulders not so competent to bear them as those which the electricity duty affects. In the first place, it is alleged that the duty presses very heavily upon the poor people. Are we to forget, Sir, that the electricity duty begins to operate from 13 units and upwards? If there is one form of taxation more than another, from the operation of which the poor are specifically exempted, it is the electricity duty. And yet the sympathy of the workers on behalf of the poor is invoked in the name of the poor consumers of electricity.

Sir, we have repeatedly been hearing the parrot-cry of restriction on progress. The honourable the mover has not advanced a single argument in support of this particular contention. Have we to forget, Sir, that the duty is leviable only on energy consumed for illumination, i.e., for lighting purposes and for fans, and not on energy used in driving machinery, etc., i.e., for power? Then, where is the restriction on progress? How is progress restricted in any form or shape? I for one fail to understand this argument of the honourable the mover. Then, Sir, by a process of natural equalisation or natural correction—because this duty is one which is levied on the amount of energy consumed and not on the cost of electricity—because it is levied on this principle, I say, by a process of natural correction, the incidence so adjusts itself that in cases where the charge is high, the duty works out at a low rate and where it is low the duty is a little bit high. For instance, as the rate of electricity is four annas a unit in the city of Bombay, the duty works out at 12 ½ per cent, whereas in Ahmedabad it is six annas a unit and so the duty works out at 8 ½ per cent. I do not mean to suggest, Sir, that the framers of the Bill intended the duty to work in that way. But somehow its effect

[Mr. Pestaushah N. Vakil]

is to equalise the burden—where the rate is high, the duty is low and where the rate is low, the percentage of duty works out at a higher figure. This is an advantage which is not to be lost sight of.

Another advantage, Sir, is the simplicity of the tax and the ease of collection. I can speak on this point from my experience of the terminal tax on goods arriving at the Ahmedabad Railway stations where the Municipality levies a terminal charge. In that case also the collection of the tax being done by the Railway Company, the tax is simplicity itself. There are absolutely no complications of any sort. The electricity duty therefore, far from violating any of the accepted canons of taxation, is in my opinion a desirable form of taxation. I go a step further and say that if there is one tax more than another whose operation results in equitable incidence and smooth and frictionless working, it is this electricity duty. Also, Sir, it is not to be forgotten that the poor man whose miserable abode is lighted by a single rushlight pays for his kerosine oil. He is not exempted from the kerosine tax.

The honourable member Mr. Humphrey repeatedly emphasised the fact that in this case a particular class of people are singled out for taxation. Are they? The duty on drink, for instance, is paid by whom? By those who take to the luxury of drinking, not I or you, Sir, who have to pay it. It is only those who indulge in the luxury of drinking that are called upon to pay. Similarly, the tobacco tax. Those who smoke have got to pay the tax or those again who chew tobacco have to pay it, and not men like myself.

Now, Sir, what is called the European group in this honourable House is always reasonable. Their attitude on most questions is one that commands my admiration, but I am surprised at the attitude they have taken up in this particular case. Is it because these white men are unable or unwilling to bear the white man's burden? Their houses practically display Divali illuminations all the year round. Why should they not take a little lighting holiday once in a week or once in a fortnight? If their army of servants is asked once in a way to switch off half the number of lights, and if they pay a little more attention to the methods of daylight-saving, I for one have no doubt that without any extra burden on their purse they will be able to pay the electricity tax. On these grounds I oppose the amendment.

Mr. MAHOMED SULEMAN CASSUM MITHA: Sir, I rise to oppose the amendment moved by my honourable friend Mr. Humphrey. Sir, I am really surprised that an amendment of this nature should come from the representative of the European bloc and especially of Commerce. Sir, we business people have complained to the Government about other taxes which are worse than this one, and we have asked for relief, and it is not right that we should also oppose the electricity tax which, I may say, is a tax on the rich or people who can afford to pay it.

Sir, my honourable friend Mr. Humphrey has made out a case that only a few people are taxed and the remaining are not taxed. Really that is the case, and, Sir, that should be the policy of the Government,

[Mr. Mahomed Suleman Cassum Mitha]

that the people who can afford to pay should be taxed, and not the poor people. Sir, in the cities and in the presidency it is only people who can afford electric lights or fans that have to pay this tax. The electricity supply companies are prospering, making huge profits, and if one takes the example of the Bombay Electric Supply and Tramways Company, its share which is Rs. 50 paid up, is quoted in the market at Rs. 150 and above. From this one can see what profits are being made by these licensees. I think that the electricity tax ought to be a permanent tax and relief ought to be given in other respects where relief is due.

Sir, the European bloc has made out a strong case in favour of the removal of cotton cess, and if we are going to deprive Government of this revenue of 8 lakhs, then how are the Government going to give relief in the cotton cess, about which we have complained, and the removal of which is really in the interests of the agriculturists ? So, I hope, Sir, that my honourable friend Mr. Humphrey will see his way to withdraw this amendment and move amendments which are really in the interest of the people and the agriculturists. He ought to move amendments which are of real benefit to the poor people and not an amendment of this nature in regard to a tax which really touches the pockets of the people who can afford to pay and specially the rich people.

Mr. J. B. GREAVES (Bombay Chamber of Commerce): Sir, in rising to support the amendment, I propose to show why this tax is a tax on progress. In Europe very great progress has been made in the use of electricity in recent years, to the very great benefit of all classes of the community. A few years ago electricity was considered a luxury, for the few. Today it has become a necessity for all. It is the cheapest form of illuminant, much safer and much healthier than other forms of heating. In Bombay, Sir, we are often horrified by burning accidents to women using Primus stoves. In Europe those ladies would be utilising electrical *sigrees*.

How, Sir, has this progress been obtained in Europe ? It can be largely attributed to the introduction of the "two-part" tariff. This tariff consists of a fixed monthly charge based upon the number of rooms, or the floor area of the living quarter or house of the consumer *plus* a low unit charge for each unit of electricity consumed, whether it be consumed for heating, for lighting, for refrigeration, for pumping or for any other purpose. In Europe, and in particular in England, where very great progress has recently been made, I know of a very densely populated district in London, in which all classes of the population live, where the electricity supply company has been able to introduce a rate of one half-penny a unit, or slightly less than the rate at present charged as tax by the Bombay Government. This rate is based on the "two part" tariff, but is only subject to a minimum monthly charge, which has been fixed so low in practice that it can be ignored.

In generating electrical energy, the main expense to be met is the interest on the capital invested in the plant and the depreciation charges for keeping that plant in a satisfactory order. In Bombay, thanks to

[Mr. J. B. Greaves]

the energy and the enterprise of the Tata family, electricity is generated by falling water, and practically the only charge that has to be met is for depreciation and interest. This means that it matters little to the Tata concerns or to the Bombay Electric Supply and Tramways Company who distribute the current, whether they sell 4 units for a rupee or 8 units for a rupee, providing they obtain the same or a larger income than they do at the higher rate.

The electricity duty is an insurmountable barrier to electricity becoming available to the masses at reasonable rates in Bombay. Under the "two-part" tariff, only one system of wiring is necessary in a house, tenement or block of flats, and only one meter is necessary. If this system were introduced with this tax in force, it would mean that landlords erecting buildings would have to go to the expense of putting in two systems of wiring throughout the building, because the Bombay Government have singled out for taxation purposes the use of electricity for lighting. Not only this, but the Bombay Government would have to instal a rigorous inspection of houses, tenements and blocks to see that these two systems of wiring were installed, that these were keeping two separate meters, and they continue to be connected to two separate meters, as the electricity supply companies, under the "two part" tariff would have no interest in what their current was used for.

There are today in Bombay 33,000 consumers connected with the B.E. S.&T. mains. I do not think it would be an exaggeration to say that if a reasonable "two-part" tariff system were introduced in Bombay, within two years the number of consumers would be very materially increased and the consumption probably doubled. It is for the House to see what an effect this would have on the rates that we are at present paying in Bombay. The electricity duty stands in the way. It means that the wiring cost of a new building or of an old building is doubled. It means that instead of one meter two meters are necessary. It means that a special inspection branch must be set up by Government to see that the tax is in fact paid and collected.

Sir, the Honourable the Finance Member has stressed the fact that to do away with any part of the Government's taxation programme would mean an unbalanced budget. I would refer him, Sir, to the Reorganisation Committee's report. I do not think that this House wants further repetition of those points that have not yet been attended to, and I would spare the House from that. But I do say, Sir, that that is the method of raising the necessary revenue to enable this tax to be abolished.

The Honourable Mr. R. D. BELL: Sir, I have no intention of dealing in any detail with this amendment. But there are one or two of the honourable mover's arguments to which I should like to refer, because they seem to me to be illustrative of all the arguments which I have so far heard from himself and the honourable member who represents the Bombay Chamber of Commerce. The three I have taken as illustrative are first, that Government have not aided the electricity supply concerns, secondly that the consumers have committed no social offence, and

[Mr. R. D. Bell]

thirdly that the bulk of the users are small tradesmen and members of the lower middle class, struggling amid economic depression and family burdens,—and much in the same strain. Now, to how many taxes can arguments of that kind not be applied? What about the people who have not the benefit of electric light and electric fans? What is their condition? Have Government given any aid to the kerosine industry? Have the consumers of kerosine committed any social offence? Do they not include small tradesmen and members of the lower middle class struggling with economic depression and family burdens? The consumers of kerosine are amongst the very poorest in the land. The consumption of kerosine in India is roughly in the proportion of three parts of Indian kerosine and two parts of imported kerosine, and the taxation paid directly and indirectly by the consumers of kerosine in the year 1932-33 for all-India was Rs. 422 lakhs,—4¼ crores of rupees,—of which 272 lakhs were in the form of excise duty. Well, Sir, compare these figures—they are for all-India—with the figure of revenue from the use of electricity in the Bombay Presidency. That is all that I have got to say about the special argument of the honourable mover of this motion.

But, for the benefit of the front bench, I should like the group amidst which the honourable member sits and which, I understand, supports him, to define their attitude towards the following features in the budget. There are, it seems to me, six outstanding features in this budget, at least six features which emerged in the discussion which took place in the general debate. The first of these, in my opinion, is the moratorium. The second, I take it for convenience, is the town duty on raw cotton in Bombay city, to which one of the honourable members who represents the Bombay Chamber of Commerce made reference. The third is the system of tolls, to which the other honourable member representing that Chamber made reference. The fourth is the electricity duty. The fifth important subject about which we have heard from that corner, is the additional duty on beer; and the sixth, but not the least in importance by any means, is the desirability of giving some relief to the payers of land revenue. Now, Sir, the question which I desire to ask the honourable members who are supporting this motion is, in what order do they place the needs of the taxpayer as regards these six matters? I take first the moratorium. We are not making any provision to pay our debts next year. If the honourable mover of this amendment has his way, we shall apparently have to borrow. But I ask any member who follows in this debate to state his opinion whether it would be better from any point of view, administrative or financial, that the tax on electrical energy should be removed before we begin to pay our debts. You will observe, Sir, that of the four members who have dealt with taxation in the general debate two belong to the Chamber of Commerce, one to the Karachi Chamber of of Commerce and one to the Bombay Trades Association. All are businessmen. But as regards the moratorium it seems to me that they are getting into the frame of mind of a young friend of mine in

6-30 p.m.

[Mr. R. D. Bell]

Poona. He was talking one day about the subject of thrift and the need perhaps of people spending more money in order to make business more thriving. He said: "Mr. Bell, I believe in living up to my income and by God, Sir, I borrow whenever necessary in order to do so". (*Laughter*) That is the kind of advice we seem to be getting from the European members, with regard to the moratorium. I hope the honourable member representing the Bombay Chamber of Commerce will tell us when he comes to speak whether he is prepared to put the abolition of the tax on electricity before the abolition of the town duty on raw cotton or whether he is not. I see his colleague from the Chamber of Commerce Mr. Greaves has apparently decided to put abolition of tolls after the removal of the tax on electricity; but personally I have no hesitation whatever in putting the tolls before electricity. The honourable member Mr. Bullocke, if he speaks, might indicate his view about the order of merit to be given to beer. The general position is that there are six main issues in the budget connected with the moratorium, the duty on electricity, tolls, the town duty on raw cotton, beer and land revenue. Which is to come first? Sir, it is the opinion of Government that it should not be the duty on electricity.

Khan Bahadur ALLAHBAKSH (Sukkur District): Sir, I rise to oppose the amendment of my honourable friend Mr. Humphrey. He impressed me very much by his speech. I wish him to be on our side to support the cause of Zamindars by which he would have been in a better position as our cause is needful and demands justice. Another honourable member Mr. Greaves said that there should be no electricity duty. He said that electricity is very cheap and so the people who consume electricity have got a saving; and the people who are not favourably situated have to pay more, this very argument goes against him. It is very reasonable that people who use electricity must pay more tax than what the agriculturists pay.

My honourable friend Mr. Mahomed said that the prices of electricity shares have gone from Rs. 50 to 150. If my honourable friend were to come to the agricultural tracts, he will find that lands which were selling at Rs. 400 per acre are now available for Rs. 100 per acre. When we come to the income of the agriculturists we will find that they pay nearly 80 per cent. of their income towards the land revenue assessment and other taxes, whereas the electric companies are paying 15 per cent. on their capital. Is it fair that he should ask that those companies should be exempted and the agriculturists should be made to pay more and more? He says that the burden of the tax falls on the companies. It is not so. The burden falls on the consumer. Therefore this is a fair and equitable tax. I do not see any reason why the Honourable the Finance Member should not put it permanently on the statute book. With these remarks I oppose the amendment.

Mr. C. G. FREKE: I move the closure.

The Honourable the PRESIDENT: I accept the closure.

Mr. W. G. LELY: May I speak, Sir?

The Honourable the PRESIDENT: I have accepted the closure.

Mr. J. HUMPHREY (Karachi Chamber of Commerce): Mr. President, as my honourable friend Mr. Lely has not had an opportunity of saying what he wished to say, I must refer to his notes before replying. That is to say, if I can understand them. In the course of his speech the honourable member Mr. Vakil asked, if drinks and smokes are taxed why should electricity not be taxed also? My reply to that is that electricity as I have endeavoured to show, is not luxury. I would like to take this opportunity of impressing on Government that it is not and has not been my wish to embarrass them in any way by moving this amendment. We all know their difficulties and, as has already been stated, we do not even regard the budget as fully balanced so long as there is that outstanding debt of Rs. 12 lakhs. But my purpose was to make a more definite protest than formerly. Our protest in the past has been a general one. By moving this amendment I have been able to make a particular protest against this portion of the Finance Bill. And, so long as I am in the Council, I shall protest every year until the Electricity tax is removed from the Statute Book. The Honourable Mr. Bell asked in what order of importance the European group regarded the six items he mentioned. There is but one answer to that, and that answer is that, first and foremost, the Town Duty Tax on Cotton must go. The prosperity of this City is dependent largely on the removal of that tax and we regard its removal of the utmost urgent importance. I have been asked to withdraw this amendment. I will delay any decision regarding this for the moment as I hope that the Honourable the Finance Member, in his reply to the Debate, may be able to make some announcement regarding the intentions of Government with reference to the Cotton Cess.

The Honourable Sir GHULAM HUSSAIN: Sir, the reply of the mover must have convinced the House that he is not serious about his amendment. He suggested that it was not a fair tax. That point has been replied to, and I may tell him that it is a most equitable tax. It falls only on the person who consumes 12 units and more. The person who consumes less than 12 units is exempted from the tax. The tax thus falls on those who are able to bear it.

The honourable member Mr. Greaves spoke of a new scheme. Well, if he brings in an amendment to that effect, the honourable House will consider that scheme on its merits.

Now, the honourable members will bear with me for a minute. I do not want to waste their time. In 1932, after the passing of this Act, we issued 5 new licences. That means that it did not retard the progress of this industry. If it had that effect, people would not have come forward for new licences. It must have been a paying proposition to them to start new concerns. In 1933, 11 more licences were granted.

Rao Bahadur R. S. ASAVALE: They have not to pay the tax.

The Honourable Sir GHULAM HUSSAIN: I am only pointing out that it does not retard the progress of this industry. Look at the values of the shares of each company and the dividends the companies are

[Sir Ghulam Hussain]

paying. Consumption is also increasing. So, honourable members will see that it does not retard the progress of the industry. And poor men are exempted. I hope, therefore, honourable members will reject this amendment.

My honourable friend the mover of the amendment wanted a statement from me about the town duty on cotton. He ought to realise the position of Government. The Corporation is an important partner in this matter: they share a part of the proceeds from the duty. Secondly, this duty was imposed by legislation, and it requires legislation to abolish it. Government are consulting the Corporation in the matter, but I cannot give him any further information than that.

Mr. JOHN HUMPHREY: Sir, may I have the permission of the House to withdraw this amendment? I am doing this in the hope that the cotton cess will be abolished.

Amendment, by leave, withdrawn.

Mr. A. N. SURVE (Bombay City, North): Sir, I beg to move—

Add the following words at the end of clause 2:—

"Subject to the following changes:—

(A) In Part II—Electricity Duty. Second Schedule—Exemptions. No. 7 and in Explanation (2) (*a*) and (*b*) substitute the word "twenty" for "twelve."

Sir, under the existing Act, consumption of electricity under 12 units is exempted. My amendment seeks to increase the limit from 12 to 20 units. Sir, the object of proposing this amendment is this. People, especially Indians, attach special value to light as a factor in the turn of prosperity. They always like to have light and sufficient of it. If you take into consideration the Diwali illuminations, you will find that lights are lit in the hope that they will bring prosperity for the coming year. That is our frame of mind. It may be right or it may be wrong. But it is confirmed by the science of Psychology which states that the mind is a potent factor in bringing about prosperity or adversity. Since the introduction of the 12 units limit, what has been the consequence? I have in my hand a letter addressed by the Secretary of the Bombay Electric Supply and Tramways Company, Ltd., to the Secretary to the Government of Bombay in the Finance Department. He says:

"Several licensees report that their consumers watch the meter readings from day to day and, when the consumption is nearing the taxable limit of 12 units, they open their main switch and use oil lamps until the end of the month.

"It is also known that consumers, who cannot keep their consumption within the limit of exemption, economise in consumption by every possible means in order to offset the cost of this tax."

Now, Sir, this comes from a reliable and responsible source, and I think that there is some truth in it. From my own experience I may state that people are using lamps of lower candle power in houses in order to avoid the duty. What will be the effect if a staircase or a washing place is not properly lit up? If a man misses his footing on the staircase he comes tumbling down and breaks his neck or bone. The same is true even if he falls down in the washing place, with the result that he is compelled to remain indoors and lose his earning and is forced to incur

[Mr. A. N. Surve]

medicinal charges. Therefore, I submit that Government should be pleased to see their way to increase the exemption limit.

The Honourable the Finance Member says that 12 units is a sufficiently high limit. But from my experience, I say that it is not.

The Honourable Sir GHULAM HUSSAIN: How long, do you want lights to burn ?

Mr. A. N. SURVE: Sufficiently long, Sir, with powerful lamps. If you concede that people should have more light than they have, you should increase the limit of exemption. I think Government have really no right at all to levy a tax of this kind, but apart from that, I believe that the exemption limit should be increased. The Honourable the Finance Member tells us: "What are we doing ? We are only asking you to pay 2 pice per unit. What will you do, if the company increases its rates from 4 annas to 6 annas per unit" ? I will tell him that he has practically answered the question himself. He has told us that year after year a number of new licences are being granted. That means there is competition among the companies. I can only speak for the City of Bombay, of which I have experience. There is competition, and the facts and figures quoted by the Honourable the Finance Member show that electric companies cannot increase their charges for the electric energy they supply. But even if they do, Government ought to protect the interests of the public. They give licences to these companies. Why cannot they include a clause in the licence asking the companies to pay the tax ?

The Honourable Sir GHULAM HUSSAIN: You are supporting the companies.

Mr. A. N. SURVE: No Sir! If the company gives very handsome dividends to the shareholders, cannot Government with justice ask the companies to pay this additional surcharge ? The remedy is in the hands of the Government.

I say from the point of the convenience of the public, there is a very good case for increasing the limit of exemption from 12 to 20 units. I trust that in view of the observations I have made the House will be pleased to accept my amendment.

Mr. L. R. GOKHALE: On a point of information. How much reduction will there be in the collections, if this amendment is accepted ?

The Honourable Sir GHULAM HUSSAIN: Three and a quarter lakhs.

Sir, the poor man, for whom the mover of the amendment has spoken pays a heavy duty on kerosine oil. Government have every sympathy for the poor. I shall show the honourable House that this amendment is likely to create extravagant habits in the poor man. He does not require more than 12 units a month. The honourable member is perhaps not aware that there are lights of 40 watts and 20 watts. If a man has two tenements he can use 2 lights of 20 watts each which will be equivalent to

[Sir Ghulam Hussain]

many kerosine lamps—and he can burn those two lights each for 10 hours, and yet he will not consume in a whole month more than 12 units. Is that bad treatment to the poor man? We will ruin him if we increase the limit to 20 units, so that he may have Diwali every night. We have considered the case of the poor very carefully, and we have given exemption for consumption up to 12 units. Therefore, I hope honourable members will throw out this amendment.

The Honourable the PRESIDENT: Any reply?

Mr. A. N. SURVE: No, Sir.

Question put, and lost.

Mr. HOSSENALLY M. RAHIMTOOLA: Sir, may I move the amendments to clauses 3 and 4 together?

The Honourable the PRESIDENT: Yes.

Mr. HOOSENALLY M. RAHIMTOOLA (Bombay City): Sir, I beg to move:—

Add a new clause 3 to Bill No. II of 1934 as follows, namely:—

(3) "In clause (*a*) to explanation (2)—for the purpose of exemption (7)—in the second schedule of Part II of Bombay Act No. II of 1932 delete the words 'one or two roomed' before the word 'tenements' in line 3."

Add a new clause 4 to Bill No. II of 1934 as follows, namely:—

(4) "In clause (*a*) to explanation (2)—for the purpose of exemption (7)—in the second schedule of Part II of Bombay Act No. II of 1932 after the word 'tenements' in line 3 add the words 'whether used for residence or any other purpose'."

Now, Sir, if you look at the Act, Exemption 7 says: "any consumer using not more than 12 units in one month". That means, if a man has got a separate meter, for whatever purpose he may use the electricity—it may be even for office or any other purpose—as long as he has got a separate meter, he is exempted if he uses less than 12 units. Whereas in the case of those consumers who have not got a separate meter, the exemption extends only to one or two roomed tenements used for residential purposes. In the case of people using electricity for business or office purposes, they have to have separate meters if they want exemption. So, there is inconsistency in both parts. So, relief should be given to those shopkeepers who cannot afford to have a separate meter and have a joint meter.

Question proposed.

The Honourable Sir GHULAM HUSSAIN: Sir, exemption was proposed for the poor man who uses one or two-roomed tenements. Take, for instance, a flat. Either there is one meter for the whole building or a sub-meter in every tenement. If there is a sub-meter, then any occupant of that tenement—whether one or two roomed—who consumes less than 12 units is exempted. As I said, if he is really a poor man, he will not consume more than 12 units. If there is no sub-meter, then the landlord pays for the joint meter and he distributes the tax amongst the various tenants. If the consumption of any tenement in a building comes to less than 12 units, that tenant will not have to pay anything.

7 p.m.

[Sir Ghulam Hussain]

My honourable friend wants to give relief to the shop-keepers also. We have already exempted residents. But we cannot exempt shop-keepers from this tax. They pay heavy rent and they make money out of their shops. It is not fair to give exemption to the shop-keepers. Therefore, I oppose the amendment.

Mr. L. R. GOKHALE: The rate for the shop-keepers differs.

The Honourable Sir GHULAM HUSSAIN: The surcharge is the same.

Mr. HOOSENALLY M. RAHIMTOOLA (Bombay City): Sir, the Honourable the Finance Member has not understood me properly.

The Honourable Sir GHULAM HUSSAIN: You have not understood yourself properly. A shop-keeper who has got a separate meter is exempted if he uses less than 12 units.

Mr. HOOSENALLY M. RAHIMTOOLA: He is not exempted if——

The Honourable Sir GHULAM HUSSAIN: He is.

Mr. HOOSENALLY M. RAHIMTOOLA: If he has got a separate meter and uses less than 12 units he is exempted. But if he has the misfortune of not having a separate meter and has a joint meter with a number of other people, he is not exempted, even if he uses less than 12 units.

The Honourable Sir GHULAM HUSSAIN: His remedy is to have a separate meter.

Mr. HOOSENALLY M. RAHIMTOOLA: That costs him more. That is why you have exempted those people who have got a joint meter. That is not so in the case of a shopkeeper. I submit there is a stronger reason why he should be exempted, because he cannot afford to have a separate meter.

Question put, and negatived.

Mr. HOOSENALLY M. RAHIMTOOLA: I am not moving my last amendment.

Mr. A. N. SURVE (Bombay City, North): Sir, I beg to move:

In Part III—Court-fees, In Schedule I—*Ad valorem* fees appended to section 13, Column—Proper Fee: "Reduce by 50 per cent. the amount increased over the original fee."

Sir, you know that the Court-fees Act for Bombay before 1922 was the same as the Government of India Act. It was only in the year 1922 that we amended the Government of India Act so far as it related to Bombay, for purposes of revenue. At that time we had prescribed higher fees varying from 100 per cent. to even 300 per cent. Several reasons were given for that step. What my amendment seeks to do is this. I give a concrete instance. If the court-fee under the Government of India Act was Rs. 10 and was increased by us to Rs. 20 in 1922, then I say that the fee has been increased by Rs. 10. Reduce that by 50 per cent., that is to say, to Rs. 5 *plus* Rs. 10 original fee which will come to Rs. 15. Let it now stand at Rs. 15. That is the meaning of my amendment.

[Mr. A. N. Surve]

When the Act of 1922 was under discussion, the Honourable the General Member (Sir Chimanlal Setalwad) observed that so many changes had taken place in the cost of living and in the maintenance of courts and the salaries of the officials, that it was not unreasonable that in 1922 these fees should be revised. So, he had given three causes for the revision of the court-fees. My point is, Sir, that those causes do not exist to-day. Take for instance the salaries of officials. In 1922 it may be that the salaries were paid at the increased rate, but we have now introduced new scale of salaries——

The Honourable Sir GHULAM HUSSAIN : What about the existing officers ?

Mr. A. N. SURVE : You have fixed new scales for new entrants. So far as the salaries of servants are concerned, a new and reduced scale has been introduced. Therefore, that one cause which was then given is now to that extent no more in existence.

Then the second cause was about the maintenance of courts. You know, Sir, that since 1925 the number of courts has not been the same as it was in 1922. There has been a considerable reduction. So many courts have been linked together. In that way the number of courts has diminished.

Take the case of Bombay City itself. Government must remember that Bombay City pays over 50 per cent. of the court-fees of the Presidency.

The probate duty in Bombay city has been increased from 2 to 7 per cent., i.e. over 300 per cent. and still what do you find in the City of Bombay ? A resolution was moved as far back as the year 1921 by Mr. Haveliwala recommending that a city court in this town be established but that question has not at all been yet solved. We have been obliged to remind Government about the establishment of this city court from time to time. Even, Sir, in the agenda of the present session you will find that there is a resolution recommending to Government to establish a city court. Therefore so far as Bombay city is concerned, the question of a city court is as ancient as the hills and still nothing has been done to remove the inconvenience felt by the public from the year 1921. That is one aspect of the question. Then, Sir, take the other aspect. The people are forced to go to the High Court, in the absence of the city court, but what is the state of affairs in the High Court so far as the work done there is concerned ? I find there is an additional extraordinary demand on page 207 of the Blue Book. There, in that demand, the Honourable the Home Member has stated that the need of the High Court is that there should be 12 permanent judges. That need has been felt for a number of years but what have Government done ? They have appointed only 10 permanent judges and they appoint one judge as an additional judge and from year to year they have been increasing his term of office by one year and so on. In that way they are not giving us 12 judges that are needed but they are getting the work done by 11 judges only, 10 permanent and one additional. In that way our need

[Mr. A. N. Surve]

has not been completely satisfied. We have been asked to go on reduced facilities and asked to pay more. Therefore, Sir, it is but reasonable that we should ask Government to be satisfied with the modest amendment that I have proposed.

There is another factor and that is this. At that time it was held before the honourable members of this House by the then General Member who said that the reason why he wanted more revenue was because it was necessary to increase the revenue to meet the additional sources of expenditure and to build up balances. At that time, Sir,—I am speaking of the year 1922 and I am referring to volume V, page 296. At that time there was no Sukkur Barrage and the only picture that was before the mind of the House was these nation-building departments. At that time the then General Member had assured us that he wanted this extra taxation for the purpose of expansion of expenses. What do we find? We find that the balances are not built up, the Sukkur Barrage was undertaken and money was spent on it and even education and other nation-building departments have been altogether neglected——

The Honourable Sir GHULAM HUSSAIN: On the contrary, we have provided 29 lakhs more than was provided in the year 1922.

Mr. A. N. SURVE: As regards those 29 lakhs, may I tell the Honourable the Finance Member that in the year 1922 there was no cut in education grant, but to-day there is a cut in the education grant, the local bodies are given a less amount of money, the schools are given a less amount of money in grants and thus the inducement that was held before the eyes of this House has not been fulfilled? On that account I think I am justified in asking the House to accept my amendment which has been placed before the House.

Question proposed.

The Honourable the PRESIDENT: The amendment just moved by the honourable member is a very general sort of amendment, but it conveys the idea.

The Honourable Sir GHULAM HUSSAIN: Now, Sir, the honourable the mover of the amendment——

Mr. C. N. PATEL: There are several honourable members on this side who want to speak. I think the Honourable the Finance Member would like to speak last——

The Honourable the PRESIDENT: He can speak now if he wishes to.

The Honourable Sir GHULAM HUSSAIN: The honourable the mover says that the then House sanctionced the tax in 1922 because the then Honourable Mover of the Bill said that he wanted to use the money for the nation-building departments, specially education. If the honourable mover of this amendment compares the figures of the next year's budget with those of the budget for 1922, he will find that for education alone there are 16 lakhs more. So, he ought to be thankful to this side for

[Sir Ghulam Hussain]

providing so much more in the grant for education. Altogether, there is a provision of 29 lakhs more for the nation-building departments.

Then, Sir, another argument was that we are spending less on maintenance. It is not so. The salaries of the judicial staff are the same as we used to give them in the year 1922. The revised scales will come into operation slowly. Therefore there is no immediate improvement in that respect. Then in the same breath, the honourable member blows hot and cold as regards the number of High Court Judges, when he says "Give us 12 Judges for the High Court". But the honourable member does not seem to realise what will be the effect of this amendment. It will deprive Government of about 3 to 4 lakhs of rupees. His ground was that money was being used for other departments than the nation-building departments. I might tell him that we have provided a larger sum for the nation-building departments this year than what was provided in 1922 when he agreed to these taxes. I hope therefore he will withdraw his amendment.

Mr. A. N. SURVE: I never agreed to it.

The Honourable the PRESIDENT: There is one point to which I should like to make a reference. To-morrow is a day allotted for demands and cuts which will go on till the 13th March under the allotment of days made by His Excellency under the rules and the Honourable the Finance Member has not the power to change that arrangement. So, to-morrow they must begin. We have now come to the fag end of this and we could sit on and finish this Bill.

Mr. C. N. PATEL: This can go over to some other day. Supposing the discussion goes on for three hours tonight——

The Honourable the PRESIDENT: The House will be reasonable about that. I think the honourable member can speak as long as he likes if he has points to place before the House.

Mr. C. N. PATEL: In addition to myself, there are many other honourable members who would like to speak.

Sir, I rise to support the amendment that has been moved by the Honourable member Mr. Surve. The Honourable the Finance Member has denied the fact that the courts are a paying proposition. As a matter of fact, Sir, the costs of litigation in this presidency are very high, and they have always been falling on the poorest shoulders. Sir, for a suit for Rs. 1,000 originally the court-fees were Rs. 50, and now the court-fees have been raised to Rs. 75. So, there is an increase of Rs. 25 on Rs. 1,000, and a man who has the misfortune of being indebted in a sum of Rs. 1,000 has to pay this penalty of Rs. 25. It is absolutely inequitable that Government should make money out of the miseries of the people. Sir, the man who goes to file a suit for Rs. 1,000 has to pay Rs. 75 in the first instance, and all the other incidental charges for going to a court of law are proportionately increased. The process fees are increased, the copying fees are increased; the fees for obtaining certified copies are also increased. So, there has been an abnormal increase

[Mr. C. N. Patel]

since 1922 on all sides in the charges in a court of law. The result of it is that the poor debtor is being impoverished more and more day by day.

The Honourable the PRESIDENT: May I interrupt the honourable member? I know honourable members are uneasy about sitting later than the usual time. But there is a remedy. I might suggest that the 12 days allotted for the Demands for Grants, which begin to-morrow and which are fixed by His Excellency the Governor, can be altered by his permission. So, if the Honourable the Finance Member can obtain the permission of His Excellency the Governor by to-morrow morning, then a day could be taken from the days for the Demands and this Bill could be finished to-morrow.

The Honourable Sir GHULAM HUSSAIN: All right, Sir. If that is the desire of the House, we are ready to do so.

The Honourable the PRESIDENT: In that case, the whole of to-morrow would be available.

Rao Bahadur R. R. KALE: There is other Government business, and that could be dealt with to-morrow, after the Bill is over.

The Honourable Sir GHULAM HUSSAIN: We are agreeable to that course being adopted.

The Honourable the PRESIDENT: In that case, to-morrow will be a whole day for official business.

The Honourable Sir GHULAM HUSSAIN: After this Bill, we will take up to-morrow the demands for supplementary grants, and any other business which can be disposed of.

It being 7-25 p.m., the House adjourned till 2 p.m., on Tuesday, the 27th February 1934.

MO-II Bk Hb 152—7

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Tuesday, the 27th February 1934.

The Council re-assembled at the Council Hall, Bombay, on Tuesday, the 27th February 1934, at 2 p.m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present:

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr. A. B.
ADVANI, Mr. P. B.
ALLAHABAKSH, Khan Bahadur
AMINUDDIN, Mr. SAIYID
ANGADI, Rao Bahadur S. N.
ASAVALE, Rao Bahadur R. S.
BANGI, Mr. A. K. J.
BELL, the Honourable Mr. R. D.
BHUTTO, Sir SHAH NAWAZ
BIRADAR, Sardar MAHABOOBALI KHAN
BOLE, Rao Bahadur S. K.
BRANDER, Mr. J. P.
BULLOCKE, Mr. A. GREVILLE
CHIKODI, Mr. P. R.
CHITALE, Rao Bahadur G. K.
CLEE, Mr. C. B. B.
COLLACO, Dr. J. A.
COOPER, the Honourable Khan Bahadur D. B.
COVERNTON, Mr. S. H.
DAVIS, Mr. G.
DESAI, Rao Saheb B. G.
DESAI, Mr. H. R.
DESAI, Mr. S. B.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
D'SOUZA, Dr. J. ALBAN
EWBANK, Mr. R. B.
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GARRETT, Mr. J. H.
GAZDAR, Mr. MAHOMED HASHIM
GHULAM HUSSAIN, the Honourable Sir
GHULAM NABI SHAH, Khan Bahadur
GILDER, Dr. M. D.
GOKHALE, Mr. L. R.
GOVER RORA, Mr.
GREAVES, Mr. J. B.
HUMPHREY, Mr. JOHN
JAM JAN MAHOMED KHAN, Sardar Bahadur

Jan Mahomed Khan, Khan Bahadur
Jitekar, Mr. Haji Ibrahim
Jog, Mr. V. N.
Jones, Major W. Ellis
Kalbhor, Mr. G. M.
Kale, Rao Bahadur R. R.
Kamat, Mr. B. S.
Kambli, the Honourable Dewan Bahadur S. T.
Karbhari, Mr. M. M.
Kennedy, Mr. T. S.
Kulkarni, Rao Saheb P. D.
Lane, Mr. C. M.
Lely, Mr. W. G.
Mackie, Mr. A. W. W.
Matcheswalla, Mr. G. E.
Maxwell, Mr. R. M.
Meherbaksh, Khan Bahadur S.
Mehta, Mr. M. H.
Mitha, Mr. Mahomed Suleman Cassum
Modak, Rev. R. S.
Modi, Sardar Davar T. K.
More, Mr. J. G.
Naik, Sardar Rao Bahadur B. R.
Navle, Rao Bahadur N. E.
Nawab Shah Rookh Shah Yar Jung Bahadur
Owen, Mr. A. C.
Parulekar, Rao Bahadur L. V.
Patel, Khan Bahadur A. E.
Patel, Mr. Bhailal Sarabhai
Patel, Mr. C. N.
Patel, Khan Bahadur Vali Baksh A.
Patil, Dewan Bahadur D. R.
Patil, Mr. N. N.
Patil, Mr. V. N.
Petit, Mr. J. B.
Pradhan, Rao Bahadur G. V.
Prater, Mr. S. H.
Rahimtoola, Mr. Hoosenally M.
Resaldar, Mr. A. K.
Servai, Mr. A. E.
Shaikh Abdul Aziz, Mr.
Shaikh Abdul Majid, Mr.
Shankarrao Jayaramrao Zunzarrao, Mr.
Shinde, Mr. R. B.
Sindha, Mr. Madhavsang Jorbhai
Smart, Mr. W. W.
Solanki, Dr. P. G.
Surve, Mr. A. N.
Surve, Mr. V. A.

SYED MIRAN MAHOMED SHAH
SYED MUNAWAR, Mr.
TALPUR, MIR BANDEH ALI KHAN
THAKOR OF KERWADA, Sardar BHASAHEB RAISINHJI
TOLANI, Mr. S. S.
TURNER, Mr. C. W. A.
VAISHAMPAYAN, Dr. V. G.
VAKIL, Mr. PESTANSHAH N.
VANDEKAR, Rao Bahadur R. V.
WADKE, Mr. B. P.

NEW MEMBER SWORN.

Mr. J. P. Brander, I.C.S., made the prescribed oath of allegiance to His Majesty the King-Emperor, and took his seat in the Council.

STARRED QUESTIONS AND ANSWERS.

REDUCTION IN THE POLICE FORCE IN SURAT DISTRICT.

*Dr. M. K. DIXIT (Surat District): Will the Honourable the Home and General Member be pleased to state—

(*a*) what the strength of the police force and the C. I. D. men employed in the Surat district before the Civil Disobedience movement was;

(*b*) how many of them were rank and file and how many were officers;

(*c*) what the strength of the additional police force and C. I. D. men stationed in the Surat district during the Civil Disobedience movement was;

(*d*) how many of them were rank and file and how many were officers;

(*e*) whether any reduction has been made in the strength of the police force as well as the C. I. D. staff owing to the disappearance of the Civil Disobedience movement;

(*f*) if so, how much reduction has been effected both in the rank and file and in the number of officers;

(*g*) whether any further reduction is under the contemplation of Government in the near future;

(*h*) if not, when it is expected to be made?

The Honourable Mr. R. D. BELL: (*a*) and (*b*) 22 officers and 742 rank and file.

(*c*) and (*d*)

Year.	Number of officers.	Number of rank and file.
1930	7	250
1931	8	200
1932	8	200

(*e*) Yes.

(*f*) Since 1932 the strength of officers in the Surat District has been reduced by 5 and of the rank and file by 80.

(*g*) and (*h*). The question of further reductions will be considered shortly.

APPLICATION OF COURT-FEE STAMP TO PETITIONS BY SUSPECTED PERSONS AGAINST WHOM PAROLE ORDERS ARE PASSED.

*Mr. G. S. GANGOLI (Kanara District): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether it is a fact that a person who is ordered to give *hajri* to the police daily by staying away from his home under the Special (Emergency) Powers Act, 1932, is not even given bare subsistence allowance by Government;

(*b*) what help is given to such a person by Government if he is found to be too poor to maintain himself and requests them for help;

(*c*) whether any apology tendered or undertaking given by such a person is accepted by Government and whether he is released after that;

(*d*) whether it is a fact that a court-fee stamp is demanded from him for any petition that he may like to make;

(*e*) if so, under what authority such a stamp is required to be paid;

(*f*) whether Government intend to extend the application of the provisions of clause (*xvii*) of section 19 of the Court-fees Act, 1870, to such cases?

The Honourable Mr. R. D. BELL: (*a*) Yes.

(*b*) Government have not received an application for a maintenance allowance from any person who is too poor to maintain himself.

(*c*) Yes, if reliance can be placed on the apology and undertaking given.

(*d*) Yes.

(*e*) Under clause (*b*) of item 1 in Schedule II to the Court-fees Act, 1870.

(*f*) No.

Mr. G. S. GANGOLI: With regard to (*f*), may I know why he should be compelled to pay eight-anna stamp?

The Honourable Mr. R. D. BELL: What is the question?

Mr. G. S. GANGOLI: When a man under restraint applies to Government, he need not pay court-fee, but in this particular instance he is required to pay court-fee, he is not exempt.

The Honourable Mr. R. D. BELL: Clause 17 of section 19 of the Court-fees Act, 1870, only applies to persons under confinement. Legally it does not apply to persons on whose movements merely a restriction is placed.

Mr. G. S. GANGOLI: This person is removed from his home and is confined as it were because he cannot move about.

The Honourable Mr. R. D. BELL: He is not under confinement, Sir.

Mr. G. S. GANGOLI : Can he go anywhere ?

The Honourable Mr. R. D. BELL : His movements are to some extent restricted. He can always go anywhere with the previous permission of the District Magistrate..

Mr. G. S. GANGOLI : Then may I appeal to Government at least to remit the court-fee in such a case ? He is too poor to pay. His diet is not paid, he is removed from his home and no open trial is granted, apology is not accepted and when he applies again he has to pay eight annas stamp as court-fee stamp. Is it not too harsh ?

The Honourable the PRESIDENT : Is that a case of an individual that the honourable member is pleading ?

Mr. G. S. GANGOLI : Yes, Sir.

The Honourable the PRESIDENT : That is hardly the procedure. The honourable member might approach the Honourable the Home Member in the regular way.

Mr. G. S. GANGOLI : It is the case of an individual under a certain order, not a single person.

The Honourable Mr. R. D. BELL : The honourable member may appeal, of course. But, Sir, this is a stamp duty and it is a tax in the same way as any other tax. The honourable member Mr. Humphrey, who is not here today, suggested that an individual, who uses more than 12 units of electric current, should not have to pay a tax at the end of the month because he has committed no social offence. The fact that the gentleman referred to in this question has committed a social offence is nothing in his favour.

Mr. G. S. GANGOLI : My appeal to Government is this, that any person under an ordinary civil warrant at least is exempt from such a payment. This is a special case.

The Honourable Mr. R. D. BELL : Yes, a person under confinement is exempted, but this gentleman is not under confinement.

REMOVAL OF HINDU IDOLS NEAR KHOPOLI TALAV.

*Mr. L. R. GOKHALE (Poona City) : Will the Honourable the Home and General Member be pleased to state—

(*a*) whether Government have received any complaints about the removal of the Hindu idols near the Khopoli Talav ;

(*b*) whether Government have made any inquiries in the matter ;

(*c*) whether they have passed any, and, if so, what orders in the matter ;

(*d*) if they have not made any inquiries so far, whether they intend to do so at an early date ?

The Honourable Mr. R. D. BELL : (*a*) Yes.

(*b*) Yes.

(*c*) Government saw no reason to pass any orders in the matter.

(*d*) Does not arise.

Mr. L. R. GOKHALE: What is the nature of the inquiries made by Government?

The Honourable Mr. R. D. BELL: If the honourable member will explain what he means, I shall try to answer the question.

Mr. L. R. GOKHALE: I want to know whether the inquiries were made of the persons who complained about particular circumstances or whether the inquiries were made of the officers concerned or of the people of the locality, and I also want to know the nature of those inquiries.

The Honourable Mr. R. D. BELL: Inquiries were made with the District Magistrate.

Mr. L. R. GOKHALE: Were the complaints true or false? The Government say that they do not see any necessity of passing any orders in the matter. So, I would like to know whether the complaints were found to be true or otherwise.

The Honourable Mr. R. D. BELL: The complaint that the idol has been removed is correct.

Mr. L. R. GOKHALE: If the idols were removed, were they again put in there and was that course adopted for removing the cause of complaints?

The Honourable Mr. R. D. BELL: No, Sir. Both communities have been prohibited from approaching the site.

Mr. L. R. GOKHALE: Was the Hindu community prohibited from approaching this pat and were the Mahomedans allowed to go there?

The Honourable Mr. R. D. BELL: At first, yes, Sir; subsequently, both communities were prohibited.

Mr. L. R. GOKHALE: Was the removal of the idols the result of that order under section 144?

The Honourable Mr. R. D. BELL: Yes, Sir.

Mr. L. R. GOKHALE: Were the idols removed before the order or after the order?

The Honourable Mr. R. D. BELL: The idols were removed after the order.

Mr. L. R. GOKHALE: Was it those who were allowed to approach the place who had removed the idols afterwards?

The Honourable Mr. R. D. BELL: After the orders were issued, the idols were removed by the police.

Mr. L. R. GOKHALE: Did the Government find this conduct of the police justifiable and legal?

The Honourable Mr. R. D. BELL: Yes, Sir.

Rao Bahadur G. V. PRADHAN: Was it under the orders of the District Magistrate himself that the idols were removed?

The Honourable Mr. R. D. BELL: Yes, Sir.

Rao Bahadur G. V. PRADHAN: Was the District Magistrate authorised in asking the police to remove the idols from the place?

The Honourable the PRESIDENT: What is this about?

Rao Bahadur G. V. PRADHAN: Sir, the facts appear to be that the idols were situated on the tank and there was some dispute between the Hindus and Mahomedans. The District Magistrate who happened to be a Mahomedan issued an order saying that the Hindus——

The Honourable Mr. R. D. BELL: The fact that the District Magistrate is a Mahomedan has nothing to do with the matter.

Rao Bahadur G. V. PRADHAN: It is the District Magistrate who ordered the removal of the idols. You have admitted that; the Hindus were prohibited from going there, and now it comes out that the District Magistrate asked the police to remove the idols from the place. Further on, it now appears and we are now told that after this question was sent in, the idols have been put there again. My question is whether the District Magistrate had any authority whatever to remove the idols from the place, and if so under what authority did he do it?

The Honourable Mr. R. D. BELL: I cannot quote the legal authority off-hand, but if the honourable member will give notice of the question I shall give him the information.

Rao Bahadur G. V. PRADHAN: Has the District Magistrate been taken to task over the matter?

The Honourable Mr. R. D. BELL: No, Sir.

Mr. M. M. KARBHARI: Are Government aware under what circumstances the District Magistrate ordered the removal of the idols?

The Honourable Mr. R. D. BELL: Yes, Sir.

Mr. M. M. KARBHARI: What were those circumstances?

The Honourable Mr. R. D. BELL: The circumstances were that a breach of the peace was feared.

Rao Bahadur G. V. PRADHAN: Was not the prohibitory order enough? Was it necessary to have the idols removed?

The Honourable Mr. R. D. BELL: That is a matter of opinion. So long as the idols were there, it was believed that it was an incentive to one or the other of the communities causing a disturbance.

Rao Bahadur G. K. CHITALE: May I take it that the same will occur with regard to the Kala Ram's temple in Nasik, that the police will be allowed to remove the idols?

The Honourable Mr. R. D. BELL: There is no analogy between the two cases, Sir.

Mr. L. R. GOKHALE: Were the idols again placed in that place under the orders of the Government after performing the necessary

religious ceremonies, or were they put there bodily and nothing more was done ?

The Honourable Mr. R. D. BELL : As far as I know, the idols have not been replaced.

Mr. L. R. GOKHALE : They have not been replaced ?

The Honourable Mr. R. D. BELL : Not so far as I am aware.

Mr. L. R. GOKHALE : What do Government propose now to do with the idols ?

The Honourable Mr. R. D BELL : Nothing. At present Government propose to take no action in the matter.

Mr. L. R. GOKHALE : What do Government propose to do with the idols which are removed and which are probably in the custody of the District Magistrate or the police ?

The Honourable Mr. R. D. BELL : The honourable member asks, what do we propose to do with the idols ? At the present time we propose to do nothing.

Mr. L. R. GOKHALE : Do the Government know that the removal of the idols from their place has been unpleasant to, or disliked very much by, the Hindu population concerned there, and that it touches the religious feelings of the people living there ?

The Honourable Mr. R. D. BELL : That is a different aspect of the matter. The question on which action was taken was whether it was necessary or not, not whether it hurt their feelings.

Mr. L. R. GOKHALE : Do the Government themselves think after enquiry that there was that feeling, or rather that the removal of the idols and the action of the District Magistrate touched the feelings of the Hindu community there ? Is that the Government's view ?

The Honourable Mr. R. D. BELL : Apparently, that is the cause of the whole trouble. The feelings of both the communities are disturbed.

Mr. L. R. GOKHALE : How do the Government propose to solve that question themselves ? Have they thought over the matter so far ?

The Honourable Mr. R. D. BELL : Yes, Sir. The District Magistrate has prohibited both the communities from approaching the spot.

Mr. L. R. GOKHALE : Is the District Magistrate at present the same gentleman who ordered that the idols be removed ?

The Honourable Mr. R. D. BELL : Yes, Sir. He is still the head of the district.

Mr. L. R. GOKHALE : Do the Government expect that he will change his orders again, and undo what he has ordered to be done ?

The Honourable Mr. R. D. BELL : I am not prepared to make any prophecies whatever as regards the future.

Rao Bahadur G. K. CHITALE : Is this consistent with the religious neutrality which Government are bound to maintain ?

The Honourable Mr. R. D. BELL : Yes.

Rao Saheb P. D. KULKARNI : Are Government aware that the removal of the idols is an interference with the religious belief of the Hindus ?

The Honourable Mr. R. D. BELL : No, Sir.

Rao Saheb P. D. KULKARNI : Will they make enquiries whether the feelings of the Hindus are disturbed, as this removal of idol is a clear breach of religious laws ?

The Honourable Mr. R. D. BELL : I have agreed that the feelings of both the communities are disturbed.

Mr. L. R. GOKHALE : What was the cause of the disturbance of the feelings of the Mahomedans ? Was there any religious building, or mosque, or tazia at the place ?

The Honourable Mr. R. D. BELL : Each community has claims on this site ; they are rivals for its possession.

Mr. V. N. JOG : How long have the idols been there before they were removed ?

The Honourable Mr. R. D. BELL : I understand, Sir, that the idols are believed to have been placed there comparatively recently.

Rao Bahadur G. V. PRADHAN : How many years ago ?

The Honourable Mr. R. D. BELL : Quite recently, I understand.

Rao Saheb P. D. KULKARNI : Were they not underground ?

Dr. V. G. VAISHAMPAYAN : Do the Government now think that there will not be a breach of the peace after the idols have been again installed there ?

The Honourable Mr. R. D. BELL : I have already answered that question, Sir.

Dr. P. G. SOLANKI : Was there any breach of the peace after the removal of the idols ?

The Honourable Mr. R. D. BELL : No, Sir.

Mr. G. S. GANGOLI : Was the removal without the consent of Government ?

The Honourable the PRESIDENT : That is repeating the whole thing.

Mr. G. S. GANGOLI: This is one question that was not asked.

The Honourable Mr. R. D. BELL: Will the honourable member please read the answer to clause (*c*)?

Mr. V. N. JOG: The Honourable Member said that the idols were placed there recently. Can he say approximately how many years ago this was done? Have they been there for 100 years?

The Honourable Mr. R. D. BELL: It is understood that the idols were placed there, or are believed to have been placed there shortly before the last rains.

The Honourable the PRESIDENT: Next question.

THANA DISTRICT: ABORIGINES AND WILD TRIBES: EDUCATION.

*Mr. M. M. KARBHARI (Thana and Bombay Suburban Districts): Will the Honourable Minister for Education be pleased to state—

(*a*) the percentage of literacy amongst the aborigines and wild tribes in the Thana District and the steps taken by Government to educate these classes;

(*b*) whether there are any schools in the areas inhabited by them; if so, how many;

(*c*) whether any attempt is made by Government to impart industrial training to them; if so, what attempt?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) The total population of the Aboriginal and Hill Tribes in the Thana District is 235,511 and the number of pupils belonging to these tribes under instruction in all kind of schools in the same District is 2,622. The percentage of children under instruction to population is therefore 1·1.

The Backward Class Board has made certain recommendations to encourage the spread of education amongst these classes and these are at present under the consideration of the Director of Public Instruction and the Commissioner, Southern Division.

(*b*) The number of schools meant for the Aboriginal and Hill Tribes in the Thana District is 42 for boys and one for girls. These schools are maintained by the District Local Board, Thana, in the areas inhabited by them. A boarding-house is also specially maintained by the District Local Board for them at Mokhada and there are 15 boarders. They are paid a scholarship of Rs. 6 each per mensem.

(*c*) There are no special industrial schools for the Aboriginal and Hill Tribes. The District School Board, Thana, however, maintain two classes giving pre-vocational training (one at Khardi and the other at Dahanu) and the Gokhale Education Society conduct the Allarkhia R. Sonawala Industrial School at Bordi. These schools are open to all, but so far no boy of these Tribes has taken advantage of them.

PRIMARY EDUCATION: POONA DISTRICT LOCAL BOARD SCHEME: REFUSAL OF SANCTION.

*Rao Saheb P. D. KULKARNI (Poona District): With reference to the reply to my question on the above subject, printed at pages 32-33 of Volume XXXV of the Bombay Legislative Council Debates, will the Honourable Minister for Education be pleased to state—

(*a*) the difficulties which prevent Government from accepting the proposal of the Poona District Local Board to apply compulsion to 44 villages in which no extra building or teachers would be required;

(*b*) the reasons why Government do not consider the Board's proposal to be a practicable one;

(*c*) whether Government have given any opportunity to the originators of the scheme to have their say in the matter;

(*d*) how long Government intend to keep the question regarding the introduction of compulsory primary education in the 44 villages mentioned above pending;

(*e*) what measures Government have taken to make compulsory primary education widespread throughout the Presidency in general and in the Ahmednagar, Poona and Satara districts in particular?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) and (*b*) In my reply on 19th September 1932 to the Honourable Member's question on the same subject I have already informed him that the District Local Board, Poona, did not submit a separate scheme as such for the 44 villages, but the scheme submitted by the Board was for 66 villages involving an extra expenditure of Rs. 33,854 recurring and Rs. 3,300 non-recurring which Government could not sanction owing to financial stringency.

The 44 villages selected by the Local Authority are scattered throughout the 8 talukas of the district and not a compact area and therefore the enforcement of compulsion would have been difficult.

The compulsory scheme was a very meagre one, as it proposed to provide for only 523 additional pupils in all the 44 villages, which meant only 12 pupils on an average in each village.

Also, though the Local Authority stated that no additional expenditure would be incurred on account of this part of scheme for teachers and school buildings, there would have been additional expenditure on other items, such as an Attendance Officer and the loss of fees, which amounted to Rs. 193 per year on an average.

(*c*) It is open to any Local Authority to represent matters to Government if it is not satisfied with their decision.

(*d*) The matter has been finally disposed of in the orders referred to.

(*e*) Please see paragraphs 16 and 17 of the Review of Education, November 1933. Progress is barred by the provisions of Section 13 (1) of the Primary Education Act.

HIGH COURT FUNDS.

*Mr. J. B. PETIT (Bombay Millowners' Association): Will the Honourable the Home and General Member be pleased to state—

(*a*) what the nature of the fund of Rs. 2¼ crores to which the Thomas Committee has referred at page 181 of its Report, as being with the High Court, is;

(*b*) what the fund consists of and how it has come to reach this huge figure;

(*c*) whether any portion of it belongs to the public, and if so, what portion;

(*d*) whether any effort has been made, and if so what, to secure this fund for the general purposes of the Government, as recommended by the Thomas Committee?

The Honourable Mr. R. D. BELL: (*a*), (*b*) and (*c*) The attention of the Honourable Member is invited to paragraphs 3, 4, 17–29 and 31 and Appendix II of the Report† of the High Court Funds Enquiry Committee, a copy of which is placed on the Council Table.

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

Mr. J. B. PETIT: How long do the Government expect to take to determine this question? Can they give the House some idea?

The Honourable Mr. R. D. BELL: A draft Bill has been prepared and sent to the Government of India.

Mr. J. B. PETIT: Is it likely that this Government will be able to get the entire fund, or only a portion of it?

The Honourable Mr. R. D. BELL: The use of the fund.

The Honourable the PRESIDENT: Next question.

COUNTRY LIQUOR SHOPS.

*Rao Bahadur G. V. PRADHAN (Nasik District): Will the Honourable Minister for Education be pleased to state—

(*a*) the number of new country liquor shops sanctioned in each district in the presidency proper for the year 1933–34;

(*b*) the total auction price of country liquor shops in each district for the current year as well as in the year 1933–34;

(*c*) the total number of gallons of country liquor sold in each district in 1924–25 and the ration sanctioned for 1933–34?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*), (*b*) and (*c*) The accompanying statement furnishes the information required.

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† Kept in Secretary's Office.

Statement showing the number of new country spirit shops sanctioned for the year 1933–34, the amounts realised at auctions in each district for the years 1932–33 and 1933–34, the sales at country spirit shops in each district for the year 1924–25 and the ration sanctioned for the year 1933–34.

Name of District.	Number of new country spirit shops sanctioned for 1933–34.		Amounts realised at auctions of country spirit shops in each district for		Sales during 1924–25.	Ration sanctioned for 1933–34.	Remarks.
	Permanent.	Temporary.	1932–33.	1933–34.			
1	2	3	4	5	6	7	8
			Rs.	Rs.	L. P. Gallons.	L. P. Gallons.	
1. Ahmedabad.	1	25	5,56,425	10,13,780	53,209	90,596	
2. Kaira ..	14	4	1,24,955	1,53,620	31,948	36,000	
3. Panch Mahals.	17	..	85,310	66,983	36,113	31,566	
4. Broach ..	3	2	1,40,822	1,36,546	46,729	48,564	
5. Surat ..	11	7	2,83,415	2,73,950	1,70,315	1,70,365	
6. Thana ..	1	15	2,80,261	3,35,914	2,04,711	1,14,196	
7. Bombay Suburban District.	6	..	2,00,400	2,31,950	'A'	61,197	'A' Separate figures for the Bombay Suburban District for the year 1924–25 are not available.
8. Bombay ..	..	..	20,58,233	20,59,182	5,04,967	4,11,191	† License fees for privileged shops.
	..	..	†1,81,007	†1,80,694			
9. Kolaba ..	7	4	1,46,517	1,65,126	62,788	72,770	
10. Ratnagiri.	23	4	1,25,771	1,67,155	61,244	62,920	
11. Kanara ..	31	10	80,675	83,440	22,424	33,835	
12. Dharwar.	47	3	1,98,900	1,52,350	36,264	56,470	
13. Belgaum.	31	21	1,07,689	1,24,906	32,540	50,153	
14. Bijapur ..	22	7	69,230	78,227	10,971	22,600	
15. Sholapur.	9	6	1,53,385	1,80,120	24,282	42,138	
16. Satara ..	13	8	1,23,125	1,42,990	11,583	16,873	
17. Poona ..	4	6	4,17,376	4,74,800	70,051	1,07,680	
18. Ahmednagar.	4	2	82,925	98,740	14,230	16,097	
19. Nasik ..	1	25	2,72,772	2,52,202	36,302	45,613	
20. West Khandesh.	23	13	2,26,540	2,62,685	63,297	1,22,000	‡In the Akrani tract of West Khandesh District.
					‡11,872		
21. East Khandesh.	30	2	1,60,482	1,49,695	67,276	72,888	
						16,85,712	
Reserve with the Commissioner.	..	..	....	....	....	79,719	
Total ..	298	164	60,76,215	67,85,055	15,82,125	17,65,431	

Rao Bahadur G. V. PRADHAN: In spite of the fact that sales for the year 1924–25 amounted to 15 lakhs and those for the year 1933–34 rose to 17 lakhs, an increase of two lakhs, does the Honourable Minister maintain that the prohibition policy is still being pursued ?

The Honourable Dewan Bahadur S. T. KAMBLI: It is not correct to say that sales rose to 17 lakhs in 1933–34. The figure given in the printed statement for 1933–34 relates to the rationed quantity only.

Rao Bahadur G. V. PRADHAN: The point is whether in spite of the fact that the total quantity of liquor sold has increased by 2 lakhs, the Honourable Minister still maintains that the prohibition policy is being pursued ? Does he still maintain that the rationing policy is still in force ?

The Honourable Dewan Bahadur S. T. KAMBLI: I want to know from my honourable friend where it is mentioned that the quantity sold has increased by two lakhs. The ration fixed for 1928 is kept intact and not at all increased in subsequent years.

Rao Bahadur G. V. PRADHAN: By rationing I understand that Government allow the sale to the extent of 17 lakhs of gallons.

The Honourable Dewan Bahadur S. T. KAMBLI: Rationing is the quantity fixed as the highest limit of sale. It does not follow therefrom that it is the actual quantity sold. Allowing to be sold up to a certain limit is one thing and the quantity actually sold is another thing.

Mr. M. M. KARBHARI: The actual sales for all the districts are shown here. It is given as 16,85,712. Does it not show that all the quantity was consumed ?

The Honourable Dewan Bahadur S. T. KAMBLI: Certainly not. The figure quoted by my honourable friend is the quantity rationed for 1933–34 and does not represent the quantity actually sold in that year.

Mr. L. R. GOKHALE: The number of shops is mentioned in columns 2 and 3. Will Government be pleased to state the number of shops increased in 1933–34 ?

The Honourable Dewan Bahadur S. T. KAMBLI: That can be seen from the printed statement.

Rao Bahadur G. V. PRADHAN: The amount of rationing sanctioned in the year 1928–29 was much more than the amount sold in the previous years ?

The Honourable Dewan Bahadur S. T. KAMBLI: I require notice of that question.

Rao Bahadur G. V. PRADHAN: That is exactly what you have mentioned.

The Honourable Dewan Bahadur S. T. KAMBLI: The figures of sale mentioned in the printed statement refer to one year only, i.e., for 1924–25. The printed statement does not give the sales for the years previous to or subsequent to 1924–25.

Mr. B. S. KAMAT: Under the scheme of rationing of 1924–25, was it not contemplated that there should be reduction year after year in the quantity supplied by Government?

The Honourable Dewan Bahadur S. T. KAMBLI: That policy stood till 1928.

Rao Bahadur G. V. PRADHAN: Since then it has been abandoned?

The Honourable Dewan Bahadur S. T. KAMBLI: Certain ration was fixed in the year 1928 and the same rationing continues till today.

Mr. L. R. GOKHALE: Have the district officers been informed by an order of Government that the policy of rationing has been abandoned?

The Honourable Dewan Bahadur S. T. KAMBLI: Rationing has not been abandoned. That it is not going to be further reduced has been communicated to the officers.

Mr. L. R. GOKHALE: Are the officers allowed to increase the amount or are they to stick to a particular figure?

The Honourable Dewan Bahadur S. T. KAMBLI: Each district is assigned a certain quantity fixed and the total quantity rationed for the Presidency and Sind is also fixed. If anything more is required for any particular district the officers must apply to Government. The sales must be within the rationed figure fixed originally or as subsequently altered.

Dr. V. G. VAISHAMPAYAN: Have the figures in column 3 been made permanent?

The Honourable Dewan Bahadur S. T. KAMBLI: If the honourable member gives notice, I shall find it out.

Rao Bahadur G. V. PRADHAN: Was this House taken into confidence about the rationing policy since 1928?

The Honourable Dewan Bahadur S. T. KAMBLI: My predecessor Sir Govind Pradhan was in office in 1928 when further reduction in rationing was stopped. I do not know what he has done.

Rao Bahadur G. V. PRADHAN: Is he to answer? Are you not to answer?

The Honourable Dewan Bahadur S. T. KAMBLI: If a reply is wanted from me, then I require notice.

Rao Bahadur G. V. PRADHAN: The quantity rationed for 1933–34 is the same as in the year 1928–29?

The Honourable Dewan Bahadur S. T. KAMBLI: I have already stated that the ration fixed in 1928 still continues.

Mr. V. N. JOG: Was there a cut motion censuring this policy passed by the Legislative Council? There was a censure motion of Rs. 100. Was it passed by this Council?

The Honourable Dewan Bahadur S. T. KAMBLI: How is that a supplementary question?

The Honourable the PRESIDENT: The House ought to know what had happened. A cut motion for Rs. 100 is not a censure motion.

Mr. M. M. KARBHARI: Is the Honourable Minister aware of the policy to be pursued by Government?

The Honourable Dewan Bahadur S. T. KAMBLI: I am as much aware as the honourable member is expected to be aware.

Mr. M. M. KARBHARI: What is the rationing policy?

The Honourable Dewan Bahadur S. T. KAMBLI: The rationing policy followed in 1928 is still being followed.

Mr. M. M. KARBHARI: What is that policy?

The Honourable the PRESIDENT: Further reduction has been stopped and a particular quantity has been fixed.

Mr. M. M. KARBHARI: Am I to understand that the rationing has been the same since 1928?

The Honourable Dewan Bahadur S. T. KAMBLI: The rationed figure allotted in 1928 stands. I have repeated it many times.

Mr. M. M. KARBHARI: I want to know whether the rationing for every year is the same?

The Honourable the PRESIDENT: It is the same since 1928.

Mr. V. N. JOG: Why is there an abnormal increase in Dharwar?

The Honourable the PRESIDENT: People want more liquor there.

Mr. M. H. MEHTA: The figure rationed for Panch Mahals is 31,566 and you say the sales were 36,113. How is it?

The Honourable Dewan Bahadur S. T. KAMBLI: The two figures relate to two different periods. The quantity sold in 1924–25 was 36,113 gallons while the rationed quantity for 1933–34 is 31,566 gallons.

Mr. M. H. MEHTA: The rationing is fixed.

The Honourable Dewan Bahadur S. T. KAMBLI: The ration fixed then was different from what it is now for the particular district.

RATNAGIRI DISTRICT: OPENING OF PRIMARY SCHOOLS.

*Mr. A. N. SURVE (Bombay City, North): Will the Honourable Minister for Education be pleased to state—

(*a*) whether it is a fact that the following villages in the Ratnagiri District, viz.: Mouje Nivali, Charveli, Velvand and Math (Ratnagiri Taluka); Kuve, Kond Tarf Soundal (Rajapur Taluka) have no schools in them, in spite of their being largely inhabited by Kunbis;

(*b*) whether it is a fact that the School Board of Ratnagiri District has passed a resolution or has made a representation to Government to the effect that it would open schools in these villages if Government would contribute 2/3rds grant; if so, will the Honourable Minister be pleased to place a copy of that resolution or representation on the Council Table;

(*c*) whether Government intend to give the 2/3rds grant demanded by the School Board;

(*d*) if not, whether they intend to allow the said villages to go without schools, or whether they intend to adopt some other measures for opening schools in them ?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) Yes.

(*b*) The District School Board has passed a resolution recommending the opening of new schools in these villages if Government admit the expenditure for grant. The English translation of the District School Board's resolution No. 1 of 30th June 1933, is printed below.

The Director of Public Instruction reported on 26th January 1934 that no proposals in the matter have been received either in his office or in that of the Educational Inspector.

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

Translation of School Board Resolution No. 1 passed at the meeting held on 30th June 1933.

"1. In case the School Board is given grant by the Government and the District Local Board at 2/3rd and 1/3rd rate respectively on account of the expenditure required to be made for the running of the primary schools to be opened at villages Nivali, Charvely, Velvand and Math in Ratnagiri Taluka and Kuven and Kondhen turf Soundal in Rajapur Taluka, this Board is prepared to open new schools in those villages."

Mr. V. A. SURVE (*In Hindi*): If the district local board agrees to bear its share of the expense according to their resolution, will Government be pleased to give grants for the building of these schools ?

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, it is a hypothetical question.

Mr. V. A. SURVE (*In Marathi*): According to the resolution passed, schools have to be opened in certain villages. What share is Government going to contribute towards the cost of building of those schools ?

The Honourable Dewan Bahadur S. T. KAMBLI: The fact, Sir, is that only the school board has passed the resolution. It has not been sent even to the local authority, that is the district local board, and much less has it been sent to the Director of Public Instruction or Government. Unless it is sent in the usual way, I cannot say anything on the matter.

Mr. V. A. SURVE: Is there any hope of Government giving their contribution if the district local board sends it ?

The Honourable Dewan Bahadur S. T. KAMBLI: That is a hypothetical question.

Sardar Rao Bahadur B. R. NAIK: There is a misunderstanding on this question. There is no question of any building grant. Government say that the Director of Public Instruction has reported that no proposal in the matter has been received either in his office or in that of the Educational Inspector. Will the Honourable Minister be pleased to state, if representation is made to the Director of Public Instruction, whether Government will be pleased to give their share, namely two-thirds, for opening these schools ?

The Honourable the PRESIDENT: The district local board has not considered the resolution of the school board. First, the district local

board must give its approval, and then it must be sent up to the Director of Public Instruction.

Sardar Rao Bahadur B. R. NAIK : My question is this. In case this resolution is adopted by the local authority, will the Government give its share ?

The Honourable the PRESIDENT : That is a hypothetical question.

The Honourable Dewan Bahadur S. T. KAMBLI : Hypothetical questions cannot be asked.

Mr. V. A. SURVE : Are the schools likely to be opened at all ?

The Honourable Dewan Bahadur S. T. KAMBLI : I cannot say unless the representation is made to Government through proper channels.

Dr. M. K. DIXIT : This resolution has reached Government's hands ; has it not ?

The Honourable Dewan Bahadur S. T. KAMBLI : Not at all. Even the district local board has not considered the school board's resolution.

Dr. M. K. DIXIT : If it comes to the Honourable Minister, it is tantamount to coming to Government.

The Honourable Dewan Bahadur S. T. KAMBLI : How ?

The Honourable the PRESIDENT : I think the question is put too early, before the actual case has reached Government. It should go to Government through the usual channels. Unless that is done, wishes expressed to the Honourable Minister will not help.

RECOVERY OF IRRIGATION DUES IN THE DECCAN CANALS AREA.

*Mr. A. N. SURVE (Bombay City, North) : Will the Honourable the Home and General Member be pleased to state—

(*a*) the average rate of gul per palla of 250 lbs., based on prices prevailing in the Deccan Canals area during the months of February, March and April, for the years 1928, 1929, 1930, 1931, 1932 and 1933 ;

(*b*) the number of years for which the irrigation dues are outstanding from the irrigators of the said area ;

(*c*) the water rate per acre per year fixed for sugarcane before and after the year 1925, with the reason for the increase, if any ;

(*d*) whether the water rate was collected at the increased rate ; and if not, why not ;

(*e*) whether it is a fact that coercive processes for the recovery of irrigation dues were suspended by a Government order since 1930-31, as a matter of relief to the irrigators ;

(*f*) whether it is a fact that the said order is withdrawn and in its place a fresh order has been issued directing that the current year's irrigation dues, with 1/3rd of previous arrears, be recovered under coercive processes ; if so, the reasons therefor ;

(*g*) the rate per acre per year at which the current year's dues are collected ?

The Honourable Mr. R. D. BELL: (*a*) The average rates of gul per palla of 250 lbs. (of 40 tolas each) based on the fortnightly average wholesale prices ruling in the Poona market during the months of February, March and April for the years 1928, 1929, 1930, 1931, 1932 and 1933 are as under:—

	Rs.	a.	p.
1928	22	5	10
1929	27	5	6
1930	25	10	11
1931	17	11	7
1932	16	4	11
1933	12	10	4

(*b*) It is presumed that clauses (*b*) to (*g*) of the question have reference to the following major irrigation works in the Deccan Irrigation Circle—

(1) The Nira Left Bank Canal and Shetphal Tank.
(2) The Nira Right Bank Canal.
(3) The Mutha Canals and Matoba Tank.
(4) The Pravara Canals.
(5) The Godavari Canals.

The number of years for which the irrigation dues are outstanding varies for the several canals. Some of the arrears date back to 1926.

(*c*) and (*d*) A water rate of Rs. 66 per acre per year for sugarcane was first sanctioned in 1923 for introduction with effect from 15th February 1924. The rate has, however, not yet been introduced for the reason that the sugarcane industry has been passing through an anxious period due to low Gul prices and increased cost of labour and manure. The rate of Rs. 45 per acre per year has in consequence continued in force. The general conditions have been considered from year to year and the rate has been regulated accordingly.

(*e*) and (*f*) As regards the recovery of irrigation dues for 1930–31, orders were issued that the use of coercive processes for the collection of irrigation water rates in respect of which no concessions had been given should be suspended, owing to bad economic conditions, but that that concession did not apply to the arrears of previous years. With regard to the recovery of irrigation dues for 1931–32, orders were issued that one full year's dues should be collected and where the bagaitdars paid them with reasonable promptitude they might be allowed further time to pay off arrears of previous years and coercive processes should not be enforced for the collection of the latter dues. As regards the recovery of irrigation dues for 1932–33 orders have issued that ⅓rd of the actual arrears of irrigation revenue, calculated in round figures, plus the current demand should be recovered, under coercive processes if necessary, as Government are satisfied that a proportion of the arrears are owed by people who were in a position to have paid them in the season when they fell due. The Collectors of Districts have been further authorised to effect recoveries in full where they consider that this can properly be done, or to recover in genuinely hard cases less than ⅓rd, but not less than ¼th, of the actual arrears plus the current demand.

(*g*) Rs. 45 per acre per year for sugarcane subject to the concession of remission of extra charge for water supply beyond 12 months, up to maximum period of 3 and 6 months for 'Overlap' in 'Sali' and 'Adsali' plantations, respectively. This concession applies to the irrigation dues for the years 1932–33 and 1933–34.

DEPARTMENT OF INDUSTRIES: ABOLITION.

*Mr. V. A. SURVE (Ratnagiri District): Will the Honourable Minister for Education be pleased to state—

(*a*) whether Government are aware that the cost of conducting the weaving schools in the Presidency, *exclusive of supervision*, is enormously increasing since 1912;

(*b*) whether Government are aware that the Department of Industries is spending nearly 1 lakh and twenty-five thousand annually to maintain the staff;

(*c*) whether Government have considered the feasibility of abolishing the whole department and transferring its duties to the Collector of Bombay or to the Director of Information or to the Registrar of Co-operative Societies as before?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) The cost of conducting weaving institutions in the Bombay Presidency exclusive of supervision has increased appreciably owing to the increase in the number of peripatetic weaving institutions and the establishment of a Central Hand Weaving Institute for the Presidency at Poona.

(*b*) In 1933–34 an amount of Rs. 1,21,400 has been provided for expenditure on the staff of the Industries Department, inclusive of the staff at the R. C. Technical Institute, Ahmedabad.

(*c*) Yes, but they have decided to continue the Department on its present scale and lines.

RACE-COURSE, BOMBAY: PROPOSED ABOLITION OF SECOND ENCLOSURE.

*Mr. A. K. RESALDAR for Mr. SYED MUNAWAR: Will the Honourable the Home and General Member be pleased to state—

(*a*) whether he is aware that the Western India Turf Club have recently reduced the price of admission ticket to the Second Class enclosure of the Race-course at Bombay;

(*b*) whether he is aware that in consequence of this reduction a very large number of people of lower, middle and poorer classes are attracted to races;

(*c*) whether he is aware that the Third Class enclosure was abolished some years ago in order to prevent poorer classes from going to races;

(*d*) if so, whether Government intend to abolish the Second enclosure?

The Honourable Mr. R. D. BELL: (*a*) Yes.

(*b*) Government have no such information.

(*c*) It was considered expedient at the time to restrict the facilities for betting on the race-course.

(*d*) No.

CIVIL RESISTERS.

*Dr. V. G. VAISHAMPAYAN (Sholapur City) : Will the Honourable the Home and General Member be pleased to state—

(*a*) whether Government are aware that a political conference was held in Poona in the month of July 1933 ;

(*b*) whether Government are aware of the resolutions that were passed in that conference ;

(*c*) whether Government are aware that one of the resolutions adopted in that conference was that mass civil disobedience was to be withdrawn ;

(*d*) whether Government are aware that another resolution passed in the conference was to the effect that individual civil disobedience was to continue ;

(*e*) if so, the number of civil resisters, i.e., those that sought imprisonment since the decision of the conference ?

The Honourable Mr. R. D. BELL : (*a*) The honourable member apparently refers to the informal conference of congress leaders which was held in Poona from the 12th to 14th July 1933.

(*b*) Government saw press reports of certain decisions said to have been arrived at in the Conference.

(*c*) and (*d*) No.

(*e*) Does not arise.

Dr. V. G. VAISHAMPAYAN : I want to know whether Government saw the press reports and then gave a reply to this question ?

The Honourable Mr. R. D. BELL : Yes, Sir. Government saw the press reports and then gave the reply.

Dr. V. G. VAISHAMPAYAN : I want to know whether mass civil disobedience movement was stopped by the Congress ?

The Honourable Mr. R. D. BELL : The answer is already there.

Dr. V. G. VAISHAMPAYAN : Only individual civil disobedience was to continue ; was that one of the resolutions of the conference ?

The Honourable the PRESIDENT : That was what was reported in the press. The Honourable the Home Member has stated that no official communication had come to Government and therefore they could not take any official notice of that. What the honourable member has read, the Government have read.

Dr. V. G. VAISHAMPAYAN : I want to know whether there was a diminution in the number of civil resisters after that ?

The Honourable Mr. R. D. BELL : There was an increase.

Dr. V. G. VAISHAMPAYAN : Did they even then see fit to continue the Special Powers Act of 1932 ?

The Honourable Mr. R. D. BELL : The Special Powers Act was not extended till the end of November or the beginning of December, four or five months after this.

CO-OPERATIVE SOCIETIES IN CENTRAL DIVISION: OBJECTS.

*Rao Bahadur R. V. VANDEKAR (Nasik District): Will the Honourable Minister for Education be pleased to state—

(*a*) the number of better living co-operative societies in each district of the Central Division;

(*b*) how many of these societies have got the following objects before them:—

(1) to reform the bad customs,
(2) to promote thrift,
(3) to give necessary help to children in educational pursuits,
(4) to look after the hygienic requirements, and
(5) to provide for the supply of water in villages?

The Honourable Dewan Bahadur S. T. KAMBLI:

(*a*)

West Khandesh	2
Satara	1
Sholapur	1
Poona	*Nil*
Nasik	*Nil*
Ahmednagar	*Nil*
East Khandesh	*Nil*

(*b*) Three of the four societies have as their objects all the objects mentioned in the question and one has only the first three objects.

UNSTARRED QUESTIONS AND ANSWERS.

ARRESTS AT BELGAUM ON 28TH SEPTEMBER 1933.

Mr. R. R. BAKHALE: Will the Honourable the Home and General Member be pleased to state—

(*a*) whether it is a fact that on 28th September 1933, Messrs. Jayadeo Govind Kulkarni, Gundo Subrao Udmale and Raghavendra Hari Kale were arrested at Belgaum and handed over to the police of the Sangli State at Shahapur;

(*b*) if so, whether they had committed any offence at Belgaum and under what law they were arrested and handed over to the police of the Sangli State;

(*c*) whether they were subjects of the Sangli State;

(*d*) whether it is a fact that they were taken from Shahapur to Sangli and subsequently released?

The Honourable Mr. R. D. BELL: (*a*) No. It is understood that the individuals in question were arrested at Shahapur by the Sangli State Police.

(*b*) Does not arise.

(*c*) Jayadeo Govind Kulkarni and Gundo Subrao Udmale were born in British India but are residents of Sangli State. Raghavendra Hari Kale is a subject and resident of Sangli State.

(*d*) It is understood that the individuals were taken from Shahapur to Sangli and subsequently released.

BILL No. II OF 1934 (A BILL FURTHER TO AMEND THE BOMBAY FINANCE ACT, 1932).

Mr. C. N. PATEL *rose.*

The Honourable the PRESIDENT: Before the honourable member proceeds, I might request honourable members who wish to speak to curtail their remarks limiting them to the main issue before the House and not repeat what has already been stated, so that time may be saved. This is going to be a long session and every honourable member ought to assist in saving time.

Mr. C. N. PATEL (Kaira District): Sir, the cost of litigation ought to be within the easy reach of the litigant. But the cost in this presidency has been prohibitive. So, Sir, I wish Government to see their way to curtail the cost of litigation.

Yesterday, I inadvertently made an incorrect statement as regards fees on suits of the value of Rs. 1,000, namely that the fees were increased from Rs. 50 to Rs. 75. It was a mis-statement, and I correct that. With these remarks, Sir, I would commend the amendment moved by the honourable member Mr. Surve to this House, and I hope Government will accept it.

Rao Bahadur G. K. CHITALE (Ahmednagar District): Mr. President, I wish to add only a very few words. I find from the report that there is a saving of about 10 lakhs under Administration of Justice. We are told in a very illuminating manner that that saving was only apparent as no rent was charged to High Court buildings and so on, and that if that were done all the saving would be absorbed. I wish to inquire, Sir, whether rent is not charged in these accounts, as in the case of other institutions, in the way of formal crediting and debiting. That is the only inquiry I wish to make.

The Honourable Mr. R. D. BELL: No, Sir.

The Honourable the PRESIDENT: The honourable mover for a reply.

Mr. A. N. SURVE: No reply, Sir.

The Honourable Sir GHULAM HUSSAIN: I will only say a few words, Sir. As regards the saving of 10 lakhs of rupees, the honourable member should bear in mind that on judicial buildings we have spent crores of rupees, and we have to maintain those buildings. Then the pensionary charges of the Judicial Department have to be taken into account. If you take that into consideration, I do not think there will be a saving of 10 lakhs, or any saving at all.

Another point to which I wish to draw the attention of the House is that, if we accept this tall order of the mover of the amendment, it means that we will be depriving this Presidency of a revenue between Rs. 4 to 5 lakhs.

The third point that the House should bear in mind is that in most cases we are charging *ad valorem* fees. During the whole of the last week we have heard that the prices of agricultural lands have gone down and

[Sir Ghulam Hussain]

even the prices of buildings have depreciated. That means that the litigants have generally to pay less than they did in 1922. (*An honourable Member:* "Not all.") I don't say in all cases. I say in most cases.

The honourable member read out the reasons which induced Government to increase the rates. They were (1) maintenance charges of the courts. They continue the same. (2) Salaries of the staff. The salaries of the existing staff have not been reduced. They are the same. We have revised the scales in the case of new entrants. That saving will fructify after some time. (3) Helping the nation-building departments. If the honourable member refers to the figures of expenditure on nation-building departments in 1922, he will find that we are now spending much more than we did in 1922.

I hope this explanation will satisfy the honourable member and induce him to withdraw the amendment.

Mr. L. R. GOKHALE: On a point of information. Is the increase of revenue due to court-fees or general stamps?

The Honourable Sir GHULAM HUSSAIN: Both. I have not got separate figures.

Question put, and negatived.

Mr. A. N. SURVE (Bombay City, North): Sir, I beg to move:

In Part IV, Stamp Duties, in Schedule—Column 3. Reduce by 50 per cent. the amount increased over the original fee.

Sir, I have already explained the meaning of this amendment when I was speaking on the previous amendment. But I am moving this amendment now on altogether different grounds. In the year 1922, when the Stamp Act was amended for the first time, the Honourable the then Finance Member gave certain reasons. I shall just read out what he said at that time:

"I would remind the House, Sir, that of the existing taxation in non-judicial stamps the Bombay city now pays two-thirds of the total non-judicial stamp revenue of the Presidency. That is, about 67 lakhs are derived not from lands, but from the flourishing industries of Bombay city."

The Finance Member of that day thought he was justified in receiving a fat slice from the profits of industries of the city which he considered at that time to be flourishing. If that was the reason that led Government to increase the stamp duty, then there is the strongest possible reason why Government should accept my amendment to-day because to-day the industries are not prospering but are dying, and whatever little trade there is still left is being diverted. Government have themselves admitted it. I shall just remind the House of paragraphs 8 and 9 of the Honourable the Finance Member's speech introducing the Budget. He warned us that the mill industry is passing through a crisis, that the trade is being diverted, and so on. If that is the situation to-day, there is all the more reason why Government should, of their own accord, come forward and lighten the burden which is paralysing the trade of the city. Sir, the trade and industries are a very complex organisation. If one

[Mr. A. N. Surve]

part of it goes out of order, it paralyses the whole machinery. Take the mill industry or cotton export. All these things are connected. If one thing goes on well, then everything works well. If one thing is stopped, then everything stops automatically.

The Honourable Sir GHULAM HUSSAIN: May I ask the honourable member how trade affects the stamp duties?

Mr. A. N. SURVE: Because the traders find that on account of the heavy impost which is placed upon them, they have no margin of profit left and no inducement to enter into transactions.

The Honourable Sir GHULAM HUSSAIN: What transactions?

Mr. A. N. SURVE: Why is trade being diverted from Bombay Why is Government thinking of taking away the duty on cotton bales

The Honourable Sir GHULAM HUSSAIN: That is quite different.

The Honourable the PRESIDENT: How is the honourable member connecting trade and stamp duties?

Mr. A. N. SURVE: I am coming to that. I shall read a portion from the statistical tables issued by the Stamp Department in the Bombay Presidency and Sind for the year 1922. I am reading paragraph 25. Let the Honourable the Finance Member note what I am reading:

"The increase in the revenues from general non-judicial stamps under the several heads in the city of Bombay is due to the enhancement in the rate of duty. But for the above reason, the revenue shows a downward tendency due to slackness in trade and cessation of land speculation."

In 1922 the Finance Member told us that the industries of Bombay were flourishing. I have read from the report of the same year. What do we find? We find that at that time the Honourable the Finance Member had practically mis-stated the actual facts. You, Sir, always give us the ruling that whenever a statement is made from the benches opposite, we must accept it as true. But here the Nemesis has overtaken the other side. When actually the trade was in a depressed condition, the Honourable the Finance Member of that day gave us to understand that trade was in a flourishing condition.

Coming now to the point about how the stamp duty affects trade, I will just draw the attention of the Honourable the Finance Member to the last four words, viz., "cessation of land speculation." About the year 1919-20 to 1921-22, there was land speculation and on that account many transactions were entered into and Government obtained a very large share of stamp revenue. There are now signs of land being sold. Government themselves admit that there are prospects of lands in block No. 2 of the Development Department being sold. There are also signs that land is being sold in the northern part of the city and in order that the traders may not be discouraged, I say Government might lighten the duty, and with this idea I have been urging that they should give a little inducement, and this is the object my amendment has in view.

Then, Sir, I will now draw the attention of this House to the three canons which were enunciated by the Honourable the Finance Member

[Mr. A. N. Surve]

of that day, Sir Henry Lawrence. At that time he stated that anyone who suggested that this tax is a tax that would fall heavily on rural shoulders was entirely mistaken, that it was easy to collect, that it would fall on shoulders that are well able to bear it and that the proportion that would go into the public exchequer was always 100 per cent. of the amount collected. These are well-known canons of taxation to which Sir Henry Lawrence referred. Now take the second canon which was enunciated. It was that it falls on shoulders that are well able to bear it. Is that a fact to-day? Are the merchants able to bear the taxation to-day? That is the question. If you say they are, I draw your attention to the statistical Tables just mentioned under the heading "Collection of Taxes from Bombay City." They are not to-day even 50 per cent. of what they were in 1922-23. These are the points which deserve the serious consideration of the Honourable Member in charge of this Bill. I am very sorry, Sir, to see that when I have been very serious and when I have been trying my best to place the case of my constituency before him, he has been taking it all very lightly, and he has been discouraging me by his smiling at the arguments which I have advanced. Even if my arguments may appear quite absurd to the Honourable the Finance Member, I am sincere, and I am addressing the House in the interests not of Government alone but of the constituency which I represent. For that reason, Sir, I again appeal to him that instead of asking me to withdraw my amendment, the Honourable the Finance Member should accept it.

Question proposed.

The Honourable Sir GHULAM HUSSAIN: Sir, I have every sympathy with the mover of the amendment, but I do not think that anyone can stop me from smiling. I think the honourable mover ought on the contrary to admire me because I always take even his vehement attacks with a smile.

3 p.m.

Now, Sir, the honourable members have heard all the arguments advanced by the honourable the mover. He says that taxation falls heavily on the city of Bombay, and yet when he wound up his speech, he said now it has been considerably reduced and Government get nothing. Then, why should he bring his amendment? I for one cannot understand.

Then, Sir, he talked of the interests of his constituency. I have every sympathy with the interests of his constituency, but he ought to realise that he must make out a good case for his constituency. He says that it hampers trade. I am very much surprised at that statement, Sir, because the tax is not levied on transactions in cotton or in anything else. Again, the honourable member has forgotten the fact that the duty is charged *ad valorem*. He says the prices have decreased considerably, so we shall automatically get less. But what after all is the burden put upon speculators by this stamp duty? Do we not know what high prices they pay for land in the city of Bombay even to-day? I think, Sir, on the contrary if this duty is levied, it will stop or

[Sir Ghulam Hussain]

curb speculation in lands, and for such a result the honourable member's constituency ought to be grateful to Government.

Now, Sir, the honourable mover said that Government also have their Back Bay lands, and people will not come forward to purchase them. I do not think they will take into consideration this small stamp duty—those who really want to purchase our Back Bay lands. I may remind the honourable member that those who want to purchase lands in the city of Bombay to-day are not likely to be any of his constituents. I believe he represents the northern part of the city where there are very few capitalists who invest their money in lands. I am sure those who have money find in these days that land is the safest investment, and whether we reduce the stamp duty or keep it as it is to-day, they will still invest their money in land. I hope therefore the honourable mover will withdraw his amendment.

Question put, and negatived.

Clause 2 ordered to stand part of the Bill.

The Preamble ordered to stand part of the Bill.

Third reading.

The Honourable Sir GHULAM HUSSAIN: Sir, I now move that Bill No. II of 1934 (A Bill further to amend the Bombay Finance Act, 1932) be read a third time and passed.

Bill read a third time.

Question put, and agreed to.

The Honourable the PRESIDENT: The Bill is now read a third time and passed.

SUPPLEMENTARY GRANTS.

Extension of Pleaders' Chambers in the District and Sessions Court Buildings, Ahmedabad.

The Honourable Khan Bahadur D. B. COOPER: Sir, I move for a token grant* of Rs. 10 under 41-Civil Works—Provincial (partly Reserved and partly Transferred).

Question put, and agreed to.

Grant to the Regional Committee for the Exhibition of Modern Indian Art in London.

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, I move for a token grant† of Rs. 10 under 30-Scientific Departments.

Question proposed.

Rao Saheb P. D. KULKARNI (Poona District): Sir, I rise to oppose this grant, because in my opinion it is not at all for the benefit of the country. This kind of expenditure was considered with great care by the Reorganisation Committee and they gave their considered judgment against providing funds for such objects. I am reading an extract

* Appendix 7. † Appendix 8.

[Rao Saheb P. D. Kulkarni]

from the Committee's report which will throw proper light on this subject :—

"Whether a province verging on insolvency has a right to continue to be a patron of the fine arts. We fear the answer must be in the negative."

[Report of the Reorganisation Committee, paragraph 275, page 154.]

Taking into consideration the stringent financial circumstances of the presidency, when we have not got sufficient money to spend on the Industries Department and for other nation-building departments, it is but superfluous to provide anything out of the taxpayers' hard-earned money on an object of this nature. Taking into consideration the recommendation of the Reorganisation Committee and their views on the subject, I think it is useless to spend this money in this way. At least we cannot afford to spend it outside our country, leaving aside immediate wants of all the departments which are nation-building departments, keeping them starving and sending the money outside for which we have made no demand. It is stated in the open Council that the recommendations of the Reorganisation Committee in these matters will be enforced *in toto*. This has been stated by His Excellency the Governor in his address to the Council on the 6th February 1933, printed at page 51 of Volume XXXVII of the Council Debates. His Excellency said :

"....We are determined to give effect to the Committee's proposals...."

Taking into consideration the views of His Excellency the Governor, taking into consideration the views of the Reorganisation Committee, and looking to the meagre grants for the Department of Industries and other nation-building departments, and when they are not able to fully recoup the cut of 20 per cent. in the education grant, I think it is not equitable to spend money on such items. It will be said that our articles will be shown there, and there will be many customers in foreign countries for these articles. But when there is no provision for the textile industry and cottage industries here in the Presidency, what is the use of making provision and supporting an enterprise which is supposed to be of advantage only after we get sufficient supply here ? As we are on the verge of insolvency, I do not think it wise to waste money for these purposes of unproductive nature. With these remarks I oppose the grant.

Mr. R. B. EWBANK : Sir, I should like to explain to the honourable House what the purpose is behind the exhibition which is going to be held in London this autumn. The India Society at London desire to give wide publicity to modern Indian art. We have seen that Bengal has already secured a very large place in the eye of the public at Home. We are very anxious that on this occasion Bombay should show what it is able to do. In the recent exhibitions of the Bombay Art Society and elsewhere, I think there can be no question that Bombay has shown during the last few years very great progress, and when he visited the exhibition His Excellency the Governor himself said that he considered that the standard of art accomplishment which had been reached in

[Mr. R. B. Ewbank]

Bombay was such as would attract attention in many of the art galleries in Europe. Well, Sir, this art exhibition has given us an opening to compete with all other provinces on equal terms in order to secure recognition abroad; and the position is not that the Bombay Government is wasting money on the patronage of fine art. That was one of the elements, no doubt, in their decision. But, Sir, there is a very large number of artists in Bombay. There are 600 students attending the School of Art (not all for painting) but there are over 200 students in painting. All these men have to find a livelihood for themselves when they have finished their course, and the public in this country interested in art is not yet large enough to support an artistic profession on this scale. In the West there is a great demand and an increasing demand for Indian art, particularly for the modern paintings. The particular characteristics which characterise Indian art are the flowing line and the flat colour, and we hope that when the work of Bombay is brought more prominently to the notice of people in London, further openings will be created for young artists on this side of India. The cost to the committee of sending the works of art from this side of India will be Rs. 8,000. The Regional Committee, which includes men like Mr. Jayakar and Sir Phiroze Sethna, hope to raise at least Rs. 6,000 by subscriptions, and the grant which Government is asked to give on this occasion is only Rs. 750. I submit, Sir, that that is a very small grant, considering the very great advantages which we expect will accrue from this exhibition.

Question put, and agreed to.

Asphalting Sholapur-Osmanabad Road.

The Honourable Khan Bahadur D. B. COOPER: Sir, I move for a token grant* of Rs. 10 for the asphalting of the Sholapur-Osmanabad Road, under 41-Civil Works—Provincial (partly Reserved and partly Transferred), original amount Rs. 1,24,69,000 *plus* Rs. 10.

Question proposed.

Mr. G. S. GANGOLI (Kanara District): Sir, I rise to oppose this grant, and my reason for opposing it is simply this, that all subjects of His Majesty should be treated alike. I wonder why this particular road should be asphalted, when there are other roads in other parts of the presidency without any prospects of improvement whatsoever. This question was also discussed once, I think, in the Road Board, and there too the scheme was objected to by the members of this Council.

If there is anything that Kanara demands most and first, it is the supply of roads. On the question of the supply of roads, all persons, both officials and non-officials are united. The Inspector General of Police, the Collector, the District Superintendent of Police and the District Engineer are all united in saying that Kanara is badly in need of roads and roads should be provided. There are several roads under water; several creeks and ferries have to be bridged; there are so

* Appendix 9.

[Mr. G. S. Gangoli]

many tolls, but there are no good roads. At several places, the provincial trunk roads are only about 10 feet wide, so as not to allow one cart to pass another. If that is the state of things in one part of His Majesty's dominions, I do not know why there should be broader roads in other parts, and why some of them should be specially selected for asphalting, when some parts are neglected. All parts of the presidency should be treated alike, and at least we must have the smallest possible number of roads with the smallest possible width. That should be considered the first thing. I oppose this grant.

Rao Bahadur S. N. ANGADI (Belgaum District): Sir, I rise to support this demand. It was pointed out by my honourable friend that the Board of Communications had a discussion about this demand and most of the members thought it was not necessary. The position really was not like that. I was one of those who objected to the money being spent there, but on certain explanations being offered, particularly by the honourable member Mr. Smart, the Commissioner for the Central Division, I agreed to this expenditure being incurred. It must be remembered that the municipality is willing to give its quota and has already provided for it; and the Government itself has not got to spend the whole amount, and, as it is stated in the note, certain sections of the road have been very badly cut and the dust nuisance is very considerable. Under these circumstances, Sholapur being a very big city, and the traffic being extremely heavy, I think it is only reasonable that this demand should be granted, in view of the fact that the municipality has come forward to bear a very large share of this expenditure. Under these circumstances, I am glad to support this demand.

Khan Bahadur ABDUL LATIF HAJI HAJRAT KHAN (Poona and Sholapur Cities): Sir, I rise to support this grant. I only want to point out to my honourable friend Mr. Gangoli that the Sholapur municipality has promised to pay a grant of Rs. 37,454, out of which the municipality will pay during the current year Rs. 15,000 and the balance next year. Besides, if the honourable member reads the note further, he will find that the Sholapur municipality has also agreed to exempt all through traffic on provincial roads within the municipal limits from payment of toll. But the main point that I want to make is altogether different. My point is that though this amount has been provided, no work has been done up till now. I think orders have been issued to get on with the work, but nothing has been done so far. Therefore, I would request that the work should be done as early as possible.

Mr. MAHOMED HASHIM GAZDAR (Karachi City): Sir, I rise to oppose this grant. I find that heaps of money are being spent in the presidency proper on roads, but nothing is done for the roads in Sind. There are hardly 100 to 150 miles of metalled roads in Sind, but their condition is so bad that the so-called metalled roads even between the most important towns are intrafficable. I will give you one example. An amount of 6 lakhs was spent some years ago by Government to construct a road between Sukkur and Shikarpur. If it had been

[Mr. Mahomed Hashim Gazdar]

asphalted and given some cheap surface coal coat,—some such promise was given at that time—at a very small cost, that road would have been kept in very good condition. What is the condition to-day? If anybody goes over it, he will break the axle of his car or some other harm will be done to him. I therefore suggest that if Government has got any money, it should be diverted to road construction in Sind, because we hardly get 5 per cent. of allotment made by Government for communications in the Presidency.

Sardar Rao Bahadur B. R. NAIK (Surat District): Mr. President, as one of the honourable members who is a member of the Road Board said that some of the members of the Road Board passed this grant when it was discussed in a meeting of the Board, I should like to say that I am one of those who opposed this grant in the meeting of the Road Board, and I still oppose it on principle. It is said that this road passes through the city of Sholapur and it is a provincial road. There are several cities in the presidency through which provincial roads pass. I will give the instance of Surat. There is one road there from Hope bridge to the railway station, and it is a provincial road. Why should Government undertake to repair that road? It was on this principle that I opposed this in the Road Board meeting, and I still oppose it here. If Sholapur was given this grant, the question I very pertinently put to the President of the Road Board was whether, if other municipalities came forward with half the amount for asphalting provincial roads within the areas of those municipalities, would they be given a moiety, that is, half the share of the expenditure. But no such assurance was forthcoming from the permanent chairman or from my honourable friend Mr. Smart who took the Chair for a short time. It is on the very same principle that I oppose the grant now. I have nothing to say about the Sholapur municipality. Perhaps the road is in a very bad condition; perhaps it requires repairs, and I have nothing to say against it. It is the principle of the thing that I oppose. If the Honourable Minister for Local Self-Government, who is in charge of this portfolio, is prepared to give us an assurance that if other municipalities come forward, agreeing to bear half the share of the cost of repairing provincial roads which lie within their boundaries, and the other half of the expense will be borne by Government, I will have no objection to support this demand. But in the absence of any such undertaking, I must oppose it.

Dr. V. G. VAISHAMPAYAN (Sholapur City): Sir, I rise to support the grant. I must point out in the beginning that even though this road runs from the station to the city, there are various other roads running from the station to the city, to which the traffic could be diverted from the provincial road. The municipality of its own accord has come forward with a contribution of Rs. 15,000 [*Honourable Members:* It is Rs. 37,000]. I know that the municipality had already sent a cheque for about Rs. 15,000, but it was returned by the Government, because their portion of the money was not available with the Government

[Dr. V. G. Vaishampayan]

then at the time of repairing the road. The municipality has got that money in hand, and now it is the duty of the Government to make their contribution. It is a provincial road, and if the municipality wants to divert its traffic to other roads, it can conveniently do so. But it is the primary duty of the Government to maintain this road, and that is why this demand is made. I therefore very heartily support the grant.

Question put, and agreed to.

Creation of additional Assistant Director of Public Health for Central Registration District.

The Honourable Khan Bahadur D. B. COOPER: Sir, I move for a token grant of Rs. 10 under 33, Public Health—Transferred, for the Central Registration District for reasons printed in the note* circulated to honourable members.

Question put, and agreed to.

Appointment of Special Officers for the recovery of dues of Co-operative Societies.

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, I move for a token grant of Rs. 10 under 34, Agriculture—Transferred.†

Question proposed.

Mr. G. S. GANGOLI (Kanara District): Sir, I rise to oppose this grant. We are called upon to vote for a grant for the creation of certain officers or for continuing certain officers. What is the duty of these officers? Their duty is to deprive the landholders of their holdings. That is exactly how it is working in practice. Yesterday we discussed about moratorium and relief to agriculturists. Instead of that the Honourable Minister comes forward with a demand for a grant for the purpose of appointing certain officers or for continuing certain officers to deprive the agriculturists of their lands for the debts due to co-operative societies. We know the position of the agriculturists who are under the clutches of the sowcars and money-lenders. If the case of an agriculturist who owes money to a co-operative society is referred to this officer, a fee of Rs. 5 will be charged to the agriculturists for every Rs. 100. The officer summarily decides the case and deprives him of his holding. So, I oppose this grant.

Sardar Rao Bahadur B. R. NAIK (Surat District): Sir, I support this grant. I agree with some of the remarks made by the honourable member Mr. Gangoli that the officer should not be harsh in recovering the dues. I believe these officers are being appointed on the representation made by the district co-operative banks, co-operative societies and co-operative conferences.

Mr. G. S. GANGOLI: They are creditor banks.

Sardar Rao Bahadur B. R. NAIK: Of course, they are lending money to the agriculturists. There are some agriculturists who have borrowed

* Appendix 10. † Appendix 11.

[Rao Bahadur B. R. Naik]

money from the co-operative banks and though they may be able to pay they do not pay. In order to recover such dues, co-operative banks and the Co-operative Institutes had applied to Government for giving special officers for this purpose. But I would like to suggest to the Honourable Minister that he should impress upon the co-operative banks and co-operative societies and the collectors that the special officer should tackle the question in such a way that it causes no hardship to the debtor agriculturist when there is *bona fide* proof that the agriculturist is unable to pay. That is the request I have to make to the Honourable Minister. There are certain officers who are very zealous and who in order to show their work inflict hardship upon agriculturists who are really unable to pay. Under these circumstances, the Honourable Minister should give official instructions to Collectors, all the co-operative banks and co-operative societies and to all such officers appointed for the purpose of recovery that they should be lenient in this matter. I know as a matter of fact that the Honourable Minister was not willing to have this appointment. On account of the pressure brought upon him by the Co-operative Banks, Co-operative Institutes and co-operative conference he had to sanction these appointments and continue them. (*Mr. G. S. Gangoli:* They are creditor banks.) The co-operative banks are established to lend money to the agriculturists. I do not understand what my honourable friend Mr. Gangoli means by creditor banks. I do not understand what his definition is. [*Interruption.*] We must as well look to the interests of the creditors also. I hope the Honourable Minister will issue instructions not to be harsh to the agriculturists when there is proof that they are unable to pay. With these remarks, I support the grant.

Mr. G. S. GANGOLI: Is it a fact that as soon as a case is sent to the officer the debtor is to pay Rs. 5 more on every Rs. 100?

The Honourable Dewan Bahadur S. T. KAMBLI: He has to bear the cost of recovery and has thus to pay a certain amount up to a maximum of 5 per cent.

Mr. G. S. GANGOLI: It is a heavy amount.

The Honourable Dewan Bahadur S. T. KAMBLI: A defaulting debtor must bear the cost of recovery as he has been responsible for the default and for the recovery proceedings.

Mr. V. N. JOG (Dharwar District): Sir, I support this grant. These officers are being appointed especially at the instance of the co-operative banks and co-operative societies. Government was very reluctant to give this aid to the societies but on account of the insistent demands made by the various co-operative societies and co-operative banks, they have brought forward this grant for the appointment of special officers. My honourable friend Mr. Gangoli is thinking only about the agriculturists. There are certain obstinate agriculturists who, though they are able to pay, do not want to pay their debts. There are various depositors in the banks and it will be an injustice to them, in case their money is not returned to them. The running of the co-operative

[Mr. V. N. Jog]

societies is for the benefit of all the villagers. If a certain section of the villagers is to be given facility to cheat the others, in that case we should not grant this demand. We have been seeing for the last so many years that some land-owners are trying to avoid just payments. With these words I support this supplementary grant.

Rao Bahadur N. E. NAVLE (Ahmednagar District): Sir, I have no objection to this grant being made or to the appointment of recovery officers which is an urgent necessity if we look to the longstanding debts of these various co-operative societies. But a point which my honourable friend Rao Bahadur Bhimbhai urged is very important. The methods which some of the recovery officers employ are not desirable and that is the complaint. We ought not to be over-strict. The methods ought not to be out of sympathy with the agriculturists. The agriculturists who have not paid their dues for the last so many years because they were not able to pay should be treated with sympathy. I have already referred to this point in my budget speech. Even though an agriculturist-debtor came to the Collector with the amount due, his land was not returned to him. The sale was sanctioned and the land is lost to the agriculturist. I do not say that he should not pay the loan and his land should not be sold. Nobody, neither the society, nor the Government can wait to recover the money. In suitable and deserving cases a postponement must be given. I do not say that the land should not go to sale; but when the agriculturist comes forward with the money the sale of his land should not be sanctioned and the land should be given back to him.

Mr. G. S. GANGOLI: Is there any such rule?

Rao Bahadur N. E. NAVLE: Why should the Collector not give that concession to the agriculturist? The Collector is the officer who is to sanction the sale and not the recovery officer. I know the working of the co operative societies. I therefore appeal to Government to instruct the Collector not to sanction the sale if the agriculturist-debtor comes with the whole money and interest.

Mr. G. S. GANGOLI: Is there any provision in the Land Revenue Code?

Rao Bahadur N. E. NAVLE: There is a provision.

Sardar Rao Bahadur B. R. NAIK: There is provision.

Mr. SHAIKH ABDUL AZIZ (Central Division): Sir, after these special officers have been appointed, so many lands are being auctioned. At least in my own district hundreds of acres have been sold. In such cases when the lands are auctioned purchasers are not forthcoming, those lands are purchased by the co-operative societies themselves. The co-operative societies purchase them some for a nominal value, and others for market value and these lands in future are sold perpetually to others. My suggestion is that in case an agriculturist debtor is not able to pay the money at once his land should not be sold for market value; and that the co-operative society should

3-30 p.m.

[Mr. Shaikh Abdul Aziz]

take the lands for a nominal value, recover the debt from the yield from the land and return the land to the agriculturists. This arrangement was suggested at the time when Mr. Bhide was the Registrar of Co-operative Societies, who is at present the Collector of West Khandesh. He is of the opinion and also recommended to the Government that when the lands are auctioned by the societies to recover their dues and nobody comes forward to buy such lands then the societies should buy all such lands on nominal price and not on market price as is done in some cases at present and after realising the dues from the income of these lands, these lands should be handed over to the agriculturist from whom they were bought. It will create a great hardship if these lands are sold to others on market price in these days when the prices of everything have gone down. I request the Honourable Minister to consider the suggestion.

The Honourable Dewan Bahadur S. T. KAMBLI : What is the time limit proposed for returning the land ?

Mr. SHAIKH ABDUL AZIZ : If the area is a large one, the money will be realised in a few years. If the area is small, of course, it will take a long time.

Mr. L. R. GOKHALE (Poona City) : Sir, I rise to support this grant, but I have to point out that in spite of instruction to the officer appointed as to the way in which he should deal with these village lands, once these officers are authorised to sell the lands, they—at least some of them—use that power very indiscriminately, sometimes inflicting great hardship on the agriculturists concerned. I can point to an instance of a village near Poona, Vadgaon. When the money was advanced, it appears that all the officers, even the highest officers, of the society closed their eyes. A brother stood security to another brother or a brother-in-law ; the wife, husband, brother-in-law, all in the family managed to take loans in various capacities. In fact, when the security was given, the man who was made a member of the society on payment of one rupee, did not know what liability he was incurring. In that way innumerable persons became members, and only when their lands were sold they became aware of the fact that they were liable for the debts of all those for whom they had stood security. That is the way the Co-operative Societies Act is being worked. It has happened to my knowledge in the Haveli taluka and the Maval taluka. In fact in one of the villages, three-fourths of the land had been sold ; as nobody came forward to purchase the lands, the society had to take them over. But there was no farmer to cultivate the land. There was a sort of conspiracy in the village, a sort of feeling, against taking up the lands for cultivation. That land remains fallow for years, and the society can get no income.

There is hardship in the working of the Co-operative Credit Societies Act. And to add to the misery, this officer is appointed without any directions. He certainly does sometimes act very harshly. Under the Deccan Agriculturists' Relief Act, when the land is not specifically mortgaged, it cannot be sold ; when the rate of interest is high, it can be

[Mr. L. R. Gokhale]

reduced; sometimes, even when the rate of interest is reasonable, instalments granted, and the agriculturist saved. But what is the procedure under the Co-operative Societies Act? There is no provision made in the Act itself. In some of these cases, under the Land Revenue Code the Collector can certainly withhold his sanction for confirmation of the sale made by the officer. But that also is very rare. The Collectors do sanction in the majority of cases. I am told, always. With what result? What cannot be done under the Deccan Agriculturists' Relief Act is being done under the so-called Co-operative Societies Act resulting in the destruction of agricultural interests in many villages. I had thought Government must have given certain instructions to these officers, but on enquiry, I learned from one of them that he had no special instructions. I would like the department to issue some orders laying down some conditions under which we can both save the agriculturist and recover the money of the creditor society, if not immediately, at least in course of time. The land might be given back to the man whose land it was in lease for a period of ten years, to enable him to cultivate the land and liquidate his debt in instalments. That is a scheme which is just possible. We know that under the Encumbered Estates Act, the Wards Act and the Deccan Agriculturists' Relief Act, there are such schemes open. Have Government ever tried to see whether such schemes are practicable? That has not been done.

Then, there are cases where the standing crops are sold when they are not ripe for cutting. The result is that the money invested in the crop up to the time of sale is wasted, the second crop is not raised, and the land lies fallow. The officer who sells these lands does not use commonsense and discretion. He should see that the sale is postponed until at least the crop is ready. I can point out cases like this giving the survey numbers and the names of the owners of the land. The officers say that they have no instructions to do that. Now, in a particular instance, the people approached an officer in a body and requested him to postpone the sale until the crops were ripe, saying that by then they would even liquidate the debt. He said: "There is no provision under the Act and I have no instructions from Government. The only thing I can do is to push on with the sale." The land was put up for sale and was sold for a song. The society lost the money and the owner the land, and nobody was happy. This is the situation.

I hope Government will consider the whole question very carefully at a conference of the officers who are given these powers and issue them such instructions as will enable them to save both the agriculturists and the societies. Money has been invested by the societies. It is a sin of the past, for which the present people are suffering. But I feel that Government ought to take some constructive action and not only this action of appointing an officer to dispose of the lands for any price. I know of a piece of land worth Rs. 20,000 which was sold for Rs. 10. There are people who do purchase these lands. (*An Honourable Member*: Pleaders.) Unfortunately, in this case, the purchaser was a Maratha

[Mr. L. R. Gokhale]

landlord. I would not have stated that but for the remark made that it is pleaders who purchase these lands. Human beings are the same, whether they are pleaders, agriculturists, or *sowcars*.

Sardar Rao Bahadur B. R. NAIK : Who was the creditor ?

Mr. L. R. GOKHALE : In that case, a co-operative society. The question of Hindu and Mussalman, Brahmin and Non-Brahmin, ought not to find a place in the consideration of this matter. It is the nation's wealth that we are dealing with. It is from that point of view that we ought to consider this. We should see that the societies and the debtors meet together and work out a scheme to save the lands. Then, we may appoint the officer. With this suggestion, I support the grant.

Mr. V. N. JOG : Is it not a fact that the Collector does not sanction the sale if the price is inadequate ?

Mr. L. R. GOKHALE : It is a fact, but even the Collector is hoodwinked sometimes.

Mr. V. N. JOG : Is there no upset price fixed below which no bids are allowed ?

Mr. L. R. GOKHALE : No.

Mr. M. M. KARBHARI (Thana and Bombay Suburban Districts) : Sir, I do not see eye to eye with my honourable friends who have supported this grant. It is my experience that many of the cultivators do owe large amounts to the credit societies. But then we must consider that the ignorance of the poor villagers has been exploited by the societies. The existing position has been created more by the mismanagement of the societies than by the fault of the debtors. Then, we must also bear in mind that times have changed, prices of commodities have fallen considerably and the poor cultivators find it difficult even to pay Government dues. I have yet to come across a cultivator or a landholder who would not be prepared to shed the last drop of his blood to retain possession of his land. I cannot understand the arguments advanced by the honourable member Mr. Jog who said that some of the debtors were avoiding payment purposely. I fail to understand that argument, because I have never come across a man who would allow his land to be sold. The result of allowing this grant will be that the lands of poor agriculturists who have all along been bled by the *sowcars* will pass into the hands of people who are not real agriculturists. Through their ignorance, much of the land has already passed into the hands of moneylenders. Therefore, the distress which will be caused in the villages will be very great.

I do appreciate the idea that the money should be recovered from the agriculturists. But what should be done first is to appoint a committee to find out whether the agriculturists are evading payment even though they are in a position to pay or whether they are really incapable of paying owing to the depression over which they have no control. If he is not in a position to pay, and if the money has got to be recovered, the best course is for Government to ask the society to take possession

[Mr. M. M. Karbhari]

of the land and insist that the cultivator should be allowed to cultivate those lands on payment of some instalments spread over 12 or 20 years, leaving some margin for his support and maintenance. But the method suggested now is just the reverse of the methods that ought to be employed to save the agriculturists. I say emphatically, without any hesitation that every honourable member of this House, in the interest of the real agriculturists whose case they have always been pleading here, should oppose the grant and tell Government that unless and until they hold an inquiry and find out methods as to how best to recover the money without detriment to the agriculturists, Government will not be allowed this grant.

Rao Bahadur G. K. CHITALE (Ahmednagar District): Sir, as it happens always, there is the other side to the question. Neither the special officer nor the Collector, I must say, is so indiscreet as to say that the sale should go on in spite of depressing conditions. Everybody knows the procedure. Before lands are brought to sale various opportunities are given to the debtors for paying. I am sure that the individual officers who have been working for some time have shown sympathy enough. If a debtor is really earnest to make payments in small instalments the land of that debtor is not brought to sale. But somehow or other there was a weakening of the pressure that was necessary to get payments, and this has resulted in about 50 lakhs of rupees being in arrears for six years, and the co-operative societies having to go abegging. (*An Honourable Member*: What is the total debt?) I stated that 50 lakhs of co-operative debt are in arrears in the 18 districts in which the officers are working and it has brought ruin on several co-operative societies, and the word "co-operation" has been brought into contempt. I must say, Sir, that these officers do not bring the lands to sale if the debtors are willing to pay, but the debtors have become negligent and I should think they do deserve a little pressure at the beginning. If a little timely pressure is put, it will be helping the progress of the movement itself. These officers are not so independent as they are described to be. They work under the orders of the Collector, and the Assistant Registrar who is there helps him. Before the lands are brought to sale, there is always a *panchnama* held which compares the prices and, as the members of the *panchnama* have always to deal with the village people, it puts up the prices, with the result that no bidders can be obtained. That is well known to those who work in the co-operative field. Therefore, the sales become impossible. Then they are given another two months to pay up. Then there are petitions going to the Mamlatdar, Assistant Collector, Registrar and the Collector asking the sales to be adjourned or postponed. Even in my district, which is the poorest, the sales are never held if the debtor comes forward to discharge the debt. I should think, Sir, that is sufficient indulgence. Even after the sales are held, what is done is, not the whole group of people whose lands are sold, but individuals among them come forward and say "Please accept from me Rs. 500 and give me back my land".

[Rao Bahadur G. K. Chitale]

I should think that the Collectors are right in not allowing these lands to go to the individuals unless the full liabilities are shouldered and paid. Under those circumstances it is possible to extend every kind of sympathy. I may here maintain that the officers do show whatever sympathy is possible under the circumstances. But like all others, recalcitrant debtors even in the co-operative field are not to be given any indulgence. The moment has come when we should allow a little pressure, which is absolutely necessary at this stage. I would go further and say that when a fair proportion of the debt is recovered—say 10 lakhs out of a total debt of 50 lakhs—then is the time to show some indulgence. I find that by appointing these recovery officers, we have been able to recover about 10 lakhs a year. Then it will be appropriate to show some sympathy and spread over the debt to be paid by instalments. But I am certainly against showing any indulgence at the first stage. That is a weak policy which will ruin the movement.

Rao Bahadur N. E. NAVLE : On a point of information. Does the honourable member know that the debtor came forward with the whole of the debt for which he was liable—and not only Rs. 500 or Rs. 1,000—and still the auction sale was not cancelled ?

Rao Bahadur G. K. CHITALE : I do not admit the facts.

Rao Bahadur N. E. NAVLE : I can supply him with proofs.

Rao Bahadur G. K. CHITALE : I do not admit it.

Rao Bahadur N. E. NAVLE : It is a false observation.

Rao Bahadur G. K. CHITALE : You have to withdraw the expression "false".

Rao Bahadur N. E. NAVLE : I can prove it.

Rao Bahadur G. K. CHITALE : No; you have to withdraw the word "false".

The Honourable the PRESIDENT : Order, order. What is it that the honourable member objects to ?

Rao Bahadur G. K. CHITALE : He says that I have made a false observation.

The Honourable the PRESIDENT : That is unparliamentary. The honourable member the Deputy President should withdraw it.

Rao Bahadur N. E. NAVLE : Sir, if it is unparliamentary, I withdraw it; but I say it is an incorrect statement, which the honourable member Rao Bahadur Chitale has made.

Sir SHAH NAWAZ BHUTTO (Larkana District) : Sir, I have listened with very great interest to the debate on this demand, particularly the remarks of my honourable friend Rao Bahadur Chitale, which have induced me to say something on this subject.

Sir, I have been the chairman of the Co-operative Bank for the last 14 years, and I can say, safely from my own personal experience, that the steps which are proposed to be taken will prove futile, in view of the present depression. No good will come out of that. My honourable

[Sir Shah Nawaz Bhutto]

friend Rao Bahadur Chitale suggested that the time has come to use coercive measures. That shows his lack of knowledge so far as the state of agriculture is concerned. I do admit that there may be some stray instances in the Presidency proper where the working of the co-operative movement has not been quite satisfactory. But so far as our province of Sind is concerned, I can say that before the general depression the recoveries were 85 to 90 per cent. But for a year or two after the general depression made its appearance we tried our utmost to maintain that figure. So long as the people were left with some resources, we were able to effect recoveries. But the condition gradually grew worse. In the first year after the general depression appeared we were able to recover 45 to 50 per cent., instead of 85 to 90 per cent. Next year the figure came down to 20 per cent. and since then it has not been possible for us to recover even the full interest. As the first claim is of land revenue, we have often made suggestions to the revenue authorities in order to work in co-operation and said: "Let us recover at least our interest. What actually we are able to recover beyond interest we are prepared to hand over to the revenue authorities towards land revenue." Unfortunately, we have not been able to solve the problem. The fact is, very little is left with the debtors. Of course on occasions we are ridiculed by Government benches and Government officers that we are exaggerating matters. But there are many instances where Government officials have taken precautionary measures and all the produce has been taken possession of by the authorities. In some instances even the land revenue has not been recovered and in some others very little is left to the agriculturists after paying the land revenue. The present position is that even charcoal is being sold at Re. 1-4-0, but there is no demand for agricultural commodities. The rate for paddy is about Re. 1-4-0 in our province. The market, cartage and other charges come to about 4 or 5 annas per maund. We realise about 15 annas. That is just enough to pay the Government land revenue. After paying land revenue, we are left with practically nothing. I have taken very coercive measures in the capacity of chairman so far as the recoveries of our co-operative bank are concerned. Instead of 3 inspectors, we have got 5 inspectors, but with no satisfactory result. I am not opposed to this demand, but what I feel is that in the present circumstances, even these special officers whose salaries will be ultimately recovered from the co-operative societies, will unnecessarily add to the burden of those societies.

The only useful suggestion that I can make at the present stage is that Government should come forward to help the people and the banks and raise a loan at the prevailing rate of interest, say about 3½ per cent. and without making any profit thereon, should advance money to the banks on long term so that the liabilities of the individual members or societies may be lessened. As it is, societies pay to banks 7½ to 8 per cent. and individual members are charged by the co-operative societies at the rate of 10 per cent. That is a high rate of interest, when money is so cheap. So if the Honourable Minister is anxious to give relief

[Sir Shah Nawaz Bhutto]

to the agriculturists, he should use his influence with the Cabinet and the Finance Department. That is the only real remedy whereby he can help the people. Failing that, I feel that the other remedies will prove futile and will serve no useful purpose at all unless better times return.

Mr. MAHOMED HASHIM GAZDAR (Karachi City): Sir, these are extraordinary times and due to depression and slump in prices, it is very difficult for debtors to meet the demands of their creditors. The agriculturists are the worst hit. Under these circumstances, I do not know why so much fuss is being made and why coercive measures are necessary to recover debts from this class. A good creditor will always give the best facilities to debtors to pay up. The societies are advancing money on very good sureties of land holdings of agriculturists and there is no fear of their losing that money. Even Government suspend the recoveries of tagavi loans and sometimes remit the assessments. If the interest is paid promptly, why should you insist upon the recovery of the principal in these extraordinary times? I know in Sind there must be very few cases in which they have not been able to recover interest. To a very large extent they have been able to recover interest. The agriculturist class is already very hard hit and by appointing special officers and using coercive measures we are going to make their position still worse. I do not think this House is taking a very wise step.

4 p.m.

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, it has been urged by some honourable members that sales should be set aside if the debtor comes forward to pay his dues to Co-operative Societies within a month from the date of the sale. This question will be inquired into and if it is legal to do so, orders will be issued to that effect.

Another suggestion was made that in the case of nominal bids and purchases made by co-operative societies, the societies should hold the lands on behalf of the debtors and ultimately restore them to the debtors when they pay up their dues. This point, Sir, is a very intricate one. In the first place, I assure this honourable House that no co-operative society will ordinarily be willing to be a land manager for any length of time in addition to its ordinary duties.

Mr. SHAIKH ABDUL AZIZ: They have taken some lands on nominal bids.

The Honourable Dewan Bahadur S. T. KAMBLI: It is true that in some cases they have taken some lands on nominal bids. But it does not follow that they should convert themselves into land managers. Sir, I think no co-operative society would be willing to retain the lands as against the wishes of the debtors if they pay up their dues. Generally a co-operative society, which is in possession of lands in virtue of a nominal bid, before it is compelled to put up the property for sale in order to re-imburse itself, gives a preference to the debtor. That is to say, generally the society asks the debtor whether he is willing to take

[Dewan Bahadur S. T. Kambli]

his land back on payment of the money due, except in cases in which the debtor has proved to be a recalcitrant one or has proved himself a great obstructionist. Barring these two classes——

Mr. G. S. GANGOLI: Is it not given for cultivation also?

The Honourable Dewan Bahadur S. T. KAMBLI: Barring these two classes of the recalcitrant debtors and those who have proved themselves to be obstructionists, the co-operative societies generally give first preference to the debtor himself to take back his property before the lands are offered for public sale. This I am told is the general condition and the general practice prevailing in the whole of the presidency——

Mr. SHAIKH ABDUL AZIZ: Even when nobody comes forward to purchase the land?

The Honourable Dewan Bahadur S. T. KAMBLI: I do not think a co-operative society will part with the land for nothing. They are also business men, they will wait for some time more, but to compel them to be the land managers on behalf of debtors for any inordinate length of time will be to put the co-operative movement under great obstacles. It will not be helping the co-operative movement at all. I think the general practice now prevailing is one which will satisfy the honourable member from Khandesh.

Sir, a certain suggestion was made by my honourable friend coming from Sind. The suggestion made by him is also not a very simple one but it requires careful consideration and I assure him that I will consider his suggestion very carefully.

With regard to the point raised by some of my honourable friends that these recovery officers do not give facilities, my honourable friend Rao Bahadur Chitale has given a convincing answer. I do not think it is necessary for me to add anything to what he has said. Sir, I was one of those who were very reluctant to appoint these special recovery officers, coming as I do from the mofussil and knowing as I do the condition of the agricultural classes, but at the co-operative conference held at Poona, with one voice the representatives and advocates of the co-operative movement, not only the banks, not only the societies, but also those who are not connected with banks such as honorary organisers and other persons who take a keen interest in the co-operative movement, all pressed me to appoint such special recovery officers to prevent the collapse of the co-operative movement——

Mr. M. M. KARBHARI: Are they themselves agriculturists?

The Honourable Dewan Bahadur S. T. KAMBLI: In accordance with their joint request, these special recovery officers have been appointed. Looking to the result of the efforts made by these special recovery officers, I think their request seems to have been justified. Rs. 10,00,000 and odd have been recovered within a very short period of time.

Mr. G. S. GANGOLI: Recovered by sale of lands?

The Honourable Dewan Bahadur S. T. KAMBLI: Not all by sale of lands. I can assure the honourable member that the recovery of about ten lakhs of rupees is not the result of the sale of lands only. The recovery officer has been able by his mere presence to create a terror in the minds of those who were able to pay but who proved obstructionists. There are many recalcitrant debtors in the co-operative field, as was pointed out by my honourable friend Mr. Jog. Such persons came forward, as soon as notices went round, with money and paid up their dues. Sir, I think I have answered some of the points raised by my honourable friends and I see also that with one or two exceptions there has been a hearty support to my demand and therefore I hope the honourable House will support my demand.

Question put, and agreed to.

Expenditure on Flood Relief.

The Honourable Sir GHULAM HUSSAIN: Sir, I move for a demand of Rs. 1,066 under 43-A, Famine Relief—Reserved.*

Question put, and agreed to.

Payment of Grant-in-Aid to the Nasik Municipality in connection with the expenditure incurred by it on Sinhast arrangements.

The Honourable Khan Bahadur D. B. COOPER: Sir, I make a demand for a token grant of Rs. 10 under 33-Public Health—Transferred.†

Question put, and agreed to.

Expenditure in connection with Village Improvement Scheme.

The Honourable Khan Bahadur D. B. COOPER: Sir, I make a demand for Rs. 650 under 47-Miscellaneous—Transferred.‡

Question proposed.

Mr. G. S. GANGOLI: Is this amount also out of the Rs. 25,000 earmarked last year for village panchayats?

The Honourable Khan Bahadur D. B. COOPER: It has got nothing to do with that amount. The demand is for Rs. 650 for expenses to be incurred in connection with this village improvement scheme.

The Honourable the PRESIDENT: The question asked is that during the general discussion on the budget a point was raised as to the Rs. 25,000 specially granted by the House for village panchayats and it was then said that the amount had lapsed, and therefore he question now asked is whether this amount is out of that larger amount of Rs. 25,000.

The Honourable Khan Bahadur D. B. COOPER: It is not out of it. The sum of Rs. 25,000 was surrendered because there was no expenditure under that head.

Mr. G. S. GANGOLI: Am I to understand that even though we grant this demand, the Rs. 25,000 are kept intact?

* Appendix 12. † Appendix 13. ‡ Appendix 14.

The Honourable the PRESIDENT: No, no. This is a separate item altogether.

Mr. G. S. GANGOLI: My point is that before the financial year is out it should not be surrendered and so no question of surrender arises just at present.

The Honourable Sir GHULAM HUSSAIN: That amount has been surrendered and gone into the general balances.

Mr. G. S. GANGOLI: May I know why only certain districts were selected?

The Honourable Khan Bahadur D. B. COOPER: Those districts which came forward asking for this grant were given this grant.

Mr. G. S. GANGOLI: Was any opportunity given to other districts as well?

The Honourable Khan Bahadur D. B. COOPER: Oh, yes. Every district.

Mr. M. M. KARBHARI (Thana and Bombay Suburban Districts): Sir, it has fallen to my lot to oppose this grant and I do so with the hope that the honourable members of this House will be very careful before giving their sanction for this grant. We all know that a new service seems to have been started for the purpose of village uplift. Let us understand clearly, Sir, that after the reforms were introduced in this presidency, we have made considerable progress so far as these institutions which are known as local self-government are concerned. In these institutions, Sir, though we have been placed under certain handicaps, still we have made considerable progress and that progress is due to two facts, first, that the members of these bodies have to submit to the votes of the people, that is, of those whom they represent, and secondly, the absence of official chairmanship or presidentship as was the case before the reforms. My point is this that these committees are supposed to be formed under the chairmanship of the Collector. In the first place the members on the committees will be the indirect representatives of the people. The people will have no voice to put them on the committee. They will not be submitted to the votes of the people. Then, Sir, the Chairman who would be invariably the Collector would have the power to appoint the secretary who will organise the village uplift. Now at present we have several village panchayats under the taluka boards and the district local boards which are qualified to do identically the same work. It is but natural to suppose therefore that there will be a conflict between the work of these various institutions and the work of the committee that is intended to be formed in future. I feel apprehensive that if these things were to be continued for a long time, Government might come forward with a suggestion that since now these committees have been found to be working for the benefit of the villages, the district local boards and the village panchayats may be abolished and that they should be put on the lines on which these committees have suggested they should work. I therefore want the honourable members to clearly and distinctly understand that if they believe that they have made any

[Mr. M. M. Karbhari]

progress during the reforms and if they want to do real service to their own villages for their uplift, then they must see that that uplift comes through their own efforts and not through the efforts of somebody else. It may be that we are backward, that we are illiterate and that we need all the instruction that we can get, but at the same time I feel that the committee members must be submitted to the votes of the people, that is to say, they should be real representatives and not merely people who can be selected by the mere wish of the Collector or by the mere wish of any other official, and if the fact is that this committee is bound to interfere with the work of these various local bodies, to the detriment of these existing bodies, then we should be very careful in giving our sanction to this grant. I therefore oppose this grant.

Rao Bahadur R. R. KALE (Bombay University): Sir, if I intervene in the debate on this motion, I do so with a view to point out that the work intended to be done is an excellent one and there is no question about such good work in the interest of village uplift, but my point is that the agency which is sought to be set up for this purpose is utterly, in my humble opinion, inadequate. The village panchayat which really is the unit to work in a village has been given the go-by. We have had the history of the Rs. 25,000 which the Honourable the late Minister, Sir Rustom Vakil, announced while he was addressing us on the Village Panchayats Bill, and the Honourable the Leader of the House remembers that when we had a conference at the local self-government institute, it was contemplated that the agency of the local self-government institute should be utilised for the purpose of organising village panchayats and unless an organisation of that kind is brought into existence in the villages, I must say, it would not be possible to do real kind of village uplift work. Under the present scheme it appears that this work is going to be left more or less to the district committee with the assistance of officials and non-officials. There is no harm in that. However, unless and until you have an agency in the village itself, from my experience I feel that there will be no results such as are contemplated towards the improvement of the conditions in the villages. Therefore, I submit, Sir, that the first step that was contemplated and in fact was announced last year was the establishment of Village Panchayats when Rs. 25,000 were sanctioned. At that time, we wanted a statutory provision in the Village Panchayats Bill itself for the organization and work of Village Panchayats.

Year after year they said that hey would provide sufficient funds for that purpose, with a separate organisation and agency, which will be the principal agency. I find, Sir, in this budget no provision has been made. The current year's provision, we are told, has lapsed, and we have now been offered something else. I do not say that this scheme should not exist; it may, but my point is that it is inadequate to achieve the object in view. I therefore feel that the Honourable Minister in charge of Local Self-government should convince us and make a declaration on the floor of this House that he will carry out the promise that was made on the floor of this House. I was just trying to find it out, and I shall be

[Rao Bahadur R. R. Kale]

in a position to point out to honourable members if necessary that such a promise was made. That work must be continued and the promise and undertaking must be fulfilled. I feel that this is only a small demand. Of course the amount for the current year is small, but a provision for an expenditure of something like Rs. 23,000 has been made in the budget for the ensuing year. But I submit the amount which was provided for Village Panchayats should be utilised, and the promise made to continue the provision in future should be fulfilled, and not only a small amount but a greater amount should be provided. Then, Sir, the Local Self-government Institute handed over in all solemnity a scheme to Government. The members of that institution endeavoured to collect information from all parties. The Institute had correspondence with various people in the presidency as well as with local bodies, and they submitted a very full and detailed scheme to Government. But the reply that was given by Government to this Institute was most disappointing. Government said that the Institute's scheme is for the present to be shelved, and for the present Government have another scheme of their own to be carried out through another agency, and for that purpose this demand is made. Therefore, I feel that unless the scheme of village panchayats is pushed through, unless village panchayats are established, providing a machinery in the village itself to carry out from day to day whatever proposals are put up, not much progress can be achieved. I submit, Sir, that this is not going to achieve anything, and it will be more or less a waste of money. I do not say that this should not be done. But side by side with it there should be this agency of the village panchayat established. Propaganda work for this must be undertaken, and the offer of the Local Self-government Institute to organise panchayats must be accepted. In other provinces, in the Department of Local Self-government a Panchayat Department has been established, and in Bihar and Orissa the administration of that department is carried on in that way alone. We are very grateful to His Excellency Sir Frederick Sykes for giving an impetus to the scheme, but I submit, Sir, that the provision which is now asked for is an isolated provision for a small thing, and unless and until it is accompanied by a provision for the important object of village organisation through the village panchayats, I feel that the demand is not likely to achieve the end in view.

Mr. L. R. GOKHALE: On a point of information. I want to know whether sanctioning an item of Rs. 650 means the approval of the scheme for village improvement. That scheme is not before this honourable House. In fact, this House knows nothing about the matter as such. I want to know whether the sanctioning of this amount of Rs. 650 means approval of the scheme.

The Honourable the PRESIDENT: That is a pertinent question which the Honourable Minister should deal with.

The Honourable Khan Bahadur D. B. COOPER: The scheme was circulated, as far as I remember, to all the honourable members of this House.

The Honourable the PRESIDENT: I myself was going to ask the Honourable Minister about it when honourable members one after another referred to the scheme. I have read those brochures which have been circulated. It should be indicated in a formal way and in a definite and precise manner what the scheme is; the particular method of working it out as laid down in the brochures. I thought that the Honourable Minister did really refer to the scheme as outlined in those brochures.

Also, there is the other question asked, and the Honourable Minister will answer it more definitely, whether sanctioning this grant for the appointment of a secretary would mean the consent of the House to the particular scheme which he has in view. I think, if that is so, the House had better be placed in possession of information as to what that scheme is, and also details of the committee over which the Collector will preside. When this was put before the House and the demand was made I asked the question myself. It was suggested that the scheme is the same as the one detailed in His Excellency's brochures. If the approval of the House for this provision means the approval of the House for the scheme also, I think the House is entitled to know what that particular scheme is. I shall leave this question to be answered after tea, so that the Honourable Minister may have in his possession all the information to place before the House.

The House adjourned for tea till 5 p.m.

(*The House re-assembled after tea at 5 p.m.*)

Mr. S. H. COVERNTON: You asked, Sir, that the outline of the village improvement scheme proposed should be placed before the House in order that they might judge of the necessity for this grant. It was also asked whether the approval of this supplementary grant for Rs. 650 for the current year will involve the approval of this House to the scheme. The point is clear. If the House agrees to the scheme there is a point in appointing the secretaries to the district executive committees: but if the House disapproves the scheme, there will be no point certainly in appointing them for 1934–35 whatever the case may be as regards the one or two months of this year which still remain.

The scheme is outlined generally in the "Manual of Village Improvement" which I think has been sent to all members of this House and also in the "Village Uplift" by His Excellency, a brochure which also has been distributed to all honourable members. In the first place, when the village improvement scheme is being inaugurated, the Collector, in consultation with the president of the district local board and the chairman of the school board should convene a public meeting and at that public meeting the district executive committee should be appointed. Probably, the procedure is that the Collector and the president of the district local board will propose the names for the approval of the meeting. The Collector and the president of the district local board should consider who should be put on the committee and select prominent men who are likely to do the work. The only ex officio member of the district

[Mr. S. H. Covernton]

executive committee contemplated under the scheme, apart from the Collector, the president of the district local board and the chairman of the school board, is the district health officer of that particular district. I am not quite sure in how many districts there are district health officers. If there is no district health officer, the Assistant Director of Public Health will be the ex officio member of the district executive committee, so that he may supply them with technical information on the subject of sanitation and health. After the committee is formed, it will then proceed to consider in what parts of the district and in what villages the work of improvement is most needed, not only village improvement, but generally on what lines the work should be taken up. When they have selected the villages in which work should be done, they should get into touch with the village. If there is already any village organisation, such as the village panchayat, sanitary committee, co-operative society or any other village organisation, they will get into touch with it, consult the organisation and consider what improvements are needed and on what lines the work should be conducted. They will also consider the steps to be taken to secure the co-operation of the officers, mostly of Government, who could best assist in that village, for example the officers of the Agricultural Department, the Veterinary or any other department. It was also contemplated that as an intermediate step between the district executive committee and the village organisation there should be taluka committees. I do not know whether the taluka committees have actually been created yet. The district executive committee will at first probably get into direct touch with the villages. It is also proposed that he district executive committees should form sub-committees of their own. One of such sub-committees would be a sort of a general sub-committee or a managing committee. There will be one sub-committee to look after village roads and water supply, one for the promo ion of village panchayats, another one for the promotion of education, encouraging villagers to send their children to school and keep them there until they pass the fourth standard, another sub-committee will deal with agricultural questions, another sub-committee will deal with public health, sanitation and medical matters and so on. For some of these sub-committees, it was suggested that there should be an ex officio chairman, for instance, for the sub-committee dealing with roads and water supply, the president of the district local board should be the ex officio chairman, for the sub-committee dealing with education the chairman of the school board should be the ex officio chairman and so on. All these are not in the nature of absolute rules. They are merely general outlines proposed by Government leaving the exact rules to be framed to the district committees concerned to suit their conditions.

The honourable member Mr. Garrett is here and he has had a good deal to do with the working of the system in the Northern Division. He will be able to tell you how the scheme has been worked in practice and what has been done so far.

Mr. G. S. GANGOLI : Are there any rules framed ?

Mr. S. H. COVERNTON: It is proposed that there should be no rules. What is desirable in the first place is to lay down the general lines and leave it to the district committees to frame rules on those lines.

Mr. J. H. GARRETT: Sir, the Secretary of the Department has explained to the House the general lines on which the scheme was intended to be worked. In practice, I have had during the last month or two a good deal to do with this matter which is now in its initial stage. I have found that the work is going on rather by methods of trial and error than by strict adherence to the rather elaborate methods which are outlined in the pamphlet which has been published. In the first instance, as was intended, a meeting has been convened at the instance of the Collector of the district with the assistance of the president of the district local board; and at that meeting the matter has been generally discussed with those who are likely to be interested and others who had already shown a desire to assist in this movement. The result has been that practical work has gone ahead. I find that the general feeling is that the work should start in the villages. Those who are chiefly concerned with the village improvement are villagers themselves. In many villages I find that they have of their own motion put up schemes and actually done work in pursuance of those schemes. They have not waited for the organisation of the taluka committees. This, I think, is really an improvement upon the rather elaborate hierarchy which was contemplated. I have visited several villages where committees have been formed consisting of elders of the villages and in some cases separate committees of the young men, the idea being that the elders would advise and the young men would do the work. I am very glad that ladies have themselves taken a prominent part. They have been present at meetings when the village improvement scheme has been discussed in those villages and they have been keeping the men up to the mark and insist upon improving sanitation and the facilities for drawing water and for the small needs of the villages.

I regret that I was not present during the early part of the discussion which is now going on. But I can assure honourable members who have taken some objection to this scheme that whatever methods have been adopted, they have been to a very large extent spontaneous and I have heard no villager raising any objection to the advancement of this scheme. They are all very keen and it is indeed a fact that without great expenditure, it is going to cause considerable improvement in village life. I am not at all in favour of having the scheme pushed through by official agency. What I want from the official side is to assist the honorary workers who will help the villagers and the villagers who are educated enough to do the work themselves. It has long been felt that in the departments, such as Agriculture, Education, Co-operation and so on, there has been lack of co-ordination. After long consideration it has been found that the Collector of the district who is not a specialist but who has a general knowledge of these subjects and of the villages is the best man to co-ordinate these activities and bring them to the doors of the villagers. But in working this scheme we have

[Mr. J. H. Garrett]

not laid down any rigid instructions or directions as to what should be done. We prefer to get suggestions from the villagers themselves. At least in two cases I have found the initiative coming direct from those villages, for instance, the case of the village called Vasna which is no doubt known to the honourable members from Kaira—a village in the Borsad taluka.

I was invited to go to this village, to an agricultural demonstration, and when I came there I found the villagers had all assembled, and they requested me to listen to the scheme which they had devised for the improvement of their village. I found that they had of their own accord worked out a very sensible scheme detailing the particular needs of that village and they had enlisted members and fixed a small subscription—I think two or four annas per month per head—and they showed the greatest enthusiasm for the scheme. Similarly, in Broach District, I visited another village called Tralsa, where there was a village improvement society established with the help of a local gentleman, who was, I think, the secretary of the Taluka Development Association, and himself a landowner in the neighbourhood. He had selected this village which was near him and where he was known. That village had actually proceeded to carry out the work in pursuance of the scheme. I was taken over the village, and found that instead of leaving it in the usual dirty and untidy condition they had already cleaned it up, and they assured me that this was not merely eye-wash and that if I visited the village again after 3 or 6 months I should find it in the same condition and probably much better. I would also like to mention that in all public meetings that I have attended recently in my tour, I have been struck by the manner in which gentlemen speaking at those meetings have invariably mentioned in the course of their speeches this subject of village improvement, even though the object of the meeting may have been for some other purpose. This makes it quite clear to me that public interest has been roused in the villages and in the minds of the more educated classes in the towns.

As regards the employment of secretaries, this was a scheme which was devised in place of that which was first propounded, that of appointing an officer to carry on the work of village improvement for a division. This scheme would have been expensive, and in order to cope to some extent with the additional work which is caused in connection with the scheme, the appointment of secretaries has been authorised where the Collectors have found it necessary. Progress, of course, has not been uniform in all districts; some districts have become very busy, and there is a good deal of correspondence, and for that purpose some additional help is required. It is also found that in cases where advice is wanted on some point or other, or in the preparation of the scheme or something of that sort, a secretary who has experience in this work is likely to be of considerable help to the villagers. The cost of such a secretary is not, I think, in view of the importance of the object, a very extravagant one. I would, therefore, hope that this honourable House will give the scheme its support by approving this grant.

Mr. P. R. CHIKODI (Belgaum District): Sir, I rise to support the demand. This village improvement scheme is one of the things which we consider to be extremely necessary, and I am glad that Government have taken up the scheme. The fear that has been expressed, that this scheme will ultimately replace village panchayats or taluka local boards, does not seem to be well-founded; nor has any reason been given in justification of that fear. This scheme is intended to help the working of the panchayats rather than doing away with them. Similarly, it is intended to help the working of the taluka local boards rather than to replace them. (*An Honourable Member*: Taluka local boards are to be abolished). Yes, I know much more than that. Government have called for opinions on the proposal to abolish the taluka local boards, but they have never suggested that the village uplift scheme is going to replace the taluka local boards. If the taluka local boards are going to be abolished, they are going to be abolished for reasons which are entirely different from those for which the village uplift scheme is going to come into existence. Sir, this scheme is intended to co-ordinate the work of the various agencies that are now doing work in the village itself. And the fact that there are many Government departments doing the same work also deserves to be noted. The help of Government is necessary if the village work is to be pushed forward with vigour. If non-official bodies alone were to take up this work it is likely that they will meet with some sort of opposition or distrust. Therefore, if Government themselves come forward and help such an organisation, it should be all the more welcome. It is not intended that Government themselves should do this work. What is intended is that they should give the non-officials all the help that is necessary. And this is what has been proposed today.

I may tell my own personal experience in this connection. The Collector convened a meeting at Belgaum of the representative members of the public. At that meeting the scheme was explained in full, and no one raised any objection to the scheme. An executive committee was also elected. Everyone seemed to agree that such a scheme ought to come into force as early as possible.

Besides, the help of the officers will not be forthcoming unless and until the body consists of officials. The Collector of the district will be the chairman; and in addition to him the president of the district local board will be the vice-chairman; then the school board chairman will also be there. In view of these facts, I do not see why there should be any objection to the scheme. It has been stated that there ought to be an elected body. Well, Sir, if the officers are required to work upon the committee, how is it possible that election can take place in regard to them? So far as the non-officials are concerned, every district may have its own organisation, its own rules and may have its non-official members on the committee elected. The scheme is given in full in the manual which has been circulated among members of the Council. The object of the scheme is fully explained on page 13 of the

[Mr. P. R. Chikodi]

Proceedings of the Me ting of the Finance Committee. There, it has been stated:

"It has become clear to Government for some time past that the existing policy of village improvement needs the mobilization of all possible resources and the exertion of the fullest possible effort. Government accordingly decided to secure close collaboration between the agencies of Government on the one hand and the actual cultivator on the other not by launching a new scheme and starting new agencies but by reshaping the existing mechanism and initiating a new method of approach. The method is one which seeks to enlist the help of the villager himself and of the whole public, including the local self-governing bodies and associations, in doing what is within the power of all in spreading greater material welfare and with it greater contentment among the agricultural population."

Therefore, Sir, in view of these facts, the scheme should be supported and not opposed.

The Honourable the PRESIDENT: The demand has brought up a subject which is very popular and which is capable of eliciting long speeches. After having known what the scheme is in its outline, the House cannot hereafter say that they were taken unawares and did not know what it was. I would advise honourable members not to go into the details of the scheme as outlined in the manual, if they wish to save time. As the honourable member the Commissioner of the Northern Division has stated, a cut and dried scheme has not been proposed. The scheme will have its natural development, and after a year or two it will take form. After that, the House will be in a better position to go into the various details. I would, therefore, request honourable members not to take up the time of the House now by going into the merits or demerits of the details of the scheme taken in hand by Government, and in connection with which the demand is before the Council.

Rao Bahadur G. K. CHITALE (Ahmednagar District): Mr. President, it is not for the sake of opposition that I am opposing this grant. I am opposing it because it introduces a principle which is vicious.

Rao Bahadur S. N. ANGADI: A principle which is vicious?

Rao Bahadur G. K. CHITALE: Yes, vicious. I remember the old days when the taluka local boards, municipalities and district local boards were being run by the Mamlatdar, the Assistant Collectors and Collectors, and our criticism used to be that the officers that there were in those bodies were rather automatons than persons having any views. I remember having attended meetings which dealt with the disbursement of several lakhs of rupees a year in ten minutes. No doubt the object of the scheme as put forward by the honourable member the Commissioner for the Northern Division is excellent. No doubt, both officials and non-officials should try to do their best. Everybody feels that the village should be the unit and what little enthusiasm we possess, and what little effort we can make should be concentrated on the uplift of the poor villagers. But my difficulty is this. I hope honourable members who speak on this subject will solve it for me. In all these matters there must be some rules, some sanction by which the abuses that might creep in

[Rao Bahadur G. K. Chitale]

in any scheme can be avoided. We have put on the Statute Book several Acts such as the Village Sanitation Act, the Village Panchayats Act for the villages to work under. Also, under the Co-operative Societies Act, we have been provided with the constitution of better living societies. We put statutes after statutes on the Book and give them the go-by and start hunting after another hare. It appears to me to be a wrong process. If, for instance, these Acts were necessary and desirable, as it was argued they were, why have you not tried to start as many sanitary boards and as many village panchayats as possible? The steel-frame is there to help us, and I cannot believe that simple rules cannot be framed for the villagers to work upon. If this scheme is examined, it will be found that it has got excellent objects. But I believe that there is also a political motive behind it. I respect it. I respect it from the point of view that in the democratic form of Government to come, it will be necessary for Government also to show their hand in the work. I welcome it and I join hands with my official friends in developing those institutions. But to my great regret—and it is a regret which this House should share—in all the schemes they have kept one party outside. That political party may be kept down at present. None of the invitees for the committee meetings belonged to that party. I know it, because I was myself present at the meeting. These committees are made up of a few officials, and members of the district local boards and consist of about 20 to 25 members, with the exception of those dissentients who have no opportunity of voicing their feelings.

The honourable member the Commissioner of the Northern Division stated that he wants to use the youngsters for the real work, and the elders will be advisers. I welcome the idea. I hope the Commissioner of the Northern Division knows by this time that these youngsters are imbued with ideas which he will not respect at least at this stage of our development. Under these circumstances, we have no constitution, no rules, no sanction. We are neglecting our work which we have put on the Statute Book deliberately, intentionally.

I am willing to vote any amount which is necessary for this work, but on one condition, that it should not go for the appointment of Government officers. That has been our criticism, and I think that it is very well-founded, that whenever a new department is to be created, the procedure followed is first to make the appointment of officers and go on paying them. Improvement will take its own course,—it may not come at all. On that ground I object to the grant which has been asked for by the popular Minister. I believe every word of what the honourable member the Commissioner stated. If it is true that there are two excellent committees started by the villagers' efforts and are working wonderfully (they are not eyewashes—though most of them will be eyewashes later on), let their work be rewarded with a certain grant-in-aid, so that the people will feel that Government is prepared to recognise their spontaneous efforts.

The Honourable Minister asks for a grant of Rs. 650 for this year, but the amount for the next year will be substantial—Rs. 23,000.

[Rao Bahadur G. K. Chitale]

I would request him to consider our point of view and use the grant for encouraging private effort in the several divisions which may be brought to his notice by his officers instead of spending it on the salaries of officials. This amount of Rs. 23,000 is a sufficiently large amount in the present state of our finances. Let him not spend it on salaries. That principle, I say, is vicious—the principle of organising a department and making provision for salaries only. That has been our complaint throughout. The Honourable the Finance Member has been in this Council for a number of years, though holding an official post. He will, I am sure, recognise our point of view. It is not destructive. We do not wish to see that the grant is defeated simply because the demand comes from our popular Minister. That is not our mentality. But our point is that whatever amount (small though it may be) is voted, it should be utilised towards the recognition of private effort which deserves every kind of encouragement. I emphasise that point of view for the benefit of my official friends, who will not mistake me for a dreamer. I am not only not a dreamer, but I have myself taken part in certain schemes relating to this work, and they can depend upon my help whenever that help is called for. But let not the popular Minister make himself the target of public criticism, namely, that he is creating these posts and paying the officers in the first instance rather than looking to the quality of the work.

I again beseech him to reconsider the scheme and provide some simple rules which are quite necessary. Even under the Co-operative Societies Act, I find that better living societies have model rules as old as the hills. They have outgrown and no new rules are framed. I myself thought of a society of that kind and I was struck by the leaflet containing the model rules which can be embodied in the present scheme, so that we can have as many associations or societies as possible. But let the villagers not be burdened with many agencies. We have many villages with a population of less than 1,000. Some of these may be found to be unsuitable for this scheme. On the other hand, I say that it is in these small villages that the work must begin. We must educate the small villages both in respect of sanitation and public health and other matters. If that is done, the scheme has a chance of being appreciated by the general public. Let no party be kept out of it. Good or bad, we want the sympathy and co-operation of everybody who is willing to work a particular scheme on particular lines. Let politics be barred; but let not politics be made one of the objections for keeping people out.

Now, we have made the Collector the Chairman of the committee. I ask, how many duties are we going to impose on that human officer? We have been insisting upon his assuming all the burdens equably. I ask, can he find leisure,—the time and the energy—to undertake this work, except visiting a village for a few minutes—though he spends a hundred days in the district? After all, what he sees in those 5 or 10 minutes may not be the true picture of the state of things in the village.

[Rao Bahadur G. K. Chitale]

That is exactly why the co-operative movement has degenerated. I remember that the work of the old co-operative societies was being praised and praised for years and a time came when they could not be praised any longer. We now find that that kind of improvement has gone and has become contemptible. I should think that it is necessary to avoid pitfalls. Do not misunderstand me for a moment. I am not opposed to any grant. But what appears to me to be true is the fear that what happened in another case may also happen here. Last time we voted a grant of Rs. 25,000 part of which was diverted and none of it was spent for the object for which it was voted. Of course I know that the grant will be spent at once, because you have only to make an appointment. Naturally you will come to us next year and say that the other districts are coming in and let this grant be doubled. The work is excellent. If the critics happen to be the same persons as those who have created these institutions, who is to decide ? The work will be praised, no doubt, but I think that the officers themselves will be better critics if the work is started by non-officials. They look at it from their own point of view, examine it, see that there are no eyewashes, and that they are not being fooled. That work deserves encouragement and whatever little money we might have we might give to them by way of grant-in-aid. I hope I will not be misunderstood.

Mr. B. S. KAMAT : Sir, I have listened with great deal of attention to one point of view in respect of this grant. I hope the House will bear with me if I venture to present another point of view.

It has been a great surprise to me to find a peculiar mentality in looking at this demand—the mentality of habitual grousing, of perpetual suspicion and looking askance at any scheme of organisation proposed by anybody else. To me, the question of village improvement is of such paramount importance that I consider it is not worth while looking at a petty detail here or a petty detail there. It is of the greatest importance to start the ball rolling, to make a beginning, and if the Government are coming forward with a demand for Rs. 650 for the current year and with a promise of Rs. 23,000 for village improvement in the ensuing year, I believe every one who has village improvement at heart should welcome such an offer.

Rao Bahadur G. K. CHITALE : For appointing secretaries only.

Mr. B. S. KAMAT : My honourable friend Rao Bahadur Chitale from Ahmednagar appealed to the House not to misunderstand him. Sir, my constant difficulty is to understand him. I shall explain what I mean. It was only this morning—probably it was a very curious coincidence—that he was speaking about the co-operative movement and the village co-operative societies in the different villages. If I heard him aright, he used the expression—I do not know whether it is thoroughly parliamentary to use that expression—with a great deal of regret and vehemence he said that the co-operative movement in the hands of non-officials has gone to dogs. He said the movement has been

[Mr. B. S. Kamat]

brought to a contemptible state of things. Another friend of mine, my own townsman, my esteemed friend Mr. Gokhale, while describing that movement and the results of non-official working, said that that movement has reached a stage of chaos, and yet the same afternoon my honourable friend Rao Bahadur Chitale is now urging that the greatest fault of the organisation for village improvement in this manual is the little bit of official connection therein. Sir, I yield to none in wishing that the popular movements like co-operative societies or village improvement should be in the hands of non-officials. I do not for a moment suggest that the draft scheme which is contained in this blue brochure is an ideal one. The organisation proposed by Sir Frederick Sykes leaves a great deal to be desired, but, as I said in the beginning, I am more anxious to make a beginning in this movement rather than delay it by all sorts of petty defects found here and there in the organisation. You have desired, Sir, that honourable members should not spend any time in discussing the details of the organisation. With your permission, without taking much time of the House, might I point out to the House that although there is some amount of official control in the organisation proposed, there is also on the other hand a great deal of non-official co-operation and aid which has been suggested in the organisation, for instance, in the district committees ? I am just pointing out this distinction in order to satisfy, if I may hope to satisfy, my friend on the left.

Rao Bahadur G. K. CHITALE : You cannot.

Mr. B. S. KAMAT : On one side I see it is a hopeless job but I expect that if I can convince my honourable friend Mr. Karbhari on my right, there would be some consolation for him.

Mr. M. M. KARBHARI : Impossible.

Mr. B. S. KAMAT : I mean, Sir, in the district committee which is proposed, it is no doubt suggested that the Collector shall be ex-officio chairman but the president of the district local board is to be the vice-chairman. Therefore, I say there is a great deal of *liaison* between the official and the non-official, between the district local board and the Collector, of the Revenue Department. Take again the sub-committees (and I expect my honourable friend Mr. Karbhari will be satisfied there), because in the case of some of these sub-committees the chairman is to be a non-official——

Mr. M. M. KARBHARI : Is a life proposed for those committees ?

Mr. B. S. KAMAT : May be one year or two years ; it is not very important.

Take again, for instance, sub-committee No. 3 for agricultural work. Its members will be recruited from the chairman and the members of the existing District and Taluka development associations, which are two non-official bodies, comprising organizers of co-operative societies, non-officials again. The District Committee is not therefore an entirely undiluted official agency as my honourable friend Rao Bahadur Chitale fears, but it is going to be a mixed agency. I daresay my honourable

[Mr. B. S. Kamat]

friend Rao Bahadur Chitale has worked in the past on such mixed agencies. I believe he was a member (*Sardar Rao Bahadur B. R. Naik: President, for several years*) of the district local board of Ahmednagar for several years, in those days when there was an official chairman, and although he himself said that under such a chairman the other members are mere automata—an automaton is a member who accepts any proposal of the Collector—I am sure that in his younger days so vigorous a member as my friend, could not possibly have been a mere automaton to say "Yes" to everything that fell from the Collector. In any case things have advanced a great deal since then, and in every committee, even in the smallest village, I believe people in these days have now acquired stamina to put forward boldly their own views, and I do not think the Collectors in these days find that every member of a district committee would be nothing but a mere machine to say ditto to what they say—things have advanced a great deal and much water has flown under the bridges.

Sir, there was one point raised by the honourable Rao Bahadur from Ahmednagar, namely, the political motive behind the whole thing. If I understood him aright (I say it is very difficult to understand him), what he had at the back of his mind was the plain question why the Congressman was kept out when other people were invited to form district committees.

Rao Bahadur G. K. CHITALE: You are quite right.

Mr. B. S. KAMAT: I am glad I have understood him correctly at least in one particular instance; let us hope that he is not such a mystery. The answer to that is that if the Congressman is not invited to co-operate with the Collector, it is because it is the Congressman himself who has declared that he is unwilling to co-operate with the officials.

Rao Bahadur G. K. CHITALE: Not at all.

Mr. B. S. KAMAT: Oh! I see then there are such mixed Congressmen like my honourable friend Rao Bahadur Chitale who are prepared to co-operate and yet non-co-operate, but Government probably do not know that species yet and if my honourable friend lets the officials know that there is such a mixed species of Congressmen probably Government will take jolly good care to invite such mixed species on the next occasion.

So far as the question of framing rules is concerned, that again is a small grievance. We are in the experimental stage and if it is found necessary to tie down these committees to definite rules, it would not be difficult to frame rules.

There was one point which fell from my esteemed friend Rao Bahadur Kale when he criticised the scheme. His grievance, if I understood him aright, was "What happened to that Rs. 25,000 which the late Sir Rustom promised in the interests of village panchayats?" Certainly, Sir, if my honourable friend wants to pursue that Rs. 25,000 in the hands of Government to the longest distance, as the Scotchman chases his sixpence (I hope Scotsmen will pardon me for saying so), by all means my honourable friend Rao Bahadur Kale is welcome to pursue that Rs. 25,000

[Mr. B. S. Kamat]

and extract it out of the hands of Government, but I am unable to see why this Rs. 23,000 for a different purpose, namely, village improvement which is part of village panchayats work should be foregone because that Rs. 25,000 has been by some method of accounting lost to this House. The two things are separate and I do not think we should take revenge on this particular item because the Rs. 25,000 for the village panchayats is not forthcoming during the next year. By all means, even if these district committees for village improvement are there, Government should not lose sight of the formation of village panchayats. The ideal procedure would be to form the village panchayats and leave the village improvement work to those village panchayats rather than set up additional machinery when the village panchayats have not yet come into existence, but I am not prepared to lose this Rs. 23,000 because Government have hoodwinked, if I may say so, this House out of that Rs. 25,000 for village panchayats.

Mr. W. W. SMART: Sir, my honourable friend the Commissioner, Northern Division, has described to you the progress which this movement has been making in his Division. I however would point out that there is nothing new about this scheme at all. So far as my Division is concerned, there are several districts in my Division which have for many years had a most efficient district development association and also taluka development associations, and in several of my districts village improvement on different lines has been going on and going on most successfully. I would cite particularly the Sholapur district. Before this scheme came out at all, the Sholapur district had an efficient district development association with printed rules of the association and also directions as to the lines on which village improvement should be carried out. There is nothing new in the scheme. It is only an attempt to co-ordinate those efforts which have been made in the past and to endeavour to widen the circle of improvement which has already been effected. I understand that in the Northern Division it is being left to villages to take the initiative. But in my Division where this movement has progressed for many years, that is not the course it has taken. In my Division there are several districts in which there is a large number of panchayats and a certain number of them successful, and the endeavour of several of those districts at present is to try and enlist the co-operation of these panchayats and to revive those which have become more or less moribund. I can cite one case. I visited the other day a village called Mulegaon in the Sholapur district in which there has been a panchayat which was more or less moribund and within two months that panchayat has made new roads, new gutters, has put pucca drains to their wells, has removed all the filth from the village and deposited it outside the village. It has made new cattle-sheds, and all this has been done within two months. It was entirely the result of His Excellency's Durbar which aroused the interest of the patels, I know, all over my Division. I have had reports from them. I have attended several meetings in which their interest has been displayed to a remarkable

[Mr. W. W. Smart]

degree. I will tell you the way this wonderful improvement was effected within two months in the village of Mulegaon.

It is largely due to our Public Prosecutor, Rao Bahadur Limaye, who, 6 p.m. I believe, is a Brahmin. I do not know what happens in the Ahmednagar District, but I can vouch for the fact that every community is working together in Sholapur. The president of the district local board, Khan Bahadur Abdul Latif and Rao Bahadur Limaye, the Public Prosecutor, are devoting all their spare time to this work, and it is due to them that this wonderful improvement has taken place in this village of Mulegaon and also in neighbouring villages round about. So far as the official connection is concerned, I know from the report of a meeting which was held in Ahmednagar that the only person who has objected to an official chairman has been my honourable friend opposite (Rao Bahadur Chitale). Not a single other person, either in the Ahmednagar District or anywhere else has objected to it. In fact, in the Ahmednagar meeting speaker after speaker got up, after Rao Bahadur Chitale had spoken, and said to him "You are wrong. We shall want the Collector as chairman."

Rao Bahadur G. K. CHITALE : I would just correct the honourable member. There was another gentleman who was president of the taluka local board who opposed it.

Mr. W. W. SMART : I think that there were about 20 speakers who were in favour of an official chairman. But I accept the statement of the honourable member. However, I need hardly assure this House that it is not the intention of Collectors in any way to force this movement down the throats of the people or of the leaders in the districts. What they are attempting to do is to co-ordinate and to try and get non-official gentlemen all over the district to take up a group of villages and develop them.

I do not wish to waste the time of the House further, but I might point out that these secretaries for whom you are asked to pay are not official. To the best of my knowledge, the secretary who has been appointed in Sholapur district was not a Government officer, and even if he were a Government officer, as soon as he gets appointed as secretary of the committee, he is treated as any other Government officer deputed to serve a district local board ; he is on deputation, and he is as much at the service of the president of the district local board as he is of the Collector ; he serves both for this special purpose.

I may say that you can contrast the statement made by my honourable friend the Commissioner, Northern Division, and my statement as to how this movement is developing. You will see that there is a tremendous difference between how it has developed in the Northern Division and how it has developed in the Central Division, which is enough proof that officials are not laying down hard-and-fast lines for its development. They are acting very naturally according to the circumstances of each district and on the lines which the previous history of each district indicates.

Sardar Rao Bahadur B. R. NAIK (Surat District): Sir, I rise to make one or two observations on this subject. I am not going to go into the details of the scheme.

The Honourable the PRESIDENT: I think it may be desirable now to fix a time limit for speeches.

Sardar Rao Bahadur B. R. NAIK: Sir, there appears to be some misapprehension in the minds of some of the honourable members here. Some of the honourable members behind me and also my honourable friend Rao Bahadur Chitale seem to think that this village improvement scheme—the executive committees formed for the scheme,—are going to be another agency in place of the village panchayats, sanitary committees or other such institutions which are at present existing in the villages. That is not so. As one who is connected with the scheme, I know it well that in some villages at present village panchayats do exist. These committees have very little to do with the villages where village panchayats exist. The duty of the officer appointed by the committee will be simply to instruct the village panchayats and similar institutions in certain directions, and that will be only voluntary instructions. Wherever there are sanitary committees, this scheme has nothing to do with them. One of the principal and main duties of the officer of the committees will be to make propaganda in the villages to introduce village panchayats. The honourable member Rao Bahadur Kale referred to the fact that the sum of Rs. 25,000 provided for village panchayats had lapsed and that amount should have been provided in the next year's budget. This amount of Rs. 23,000 is to be used for the salaries of officers to be appointed by the executive committees and among several other duties of these officers, the propaganda for the introduction of village panchayats will be the principal one.

Rao Bahadur G. K. CHITALE: On a point of information: the secretary is supposed to be in the Collector's office. In my district he is in the Collector's office. Is he supposed to work at the headquarters? That is my impression.

Mr. S. H. COVERNTON: I think there is some slight misapprehension in the honourable member's mind. The post of secretary is not attached to the Collector's office. He is to be secretary to the district executive committee. Whether that body inhabits a room in the local board office or in the Collector's office in any particular district is a matter of convenience and makes no difference to the position of the secretary.

Sardar Rao Bahadur B. R. NAIK: In my district (Surat), an officer of the aval karkun grade has been already appointed, and he is taking orders from me as vice-president and from the Collector. When the Collector is out in the district, as vice-president he receives orders from me, and the instruction has been given to him to educate the people about the benefits of having village panchayats.

Mr. M. M. KARBHARI : You are not the chairman of the committee ; the Collector is the chairman of the committee, and it is he who instructs.

Sardar Rao Bahadur B. R. NAIK : I say he is already taking orders from the vice-president who is the president of the district local board when the Collector is in the district.

Mr. M. M. KARBHARI : What happens when the Collector is at the headquarters of the district ?

Sardar Rao Bahadur B. R. NAIK : He is merely the paid secretary of the committee, and Government are going to give a grant to the committee. In Surat he happens to be a Government servant, but it is not laid down anywhere that no private individual can be employed. In my district, we had a mind to employ a non-official, but as no suitable non-official was available, one of the aval karkuns was taken up to do this work. He takes orders from the chairman or vice-chairman or the members of the committee who may be present at the time.

My object in rising is to remove this misapprehension that there will be duplicate agencies in the villages. There are not going to be duplicate agencies at all. Wherever there are co-operative societies, the work is to be done through co-operative societies, and no village committee is to be formed. Wherever there are taluka development associations no committee is to be formed, and wherever there are village panchayats there are no committees to be formed. I am the vice-chairman of a district committee, and I know it.

Dr. V. G. VAISHAMPAYAN : It differs in different places.

Sardar Rao Bahadur B. R. NAIK : In the Surat District we have laid it down that in villages in which there are sanitary committees or other local associations or village panchayats, this committee will have to work in co-ordination with them. There will be therefore no duplicate agency.

But, as I said, this side of the House, inside this Council as well as general public outside have been clamouring for years, I may say for generations, that Government have neglected the rural side of the country. They have done nothing for the rural areas up to now. They have simply collected revenues from the ignorant people, but they have not looked to their health, their sanitation, their hygiene, their education or anything else. Now, Government have come forward with this meagre grant for doing something for the villages ; we should support them. I do not mean to say that this ambitious scheme will be put into operation at once. It will take years ; perhaps in some places it will not come at all. My view however is this : there are over 26,700 villages in the presidency, and if 25 per cent. or even less of them are benefited to some extent the money will have been well spent. We want to spend only Rs. 23,000 but even a lakh for this purpose will be advisable looking to the magnitude of the task. It is a good object on which the money will be spent, namely, for the betterment of the villages.

Rao Bahadur G. K. CHITALE : On payment of salaries.

Sardar Rao Bahadur B. R. NAIK: Other things also. As I say, I am not satisfied only with the provision for payment of salaries; make some other provisions also. But if Government are not coming forward with further provision, should we reject even this small grant which they are prepared to make towards this very laudable object? Therefore, I say there is no necessity to apprehend that the place of the village panchayats will be taken up by the village improvement scheme, or that the sanitary committees and other such institutions will be abolished by the furtherance of this scheme. I do not know what is the apprehension of the honourable member Rao Bahadur Chitale:

Rao Bahadur G. K. CHITALE: Because I do not understand the subject thoroughly.

Sardar Rao Bahadur B. R. NAIK: So far as I know one thing has been definitely laid down, and the Surat committee has already issued instructions that those who want to join the committee can be co-opted, whether they are co-operators or non-co-operators, whether they are Government servants or non-officials. Instructions have been given to the taluka committees that even if they are non-co-operators they can be taken, if they want to work. There is no question of the man who wants to work being a co-operator or non-co-operator. The question is the uplift of the villages.

Rao Bahadur G. K. CHITALE: Are they taken?

Sardar Rao Bahadur B. R. NAIK: In some talukas they may have been taken, I do not know. As a matter of fact, one or two gentlemen invited at the meeting were non-co-operators before. I cannot say whether any non-co-operators have become the members of taluka committees but if any of them want to be one there will be no difficulty for him.

Khan Bahadur ABDUL LATIF HAJI HAJRAT KHAN: I will take only one or two minutes, Sir.

The Honourable the PRESIDENT: Honourable members have been appealing to me from every direction to be given only two minutes. But when they get up to speak, they take more than ten.

Khan Bahadur ABDUL LATIF HAJI HAJRAT KHAN: I will not take more than one minute, Sir.

The Honourable the PRESIDENT: I may point out to honourable members that in the note submitted to the Council we find a statement that Rs. 23,000 are provided in the budget, under 37-Miscellaneous. That will very likely come up for discussion during the voting of the demands for grants, and any points which honourable members wish to bring forward could be better placed before the Council at that time. This is merely a small supplementary demand, which the House is at liberty to accept or reject. The House wanted to know from the Honourable Minister what the scheme was, and he has had sufficient information placed before the House.

Khan Bahadur ABDUL LATIF HAJI HAJRAT KHAN: Sir, on a point of information. In Part I of the scheme it is stated that the secretaries will receive their pay and allowances from the district reserve

[Khan Bahadur Abdul Latif Haji Hajrat Khan]

fund, which will be given an equivalent grant-in-aid from Government for the period of one year as extra amount. As a matter of fact, we have received a letter from the Commissioner, fixing the salary of the secretary and also the travelling allowance. We have nothing to say about the salary, but the amount of travelling allowance given by us is more than the Commissioner has pointed out to us. May I take it that whatever amount is spent, we will get as a grant-in-aid from Government ?

Mr. S. H. COVERNTON : Yes.

Khan Bahadur ABDUL LATIF HAJI HAJRAT KHAN : I have nothing more to say, Sir, as I will get an opportunity to speak on the question when the budget demand is made.

The Honourable the PRESIDENT : Could the Finance Secretary point out the page of the White Book where this provision of Rs. 23,000 appears ?

Mr. C. G. FREKE : It is on page 272 of the White Book, under the head E-Contributions.

The Honourable Khan Bahadur D. B. COOPER : Sir, with regard to this demand for a supplementary grant of Rs. 650——

Dr. V. G. VAISHAMPAYAN : Where is the opportunity for other members to speak on the subject ?

The Honourable the PRESIDENT : Honourable members may speak, when the demand is finally put to the House without a cut motion also.

The Honourable Khan Bahadur D. B. COOPER : Sir, the demand is made for a grant of Rs. 650, to be spent during the current year for the entertainment of secretaries for the districts of Ahmedabad, Surat, Nasik, West Khandesh, Satara and Sholapur, where this scheme has already been introduced, and this salary will be required for the months of January and February. The March salary will be drawn in the month of April out of the grant for next year. The demand for next year is going to be for a sum of Rs. 23,000.

Sir, most of the honourable members who have spoken on this subject, have practically approved of the village improvement scheme, which has already been explained to the House by the Secretary of the Revenue Department. No honourable member has got anything to say against the introduction of this scheme. They have all admitted that it is for the good of the people, and Government could not have done anything better than to come forward with this scheme for the help of the poor villagers, who have not so far been catered for by any other institution.

Sir, much has been made of the fact that this scheme is going to be worked by an official agency. Well, Sir, looking to the provision which this Government is able to make for such a big scheme, I ask what other agency could be substituted for the one which is recommended in the scheme ?

[Khan Bahadur D. B. Cooper]

Looking to the work which is laid down in this book and which will be spreading all over the presidency consisting of 20 districts in the presidency proper and about 7 districts in Sind, in all 27 districts, do you mean to say that a grant of Rs. 23,000 is going to suffice, if the whole work as it is laid down in this book is to be put into effect ? It is impossible. For instance, the taluka development associations are at present worked entirely by non-official agency. How is that work being done ? Government give each taluka development association wherever it exists a maximum grant of Rs. 1,000 provided the people come forward with an equal amount raised by themselves. Out of the collection made by the taluka development association, nearly 80 per cent. is spent over the establishment. If there is no establishment, how any effect could be given to a scheme, whether under an official agency or a non-official agency ? If a start is to be made some service ought to be utilised. It is not laid down whether it must be an official agency or non-official agency. If an enthusiastic worker comes forward and says to the executive committee that he will do the work in an honorary capacity, they will be very glad to utilise his services. If anybody offers his services, his services will be welcome. Unless and until voluntary workers come forward, do you mean to say that this scheme should not be given effect to ? After all, what is the provision made ? The provision to introduce this village improvement throughout the presidency so far made is for the amount required for appointing one officer only. To work the district association there ought to be a man with some status and that status is defined that the man should be of the rank of an *aval karkun*. There is nothing in this book to show that this *aval karkun* should be appointed. Therefore, I say that this scheme which has found so much favour with this House should be pushed through and the grant demanded should be made.

Mr. SHAIKH ABDUL MAJID : Why Sind has been neglected totally ?

The Honourable Khan Bahadur D. B. COOPER : It is coming. Let us make a beginning.

Mr. SHAIKH ABDUL MAJID : Is it not possible to select at least one district ?

Rao Bahadur S. K. BOLE : Sind will come in after separation.

Mr. L. R. GOKHALE : I take it there will be a discussion on the budget item ?

The Honourable the PRESIDENT : I should like the House to understand that no honourable member has devoted any attention to this item and tabled a cut to raise a discussion. This particular item appears on page 272 item E. But I think I am right in saying that when a demand is made under that particular head—37, Miscellaneous—a general discussion would be allowed on important points on the subject which are left over in the present discussion. If honourable members repeat the arguments that have now been made, I shall have to stop them. On this particular item there is no cut motion and the House is to blame for it. I would give an opportunity for a fair discussion on that subject, provided

[The President]

honourable members remember the point when head 37, Miscellaneous comes up for discussion.

Question put, and agreed to.

Expenditure on Maharashtra University Conference.

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, I move for a token grant of Rs. 10 under 47, Miscellaneous (Transferred). The printed note* circulated to honourable members explains the circumstances under which this demand is made. It is not necessary for me to add anything more.

The Honourable the PRESIDENT: I would advise Honourable Members and Ministers to state what the demand is for. Otherwise the House will not be well directed. I know the note is there, but that is not enough.

Question proposed.

Mr. P. R. CHIKODI: I should like to know from the Honourable Minister whether it is the accepted policy of Government to have regional universities? The central idea in holding the conference and on which Government have incurred this expenditure is to have a Maharashtra University. May I know whether it is the accepted policy of Government to have regional universities as far as possible, for example, Universities for Maharashtra, Gujarat and Karnatak?

The Honourable Dewan Bahadur S. T. KAMBLI: A press note on this subject was issued on the 27th July 1933. That summarises the whole position.

Mr. P. R. CHIKODI: That does not give the reply to my query. Besides it is published in newspapers and has not been supplied to the members of this House.

The Honourable the PRESIDENT: I understand the question is whether Government have accepted the policy of establishing regional universities. I do not think Government have accepted any policy at all.

Mr. P. R. CHIKODI: That reply has not been given by Government. You are replying.

The Honourable Dewan Bahadur S. T. KAMBLI: You are correct, Sir.

Question put, and agreed to.

Expenditure in connection with Panchgani Town Planning Scheme.

The Honourable Khan Bahadur D. B. COOPER: Sir, I make a demand for a token grant† of Rs. 10 under 33, Public Health (Transferred) on account of the expenditure in connection with the Panchgani town planning scheme No. III. The town planning scheme No. III has been sanctioned and takes effect from January 1934. Government are bound

* Appendix 15. † Appendix 16.

[Khan Bahadur D. B. Cooper]

to pay their share in connection with the scheme. So, a token demand is made under this head.

Question proposed.

Mr. L. R. GOKHALE: On page 8, there is a statement:

"Savings are available under the respective budget heads '5, Land Revenue' and '41, Civil Works,' to which the charges are ultimately debitable."

I would like to know what the amount saved is.

The Honourable Khan Bahadur D. B. COOPER: Saving sufficient to meet this expenditure.

Mr. L. R. GOKHALE: What is the total saving under that head?

The Honourable Khan Bahadur D. B. COOPER: It does not arise.

Mr. C. G. FREKE: These savings are published every year in the summary tables of the White Book. In this case if the honourable member will turn to page 9, column 14, he will see that the decrease in the revised estimate as compared with the budget estimate amounts to Rs. 91,000.

Question put, and agreed to.

Sugar making process by open pan process.

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, I move for a token grant* of Rs. 10, under 34, Agriculture. On account of the low price of gul the sugarcane growers in the Deccan area are incurring severe losses in the manufacture of gul. It is intended to encourage sugar making by the open pan process. If this method of sugar manufacture is encouraged, there is every possibility of sugarcane growers realising a fair margin of profit. The Government authorised the purchase of the machinery at a cost not exceeding Rs. 7,500 for demonstration of the manufacture of sugar by the open pan process. Now, therefore, I come here for a token grant of Rs. 10 for that purpose.

Question proposed.

Mr. B. S. KAMAT: May I ask the Honourable Minister for Agriculture some information on this point?

The Honourable Dewan Bahadur S. T. KAMBLI: Certainly.

Mr. B. S. KAMAT: What was the pattern of the open pan plant on which Rs. 7,500 was spent, what was the result of the demonstration so far as the making of white sugar is concerned? Is it a profitable thing for the agriculturists? Does the demonstration show that one can profitably make white sugar from this machinery?

Mr. S. H. COVERNTON: With reference to the question put by the honourable member, we have asked for detailed information from the Director of Agriculture. He has promised to submit a detailed report at the end of this season. We hope to get that in a short time. As the same question was asked in the Finance Committee, we communicated

* Appendix 17.

[Mr. S. H. Covernton]

with the Director of Agriculture and he has sent the following interim report. The sugar-making plant belonging to the Bombay Provincial Co-operative Bank has been erected at Nirawagaj, taluka Bhimthadi, and the work of preparing rab was started from the 5th February 1934. The Government sugar-making plant has been erected at Hol, taluka Bhimthadi, and the work of sugar-making was regularly started from the beginning of February 1934. The erection of both these plants was put under the supervision of the Mechanical Assistant, South Central Division. All the records of the out-put of work have been carefully maintained. As it has been started only recently, it is not possible to give an idea as to the result of the experiment.

Mr. P. R. CHIKODI: I want to know whether any such plant has been put up in the Southern Division.

6-30 p.m.

The Honourable Dewan Bahadur S. T. KAMBLI: By the Government or by private persons?

Mr. P. R. CHIKODI: By the Government.

The Honourable Dewan Bahadur S. T. KAMBLI: No, Sir.

Mr. P. R. CHIKODI: Has any demonstration been held?

The Honourable Dewan Bahadur S. T. KAMBLI: This is the first of its kind.

Question put, and agreed to.

Payment of a part of the remuneration to the Secretary, Western India Turf Club, for collecting the betting tax due for the year 1932-33.

The Honourable Sir GHULAM HUSSAIN: Sir, I move a grant* of Rs. 2,500 under 9-A, Schedule Taxes (Reserved). That is a part payment to be made to the Secretary of the Western India Turf Club for collecting the betting tax in the year 1932-33.

Question put, and agreed to.

Expenditure under "47, Miscellaneous—Provincial (Reserved)."

The Honourable Sir GHULAM HUSSAIN: Sir, I move a grant of Rs. 15,27,000 under 47, Miscellaneous (Reserved). Out of this, Rs. 15,27,000, we have to pay to the Bombay Corporation Rs. 13,97,105 as the proceeds of the tobacco tax in the shape of a grant, and the rest is covered by donations for charitable purposes and other items mentioned in the statement.†

Question put, and agreed to.

Expenditure in connection with the scheme for the development of fisheries.

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, I move for a token grant‡ of Rs. 10 under 35, Industries (Transferred). With a view to developing the local fishing industry, Government have decided to demonstrate to the fishing community the advisability of using motor boats. As a result of this, the supply of fish will considerably increase and it will also be fresher than before. The cost of the construction of two boats for this purpose is estimated to be Rs. 23,200. But this

*Appendix 18. †Appendix 19. ‡Appendix 20.

[Dewan Bahadur S. T. Kambli]

year we have arranged to get the loan of a motor launch from the Royal Indian Marine. We also provide for a Fisheries Officer and also for some expenditure to be incurred on account of the training of some fishermen in the art of driving motor launches. Sir, I move, therefore, for this token grant.

Question proposed.

Mr. G. S. GANGOLI: May I know the place where the officer will be working?

The Honourable Dewan Bahadur S. T. KAMBLI: In the sea.

Mr. G. S. GANGOLI: What part? If it is in the sea, why is cycle allowance necessary?

The Honourable Dewan Bahadur S. T. KAMBLI: Near about Bombay.

Mr. B. S. KAMAT: Is it not intended to make the demonstration at certain places down the coast, for fishermen there?

The Honourable Dewan Bahadur S. T. KAMBLI: That is intended to be done later.

Mr. P. B. ADVANI: Sir, it is intended to demonstrate the working of motor launches in different fishing centres from time to time.

Question put, and agreed to.

A special grant-in-aid of Rs. 3,000 to the Bombay Presidency Baby and Health Week Association, for the purchase of a cinema outfit for health propaganda in rural areas.

The Honourable Khan Bahadur D. B. COOPER: Sir, I make a demand for a token grant* of Rs. 10 under 33, Public Health (Transferred), in connection with a special grant-in-aid of Rs. 3,000 to the Bombay Presidency Baby and Health Week Association, for the purchase of a cinema outfit for health propaganda in rural areas.

Question put, and agreed to.

Grant-in-aid to the Mayor's Earthquake Relief Fund Committee.

The Honourable Mr. R. D. BELL: Sir, I move a supplementary demand† of Rs. 42,800 to cover a refund of entertainment, totalisator and betting taxes in connection with the extra race day which was held on the 12th February last in aid of the Bombay Mayor's Earthquake Relief Fund and in connection with the performance of a certain circus which was held last month. This is the usual procedure in cases of this kind.

Rao Saheb P. D. KULKARNI (Poona District): Sir, I want to rise to a point of order. The statement on this demand was received by the members only on the 26th of this month.

The Honourable the PRESIDENT: Only yesterday?

Rao Saheb P. D. KULKARNI: Yes, Sir. On a previous occasion, at the August-September session at Poona, in the course of a ruling, you, Sir, drew attention to the promise made by Sir Chunilal Mehta, when he

*Appendix 21. †Appendix 22.

[Rao Saheb P. D. Kulkarni]

was the Leader of this House, that at least seven days would be given. You stated :

"I would impress upon Government, again, on behalf of the House, that they should do their best to place these demands in the hands of honourable members in time for them to study them. Beyond that, I do not think it would be necessary to lay down any hard and fast rule. A specific time-limit of seven days was by agreement understood to be reasonable."

Sir, that is the ruling given.

The Honourable the PRESIDENT : I remember that.

Rao Saheb P. D. KULKARNI : This statement was given to us only yesterday, and two other statements were given to us only two hours before. When we are engaged in the Council, we scarcely get any time to read these statements. I am referring to the statements Nos. 21 and 22. These were placed in our hands only at 4-30 to-day. And now at 7 p.m. they are taken for their consideration. How far is this right ?

The Honourable the PRESIDENT : As regards this demand, I am going to ask the Honourable the Home Member to tell the House why the delay took place. At the same time, the House must remember that the understanding was that the statements would be circulated at least seven days before only where it was practicable to do so. Where it was not possible for Government to circulate a statement seven days before, for reasons which they could give here, I would not be in a position to hold the demand out of order. In this case, there is a special reason which the House should understand. Yesterday, it was decided suddenly that the Honourable the Leader of the House should be asked to request His Excellency the Governor to cut out one day to-day from the 12 days allotted for discussion of cuts in the budget, so that honourable members might have an opportunity to discuss the subject which was left unfinished yesterday. The Honourable the Leader gave a promise that he would approach His Excellency, and he approached His Excellency and His Excellency has granted the permission. It was stated yesterday that in order to utilise the time left over after finishing yesterday's subject, supplementary grants would be taken up. That is how supplementary grants came to be taken up to-day. In the ordinary course of things, these supplementary grants would not have been placed before the House to-day. If the supplementary grants had come before the Council in the usual course, the House would have had sufficient notice.

I presume that the remaining two demands, Nos. 21 and 22, are not going to be moved to-day.

I do not know if the Honourable the Home Member has any reason to give with regard to the delay in submitting this demand before the House in time.

The Honourable Mr. R. D. BELL : Sir, I do not wish at all to thrust this demand on the House. If it were a matter which required a little time for consideration and discussion, I should not have dreamt of putting it forward to-day. But it is little more than a formality. I have brought it forward with the motive of making the best use of the

[Mr. R. D. Bell]

time which is left over to-day. The Honourable the Finance Member also has brought forward two other demands to-day with the same motive. This particular grant is merely a formal one; there is nothing to discuss about it really. If any substantial point arises, which the honourable members would like to debate, I am quite willing to postpone it. But I think if members will look into the demand, they will see that a discussion on it will be merely waste of time.

Mr. G. S. GANGOLI: I have no doubt that this demand will be granted by the House, because it is reasonable. But I want to know whether it was discussed in the Finance Committee.

The Honourable Mr. R. D. BELL: No, Sir. If there was any substantial point in the demand, I should certainly have placed it before the Finance Committee before bringing it before the House.

The Honourable Sir GHULAM HUSSAIN: I wanted to save the time of the House. There is nothing in the demand, and therefore there is no necessity to place it before the Finance Committee. If honourable members like it, we will take it up later on.

Mr. G. S. GANGOLI: These demands may be granted. But what is the procedure? Can they be submitted to the House before placing them before the Finance Committee?

The Honourable Sir GHULAM HUSSAIN: Sir, we usually place all the demands before the Finance Committee. Now, too, we are agreeable to adopting that procedure, if the House wants to sit one more day. But there is nothing either in this supplementary grant or in the ones that I am proposing to move.

The Honourable the PRESIDENT: The honourable member Mr. Gangoli is right in one respect. If the procedure is that all demands for supplementary grants before they are brought up before the House are to be placed before the Finance Committee, for technical purposes, that procedure should be adhered to. The House would not like to lose that privilege.

Mr. G. S. GANGOLI: We are prepared to grant all these demands, but this should not be taken as a precedent.

The Honourable Sir GHULAM HUSSAIN: Not at all.

The Honourable the PRESIDENT: They should come through the Finance Committee in future.

Question put, and agreed to.

Superannuation allowances and pensions.

The Honourable Sir GHULAM HUSSAIN: Sir, I move for a supplementary grant* of Rs. 5,12,000 under 45-Superannuation Allowances and Pensions (Reserved).

* Appendix 23.

[Sir Ghulam Hussain]

This is because we have effected retrenchments in the establishments. We have to pay pensions to the retrenched staff who were on the time-scale. It is on that account that our pension charges have increased.

Question proposed.

Mr. G. S. GANGOLI (Kanara District): Sir, I support this grant, but I only want to bring one or two points in connection with this item to the notice of the Honourable the Finance Member. I had tabled a question during the Poona session and a reply had been given. Owing to some misunderstanding on the part of the Accountant General some of the officers who were pensioned off could not be given their pensions even within six months after they had retired. Such delay may be avoided in future.

There is one other point. As soon as an officer who has put in 30 years' loyal service under Government retires, he has to undergo two trials. One is at the hands of the Civil Surgeon. There he has to pay a fee of not less than Rs. 16. If he wants to get his pension commuted, he has to go to a police constable or a police officer and get a certificate from him. These grievances may be redressed at least in the interests of those who have served faithfully under Government for a long period.

The Honourable Sir GHULAM HUSSAIN: I have never heard that when an officer applies for pension he has to go to a police officer.

Mr. G. S. GANGOLI: That is a fact.

The Honourable Sir GHULAM HUSSAIN: He is asked to go to a Civil Surgeon if he wants to commute his pension. That is quite necessary; otherwise we would be wasting away the rate-payers' money. Suppose he is sickly and he wants his pension commuted. We cannot give him the money unless the Civil Surgeon certifies his fitness.

Mr. G. S. GANGOLI: But why should he be made to pay a fee to the Civil Surgeon?

The Honourable Sir GHULAM HUSSAIN: That is for the certificate.

Mr. G. S. GANGOLI: He has served Government faithfully for a long period.

The Honourable Sir GHULAM HUSSAIN: He ceases to be a Government servant when he retires.

Mr. G. S. GANGOLI: He is a Government servant.

The Honourable Sir GHULAM HUSSAIN: Not after he is pensioned off.

Mr. G. S. GANGOLI: I suggest that Government should issue instructions to the Civil Surgeons not to charge fees in such cases.

Question put, and agreed to.

Commutation of pensions financed from Ordinary Revenue.

The Honourable Sir GHULAM HUSSAIN: Sir, I move for a supplementary grant* of Rs. 25,000 under 45-A, Commutation of Pensions financed from Ordinary Revenue—Reserved.

Question put, and agreed to.

Expenditure on leave salaries and travelling allowances of retrenched personnel.

The Honourable Sir GHULAM HUSSAIN: Sir, I move for a supplementary grant† of Rs. 38,000 under 53-Extraordinary Charges—Reserved.

Question put, and agreed to.

Payments of commuted value of pensions charged to capital.

The Honourable Sir GHULAM HUSSAIN: Sir, I move for a supplementary grant‡ of Rs. 6,82,000 under 60-B, Payments of commuted value of pensions—Reserved.

Question proposed.

Mr. G. S. GANGOLI (Kanara District): This again brings me to the question whether these pensions are granted for past services or future conduct. Why is it necessary to obtain certificates from the police?

An honourable MEMBER: Is it necessary?

Mr. G. S. GANGOLI: Yes. Unless the police officer reports as to the good behaviour of the pensioned officer, pension is not allowed.

Mr. C. G. FREKE: I think that the honourable member, in speaking about a civil surgeon's certificate in the case of an ordinary pension, is misinformed. A certificate from the civil surgeon is required when the pension is to be commuted. The civil surgeon gives a report as to whether it is a normal life, or for some reason the expectation of life is less than normal, and the pension is commuted on that basis. I do not know whether there are cases in which a pensioner has been summoned to a police chowki at all. But if a pension is to be commuted, it naturally is linked with the pension rule that the pensioner can, in certain circumstances, be called to order if he undertakes extreme subversive activities, and on that account we require a report from the District Magistrate.

Mr. G. S. GANGOLI: With the permission of the Chair, I shall mention one or two instances. Even in the case of special magistrates who were pensioned off, police officers were required to report about their conduct. That is one point. When a Government servant is to be appointed, he is examined by the Civil Surgeon and no fee is charged for that. So also, in the case of commutation of pension, no fee should be charged for the Civil Surgeon's certificate.

Question put, and agreed to.

*Appendix 24. †Appendix 25. ‡Appendix 26.

The Honourable Sir GHULAM HUSSAIN: Sir, there are two more supplementary grants. If honourable members want it, we can take them up-to-day.

Rao Saheb P. D. KULKARNI: Why this haste; where is the urgency? They were placed in our hands at 4-30 p.m. to-day and we have had no time to study them. It is quite irregular to take them without any notice.

Dr. V. G. VAISHAMPAYAN: Since the other grants have been made, we can take up these two remaining grants also.

Rao Saheb P. D. KULKARNI: I do not agree.

The Honourable Sir GHULAM HUSSAIN: If the other side wants it we have no objection.

The Honourable the PRESIDENT: They will be explained by the Honourable Member in charge.

Improvements to Begari Canals.

The Honourable Mr. R. D. BELL: Sir, I beg to move for a token grant* of Rs. 10 under 55-Construction of Irrigation Works—Reserved (except Lloyd Barrage and Canals Construction).

This is in connection with some improvements in the Begari canals which will bring in a net extra revenue of Rs. 22,850. The improvements consist of the construction of two distributaries, the conversion of a road bridge into a regulator and the construction of an additional regulator.

The Honourable the PRESIDENT: Where?

The Honourable Mr. R. D. BELL: On the Begari canals, Sir.

Question proposed.

Dr. V. G. VAISHAMPAYAN: I would like to know whether this amount is to be debited to the Lloyd Barrage account.

The Honourable Mr. R. D. BELL: No, Sir.

Dr. V. G. VAISHAMPAYAN: Is Begari canal part of the Lloyd Barrage?

The Honourable Mr. R. D. BELL: No, it is not a part of the Lloyd Barrage system.

Khan Bahadur ALLAHBAKSH (Sukkur District): It is stated that Government will realise about 3 lakhs out of the sale of land. The cost of the improvements is less than 2 lakhs. The practice in the Barrage system is that the sale proceeds of the lands are credited to the project. I want to know whether the same practice will be followed in this case.

The Honourable Mr. R. D. BELL: No, Sir.

Khan Bahadur ALLAHBAKSH: Why not? When that practice is followed in the Lloyd Barrage, why should you not follow it here also? The sale proceeds of the lands, which are equivalent or more

*Appendix 27.

[Khan Bahadur Allahbaksh]

than the cost of the project, should be credited to the project. We are paying interest on that.

The Honourable Mr. R. D. BELL: I cannot say anything more at this point except that the financing of the Lloyd Barrage was a scheme in itself and it was partly taken up on the ground that large additional areas would be irrigated. It has not been the custom to credit the proceeds of the sales of lands in other smaller schemes. There may be some justice in what the honourable member has said, but these are matters where we are partly in the hands of the Audit Department. The Statement of Demand shows that nine-tenths of the interest on the amount of the sale proceeds will be credited to the project.

Dr. V. G. VAISHAMPAYAN: May I know whether all these canals form part of the Lloyd Barrage?

The Honourable Mr. R. D. BELL: No, Sir.

Mr. MAHOMED HASHIM GAZDAR (Karachi City): I want certain information. The working expenses shown in the statement are Rs. 14,071, and the area to be brought under cultivation is shown as 11,256 acres. What are the actual working expenses on the Barrage and Jamrao (old) canals in Sind?

The Honourable Mr. R. D. BELL: That does not seem to arise. In any case it is a question of which I require notice.

Mr. MAHOMED HASHIM GAZDAR: I cannot follow the Honourable Member.

The Honourable the PRESIDENT: He requires notice of that question, that is to say, he requires time to answer that question.

Mr. MAHOMED HASHIM GAZDAR: The Honourable the General Member expects a return of 34 per cent. on the capital investment. But the actual working expenses, according to my estimate, won't be less than about Rs. 25,000, that is, about Rs. 2-8-0 per acre.

The Honourable the PRESIDENT: Is that estimate based on the figures that appear in this statement?

Mr. MAHOMED HASHIM GAZDAR: Yes, Sir.

The Honourable Mr. R. D. BELL: These figures of working expenses are based on the results of actual experience. I do not know why they are challenged by the honourable member.

The Honourable the PRESIDENT: Has the honourable member followed the reply?

Mr. MAHOMED HASHIM GAZDAR: No, Sir.

The Honourable the PRESIDENT: These figures are based on the results of actual experience, and the Honourable Member does not know why they are challenged.

Mr. MAHOMED HASHIM GAZDAR: I challenge them because from the irrigation reports of Government and the figures given by the two experts who were appointed to examine the Barrage project and

[Mr. Mahomed Hashim Gazdar]

the figures of working expenses of the Jamrao canal you will find that the working expenses come to Rs. 2·72 per acre.

Khan Bahadur ALLAHBAKSH: I think the honourable member is mistaking the two. He is considering the working charges of the Barrage. Here we are concerned with the working charges of the Begari canals. The working of the Barrage has nothing to do with the working of the Begari canals. Since the return is expected to be 34 per cent. Government should spend Rs. 8,000 more and complete the project. Otherwise floods will take place at the tail, as the Honourable Member has pointed out in his note. This will complete the project and ensure the safety up to mile 63 of the canal.

The Honourable Mr. R. D. BELL: That is a matter which will be considered.

Khan Bahadur ALLAHBAKSH: Will it be constructed?

Mr. MAHOMED HASHIM GAZDAR: It is stated that improvements are necessary between the 19th and 38th miles and 47th and 56th miles, because the direct karias (water courses) do not get full supply of water. But in the improvements proposed there are two regulators to be constructed at mile 28 and at mile 56. These two regulators are not going to remedy the defects of the direct karias, and no further improvement is proposed in the region of the canal to improve the supply to the direct karias. I would like to know whether there is any proposal to improve those regions of the canal so as to provide a better supply to the direct karias.

Mr. C. M. LANE: Sir, I do not quite follow the criticism of the honourable member from Karachi. He says that we mention in this note that the direct karias cannot be properly controlled and we have therefore provided two regulators. He says these two regulators will not be of benefit to these direct karias. The direct karias are in the reach between mile 19 to mile 38 and again between mile 47 to mile 56. For the benefit of these direct karias a distributary is being provided to take off above the regulator at mile 19 and another distributary is being provided to take off above regulator at mile 28 and at mile 56 the Begari syphon is being provided with regulating apparatus. These measures will afford control of these direct outlets.

7 p.m.

In the upper reach the direct outlets will be replaced by distributaries. The honourable member from Sukkur Khan Bahadur Allahbaksh's complaint is that we do not go far enough and he wants one more regulator. I am inclined to agree that a regulator at mile 63 is necessary. There is a road bridge there which at a moderate cost can be converted. It is not provided for here because I naturally had to cut down my estimates as low as I could possibly keep them. The Honourable the General Member has assured the honourable member from Sukkur that the provision of this further regulator will be considered.

Question put, and agreed to.

Changing over of the electric installation in Government House, Ganeshkhind, to the Poona Electric Supply Company's mains.

The Honourable Sir GHULAM HUSSAIN: Sir, I move for a grant* of Rs. 16,000 under 41, Civil Works—Provincial (Reserved). At present the Government House at Ganeshkhind has a separate power house. We now propose to do away with that and we want to have electrical energy from the Poona Electric Supply Company as a measure of economy. The changes will cost us about Rs. 27,895. We will be able to sell the old plant for Rs. 13,000, and if we do not undertake to do away with this power house, the renewals and replacements might cost us Rs. 20,000 more. The total savings every year to us by this arrangement will be Rs. 6,400. I think that as a measure of economy we ought to undertake this work.

Question put, and agreed to.

It being 5 *minutes past* 7 *p.m., the House adjourned to* 2 *p.m. on Wednesday, the* 28*th February* 1934.

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*Appendix 28.

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Wednesday, the 28th February 1934.

The Council re-assembled at the Council Hall, Bombay, on Wednesday the 28th February 1934, at 2 p.m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present:

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr. A. B.
ADVANI, Mr. P. B.
ALLAHBAKSH, Khan Bahadur
AMBEDKAR, Dr. B. R.
AMINUDDIN, Mr. SAIYID
ANGADI, Rao Bahadur S. N.
ASAVALE, Rao Bahadur R. S.
BAKHALE, Mr. R. R.
BANGI, Mr. A. K. J.
BELL, the Honourable Mr. R. D.
BHUTTO, Sir SHAH NAWAZ
BIRADAR, Sardar MAHABOOBALI KHAN
BOLE, Rao Bahadur S. K.
BRANDER, Mr. J. P.
BULLOCKE, Mr. A. GREVILLE
CHIKODI, Mr. P. R.
CHITALE, Rao Bahadur G. K.
CLEE, Mr. C. B. B.
COLLACO, Dr. J. A.
COOPER, the Honourable Khan Bahadur D. B.
COVERNTON, Mr. S. H.
DAVIS, Mr. G.
DESAI, Rao Saheb B. G.
DESAI, Mr. H. R.
DESAI, Mr. S. B.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
EWBANK, Mr. R. B.
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GARRETT, Mr. J. H.
GAZDAR, Mr. MAHOMED HASHIM
GHULAM HUSSAIN, the Honourable Sir
GHULAM NABI SHAH, Khan Bahadur
GOKHALE, Mr. L. R.
GOVER RORA, Mr.
JAM JAN MAHOMED KHAN, Sardar Bahadur
JAN MAHOMED KHAN, Khan Bahadur
JITEKAR, Mr. HAJI IBRAHIM

Jog, Mr. V. N.
Kalbhor, Mr. G. M.
Kale, Rao Bahadur R. R.
Kamat, Mr. B. S.
Kambli, the Honourable Dewan Bahadur S. T.
Karbhari, Mr. M. M.
Kennedy, Mr. T. S.
Kulkarni, Rao Saheb P. D.
Lane, Mr. C. M.
Lely, Mr. W. G.
Mackie, Mr. A. W. W.
Maxwell, Mr. R. M.
Meherbaksh, Khan Bahadur S.
Mehta, Mr. M. H.
Mitha, Mr. Mahomed Suleman Cassum
Modak, Rev. R. S.
Modi, Sardar Davar T. K.
More, Mr. J. G.
Naik, Sardar Rao Bahadur B. R.
Namdeorao Budhajirao, Mr.
Navle, Rao Bahadur N. E.
Nawab Shah Rookh Shah Yar Jung Bahadur
Owen, Mr. A. C.
Parulekar, Rao Bahadur L. V.
Patel, Khan Bahadur A. E.
Patel, Mr. Bhailal Sarabhai
Patel, Mr. C. N.
Patel, Khan Bahadur Vali Baksh A.
Patil, Dewan Bahadur D. R.
Patil, Mr. N. N.
Patil, Mr. V. N.
Pettit, Mr. J. B.
Pradhan, Rao Bahadur G. V.
Rahimtoola, Mr. Hoosenally M.
Resaldar, Mr. A. K.
Servai, Mr. A. E.
Shaikh Abdul Aziz, Mr.
Shaikh Abdul Majid, Mr.
Shankarrao Jayaramrao Zunzarrao, Mr.
Shinde, Mr. R. B.
Sindha, Mr. Madhavsang Jorbhai
Smart, Mr. W. W.
Solanki, Dr. P. G.
Surve, Mr. A. N.
Surve, Mr. V. A.
Syed Miran Mahomed Shah
Syed Munawar, Mr.
Thakor of Kerwada, Sardar Bhasaheb Raisinhji
Tolani, Mr. S. S.
Turner, Mr. C. W. A.

VAISHAMPAYAN, Dr. V. G.

VAKIL, Mr. PESTANSHAH N.

VANDEKAR, Rao Bahadur R. V.

WADKE, Mr. B. P.

DEMANDS FOR GRANTS.

The Honourable Sir GHULAM HUSSAIN: Sir, I move a grant of Rs. 7,79,000 under "Loans and Advances by Provincial Government."

Question proposed.

Sardar Rao Bahadur B. R. NAIK (Surat District): Sir, I move:

"That the total demand for Rs. 7,79,000, under Loans and Advances by Provincial Government be reduced by Rs. 1,000."

In moving this cut my object is to bring to the notice of the Honourable the Revenue Member some points about advances in the form of tagavi and other loans to the agriculturists. It will be seen from page 196 of the Blue Book that a sum of Rs. 3,95,000 has been provided in the ensuing year's budget as a loan to be given to the agriculturists in the form of tagavi. My contention is that, owing to very heavy depression and also owing to the fall in prices of agricultural commodities, the agriculturists have not been able for some years past, at least for the last five years, to repay the loans they have already taken from the sowcars. Not only that, but they have not even been able to pay the interest on the loans advanced to them. Therefore, they have lost their credit so far as their credit with the sowcars is concerned, and they cannot get any advances from the sowcars at present. And, the only sources of credit now left open to them are the co-operative societies and Government.

Now, Sir, we have listened a great deal, only yesterday and the day before, to what was said about co-operative credit societies and co-operative banks. At least some of the honourable members of this House are not very much in favour of the agriculturists taking loans from the co-operative societies, especially looking to the rate of interest which the co-operative societies are charging at present.

The Honourable Sir GHULAM HUSSAIN: What is the rate?

Sardar Rao Bahadur B. R. NAIK: The co-operative societies are charging 7½ per cent. in some cases and 9⅜ per cent. in others. It varies from tract to tract. The original object of giving loans to the agriculturists in the form of tagavi loans, and for which provision is made in this budget, was to give loans to the agriculturists in a time of distress for the purpose of agricultural operations, as well as to enable them to purchase bullocks, carts, etc. But my contention is that there could not have been greater distress than is prevailing at present. Distress does not necessarily mean that there is famine. There may be a bumper crop, but if it does not fetch any economic price, or if it fetches less than the cost price, to my mind that also is distress.

[Sardar Rao Bahadur B. R. Naik]

Therefore, my appeal to the Honourable the Revenue Member is this. This sum of Rs. 3,95,000 is quite inadequate in proportion to the number of agriculturists in this presidency.

I know I will be told that the agriculturists are not coming forward willingly to avail themselves of the opportunity for these loans, but there are very good reasons for it. The procedure is so cumbersome and clumsy and there is such a long delay in getting these loans from the Mamlatdars or Deputy Collectors that the people get tired of it and do not make any applications. Therefore, my second suggestion is that the rules for granting tagavi loans to the agriculturists should be made as simple and as easy as possible. If the Honourable the Revenue Member will make enquiries from the Collectors of the various districts, he will find that after making an application, an agriculturist gets a loan of Rs. 200 or Rs. 300 after two or three months. Well, that would be of no use. The cultivating season will pass, the sowing season also will pass, and the loans will not be of any use.

Then, the third suggestion of mine is this. Now the money market is very easy, and Government are in a position to raise money at the rate of 4 per cent. from the market, and there is no reason why Government should take 7 per cent. from the agriculturists on the loans advanced to them. Therefore, my suggestion is that the rate of interest should be reduced, and they should give to the cultivators the benefit of the easy money market that is prevailing in the presidency at present.

Sir, on page 26 of the Report of the Provincial Banking Enquiry Committee, you will find it stated that the Government of Bombay is playing a very small and meagre part so far as the finances of the agriculturists are concerned. Therefore, I want specially to bring to the notice of the Honourable the Revenue Member that it is now time that the agriculturist is helped by the advance of larger amounts of loans in these times of distress. This amount of Rs. 3,95,000 to my mind is quite inadequate for the whole of the Bombay presidency including Sind.

Sir, of course, I will be told that it is not the business of Government to do banking business. But I am here not asking Government to advance large amounts of loans. I am only asking them to raise this amount in order to give to the agriculturist small sums, say up to Rs. 500, in the form of loans and to recover them by reasonable instalments and at a reasonable rate of interest. Especially, when Government are getting loans at 4 per cent. to-day, there is no reason why they should try to make a profit out of it.

The Honourable Sir GHULAM HUSSAIN: Which Government is getting loans at 4 per cent.?

Sardar Rao Bahadur B. R. NAIK: I know that Government loans were recently raised at 4 per cent.

The Honourable Sir GHULAM HUSSAIN: But which Government?

Sardar Rao Bahadur B. R. NAIK: The Government of India. If the Government of India have raised loans at the rate of 4 per cent., I am quite sure that the Bombay Government are equally solvent, and they also can get loans at 4 per cent. But if the Bombay Government are unable to get loans at 4 per cent., they are in a position to request the Government of India to raise this loan for them, and in this way get this money, if they care to get this money at all from the Government of India. My honourable friend the Revenue Member of course knows more than I do that the 4 per cent. loans are at a premium of 101. This undoubtedly goes to show that the rates of interest have gone down since last three years. Everybody knows that the rate of interest offered by the Saving Banks has gone down considerably. This money is after all public money. Therefore the money which Government get at a cheap rate of interest from the public, the Savings Banks money, should be utilised for giving assistance to the cultivators. I have moved this cut purposely with that object.

Sir, the other day the Honourable the Revenue Member showed so much sympathy for the cultivators and for the growers. I also know that he said that this Government in concert with the other provincial Governments of this country are going to take some steps in order to give relief to the agriculturists of India. I also know that the Government of India are also considering this matter, and they are going to hold a conference of Members of Provincial Governments in April next, to consider the whole problem of giving relief to the agriculturists. This is one of the measures of relief which I suggest to the Honourable the Revenue Member, because, after all, there will be no improvement of land without finance, and the condition of the agriculturist will not be improved unless they get money at a cheap rate of interest. I am not going to tackle the question of indebtedness, because it does not come under this head. I will speak on that at the opportune moment. I may say this that, unless you try to help the agriculturists by giving long term loans at cheap rate of interest, nothing good will come out of it. With these words, I request the Honourable the Finance Member that this demand may be increased in the interest of the agriculturists.

Question proposed.

Mr. P. R. CHIKODI (Belgaum District): Sir, I rise to support the motion moved by my honourable friend from Surat. The reason why I want to support this cut is to know from Government what policy they are pursuing with regard to the collection of arrears of tagavi loans. From page 196 of the Blue Book, I notice that Government expect to collect Rs. 17,47,000 for the next year. Well, Sir, that seems to be a normal figure, compared with the collections that have taken place during the previous years. Government themselves know that we are passing through an unprecedented state of depression. This is the fourth year of that depression; and the continuation of it for such a long period has put the agriculturists into a very miserable plight.

[Mr. P. R. Chikodi]

It is impossible for the agriculturists to stand this strain any further since it had been difficult for them to repay the amounts during the previous years. In respect of the condition of the agriculturists for the year 1931-32, a Government Resolution describes it in the following manner:

"The most noteworthy feature of the year was that prices of agricultural commodities which were already abnormally low in 1930-31 showed no tendency to rise and in some cases declined still further. As a result, though crops were good, particularly in the Presidency (excluding Sind) cultivators who had to make cash payments were hard hit. As the causes for the slump were worldwide and no purely local remedy was feasible, all that Government could do was to give temporary relief to agriculturists in the matter of paying land revenue and tagavi. Government decided finally that, having regard both to the necessity of raising revenue when they themselves were in acute financial stringency and of giving relief to people in a period of abnormally low prices, all suspended arrears should be resuspended and only the current year's land revenue should be recovered. In addition Government granted in certain rice growing tracts a special suspension ranging from two to four annas in the rupee."

This policy has been laid down for the year 1931-32 and was published on the 18th July 1933. I should like to know what Government propose to do for the collection of the arrears for the current year and also for the next year. Not only all arrears should be resuspended, but I request Government that in view of the very miserable condition in which the agriculturists have been placed, no collection of arrears should be made for the next year too. That is the opinion which the agriculturists have expressed at several public meetings. I hope Government will kindly note their request and accede to their request.

With regard to the rate of interest, I do not want to say anything more than what has already been stated by my honourable friend, the mover of the cut. I want to give my additional support and request Government to reduce the rate of interest to 4 per cent. I have nothing more to add and hope Government will declare their policy.

Mr. V. N. JOG (Dharwar District): Sir, I rise to support the motion which has been moved by my honourable friend Sardar Rao Bahadur Naik. I have also tabled a resolution which stands No. 2 in the list of resolutions in my name. It reads:

"This Council recommends to Government that a sum of one crore be set apart for the year 1934-35, for granting small tagavi loans to agriculturists, at a rate of interest not exceeding 4½ per cent. repayable within ten years."

The amount that has been provided for loans to cultivators and co-operative societies together is Rs. 4,28,000. I think this is a very meagre amount taking into consideration the condition of the agriculturists. In this, even co-operative societies also have been included. During the current year Rs. 7,30,000 was provided, but only Rs. 4,02,000 was spent. I think Government are not showing active sympathy with the agriculturists. Several times the condition of the agriculturists has been described and my honourable friend has already stated that the credit of the agriculturist is well exhausted in all quarters. The co-operative societies themselves are not willing to lend to the agriculturists, whether they have money or not. Individual sowcars and moneylenders have stopped lending to the agriculturists. Under these circumstances, it is Government that should come to the rescue of the

[Mr. V. N. Jog]

agriculturists. Whatever the produce, on account of low prices the agriculturist is not able to pay the cost of cultivation and Government assessment. The actual need is with regard to the current requirements, for instance, they have to buy seeds, they have to buy bullocks and so on, for the current agricultural operations. It is for Government at least for one or two years to come forward to help the agriculturists and set apart large sums of money for this purpose. No doubt, a scheme as simple as possible, without detriment to the security for the repayment of the loan which should also be taken into consideration, should be thought out and published. Then, it should be made known widely, because it so happens that it is not known to the agriculturists that a certain provision has been made and what Government are going to do for them. And, therefore, after the scheme is thought out and sanctioned it should be widely published, and, under the Agriculturists Loans Act of 1883 and 1884, small loans—I am not in favour of any big loans to agriculturists under the scheme—small loans such as they will require to carry on current agricultural operations should be given to them. Then only will the agriculturists be able to carry on their agricultural operations. If this is not done, there is even a risk of Government losing their land revenue. Even now we see that many of the lands remain uncultivated either for want of labour or for want of resources with the agriculturists. Therefore, it is even in the interest of Government to provide means for the better cultivation of the land, so that the land may not deteriorate. The grant of these loans will be a good investment for Government. That amount along with the land revenue will be a charge on the land, and Government will not be a loser in any way. Therefore, a larger amount should be provided.

The question may arise as to where the funds are to come from. No doubt, most of the honourable members do not like that the debt burden of the province should be increased. In ordinary circumstances, it is quite a sound proposition to lay down that the debt burden should not be increased, but when there is an emergency, and especially when even Government interests are involved, Government should borrow and help the agriculturists. The time is most opportune as the prevailing rate of interest is low. The money is not for unproductive purposes. The money will be returned with a reasonable interest. The interest charged should be very low, as I have already stated, because the agriculturists should be able to pay their way. Unless the interest is low, agriculturists will not be able to repay the interest and instalment after paying cost of cultivation and Government assessment. As I have suggested in my resolution, not more than 4¼ per cent. should be charged, and the repayment should be spread over 10 years. Coming to the position of the debt charges, it is true that many of the members have, at the time of the general discussion, stated that the debt burden is already very high and should not be increased. But, Sir, considering our position as a whole we need not be alarmed at the debt position as disclosed in Statement D. The honourable member the Finance Secretary has

[Mr. V. N. Jog]

explained to us that the real debt burden is only 30 crores, and we hold assets which cover the debt burden. Conceding the general principle that we should not go on borrowing, I think that we may borrow when we have a hope of being able to repay in a short period, particularly when we have to save the agriculturists. Government should not therefore hesitate to borrow a large sum of money from the Government of India and earmark it for the purpose of helping the cultivators. With these remarks, I support the motion.

Dewan Bahadur D. R. PATIL (East Khandesh District): Mr. President, the Honourable the Finance Member has been kind enough to provide 8 lakhs for giving remissions and suspensions to agriculturists. In that connection, I would like to bring one fact to his notice. So far as my district is concerned, the price test for remissions and suspensions has not been applied. Therefore, it is necessary that the people of East Khandesh should get that relief. I would specially ask the Finance Member to write to the Collector of East Khandesh and ask him to send a list of those persons who deserve relief in the matter of tagavi loans or suspensions and remissions. As he has been kind enough to ask for reports, I am sure the Commissioner of the Central Division will also be kind enough to ask the Collector to make a report about East Khandesh. Government have been kind enough to pass a resolution stating that the price test should be applied in giving remissions and suspensions——

The Honourable the PRESIDENT: This is a diversion from the subject before the House. Remissions and suspensions are not now under discussion.

Dewan Bahadur D. R. PATIL: Of course; by the by, I may be allowed to make a suggestion to the Honourable the Finance Member about remissions and suspensions by way of relief to cultivators. I know it is not quite relevant. If that is not to be allowed, I will say that Government should be liberal enough to give East Khandesh tagavi loans on a larger scale than for other districts, as the people of East Khandesh have not got relief in the way of suspensions and remissions. I would express my sympathy with the views expressed by the honourable mover of the cut. I am sure the Honourable the Finance Member and the honourable member the Commisssioner of the Central Division will pay attention to what I have said and will do the needful in the matter.

Mr. S. H. COVERNTON: Sir, the honourable member Mr. Chikodi asked just now what the policy of Government is in regard to the recovery of tagavi loans, and the honourable member for East Khandesh also desired that the exact policy in regard to East Khandesh should be announced. I am afraid I cannot yet say exactly what policy Government is going to follow this year in respect of the recovery of tagavi loans, still less suggest that the Collectors should send to Government a list of all people in East Khandesh who should get suspension of their instalments of tagavi. That is a matter for the Collector. But the

[Mr. S. H. Covernton]

Collectors for a long time past in all the districts have followed the policy that whenever they receive any application from any one who says that he is unable to pay up the instalment, they go into the matter and revise the instalments and reduce them very considerably. This happens in a large number of cases in almost every taluka: on representations being made by individuals to Collectors, they consider their cases and reduce the size of their instalments—that is to say, the number of years within which the loan is repayable is increased and thereby the annual instalment is reduced. Apart from that, the normal rule which is ordinarily followed by Government is that recovery of tagavi follows the recovery of land revenue; that is to say, if in a village only one assessment is being recovered, then only one instalment of tagavi is recovered; if half the assessment only is being recovered, only half the instalment of tagavi will be recovered; if, on the other hand, one and a half or two assessments are being recovered, then also one and a half or two instalments of tagavi will be recovered. That is the normal rule at the present moment. To what extent that rule should be applied this year, or to what extent variations should be made from it, is being considered by the Commissioners at present. After they get all the Collectors' reports, they will send their reports in due course to Government, and Government will consider them in the light of the circumstances. But in no case is it likely that recovery of tagavi will be more than it would be on the basis of the recovery of assessment for the year. The principle on which the recovery of assessment is based will hold good in the case also of tagavi; if one assessment is to be recovered, only one instalment of tagavi will be recovered. Whether any relaxation should be made in that principle will depend on the Commissioners' reports.

2-30 p.m.

Mr. P. R. CHIKODI: Will the orders of Government in this connection be supplied to the members of this House?

Mr. S. H. COVERNTON: No orders have yet been issued.

Mr. P. R. CHIKODI: When they are passed, will they be supplied to honourable members?

Mr. S. H. COVERNTON: If the House is sitting, yes. I am not sure whether we will be able to get them out before the session ends.

Mr. P. R. CHIKODI: If the House is not sitting, they can be sent to the members by post.

Mr. S. H. COVERNTON: A press *communique* will probably issue, or a copy of the orders will be placed on the Council table. I cannot undertake to communicate the orders to every individual member of this House. That is not the usual practice.

Dewan Bahadur D. R. PATIL: On a point of information. May I know whether the decision of the Commissioners, to which a reference has been made by the honourable member the Revenue Secretary, will be applicable to the present year's assessment or the next year's assessment?

Mr. S. H. COVERNTON: I do not follow the question. We were talking of tagavi.

Dewan Bahadur D. R. PATIL: Yes. The reports of the Commissioners will be called for. Will the decision apply to the present year's tagavi or the next year's?

Mr. S. H. COVERNTON: The current tagavi, of course.

SYED MIRAN MAHOMED SHAH: Does this rule apply to Sind also?

Mr. S. H. COVERNTON: No, I do not think it does. In Sind remissions are given on a different basis altogether. They are not given by recovering half year's or one year's assessment. They are dealt with on an entirely different basis. Obviously, therefore, that rule could not apply to Sind.

Mr. A. N. SURVE (Bombay City, North): Sir, with considerable trepidation I rise in my seat to address this House on this occasion. The subject which is before us, is very vast and touches the welfare of our Presidency. My trepidation is all the greater in view of the dangerous doctrine enunciated by the Honourable the Leader of the House yesterday. I understood him to suggest yesterday that a representative of Bombay North should not refer to matters relating to Bombay South——

The Honourable Sir GHULAM HUSSAIN: I never said that.

Mr. A. N. SURVE: How far that doctrine is correct I do not know——

The Honourable the PRESIDENT: The Honourable the Leader of the House says he never said that. He simply wanted to know whether the honourable member represents Bombay North, or Bombay South or any other portion of Bombay.

Mr. A. N. SURVE: Exactly, that is what I am explaining. I represent Bombay North, but at the same time the Honourable the Leader of the House has lost sight of one fact. I represent in this House one special interest. I am here as the representative of the Maratha and allied castes of Bombay City.

The Honourable Sir GHULAM HUSSAIN: I do not doubt that.

Mr. A. N. SURVE: There are no reserved seats for Bombay City South and under the Bombay Electoral Rules, when the constituency is the same, a member from the South can come and contest the election in Bombay North. On that account, whether I represent Bombay North or South——

The Honourable Sir GHULAM HUSSAIN: I do not doubt that.

Mr. A. N. SURVE: I represent Bombay City.

Honourable MEMBERS: The whole Presidency.

The Honourable Sir GHULAM HUSSAIN: You represent the whole Presidency.

Mr. A. N. SURVE : I said that business is a very complex organisation. If one of its parts goes out of order, the whole organisation feels its effect. It ceases to work. I bear no kinship to the merchants, but still, their welfare affects the welfare of the labourers and the working classes. For that reason, I had to ask whether that question touched my interest or not——

The Honourable the PRESIDENT : The motion before the House.

Mr. A. N. SURVE : I am addressing the House merely as a layman, and if I am wrong, our expert department will kindly throw some light on my difficulty.

The subject is very vast and of vital interest to the welfare of the Presidency. Now, Sir, we are discussing Debt, Deposits and Advances. In spite of the assurance of the honourable member the Finance Secretary that our position is not so bad and that the real debt of the Presidency is only 30 crores, I beg to point out that he has been presenting the hypothetical case. He has in mind the state of affairs when Sind will be separated, when all the municipalities, Port Trust and other bodies will have paid their debts. In that case the burden of debt on the Presidency will be 30 crores. But we are concerned with the present. What is that state of affairs at present? That is the point. Let us not look to the distant future. Let us look to the present. We are responsible for the interest charges on the loans which we have advanced to local bodies, corporations and to the Sukkur Barrage. I have in my hand a copy of the Appropriation Accounts of the Government of Bombay and the Report of the Accountant General thereon for the year 1931–32, and on page 29 he has stated the position of this Presidency as regards the debt charges and responsibility for the payment of interest. He says in paragraph 45 :—

"Excluding the repayments made by these corporations which are merely passed on to the Provincial Loans Funds as they are received and the interest on the Lloyd Barrage Scheme borrowings which is capitalised, the debt charges of the Presidency during 1931–32 amounted to 2,08,82 or 15·1 per cent. of the ordinary revenue and Provincial Loan Account receipts."

We have to set aside out of our revenue charges every year 15 per cent. That amount is pledged; and what are we spending this amount for? That is a question which we must consider. I just read in the same book, paragraph 46 :—

"It is unfortunate that the assets created out of the borrowings contribute no surplus revenue towards these charges. The development operations are looked upon as definitely unremunerative and the established Irrigation systems are working at a loss. The Lloyd Barrage with its separate and heavy debt, remains a problem of the future."

Sardar Rao Bahadur B. R. NAIK : On a point of information. All this cannot come under the head to which my motion relates.

The Honourable Sir GHULAM HUSSAIN : It is irrelevant.

Mr. A. N. SURVE : After having stated this, I shall now come to Loans and Advances. If you will turn to page 196, you will find a table under paragraph 309. It refers to loans to cultivators. You will see that in the budget estimate for 1933–34, the amount that was earmarked was Rs. 6,77,000 but it was curtailed under the revised estimates and

[Mr. A. N. Surve]

brought down to Rs. 3,69,000. That means it was reduced to nearly half. The point I am urging is that large sums are earmarked for a beneficent object but that beneficent object is never carried out. That is what I have been urging to the notice of this House. The sum earmarked for the next year for the same item is Rs. 3,95,000. Take another item a little lower down in the same table. You will find Loans to Local Bodies on account of public works. Even there the amount which was put in the budget estimate for 1933-34 was Rs. 92,000 as against actual payment of Rs. 1,01,000 in the year 1932-33. It was subsequently reduced in the revised estimate to Rs. 50,000 and for next year it is put at Rs. 85,000 and it is not known to what figure it will be reduced in the course of the year. This point is important in this sense, that the local bodies are meant for important works affecting the health and welfare of the public such as the provision of water, digging wells and matters of that kind, but when Government go on reducing the earmarked amounts, how are these local bodies going to execute works which really tend to advance the health, the convenience and the comfort of the public? That is my point. Government ought to take notice that these are matters which affect the health and the earning capacity of the public and therefore there should be no reduction of the amount that has been sanctioned from year to year.

Then, Sir, I come to loans under the state-aided building schemes. There, the budget amount for 1933-34 was Rs. 1,80,000, but in the revised estimate that figure leapt up to Rs. 2,15,000 and for the current year it is Rs. 1,60,000. Now the distinction between these three items is this that in the state-aided building scheme Government is benefiting an individual. It advances a loan out of the state funds to an individual so that he may build his house, but in the case of local bodies, the idea is not to benefit an individual but to benefit the public of an area. Government is trying to curtail those amounts which go to enhance the welfare of the public, through the local bodies, and they are trying to advance money to benefit individuals. Our money, Sir, is not meant for that. When we are crying out that our nation-building departments are being starved, this is the way how they are starved.

Then, Sir, I have several important points and suggestions still to make to show in what way we can utilise these amounts or how our income can be increased but I shall not take up the time of the House, but I request Government to let us know whether they have any schemes under their consideration by which our income will be advanced. At present we are spending money for unremunerative purposes——

The Honourable the PRESIDENT: All that is in a very general way. The honourable member understands how far he is digressing from the real point.

Mr. A. N. SURVE: I had one point to make and I have made it. If I am not allowed to proceed further, I shall conclude my speech.

Mr. N. N. PATIL (Kolaba District): Sir, I wish to associate myself with those who have lent their support to this cut, but in giving my

[Mr. N. N. Patil]

support to this cut, I desire to offer some suggestions of mine to the Government. The tagavi loans should be advanced to real agriculturists. By "real agriculturists" I mean those who cultivate the land themselves. In many cases it so happens that the landlord class which mostly happens to be moneylenders ask their tenants to apply for these tagavi loans and when the tagavi loan is given to them, that money directly goes into the pockets of the landlords to satisfy their dues.

The next thing I wish to bring to the notice of Government is this, that a large number of agriculturists living in the villages do not know whether there is a system of advancing tagavi loans to the agriculturists. Therefore, this fact should be made known to them through the agency of the talatis and the police patels, who should see that the money advanced by way of tagavi loans to the agriculturists is really spent on the current agricultural operations, buying seeds and other things.

Then, Sir, the rate of interest that should be charged on such loans made to the agriculturists by way of tagavi should be quite nominal, say 3 per cent. or 4 per cent. Unless Government take sufficient care to see whether the loans advanced to the agriculturists really do some good to those agriculturists or not, however large amounts are provided for the purpose will be of no use to the real cultivators.

With these words, I support the cut.

Mr. SHAIKH ABDUL MAJID (Karachi District): Sir, I rise to support the cut moved by my honourable friend Sardar Rao Bahadur Naik. In doing so, I really feel that the amount sanctioned in the next year's budget for providing tagavi loans is too small to meet the requirements of the agricultural community. One of the honourable gentlemen who preceded me, has dwelt upon the necessity of earmarking a major portion of the tagavi loans for the small landholders, and I am perfectly in sympathy with the suggestion made by him, but I would at the same time point out to him that the condition of the agricultural class whether small or big landholders is equally bad. The experience that I have of my province is this: the larger the landholder, the greater the amount of debt that he is involved in, but that does not mean that the condition of the small khatedars is any the better. Whether small or great, the condition of the whole agricultural class is extremely bad.

The constituency that I represent is still worse off because of the construction of the Barrage and unless Government make a provision for liberal tagavi loans and borrow a loan from the Government of India for that purpose on the lines suggested, I think the provision made in the Budget will not meet the exigencies of the occasion. With these words I support the cut.

Sardar Rao Bahadur B. R. NAIK (Surat District): Sir, I have not much to say in reply, as my motion has been supported by each and every honourable member on this side who rose to speak on it. I would like to impress upon this honourable House that, from the admission of the Secretary of the Revenue Department, it is quite evident that the rules as they stand at present are such that, if Government decide to take the full assessment of land revenue from the cultivator

[Sardar Rao Bahadur B. R. Naik]

who has also taken a loan in the form of tagavi from Government, he has to pay the full instalment of his loan. Now, I ask in all earnestness, really are the agriculturists even able to meet and pay the regular land assessment to-day? If the reply is in the negative, and it must be in the negative, I cannot understand how, together with the assessment, the cultivator can also pay his dues in the form of tagavi instalments. My contention is that even co-operative societies and co-operative banks are satisfied to recover the interest on their loans and they give long term instalments. I am sorry, Sir, that when an important subject from the point of view of this side of the House is under discussion, the Honourable the Revenue Member was not in his seat, and now also he does not pay attention to it. To our mind this is one of the most important subjects. He may brush aside the question.

The Honourable Sir GHULAM HUSSAIN: I consider it very important.

Sardar Rao Bahadur B. R. NAIK: So far as we are concerned, this is one of the most important subjects under discussion, and Government should seriously consider the question, if they have at all the good-will of the agriculturist at heart. It has been admitted that co-operative banks and co-operative societies are satisfied to recover the interest only, and those co-operative credit societies which pay interest to the district banks are considered to be good societies, and they are put in the "A" or "B" class. Now, Sir, let me take the instance of the Surat district. It has already been decided that Surat must pay the full revenue of the current year, and those cultivators who have received money from Government in the form of tagavi must also pay their instalment which will be due during the year. My object in moving this cut was this. When Government know that the cultivators who have obtained loans in the form of tagavi are not able to meet their regular land revenue dues, they must be given some concessions. Of course, I do not mean to say that no interest should be recovered. If possible, let them try to recover the interest, but they must not be pressed to pay the tagavi instalments.

Sir, I see from the reply of the Secretary for the Revenue Department that the matter is under consideration. Sir, as we know from our experience of several years, it is a very convenient reply for the Government to say "the matter is under consideration". On this occasion also the reply is "the matter is under consideration". I do not know when the matter will be considered, because generally the tagavi instalments are collected together with the land revenue instalments, and as I pointed out repeatedly, in most of the districts of Gujarat the first land revenue instalment has already been collected. So, the instalment of the tagavi loan also must have been collected. I do not know if the matter will be considered after the second instalment of the tagavi and land revenue is collected. I therefore say that this is a very hard time. Here is a question of giving relief not to big landholders or capitalist landholders. Here it is a question of giving relief to the small

[Sardar Rao Bahadur B. R. Naik]

cultivator who obtained the benefit of a few hundred rupees from Government in the form of a tagavi advance. I entirely agree with what my honourable friend from Dharwar said that if Government have no funds, they should go to the market and raise a loan and help the agriculturists, if they want to collect their land revenue. As I said the other day, a sturdy yeomanry is the backbone of the State, and if Government want to keep the agriculturists alive, it is their duty, even by raising loans, to help them.

Then, Sir, I agree with my honourable friend Mr. A. N. Surve—of course he has discussed several other points—when he said that the State should give grants for building houses. If I am wrong, I may be corrected, but I believe that Government, like big speculators who have made crores during the boom period, launched schemes like the Back Bay scheme and the Salsette scheme and so many other schemes. Now, the land developed in Salsette area, Santa Cruz, Vile Parle and thereabout is lying vacant and the people are not coming forward to purchase the plots. Therefore, I believe that those who buy the plots are given some advance for building houses. I think I am quite right when I say that the amount which is provided here is for giving some aid and assistance to such people who purchase Government land in the Salsette area, and of course the money is to be recovered by instalments.

Mr. B. S. KAMAT: State aid for housing has stopped.

Sardar Rao Bahadur B. R. NAIK: It is here, an amount of Rs. 1,60,000 provided for the ensuing year. I am told by my honourable friend Mr. Kamat that this has been stopped.

Mr. B. S. KAMAT: State aid for housing societies.

Sardar Rao Bahadur B. R. NAIK: If it has stopped, it is all right. I simply bring the matter to the notice of the Honourable the Revenue Member. If that is so, he will say so in his reply.

The Honourable the PRESIDENT: Why would he refer to this in his reply? What is the point?

Sardar Rao Bahadur B. R. NAIK: My honourable friend Mr. Kamat told me not to discuss this, because it has been stopped. But I say there is the provision in the budget.

The Honourable the PRESIDENT: How is that relevant to the question before the House?

Sardar Rao Bahadur B. R. NAIK: It is covered by my cut, Sir. On page 196 of the Blue Book there is the provision of Rs. 1,60,000 for "Loans under the State-aided Building Scheme."

The Honourable Sir GHULAM HUSSAIN: That is for the Salsette area.

Sardar Rao Bahadur B. R. NAIK: So, I was quite correct when I was referring to the Salsette area, Santa Cruz, Vile Parle and other places round about. This provision is covered by my cut. However,

[Sardar Rao Bahadur B. R. Naik]

if Government can find the money. I do not say they should not help these people. If Government want to dispose of the land, I do not say that the people who buy the plots should not be given any help. But when you are prepared to allot Rs. 1,60,000 for giving aid to individuals to build houses, I think for the whole of the Bombay presidency a sum of Rs. 3,95,000 for tagavi loans is quite inadequate. That was the point that I wanted to make. I hope Government, in view of the discussion that has taken place here, will consider this matter and will see their way to increase the allotment for tagavi loans, and also that a simple and easy procedure will be adopted, so that the agriculturists may take advantage of these loans, because, I am quite sure that even if this House sanctions 10 lakhs of rupees, if Government would not care to lend the money to the agriculturists, the agriculturists will not be able to take advantage of it. They should advance the money on easy terms at cheap rate of interest to the agriculturists, and the cumbersome and clumsy rules should be dispensed with as far as possible. With these remarks, I resume my seat.

3 p.m.

The Honourable Sir GHULAM HUSSAIN : Sir, it has been made very clear in the discussion on this demand that the credit of the cultivators is very bad ; they cannot get any money from the moneylenders who usually charge them very heavy rates of interest, from 15 to 25 per cent. and even more. Now, there are two demands on behalf of the House : one is that we should increase the amount for tagavi loans, and the second is that we should reduce the rate of interest. Well, Sir, up to now we were advised that our debt position was very bad and we should not borrow any more. However, if that is the wish of the House, Sir, we will, under certain circumstances, borrow more, if there is more demand for tagavi loans. I will state the conditions hereafter.

Now, coming to the question of interest, the honourable member stated that we can borrow at 4 per cent. We have generally to borrow from the Government of India. If the Government of India borrow at 4 per cent., they advance the money to us at 4½ per cent. That is the position. Now, what has been the position with regard to tagavi loans in the past few years ? During the last five years, the outstanding of our tagavi loan is about Rs. 1,86,00,000.

Sardar Rao Bahadur B. R. NAIK : On a point of information. Does this include the loans given to Gujarat for flood relief ?

The Honourable Sir GHULAM HUSSAIN : Certainly it includes tagavi that was given for flood relief.

That is the Government money outstanding, and during this period of five years, on an average we have been losing 4·52 lakhs a year. The Reorganisation Committee recommended that our Provincial Loan Fund should be self-supporting and that is our present policy. To secure that end we should have to charge 4·4 per cent. more than our borrowing rate for tagavi loans. That is based on an analysis of the figures over a period of years. Now, if honourable members will bear with me, I should like to explain that if we borrow from the Government of India,

[Sir Ghulam Hussain]

the cheapest rate will be 4½ per cent. So that the total we ought to charge is 8·9 per cent.; and we are at present charging the agriculturists only 8·3 per cent.

Mr. G. S. GANGOLI: That is for normal times.

The Honourable Sir GHULAM HUSSAIN: So, honourable members will see that our rates of interest are not very heavy. But looking to the general depression, Government have very carefully considered the case of the agriculturists, and they are reducing the rate from 8·3 per cent. to 7·3 per cent. on advances under the Agriculturists' Loans Act. And honourable members should not forget that one of the recommendations of the Re-organisation Committee—and that has been the desire of this House also—is that we should see that this particular head of expenditure is a self-supporting one. But as it is the desire of the honourable House, we are departing from that principle and reducing the interest on tagavi loans to 7·3 per cent. for advances under the Agriculturists' Loans Act.

Mr. L. R. GOKHALE: By how much will the Government suffer by the reduction of this one per cent.?

The Honourable Sir GHULAM HUSSAIN: It all depends upon the demand made. This is only for tagavi for seed, bullocks, etc., and not for improvement to lands.

Mr. V. N. JOG: Will the administrative charges come to 2 per cent.?

The Honourable Sir GHULAM HUSSAIN: There are also the losses. So, honourable members will see that we will liberally advance loans to the smaller men, as we have been advised by this honourable House, provided there is good security. Government will directly advance the loans to them. There, we will take into consideration what are the outstandings in each district. We do not want to overburden the cultivator. Suppose he has already borrowed too much, will this honourable House advise us to give him more? That means we will be completely ruining him. As desired by this honourable House, we will borrow more money for tagavi and not for improvement to lands; and secondly, we will reduce the rate of interest from 8·3 per cent. to 7·3 per cent. This should satisfy the House that our sympathy for the agriculturists is not mere lip sympathy.

Sardar Rao Bahadur B. R. NAIK: Is not the rate of interest higher than what it was in 1929-30? Here, I have got an authoritative book to show.

The Honourable Sir GHULAM HUSSAIN: I have calculated everything and placed the whole position before the House. You want Government to undergo unnecessary trouble. I cannot reply to that question at present.

Sardar Rao Bahadur B. R. NAIK: I beg leave of the House to withdraw the motion.

Question put, and leave refused.

Question (cut motion) put, and negatived.

Original demand put, and agreed to.

The Honourable Sir GHULAM HUSSAIN: Sir, I move a demand of Rs. 1,000 under 61, Payments to retrenched personnel.

Question put, and agreed to.

The Honourable Sir GHULAM HUSSAIN: Sir, I move a grant of Rs. 12,41,000 under 60B, Payments of commuted value of pensions.

Question put, and agreed to.

The Honourable Sir GHULAM HUSSAIN: Sir, I move a grant of Rs. 49,000 under 60A, Other Provincial Works not charged to revenue.

Question put, and agreed to.

The Honourable Khan Bahadur D. B. COOPER: Sir, I move for a grant of Rs. 10,000 under 60, Capital outlay for Civil Works (P. W.).

Question put, and agreed to.

The Honourable Mr. R. D. BELL: I beg to make a demand for Rs. 2,83,000 under 59, Bombay Development Scheme.

Question put, and agreed to.

The Honourable Khan Bahadur D. B. COOPER: Sir, I beg to make a demand for Rs. 31,000 under 56A, Capital Outlay on Improvements of Public Health.

Question put, and agreed to.

The Honourable Mr. R. D. BELL: Sir, I beg to make a demand for Rs. 48,13,000 under 55, Construction of Irrigation Works, Lloyd Barrage and Canals Construction.

Question proposed.

Mr. MAHOMED HASHIM GAZDAR (Karachi City): Sir, I beg to move:—

"Omit—Item 20—Total Demand—Rs. 63,825 (Blue Book page 221).

I respectfully request this honourable House not to pass this item of expenditure, because it is adding already to the excessive establishment charges that we have got in Sind. The establishment charges in Sind used to be between 11 and 14 lakhs a year for the same area irrigated, the same miles of canals, everything the same that used to be done before. Now, it has risen permanently to 35 lakhs a year. This particular Plant Division was created by the sanction of this honourable House about two years ago and then Government had made a statement that they had sent instructions to the Chief Engineer in Sind that the division was to be closed on the 31st of March last year. But, unfortunately because there are certain officers, though they are not wanted for this work, who must be maintained, the Division is kept on and we must pay for them. Now, what was the work to be done by this

[Mr. Mahomed Hashim Gazdar]

Plant Division ? On page 221 of the Blue Book it is stated that the first is the collection of stores, preparations etc. I would inform this honourable House that about three crores and six lakhs rupees worth of plant was purchased for the Lloyd Barrage scheme. But most of the money was invested on very big plants which were required for the Barrage proper. Now, this work has been completed two years ago. Works had been working in full swing. There are 46 dragline excavators, of which 36 are idle and only ten are working. And these also will not be required after 31st March 1935. These big plants, the rolling stock, the railway line, the dredging plant, the quarry plant and other machinery working on the canal lines, had to be collected, repaired, classified under different heads of machinery and some definite specification about each unit had to be written; and if there were any necessary repairs they were to be done and then advertisements were to be sent out. Now, Sir, you will find from the note given in the Blue Book that all these items of work, that means the collection of the machinery, repairs, classification and specification are complete. This work the Plant Division was expected to do in one year. But it has taken two years, and we are told that this portion of work is practically complete. What is required now is negotiations for sale and despatch of stores to the purchasers. Now, these two things could be done by any ordinary storekeeper kept under some executive engineer, as most of them have got very little to do at present. The Honourable General Member himself has said that, after selling the small plants (it is stated in the note), the big plants can be stored and looked after by any existing division. Government themselves admit that the big plants can be looked after by some of the permanent divisions under civil engineers.

Therefore, the first thing about which I would like to inform the House is that we were told that the sale of these old plants would fetch us 1,05 lakhs but this figure at present has been reduced a great deal by Government. No reasons are given. But, we are told that we will get only 59 lakhs from the sale of these plants. For this we are asked to spend 2 lakhs on repairs and Rs. 63,000 on establishment every year for selling them. Out of the 59 lakhs which we are told we will realise, 23 lakhs have already been realised—major portion of it by book transfer, i.e. transferring these plants to other Government Departments and the rest by selling in the market. The value of the remaining plant to be realised is about 37 lakhs. I believe that most of these plants are big plants, the dragline excavators, the dredging plants, the quarry plants which nobody can steal and do mischief to. A watchman on Rs. 20 a month will look after it. Now, under these circumstances, I do not know why at this juncture, when only negotiations for sale remain to be carried on and very little has to be done, we should maintain a staff costing Rs. 63,000. I will respectfully submit to this honourable House that they should hear me with a little patience, because it is the taxpayers' money that is being spent. They should not think that

[Mr. Mahomed Hashim Gazdar]

it is being charged to this head or that head with which they are not concerned. I submit that full responsibility lies on this House.

Let us now analyse this sum of Rs. 63,000. If honourable members will look to page 220 of the Blue Book they will find that an executive engineer is to be maintained and paid about Rs. 19,000; another assistant executive engineer has to be paid about Rs. 16,000; that makes Rs. 35,000. Further on, we have to pay their travelling allowances, which amount to Rs. 4,700. Nearly Rs. 40,000 out of the sum of Rs. 63,000 are thus provided to be paid to two officers only. Sir, I do not think our financial position is such that we can maintain a sort of *dharamshala* or *pinjrapole* for keeping certain officers who are not required for work. What is left of the work is nothing. Mostly big plant is left. I am very sorry the honourable member Rao Bahadur Naik did not move his cut on 59, Bombay Development Scheme. If he had done that, I would surely have congratulated Government for spending only Rs. 6,000 a year on maintaining and selling a plant worth about 2,82 lakhs, that is lying in Bombay City. Unfortunately, I lost that opportunity. But I want to say now, when Government can so very efficiently and cheaply manage to look after that plant and provide for its sale, I do not see why we should maintain a special division in Sind where we have got 28 executive engineers already. At every step you go about in Sind you find an executive engineer in Sind; you find them wherever these machines and plant are lying. Why should then Government maintain again a huge white elephant, viz. Plant Division, separately at a cost of Rs. 63,000? I, therefore, submit that this honourable House should refuse to grant this item.

This House has been misled by Government from step to step. In 1932, this House was told that the division would be kept for less than one year; last year, the House was told that the division would be continued only for one more year; but now they say "Give us one year more, or two years more." I would like the Government to inform the House, out of the 37 lakhs rupees plant what is expected to come from the big plant, which the Honourable the General Member said could be looked after by the permanent divisions, and what amount out of the plant for which we are asked to spend Rs. 63,000 on establishments. Then, if you look to pages 120-121 an expenditure of Rs. 2,18,000 is provided for repairs, dismantling, etc. of this plant. I think it is surely a very extravagant way of dealing with the taxpayers' money. I would, therefore, request that this honourable House should not pass this item, and Government should be compelled to make arrangements for sale through the 28 executive engineers they have got at present in their employment in Sind.

Mr. J. B. PETIT: What is the amount of the cut?

Mr. MAHOMED HASHIM GAZDAR: Rs. 63,000; the whole item. Sir, I would like to draw the attention of this honourable House to the fact that this House has not been fairly dealt with so far. Sir Charlton

[Mr. Mahomed Hashim Gazdar]

Harrison, when he was a member of this House, claimed that he would save one crore of rupees on this project. He made that announcement in this House, and when he retired, we, the citizens of Karachi, gave him a very grand send-off for constructing the largest irrigation scheme in the world, and doing it under one crore of rupees on his own estimates. Though those estimates were revised three times—there was what he called a second revised capitulation—still we were very thankful because there was a saving of one crore of rupees from even the latest revision. If that was a fact, this honourable House should have been taken into confidence and the Barrage estimates which have now been put before us should have been reduced by one crore. I would like the Honourable the General Member to enlighten us on this point, because it is a very material point. If Government and the Chief Engineer in Sind wanted to take credit for it and put the public into this sort of false belief, that they have really made a saving of a crore of rupees from the estimates sanctioned by this House, the estimates should have been reduced by one crore of rupees. But, Sir, I am of opinion that that is not correct. That is only misleading the public and this honourable House. The project is going to cost much more than what it was estimated for.

The Honourable Mr. R. D. BELL: Sir, is the honourable member in order in going over the whole of the Lloyd Barrage estimates on this particular item?

The Honourable the PRESIDENT: The point of order raised is perfectly right, and the honourable member cannot discuss the whole of the Barrage estimates and the various items of expenditure included in it. He has got one particular item before him and he will have to confine himself to that.

Mr. MAHOMED HASHIM GAZDAR: I simply wanted to support my cut by giving an illustration. If we are going to be extravagant and prodigal in sanctioning more and more of expenditure which was never intended to be incurred, we will be exceeding the estimates and financial provisions of the project. Sir, yesterday, I understood from you that we would be allowed to have a general discussion on the demands. I would stop, Sir, if you think that I should not do so.

The Honourable the PRESIDENT: Has the honourable member finished?

Mr. MAHOMED HASHIM GAZDAR: If I cannot discuss the general policy, I will stop.

The Honourable the PRESIDENT: The general policy of the Barrage cannot be discussed under this head.

Question proposed.

The Honourable Mr. R. D. BELL: Sir, the motion does not seem to have created a good deal of excitement in the House. The note in the Blue Book is a very full one, and there seem to be very few points which require to be answered. The honourable mover of this cut said that

[Mr. R. D. Bell]

Government had deceived the House for two years in succession by saying that this particular establishment would be required for one year only.

Mr. MAHOMED HASHIM GAZDAR: I said "mislead".

The Honourable Mr. R. D. BELL: I do not know the difference between misleading the House and deceiving it; but the accusation is that Government mislead the House. Well, Sir, I do not know the exact phraseology used two years ago, but last year, the remarks that were made in the preliminary issue of the Blue Book are quoted here (in this year's Blue Book) for every honourable member to read. It was stated then that there was sufficient work to be done to justify the existence of this Plant Division at least up to say March 1934. Judged by the stock that remains, it is quite clear that if the business is to continue on the lines on which it has been run for the last two years—and I suggest to honourable members that these lines, measured by results, have been very satisfactory—it is quite clear that some establishment is necessary to carry on this business.

3-30 p.m.

The only question is whether the establishment provided is or is not extravagant. Well, Sir, on that point, I would refer honourable members to the percentage cost of the establishment, which is 10 per cent. of the receipts and to remember the conditions under which it works. I did not quite catch the reference made by the honourable mover to the arrangements for disposing of plant in Bombay City in connection with the old Development Department operations. But the conditions under which plant is disposed of at Sukkur and the conditions under which it can be disposed of in Bombay are entirely different. Bombay is a regular market for almost all plant, and business people are continually coming here—there are agents and there are brokers. But this Plant Division is working in the north of Sind and has no connection with business centres except by means of the post and the telegraph. There is, therefore, a great deal of correspondence to be carried on. From that point of view, it is obviously quite impossible that this work can be divided amongst the 28 executive engineers, to whom the honourable member made a reference. Nobody who wants to buy a plant wants to write 28 letters to 28 executive engineers. I assure the House that up to date the disposal of the plant has been conducted under business conditions and on very satisfactory terms to Government.

Mr. SHAIKH ABDUL MAJID (Karachi District): I rise, Sir, to support the cut moved by my honourable friend Mr. Mahomed Hashim Gazdar. In doing so, I do realise that the conditions in Sind are somewhat different from those in the Bombay City, and therefore the expenditure on the disposal of plant and machinery ought to be somewhat more in Sind than in the City of Bombay for the disposal of the dredging machinery purchased in connection with the Back Bay Development. Sir, I understood my honourable friend Mr. Gazdar to say that on machinery worth about two crores of rupees, belonging to the Back Bay

[Mr. Shaikh Abdul Majid]

Development, only about Rs. 6,000 was being spent for supervision and disposal. I cannot understand why for nearly the same amount of machinery the difference in Sind should be so great as between Rs. 6,000 in Bombay City and Rs. 63,000 in Sind.

Another point for consideration is this. This division was created in the first place on a temporary basis, and it was understood that it would not last for more than a year. But after 31st March 1933, again, the period was extended up to 31st March 1934, and now it is proposed to extend the period of the division up to 31st March 1935. But there is no definite assurance that the division will be closed even after that date. We have been told in the Blue Book that the necessity of continuing the division for a further period was then contemplated. Well, it is true that last year that was the position. But what is the position now? There is no definite further period laid down. After 31st March 1935 we may be informed that it will be necessary to continue the Division for 12 months more. That I think is not fair, nor is it justifiable to maintain this division for the next year. It is not fair also to give us no definite assurance that it will be closed on 31st March 1935. My honourable friend Mr. Gazdar has already informed the House that the plant and the machinery worth about 3 crores and 6 lakhs was estimated to bring about a crore of rupees. Well, we were informed to that effect three or four years ago. But now the prices have gone down and therefore the plant and machinery may bring us about 60 lakhs. There are so many engineers in Sind at present who can be safely entrusted in addition to their normal duties with the work of disposing of this plant and machinery. I see no reason why this division should be maintained for one year more. With these words, I support the motion before the House.

The Honourable the PRESIDENT: Before putting the motion to the House, I would like to point out that there are certain conventions in the matter of debate which should be followed. Technically speaking, and as a strict matter of right, an honourable member may be within his rights in speaking at moments which probably give him time and opportunity to speak. When this motion was moved and the honourable mover sat down, I looked round to see if any one would rise to speak and seeing none rising, naturally the Honourable the General Member rose to reply. He also expressed surprise, at the beginning of his remarks, that there seemed to be no great enthusiasm shown on the part of the House, and what he stated was the final reply. Then the honourable member (Mr. Shaikh Abdul Majid) gets up and makes a speech, which necessitates another opportunity being given to the Honourable the General Member for a reply, if there are any points that he cares to reply to; so also to the mover of the motion. That lengthens debate unnecessarily. I am pointing this out in order to save the time of the House. An opportunity was given to honourable members to speak; I waited and the Honourable the General Member also waited for

[The President]

honourable members to speak. None stood up. It was thought that the debate had concluded. However, I put the motion——

Mr. MAHOMED HASHIM GAZDAR: No right of reply, Sir?

The Honourable the PRESIDENT: Is the honourable member going to reply to the speech of the Honourable the General Member?

Mr. MAHOMED HASHIM GAZDAR: Yes, Sir, if no other honourable members are allowed to speak on the subject.

Khan Bahadur ALLAHBAKSH: I want the point to be cleared up, Sir. When the Honourable the General Member spoke, we thought that he was not giving a reply, but wanted to explain certain matters to cut short the debate. But if that was the reply of the Honourable the General Member, then I do not think the mover can reply now, as again he will give a chance to the Honourable the General Member to speak. In that case, some honourable members wish to speak. What is the procedure?

The Honourable the PRESIDENT: What is it that the honourable member wants?

Khan Bahadur ALLAHBAKSH: There are many members who wish to speak.

The Honourable the PRESIDENT: I shall give them a chance. Technically and constitutionally, they are entitled to speak after the Honourable the General Member has spoken if he has spoken by way of intervening in the debate. In this particular instance, I waited for honourable members to stand, and so did the Honourable the General Member, and it was presumed that no one would come forward to speak, and he gave the final reply. If honourable members wish to speak on any motion before the House, they should get up. I shall give them a chance now. If the honourable member has got any points, he can speak now.

Khan Bahadur ALLAHBAKSH: The honourable member Dr. Vaishampayan wants to speak first.

Dr. V. G. VAISHAMPAYAN (Sholapur City): Yes, Sir.

I had made certain observations during the general discussion on Budget on this subject and I will again put forward my remarks. Sir, while making observations on the general aspect of the Budget, I had stated that these two engineers who are kept there especially to pack, seal and sell the machinery and advertise it have been kept there for a long time. First of all, when their appointment came before the Finance Committee, we were informed that they were to be kept there for one year only. Now, year after year the appointments are extended and they say that others cannot do the work. They say that it is a sealed book to other engineers. So, I want to know whether it can now be given into the hands of other engineers who have got practically very little work to do. They can look after this work and if that is done, there will be a saving of about

[Dr. V. G. Vaishampayan]

Rs. 60,000. This point was raised by me in the Finance Committee also.

The Honourable the PRESIDENT: I see that.

Dr. V. G. VAISHAMPAYAN: With this very little speech of mine, I support the honourable mover of the cut who has so ably moved it and placed all his views before the House.

Mr. P. R. CHIKODI (Belgaum District): Sir, I would like to draw the attention of the House to one point in the list of items given on page 222 of the Blue Book. There we find an item called "Sind Allowance". I personally strongly object to any kind of allowance being given to an officer on the ground of his being in Sind. This point has been often discussed. It was alleged that these allowances had been promised and therefore Government had to give them. But to-day a new scheme is placed before the House. I would like to say that no promise of any kind should be given in favour of any officer serving in Sind. There are all sorts of allowances, Sind allowance, Barrage allowance, etc. That is the first point to which I wish to draw the attention of the House. My next point is: there are six kinds of work (*a*), (*b*), (*c*), (*d*), (*e*) and (*f*) which have been described in the Blue Book, of which three (*a*), (*b*) and (*c*) have been completed. There now remain only three kinds of work (*d*), (*e*) and (*f*). The work mentioned in those categories can very well be discharged by one single officer and that officer may be the Executive Engineer or his Assistant. It is not necessary that a whole division, with sub-divisional officers and all the staff, should be maintained. As has been pointed out, by spending Rs. 60,000, we expect to realise a sum of 6 lakhs. Well, Sir, if the expenditure can be further reduced, will it not be to the advantage of Government and also the taxpayers?

Further, the book value of the material has been shown to be 78·51 lakhs. Now it is expected that only 59 lakhs or 60 lakhs will be realised. That is to say, this Government is being put to a loss of 17 or 18 lakhs. Taking this loss into consideration, the provision that is now being made for the expenditure of Rs. 63,000 per year appears to be too big. Therefore I submit that the item deserves to be cut down to a very large extent, if not completely dropped.

Mr. PESTANSHAH N. VAKIL (Ahmedabad City): I trust I shall not be misunderstood if I offer a few observations. I supported Sir Frank Hudson in his demand for funds for the maintenance of a special department to look after this plant, and I also supported the grant in the Finance Committee. However, after very carefully listening to some of the previous speakers, I want to draw the attention of the Honourable the General Member to one or two things.

Sir, it is obvious that the plant will be a gradually diminishing quantity. Moreover, the prices of all machinery are going down. I admit the Honourable Mr. Bell is a non-technical man and as such has to rely upon the advice of his technical experts. This circumstance has got to be taken into consideration when deciding the question. Such of the honourable members as have some experience of machinery in general

[Mr. Pestanshah N. Vakil]

are in a position to opine that this is a serious matter. In the first place it is a question whether such a highly paid officer as an executive engineer on a salary of Rs. 1,325 *plus* £30 overseas pay per mensem is necessary at this stage. Then, Sir, this high officer is assisted by an assistant executive engineer on a salary of Rs. 1,050. We were told that the department had to do a lot of technical office work, for instance, answer inquiries, supply prospective buyers with plans and estimates and so on. They have also, I suppose, to maintain a sort of mechanic shop in order to carry out certain alterations in the machinery offered for sale in response to the demands of intending buyers. Admitting all these facts, Sir, I should respectfully request the Honourable the General Member to consider whether all these duties cannot be as efficiently carried out by a low-salaried mechanical engineer. These high officers have been in charge of the department for nearly two years and during all that period they must have found time to prepare a proper inventory containing exhaustive descriptive notes on the machines to be sold. All the responsible preliminary work being over, a small-salaried officer should now, in our opinion, be in a position to satisfy all the requirements of prospective buyers and enquirers, and I do not personally feel that it is, at this late hour, necessary to continue to maintain year after year these high paid officers. At the same time, Sir, I am not prepared to agree with one of the previous speakers that the work should be divided amongst the 28 odd executive engineers on duty in Sind. I do not think that is a business proposition. What is everybody's business is nobody's business. There should be a separate department. All that I contend for is that the department should be placed in charge of an officer not so high paid, nor possessing such high qualifications as those of the gentlemen who look after the department at present. Moreover, Sir, I am afraid, some of the machinery will ultimately have to be scrapped. Improvements are taking place every month, almost every day, in the mechanical world. These machines are all second-hand machines. There is not much life left in them and they will be soon out of date and Government will be well advised in disposing of them at the earliest possible opportunity. If not, the maintenance charges ultimately will come to a considerably larger figure than 10 per cent., the figure which is given in the Blue Book. These are the observations which I thought I should make.

Mr. G. S. GANGOLI (Kanara District): Sir, I support what my honourable friend Mr. Vakil has stated and so, I would only say this much that the least that we expect Government to do is to retrench either the assistant engineer or the executive engineer if one of them is necessary to carry on correspondence, etc. The least, therefore, that Government could do is to retrench one of the two hands.

The Honourable the PRESIDENT: I do not know why the honourable members are hesitating. They need not speak if they are not prepared to speak on the subject. Does the honourable member Mr. Miran Mahomed Shah wish to speak?

SYED MIRAN MAHOMED SHAH: Yes, Sir.

The Honourable the PRESIDENT: Very well, then.

SYED MIRAN MAHOMED SHAH (Hyderabad District): Sir, there is no lack of enthusiasm as expected by the Honourable the General Member on this side of the House. I can assure Government that it was because I wanted to refer to previous speeches made on this subject when it was originally tabled in the October or July session. I distinctly remember that the predecessor of the Honourable the General Member, Sir Frank Hudson, made a very clear promise to this House that he would close this department at the earliest possible moment, and in pursuance of that undertaking Government actually issued orders to the Chief Engineer to close this division even earlier than 31st March 1933. That is exactly what my honourable friend from Karachi Mr. Gazdar was saying, viz., that Government was misleading. It may be an unhappy phraseology, but at the same time it is not a straight way of dealing with us. When Government give an undertaking, almost an assurance, so that this side of the House understands that Government will close a particular item of expenditure at the earliest possible opportunity, when there is even a possibility of closing that and making a re-arrangement within the scheme of the existing department, why should it not be done to satisfy this side of the House that Government is always anxious to curtail expenditure to the extent they have undertaken to do? Therefore, Sir, there is no lack of enthusiasm on this side of the House in respect of this matter. If any time we see that the public money is being spent in an extravagant manner, we shall be bound to oppose with all the force at our command such attempt on the part of Government, even though it may be the smallest amount.

With these few preliminary remarks, I heartily support the cut moved by my honourable friend. My honourable friends from the presidency proper are quite right when they say that they see no cogent reasons for continuing this establishment at its present strength. What is the necessity of maintaining such a costly establishment only for the purpose of disposing of the plant? It should be possible, so far as I can see, to have a small sub-division under the supervision and control of the Superintending Engineer or an Executive Engineer instead of a full fledged division. The honourable members are aware that in Sind there is an army of officers in the Public Works Department and we are already crying ourselves hoarse to cut that item down, and we are already putting forward practical propositions to show how to cut down all that huge expenditure on establishment which is consuming about two-thirds of the income of the Government from the Barrage at present. Under those circumstances really there is no justification at all for maintaining such a highly paid staff. Of course we are quite alive to the need for obtaining expert technical advice and we admit that an ordinary engineer in charge of irrigation may not be a proper person to dispose of or to value this property or even to appreciate prices offered in the open market. We realise this difficulty, but as a private man

[Syed Miran Mahomed Shah]

when I have to dispose of plant or machinery or any valuable article of mine which after use I wish to dispose of in the open market, what is the course open to me? The course open to me is to resort to an expert in the market, hire his services at a commission rate, employ him and dispose of my surplus machinery or whatever article I wish to dispose of in the open market instead of maintaining a costly establishment for years together. We do not in this particular instance require an executive engineer to give us what technical advice is necessary. I think even an assistant engineer will do. As my honourable friend Mr. Chikodi has pointed out, this is only a temporary establishment and we do not know why the lower scale of salaries fixed for new entrants is not being applied to it. Even as far back as August 1933, the new scale of salaries was made applicable to those who entered Government service then, and therefore I do not see any reason why that new scale of pay should not be applied to this temporary establishment, so that it will bring us down to the maximum of Rs. 1,000 as the salary of the executive engineer, and to Rs. 500 as the salary of an assistant engineer with mechanical qualifications. There are many surplus engineers—poor people—who have been driven away from the Barrage after the completion of the project. They would be only too glad to come on a lower scale of pay or on the contract system or if Government want experts from Bombay or Karachi or Lahore, they can find such people who can render service at a particular rate of commission or remuneration whichever is economical. These are the reasons which prompt us to support the cut and to oppose this sort of expenditure by all means in our power. Government have by now got an indication of this side of the House that they are always carefully watching the speed of Government in incurring expenditure, whether that expenditure comes from capital or from ordinary revenue. Let not Government, therefore, suppose that it does not matter at all because the expenditure does not come from the ordinary revenue and that for that reason they need not be very careful about how they spend the money because it is not included in the project and the project has been completed at a particular figure, for which fact, just as my honourable friend has pointed out, let us by all means give due credit to the great maker of the Eighth Wonder of the world. That is all right, but now gradually we see schemes after schemes coming up pertaining to that particular project, I mean the Barrage, and necessitating extra expenditure to such an extent that I am quite sure that if all these items were to be totalled up, they would easily exceed 20 crores. I am afraid I may not be permitted by you, Sir, but otherwise it is very relevant to point out how large an expenditure has been incurred on the Barrage in the name of the agriculturists for whom the project is said to be constructed and for whose benefit it was originally intended and, later on, completed. However, their water courses which are intended to carry water to their fields are still lying unsatisfactorily excavated.

4 p.m.

The Honourable Mr. R. D. BELL: Is the honourable member relevant in referring to all this, Sir?

The Honourable the PRESIDENT: The honourable member himself admitted that he was irrelevant and still persists in that line of argument.

SYED MIRAN MAHOMED SHAH: I said it is quite relevant unless you, Sir, rule it out as irrelevant. So, Sir, taking into consideration all these things, if nothing is going to happen, at least we expect a definite assurance from the Government or from the Honourable the General Member that he will close this department at the earliest possible opportunity and that he will try to dispose of the small items mentioned on page 222 and reduce the figure of cost by putting the department under the charge of a responsible officer and by discharging the present executive engineer whom we do not consider for a moment to be necessary. It may be necessary that a sub-division may have to be continued and placed in the charge of an assistant engineer on the new scales of pay. Only this sort of an assurance will I think induce the honourable members on this side to request the honourable the mover of the cut to withdraw; otherwise, I think the whole House will, I am afraid, be obliged to throw out this item altogether.

Mr. T. S. KENNEDY (Bombay City): Sir, most of the honourable members who have preceded me seem to have spoken as laymen. I should like, therefore, as a hydraulic engineer with some knowledge of the subject, to say a few words. I would like the honourable House to take into consideration not only the present difficulties of disposing of any kind of machinery—whether it is machinery collected at one spot or whether it is machinery spread all over a province—but also the fact that machinery from such huge works as the Sukkur Barrage has got to be dismantled, collected and classified, and I put it to any one with any the least experience of engineering, whether he considers that the man in the street is qualified to tackle a job like that. Personally, I think a thoroughly qualified man, who is the Executive Engineer, with an Assistant Engineer is essential. I happen to know the details of this case.

Mr. P. R. CHIKODI: On a point of information.

The Honourable the PRESIDENT: The honourable member does not yield.

Mr. T. S. KENNEDY: One has only got to take into consideration the present situation. In Bombay and all over India there is a great deal of material actually to be sold, and it will not be surprising to hear that the machinery of the Sukkur Barrage is in competition with the sales of machinery actually in Bombay itself. I should not be at all surprised to hear that the value of this machinery for disposal at Sukkur amounts to a very large sum of money, probably going into 75 lakhs; I do not know what it is. No doubt a value will be given. I do not think it is necessary to waste the time of the House. I strongly oppose this cut.

Khan Bahadur ALLAHBAKSH (Sukkur District): Sir, I heard with great interest the honourable member who spoke last, who gave his opinion as a technical man. He told us that the machinery is worth about 50 to 75 lakhs; that has to be disposed of, and that it is in competition with the machinery in Bombay. I think if my honourable friend cared to look at the Blue Book, he would find that the amount to be realised from the sale of the machinery is only 36 lakhs.

Sir, I heard with great interest the honourable mover of the cut and the reply which the Honourable the General Member gave. I think a reference was made to the stores in Bombay, but that has hardly anything to do with the stores at Sukkur. The existence of a Plant Division and of two Executive Engineers has nothing to do with the fact that in Bombay there is a large amount of machinery stored and big merchants have to sell it.

Another point to which I refer is that it was not the intention of the honourable mover that the work of disposing of these stores should be divided amongst 28 Executive Engineers. He said that it could be given conveniently to one of the Executive Engineers.

The next thing to which I refer is this: I expected that the Honourable the General Member would throw some light on it when a question was put by the honourable mover of the cut, as to what would be the realisations out of the sale of big machinery. But to that the Honourable the General Member did not refer. Now, Sir, the whole issue narrows down to this, that the total amount to be realised is Rs. 36,00,000. At the same time, Sir, Government themselves admit that it is not possible at present to forecast as to what amount would be realised out of the heavy machinery, and when it will be sold. Therefore, we have to take charge of this Plant Division as regards items excluding the heavy machinery. It is not proper that we should include the dragline machines and other things, as we do not know when they will be sold, and even Government in their note agree that even after the closing of the Division the big machinery will be kept as it is. Therefore, it is right to say that this Division is only for such items of machinery as can be soon disposed of, things like girders, piles and other things, but not for the heavy machinery, because the heavy machinery could be disposed of conveniently even after the Plant Division is closed. Therefore, when we take the percentage charges after this, we should take it on the items excluding the big dragline machines and other things. At least we expected a gesture from the Honourable the General Member indicating as to when this Division is likely to be closed, and my honourable friend Mr. Shaikh Abdul Majid wanted to know what the earliest date would be when this Division would be closed down, because it is no use our going on believing every year that it will be closed after six months or 12 months. As a matter of fact, we were definitely given to understand that this Division will be temporary, only for one year, as that much time would be required to wind up the whole thing. But now every year it is being renewed. At least, Sir, we would like at this stage to know as

[Khan Bahadur Allahbaksh]

to how long it will take to wind up the whole thing and finally close down this Division.

Mr. MAHOMED HASHIM GAZDAR (Karachi City): Sir, the Honourable the General Member said that Government was not misleading the House. Unfortunately, I might have used that stronger expression. But I will read from the Blue Book presented to us:

"The formation of the Plant Division was sanctioned by Government on a temporary basis.."

Further on, it says:

"..the Chief Engineer in Sind was instructed to close the Division earlier than the 31st March 1933 if the collection, storage and disposal of surplus plant could be expedited sufficiently to allow of that being done."

That was told to this honourable House when this Plant Division was sanctioned two years ago. Then, last year also, the Honourable the General Member said regarding undesirability of continuing it (an extract has been printed here):

"Such a course cannot however be adopted for another year or a year and a half, when with the experience gained on the work of disposal of the plant the situation will have to be reviewed and judged on its merits."

Here there was at least, let it be admitted, no definite assurance or a statement on the part of the Government that they will possibly continue the division which was originally created for 9 or 10 months. If a division created for a temporary period is continued year after year, then it does not look well for Government to say it was created on a temporary basis. The members of the staff, some of them, though temporary officers are drawing salaries on All-India Servicemen scale of high salary and also overseas allowance.

Then, the Honourable General Member said that Bombay City is different from Sukkur. I do not know whether the merchants who come to purchase in Bombay could not go to Sukkur. But I would explain the position with regard to Sind. Most of the big plants are lying at Sukkur. All the other plants are lying at the nearest stations at which they have last finished their work. So, the condition of Sind is different. But I would like to know how one executive engineer who is stationed at Sukkur can suffice for the whole of Sind where this plant is distributed. If he is required for mere correspondence, I think there are two personal assistants to the Chief Engineer who could attend to it. The correspondence can be addressed to the Chief Engineer himself.

Then, the honourable European member sitting behind me said that he was an engineer. I want to inform him that I am also an engineer. I will be the last man to ask this House to hand over the machinery to a layman. I say after we abolish this division, you will still have many mechanical engineers in the Public Works Department in Sind who can do this work. There are qualified people who are able to look after and repair these plants. The first thing the note says is that the plants should be collected and repaired. The Honourable the General Member

[Mr. Mahomed Hashim Gazdar]

has been kind enough to refer to the items (*a*), (*b*), (*c*) which are collection, repairing, classifying and specification. All that has been done. I do not know why, after all that is done, we require special men to look after these machines.

I beg leave of the House to refer to what Sir Frank Hudson said in 1932 when asking for permission to create this division. He said:

"As regards the suggestion that the establishment should be disbanded as quickly as possible, I think the note shows that Government have that in mind, because instead of coming to this House, ... "

I want to emphasise this:

"..as we might have done, and asking the whole establishment for ten months we have already begun to reduce it."

As the note shows, they wanted to disband the whole division before 10 months were over, i.e., before 31st March 1933.

The Honourable Mr. R. D. BELL: Where did Sir Frank Hudson say that he wanted to disband the whole division before 10 months were over?

Mr. MAHOMED HASHIM GAZDAR: I am reading from the debates of October 5, 1932, page 1082.

The Honourable the PRESIDENT: Will the honourable member read that portion which refers to the disbanding?

Mr. MAHOMED HASHIM GAZDAR:

"I think the note shows that the Government have that in mind"

that is, the disbanding of the establishment as quickly as possible:

"I think the note shows that Government have that in mind, because instead of coming to the House, as we might have done, and asking for the whole establishment for 10 months we have already begun to reduce it. .....all of which shows that Government are fully alive to the necessity of not maintaining any more establishment than is absolutely necessary."

Then, again—

"As regards next year, it is quite impossible to say what the rate of progress will be, but I can assure the House that we shall do our best to reduce and finally close this establishment as soon as it is safe to do so, consistently with the business interests of Government."

The honourable member Mr. Vakil has pointed out that there should be a mechanical engineer to repair it. The Honourable the General Member has pointed out that the necessary repairs, collection and classification have been done. What remains to be done can be done by the petty staff in charge of those machines.

The Honourable General Member was silent on the most crucial point raised by me. I had asked him, out of the 37 lakhs which he hoped to recover from the plant, how much was expected to be realised from the big plant, which he says can be left at the mercy of non-technical divisional civil engineers. My information is that out of this, 12 lakhs of rupees worth of plant is the quarry plant. It is a very big plant. Then, there is the floating plant—consisting of what are called dragline machines and other machinery—worth 40 lakhs of rupees. Then, 106 lakhs of

[Mr. Mahomed Hashim Gazdar]

machinery is dragline machinery, those big excavators, which excavated the canals. Further, about 25 lakhs worth of railway plant. All this big plant may be worth now 25 or 30 lakhs, and what remains will be worth only 5 or 6 lakhs—all minor plant—and I am surprised that we are asked to spend Rs. 63,000 a year on their disposal.

Mr. C. M. LANE: On a point of information, Sir. May I say that the dragline excavators, having done their work, have been written off, and they have no book value?

The Honourable the PRESIDENT: The dragline excavators are not included in this.

Mr. MAHOMED HASHIM GAZDAR: There is at least about 80 lakhs of rupees worth of other machinery which I have mentioned. I am not in the confidence of Government, and therefore, I would like to know from the Honourable the General Member what the big plant which can be looked after by the non-technical engineers is expected to fetch. With these remarks, I would oppose the grant and request the honourable House to support my motion for omission of the provision of Rs. 63,825 for continuing the mechanical division.

The Honourable Mr. R. D. BELL: Sir, there is one small point which I might dispose of first of all, and that is the honourable member Mr. Chikodi's reference to the Sind allowances. Because these appointments are temporary appointments, it does not follow that they are held by temporary employees. That is well known. This particular Executive Engineer has been in the service of Government for, I should think, something like 20 years on an agreement originally with the Secretary of State, and this agreement still subsists. Therefore he is not in any sense a new entrant.

Mr. P. R. CHIKODI: Is that item voted or non-voted? I refer to the item of Sind allowance as it is put down in the Blue Book.

The Honourable Mr. R. D. BELL: I am not prepared to say offhand. This officer is under a contract, originally with the Secretary of State, and subsequently extended by the Bombay Government. That, however, is a subsidiary point.

The whole point at issue is whether this establishment is worth paying for and whether we are getting a fair return from it in the shape of work. The honourable member from Ahmedabad (Mr. Pestanshah Vakil) made a reference to the fact that to some extent I was in the hands of technical officers; but with becoming modesty I would like to say that I have had some experience of the disposal of surplus stores. When I returned to Bombay in 1919, I was appointed Controller of Munitions and had the general overlooking of the disposal of the surplus war stores in Bombay for some years, and the quantities involved in this were very considerably greater than the stores now in stock at Sukkur. Subsequently, as honourable members are aware, I was connected with the Development Department at the time of its closing down and had some

[Mr. R. D. Bell]

experience of the work done by the engineer-officers of that Department in disposing of surplus stores. It is not necessary to have technical knowledge to take a fair view of this question. It only requires some ordinary common sense and business instinct. I have also visited Sukkur and seen the depot there and the work being done.

Now, Sir, I not merely defend this item, but I say that this work is being done well and done cheaply. A comparison has been made with Bombay. I would advert to that. The amount of Development Department stores disposed of in Bombay at the present time is only Rs. 20,000 worth a year. To begin with, we pay 5 per cent. to the broker who carries on negotiations for Government. That is apart from the staff required to keep the small amount of plant remaining in order; it requires to be oiled, dismantled, packed and despatched. Five per cent. goes first of all to the broker who carries on negotiations for the Government of Bombay. In Sind, the cost of 10 per cent. is all-in,—repairs, dismantling, selling, packing, etc. The honourable mover said that the plant was scattered all over Sind. Quite true; it is scattered all over Sind. He said that it required more than one Executive Engineer to look after it. He also suggested that some of the 28 Executive Engineers could do this work. First of all, I do not see how any of the other 28 Executive Engineers—even a single Executive Engineer—could do this work in addition to their own duties. Secondly, the Executive Engineers in Sind are Civil Engineers. I am quite aware that they have some knowledge of mechanical and electrical engineering, but they are not specialists. This Executive Engineer is a specialist. There is a very large range both of mechanical and electrical plant to be disposed of. The larger items have all got to be dismantled before they can be despatched, every part has to be numbered, drawings have to be sent to the purchasers in order that they may be able to re-assemble the plant. Some members spoke about the disposal of this plant as if you can sell a dragline and despatch it to your customer as easily as you can a pound of butter. That is far from being the case. I regret I cannot give information about the exact value of the larger items as compared with the smaller items. The honourable mover suggested that 106 lakhs worth were on account of draglines.

As the honourable member Mr. Lane has explained, the draglines have at present no value at all. Nor is it correct to say that this staff is disposing only of small items; there is business being done in big items also. After the process of disposal has proceeded a certain length, we shall inevitably have to slow down and then will be the time to think about a further reduction of staff in the first place and finally about closing down the division altogether. I understand that at present there are six large items under negotiation.

I said, Sir, I am going further than merely to defend this item. I say that, considering the enormous value of the plant both mechanical and electrical, the way in which it is spread all over Sind, the distance at

[Mr. R. D. Bell]

which the Executive Engineer is from all his customers necessitating a great deal of correspondence—an intending purchaser cannot be expected to go to Sukkur or to some out-of-the-way place from Sukkur to see the plant,—considering all these circumstances, I say, Sir, that this division needs no defence. It is doing exceedingly good work in disposing of the plant at the rate at which it is disposing of it, viz. at a cost of 10 per cent. to Government, and so long as we can sell it at a cost of 10 per cent., and even more than 10 per cent., I think that we should be entirely wrong not to continue these operations. Sir, Government are pledged, no doubt, to close down this division at the earliest possible opportunity but not without due regard to the financial risks of Government.

I think, Sir, I have answered all the main points. It is not a job which can be done, as the honourable member from Ahmedabad suggested, by a low-paid mechanical engineer. It requires a highly skilled specialist officer to deal with this plant in order to satisfy customers who are almost invariably at a distance. The figures in the Blue Book speak for themselves. The forecast for the year 1934-35 is 12 lakhs. Personally, I doubt whether that much will be realised. If we get 12 lakhs, this division will cost 5 per cent.—exactly what we pay in Bombay to the broker who does nothing beyond negotiating for Government, whereas in Sind the Executive Engineer has to look after the dismantling of the machinery, the reconditioning of it and the despatching of it to customers. I think this fact fully justifies the continuation of this division on its present scale. There is the pledge of Government to reduce the establishment as soon as conditions warrant it and also to disband it altogether in time. That pledge remains intact. Undoubtedly, towards the end we shall have to sell a good deal of the material as scrap, because a point will be reached when there will be no demand for it, but that is quite a different matter and will be dealt with when the time comes.

Question put. The House divided: Ayes, 25; Noes, 39.

Division No. 1.

Ayes

ACHREKAR, Mr. A. B.
BAKHALE, Mr. R. R.
CHIRODI, Mr. P. R.
CHITALE, Rao Bahadur G. K.
DHALUMAL LILARAM, Mr.
GAZDAR, Mr. MAHOMED HASHIM
GORHALE, Mr. L. R.
JITEKAR, Mr. HAJI IBRAHIM
KARBHARI, Mr. M. M.
KULKARNI, Rao Saheb P. D.
MEHTA, Mr. M. H.
PATEL, Khan Bahadur A. E.
PATEL, Mr. BHAILAL SARABHAI
PATEL, Mr. C. N.
PATEL, Khan Bahadur VALI BAKSH A.
PETIT, Mr. J. B.
PRADHAN, Rao Bahadur G. V.
RESALDAR, Mr. A. K.
SHAIKH ABDUL MAJID, Mr.
SINDHA, Mr. MADHAVSANG JORBHAI
SURVE, Mr. V. A.
SYED MIRAN MAHOMED SHAH
THAKOR OF KERWADA, Sardar BHASAHEB RAISINHJI
TOLANI, Mr. S. S.
VAISHAMPAYAN, Dr. V. G.

Tellers for the Ayes: SYED MIRAN MAHOMED SHAH and Dr. V. G. VAISHAMPAYAN.

Noes

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ADVANI, Mr. P. B.
ANGADI, Rao Bahadur S. N.
ASAVALE, Rao Bahadur R. S.
BELL, the Honourable Mr. R. D.
BIRADAR, Sardar MAHABOOBALI KHAN
BRANDER, Mr. J. P.
BULLOCKE, Mr. A. GREVILLE
CLEE, Mr. C. B. B.
COOPER, the Honourable Khan Bahadur D. B.
COVERNTON, Mr. S. H.
DAVIS, Mr. G.
DESAI, Mr. S. B.
EWBANK, Mr. R. B.
FREKE, Mr. C. G.
GARRETT, Mr. J. H.
GHULAM HUSSAIN, the Honourable Sir
GREAVES, Mr. J. B.
JAM JAN MAHOMED KHAN, Sardar Bahadur
JAN MAHOMED KHAN, Khan Bahadur
JONES, Major W. ELLIS
KAMAT, Mr. B. S.
KAMBLI, the Honourable Dewan Bahadur S. T.
KENNEDY, Mr. T. S.
LANE, Mr. C. M.
LELY, Mr. W. G.
MACKIE, Mr. A. W. W.
MAXWELL, Mr. R. M.
MEHERBAKSH, Khan Bahadur S.
MODAK, Rev. R. S.
NAVLE, Rao Bahadur N. E.
OWEN, Mr. A. C.
SERVAI, Mr. A. E.
SHAIKH ABDUL AZIZ, Mr.
SMART, Mr. W. W.
SOLANKI, Dr. P. G.
TURNER, Mr. C. W. A.
VAKIL, Mr. PESTANSHAH N.
WADKE, Mr. B. P.

Tellers for the Noes: Mr. MAHOMED SULEMAN CASSUM MITHA and Khan Bahadur ABDUL LATIF HAJI HAJRAT KHAN.

It being 4-35 *p.m., the House adjourned till* 2 *p.m. on Friday, the* 2nd *March* 1934.

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Vol. XXXIX—Part X

Friday, the 2nd March 1934.

The Council re-assembled at the Council Hall, Bombay, on Friday, the 2nd March 1934, at 2 p.m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present :

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr. A. B.
ADVANI, Mr. P. B.
AMBEDKAR, Dr. B. R.
AMINUDDIN, Mr. SAIYID
ANGADI, Rao Bahadur S. N.
ASAVALE, Rao Bahadur R. S.
BAKHALE, Mr. R. R.
BANGI, Mr. A. K. J.
BELL, the Honourable Mr. R. D.
BHUTTO, WADERO NABIBAKSH ILLAHIBAKSH
BIRADAR, Sardar MAHABOOBALI KHAN
BOLE, Rao Bahadur S. K.
BRANDER, Mr. J. P.
BULLOCKE, Mr. A. GREVILLE
CHIKODI, Mr. P. R.
CHITALE, Rao Bahadur G. K.
CLEE, Mr. C. B. B.
COLLACO, Dr. J. A.
COOPER, the Honourable Khan Bahadur D. B.
COVERNTON, Mr. S. H.
DAVIS, Mr. G.
DESAI, Rao Saheb B. G.
DESAI, Mr. H. R.
DESAI, Mr. S. B.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
D'SOUZA, Dr. J. ALBAN
EWBANK, Mr. R. B
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GARRETT, Mr. J. H.
GAZDAR, Mr. MAHOMED HASHIM
GHULAM HUSSAIN, the Honourable Sir
GHULAM NABI SHAH, Khan Bahadur
GOKHALE, Mr. L. R.
GOVER RORA, Mr.

JAM JAN MAHOMED KHAN, Sardar Bahadur
JAN MAHOMED KHAN, Khan Bahadur
JITEKAR, Mr. HAJI IBRAHIM
JOG, Mr. V. N.
JONES, Major W. ELLIS
KALBHOR, Mr. G. M.
KALE, Rao Bahadur R. R.
KAMAT, Mr. B. S.
KAMBLI, the Honourable Dewan Bahadur S. T.
KARBHARI, Mr. M. M.
KENNEDY, Mr. T. S.
KULKARNI, Rao Saheb P. D.
LANE, Mr. C. M.
LELY, Mr. W. G.
MACKIE, Mr. A. W. W.
MATCHESWALLA, Mr. G. E.
MAXWELL, Mr. R. M.
MEHERBAKSH, Khan Bahadur S.
MEHTA, Mr. M. H.
MITHA, Mr. MAHOMED SULEMAN CASSUM
MODAK, Rev. R. S.
MODI, Sardar Davar T. K.
MORE, Mr. J. G.
NAIK, Sardar Rao Bahadur B. R.
NAVLE, Rao Bahadur N. E.
OWEN, Mr. A. C.
PARULEKAR, Rao Bahadur L. V.
PATEL, Khan Bahadur A. E.
PATEL, Mr. BHAILAL SARABHAI
PATEL, Mr. C. N.
PATEL, Khan Bahadur VALI BAKSH A.
PATIL, Dewan Bahadur D. R.
PATIL, Mr. N. N.
PATIL, Rao Saheb V. S.
PETIT, Mr. J. B.
PRADHAN, Rao Bahadur G. V.
PRATER, Mr. S. H.
RAHIMTOOLA, Mr. HOOSENALLY M.
RESALDAR, Mr. A. K.
SERVAI, Mr. A. E.
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SHINDE, Mr. R. B.
SINDHA, Mr. MADHAVSANG JORBHAI
SMART, Mr. W. W.
SOLANKI, Dr. P. G.
SURVE, Mr. A. N.
SURVE, Mr. V. A.
SYED MIRAN MAHOMED SHAH
TOLANI, Mr. S. S.

TURNER, Mr. C. W. A.
VAKIL, Mr. PESTANSHAH N.
VANDEKAR, Rao Bahadur R. V.
WADKE, Mr. B. P.

STARRED QUESTIONS AND ANSWERS.

HUZUR DEPUTY COLLECTOR, AHMEDNAGAR.

*Rao Bahadur S. K. BOLE: Will the Honourable the Revenue and Finance Member be pleased to state—

(a) whether it is a fact that Mr. G. V. Joshi, the present Huzur Deputy Collector of Ahmednagar, has served in the Ahmednagar District first as a clerk in the subordinate revenue service, then as a Mamlatdar of Kopargaon and as City Magistrate of Ahmednagar, for over ten years;

(b) whether it is a fact that he is a native of the Ahmednagar District, holding landed property in the city of Ahmednagar and in the district;

(c) whether it is a fact that he has many close relatives in that district;

(d) whether it is the policy of Government to transfer such officers to other districts or other divisions in the Presidency;

(e) if so, why he has been retained in the Ahmednagar District?

The Honourable Sir GHULAM HUSSAIN: (a) Yes, but he has since ceased to serve in that district.

(b) Mr. Joshi is a native of Ahmednagar but he possesses a house not in the Ahmednagar District but in Poona.

(c) Yes.

(d) Transfers from one district to another are made mainly to suit the exigencies of public service.

(e) Does not arise.

INTERMEDIATE AND BACKWARD CLASS STUDENTS: ADMISSION TO GRANT MEDICAL COLLEGE.

*Rao Bahadur S. K. BOLE: Will the Honourable Minister for Local Self-Government be pleased to state—

(a) whether Government are aware that the number of students from the intermediate and backward classes seeking admission to the Grant Medical College is increasing;

(b) if so, whether Government intend to increase the percentage reserved for students of these classes for admission to that College?

The Honourable Khan Bahadur D. B. COOPER: (a) Yes.

(b) No. It has not been found necessary to refuse admission to any student of the interme liate and backward classes to the College during the last three years on the score of inadequacy of the existing percentage.

Dr. M. K. DIXIT: Was any student of the backward or the depressed class refused admission on any other score?

The Honourable Khan Bahadur D. B. COOPER: No; not that I know of.

Dr. M. K. DIXIT: The Honourable Minister states in the reply 'on the score of inadequacy of the existing percentage'. Was admission refused on any other score?

The Honourable Khan Bahadur D. B. COOPER: I have given the reply to the question put. If you want to put another question, please give notice.

REDUCTION OF HOUSE-TAX BY KUMTA MUNICIPALITY.

*Mr. G. S. GANGOLI (Kanara District): Will the Honourable Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that the Municipality of Kumta, District Kanara, has deprived nearly 200 persons of their votes by reducing the house-tax;

(b) whether it is a fact that the rate-payers of Kumta have protested against this action of the Municipality and sent in representations to Government, the Commissioner, Southern Division, and the Collector of Kanara;

(c) whether Government have made enquiries into the matter;

(d) if so, with what result?

The Honourable Khan Bahadur D. B. COOPER: (a) It is a fact that the revision by the Kumta Municipality of the house-tax assessment lists in 1933 resulted in depriving some of the residents of the right of voting.

(b) The Collector of Kanara received a representation from some rate-payers against the revised assessment.

(c) and (d) An enquiry was made by the Collector and thereupon he issued an order under section 174 (1) of the Bombay District Municipal Act, 1901, prohibiting the recovery of house-tax by the Municipality according to the revised assessment lists, and this order was confirmed by the Commissioner, Southern Division, and acquiesced in by Government. In consequence of these orders of the Collector and Commissioner, the old assessment lists are current until fresh ones are prepared again. The grievance of the rate-payers has thus been removed.

KANARA DISTRICT: CASES UNDER THE BOMBAY SPECIAL (EMERGENCY) POWERS ACT.

*Mr. G. S. GANGOLI (Kanara District): Will the Honourable the Home and General Member be pleased to state, with reference to the district of Kanara and the past 8 months ending 31st July 1933—

(a) the number of persons under trial or convicted for political offences;

(b) the number of persons detained without trial under section 3(1) of the Bombay Special (Emergency) Powers Act of 1932;

(c) how many of them were released unconditionally within or after 15 days of their arrest;

(*d*) how many of them were served with an order under section 4(*2*) and how many of them were released within or after the end of the month;

(*e*) the number of persons on parole, i.e., under orders to report to the police at certain hours by residing in a specified area;

(*f*) the number of persons tried after 15 days or within 2 months after the arrest;

(*g*) the number of persons from whom any record in writing was accepted and forwarded to Government under section 4(*1*);

(*h*) whether anything is paid for the maintenance of the person ordered to be on such parole in a place which is not his usual place of residence;

(*i*) whether Government are aware that any persons whom the police dislike or view with displeasure are dealt with under section 3; if not, how many applications from the police to deal with such persons under that section were turned down by the District Magistrate;

(*j*) whether it is a fact that Government extend as a matter of course the period under the proviso to section 3(*1*); if not, how many such cases from the District Magistrate were turned down by Government;

(*k*) whether it is a fact that every case is dealt with mainly on the police report?

The Honourable Mr. R. D. BELL: The following information relates to the period from the 29th December 1932 [the date on which the Bombay Special (Emergency) Powers Act, 1932, came into operation] to the 31st July 1933 in the case of all the clauses except clause (*a*)—

(*a*) 386 persons were convicted for offences connected with the civil disobedience movement from 1st December 1932 to 31st July 1933. Information regarding the number of persons under trial is not readily available.

(*b*) 30.

(*c*) None.

(*d*) 22 persons were served with orders under section 4(*1*) of the Bombay Special (Emergency) Powers Act, all of which were extended by Government under section 4(*2*) of the Act beyond the period of one month. The notice of extension was not, however, served on one person as he was convicted and sentenced to imprisonment for breach of the order before the expiry of one month.

(*e*) 135.

(*f*) The question is not understood.

(*g*) None. Under section 16 the District Magistrate had been invested with powers under section 4(*1*).

(*h*) No.

(*i*) No. The Honourable Member cannot be supplied with details of confidential communications between the District Magistrate and the police.

(*j*) There is no proviso to section 3(*1*). It is presumed that what the Honourable Member has in mind is the first proviso to section 3(*2*). It is not a fact that under this proviso Government extend the period of detention as a matter of course. As regards the second part of

clause (*j*) of his question, the Honourable Member cannot be supplied with details of confidential communications between Government and the District Magistrate.

(*k*) The question is neither precise nor clear. The police are, however, the principal agency for making enquiries that may be necessary before arrest under section 3(*1*) or the issue of an order under section 4(*1*).

Mr. G. S. GANGOLI: With regard to (*e*) did any of these make orderly Government impossible?

The Honourable Mr. R. D. BELL: No, Sir; none of them made orderly Government impossible.

Dr. M. K. DIXIT: Did they make any attempt to do so?

The Honourable Mr. R. D. BELL: I think that was their idea.

Mr. G. S. GANGOLI: I am referring to the Council Debates of the 22nd November 1932 page 59. Then, the Honourable Mr. Hudson (now Sir Frank Hudson) has clearly given us to understand:

"I claim that the Ordinance has never harmed any honest citizen—or for the matter of that any active politician who kept within the limits of constitutional agitation. Similarly, this Bill will affect no one who does not attempt to make orderly government impossible,...."

So, if according to the reply none of them have made orderly Government impossible, I think it will be illegal detention?

The Honourable Mr. R. D. BELL: What Sir Frank Hudson said was that it would apply to people who attempted to make Government impossible.

Mr. G. S. GANGOLI: If nobody made Government impossible, this power could not be used. That was the understanding.

With regard to (*f*) may I know what is meant by 'The question is not understood'?

The Honourable Mr. R. D. BELL: Well, Sir, I understand that the honourable member refers to trials under the Special Powers Act. It is not quite clear whether he wants the number of persons who had been tried for other offences during this period.

Mr. G. S. GANGOLI: The question was 'the number of persons tried after 15 days or within 2 months after the arrest'. That relates to any person being arrested without a warrant without proof in the first instance and detained for 15 days and then extended to 2 months with the order of Government. In such cases what we were given to understand was that it would be illegal detention if the person arrested is not put on trial before the expiry of the period, whether it is 15 days or 2 months as the case may be, after the collection of evidence against such person.

The Honourable Mr. R. D. BELL: Does the honourable member mean by 'arrest' arrest under section 3 (*1*) of the Act?

Mr. G. S. GANGOLI: Arrest under the Special Powers Act.

The Honourable Mr. R. D. BELL: Trial for what?

Mr. G. S. GANGOLI: In the first instance, the ordinary law being quite insufficient, these special powers were taken on the understanding that at first when a person is to be arrested no sufficient proof could be collected. Therefore he is detained for 15 days and with the order of Government for 2 months in order to enable the prosecution to collect evidence against him. I want to know in how many cases prosecution was launched against such persons.

The Honourable Mr. R. D. BELL: Well, Sir, the question seems to refer back to clause (*b*) to which the answer is 30. I am not absolutely certain that I am right in saying that in 7 or 8 cases these people were tried before the expiry of the period of detention, whether it was 15 days or whether it was extended to 2 months; but that is the approximate number so far as I recollect.

Mr. G. S. GANGOLI: What was the fate of others?

The Honourable Mr. R. D. BELL: The others were served with orders under section 4.

Mr. G. S. GANGOLI: That is exactly my grievance. The person is arrested without proof and he is detained in order to collect proof against him. If there is no proof against him and if he is found not guilty he is let off and an order for parole is served on him. As such an order will wound the self-respect of any man, he is arrested for not obeying the order and sentenced. Because there is no proof against the person, a crime is created against him.

The Honourable Mr. R. D. BELL: The action under section 4 is preventive and not punitive. It did not require the person to be convicted of any offence in order that an order may be served under section 4.

Mr. G. S. GANGOLI: It is preventive so far as there is suspicion. Even if there is no proof against the person?

The Honourable Mr. R. D. BELL: Their conduct can still be suspicious.

Mr. G. S. GANGOLI: The reply is given up to 31st July 1932. What is the state of affairs at present?

The Honourable Mr. R. D. BELL: I must ask for notice of that question.

GRANTS TO PRIMARY SCHOOLS: RESTORATION OF CUT.

*Mr. G. S. GANGOLI (Kanara District): Will the Honourable Minister for Education be pleased to state—

(*a*) whether there are any primary schools in the Central Division receiving special treatment and grants in addition to ordinary grants;

(*b*) if so, which are those schools and what are the reasons for their being given special treatment;

(*c*) why such a difference is made in the case of these schools when in the other parts of the Presidency the existing grants given to primary schools are being cut;

(*d*) whether Government intend to restore the cut in grants to primary schools ?

The Honourable Dewan Bahadur S. T. KAMBLI : (*a*) There are two primary schools in the Central Division receiving special treatment in respect of grant from Government.

(*b*) and (*c*) The names of these schools are—

(1) Navin Marathi Shala, Poona, and

(2) Maharashtra Girls' Education Society's Primary School, Poona. Both these schools are model primary schools and are run on experimental lines. The special grants to these schools are being discontinued by Government with effect from the next financial year.

(*d*) Owing to the continued financial stringency, Government regret that they are not able to restore the cuts made in the primary education grants payable to local authorities. The cut for the current year will be at the rate of 12 per cent.

Mr. G. S. GANGOLI : Is this special grant being discontinued because this unhappy question happened to be asked ?

The Honourable Dewan Bahadur S. T. KAMBLI : I think the orders were passed some time before that.

Mr. G. S. GANGOLI : May I know for how long the special grants were given ?

The Honourable Dewan Bahadur S. T. KAMBLI : If my honourable friend gives me notice, I will find it out for him.

Dr. M. K. DIXIT : May I know the reasons why these special grants are to be discontinued ?

Mr. G. S. GANGOLI : May I know the reason why only one place is given this special grant and not other places ?

The Honourable Dewan Bahadur S. T. KAMBLI : I do not know whether schools in other parts of the presidency made a request for such special grants in those good old days.

Mr. G. S. GANGOLI : How am I to know if the Honourable Minister himself does not know ?

Mr. B. S. KAMAT : Is it not true that the model character of one of these schools was recognised by Government and it was regarded by Government as a School of an exemplary character in the presidency ?

The Honourable Dewan Bahadur S. T. KAMBLI : It was so.

Mr. G. S. GANGOLI : Referring to the question of a reduction of 12 per cent in the grants, may I know what the Honourable Minister did to reduce the cut still further ?

The Honourable Dewan Bahadur S. T. KAMBLI : No further reduction in the cut is possible.

Mr. G. S. GANGOLI : How far did the Honourable Minister who represents our interest in the cabinet try to do that ?

The Honourable Dewan Bahadur S. T. KAMBLI : He tried his best.

SYED MIRAN MAHOMED SHAH : In view of the surplus budget this year, will the Honourable Minister exert himself to get the surplus for primary education this year ?

Mr. G. S. GANGOLI : What was the nature of his " best " effort ?

The Honourable the PRESIDENT : Next question.

SYED MIRAN MAHOMED SHAH : Sir, my question has not been replied to. The question is, in view of a surplus having been disclosed in the budget, will the Honourable Minister prefer a request to the Honourable the Finance Minister to divert this surplus to primary education ?

The Honourable the PRESIDENT : It is a suggestion for action.

Mr. G. S. GANGOLI : I am given to understand that the Honourable Minister tried his best. May we know the nature of his best effort ?

The Honourable Dewan Bahadur S. T. KAMBLI : It cannot be divulged.

SYED MIRAN MAHOMED SHAH : Is he really satisfied that there is no surplus available for a further reduction in the cut in grants ?

The Honourable Dewan Bahadur S. T. KAMBLI : That question may be addressed to my honourable colleague the Finance Member.

Mr. G. S. GANGOLI : Will he not require notice ? (*Laughter*). May I request the Honourable Minister to give these special grants to each school in every Division ?

The Honourable Dewan Bahadur S. T. KAMBLI : No such request has yet been made to Government—during the current year at least.

POTATO CROP IN MAHABLESHWAR AREA.

*Rao Bahadur G. V. PRADHAN for Mr. L. R. GOKHALE (Poona City) : Will the Honourable Minister for Education be pleased to state—

(*a*) how much quantity of Italian potato crop has been raised on the Mahableshwar plateau during the last five years ;

(*b*) whether Government are aware that the potato crop in the Mahableshwar area during the last five years is materially deteriorating ;

(*c*) whether Government are aware that want of good Italian potato seed is the real cause of this deterioration ;

(*d*) if so, whether Government intend to supply the agriculturists of Mahableshwar area with good Italian seed at a reasonable rate ?

The Honourable Dewan Bahadur S. T. KAMBLI : (*a*) The average annual acreage under potato on the Mahableshwar plateau during the last five years is about 80 acres. There has not been much increase or decrease in this area. There are five different varieties some of which are from Italian seed. Information regarding the exact area and yield under Italian potatoes is not available.

(*b*) No appreciable deterioration has been observed during this period. The yield of kharif crop is generally from 5 to 6 times the seed rate in normal conditions and that of the rabi crop from 6 to 8 times. Abnormal weather or poor cultivation or an attack of disease may seriously interfere with yield in individual cases.

(*c*) Does not arise.

(*d*) It is not the function of Government to supply seed themselves direct but enquiries are being made whether the supply can be in any way organized for the benefit of the cultivators.

IMPORT OF FOREIGN VEGETABLES AND FRUITS.

*Rao Bahadur G. V. PRADHAN for Mr. L. R. GOKHALE (Poona City): Will the Honourable Minister for Education be pleased to lay on the Council Table a statement showing the quantities of the various vegetables and fruits received in the Bombay Presidency during the last ten years from foreign countries, such as, Italy, Turkey, Australia, Persia, etc. ?

The Honourable Dewan Bahadur S. T. KAMBLI: A statement containing the requisite information for the years 1920–21 to 1929–30 is placed on the Council Table. Similar information available for the subsequent years is furnished below. Information as regards the countries which exported these commodities is not available:—

Name of fruit.	Unit.	Year.	
		1930–31.	1931–32.
Cocoanuts	Number ..	238	7,293
Almonds	Tons ..	3,816	2,836
Currents and Raisins	Tons ..	992	1,025
Dates	Tons ..	34,065	31,905
Other sorts	Tons ..	6,834	9,863

Statement showing imports of foreign fruits and vegetables in the Bombay Presidency.

Articles and countries of consignment.	Quantities.										
	Unit	1920–21	1921–22	1922–23	1923–24	1924–25	1925–26	1926–27	1927–28	1928–29	1929–30
I–COCOANUTS.											
A–British Empire	No.	79	..	1,108	124	8,438	1,331	288	1,993	2,623	2,047
B–Foreign countries.	„	Details	not given.		..	..	2,000	..	25	..	..
Total ..	„	79	..	1,108	124	8,438	3,331	288	2,018	2,623	2,047

Articles and countries of consignment.	Quantities.										
	Unit	1920–21	1921–22	1922–23	1923–24	1924–25	1925–26	1926–27	1927–28	1928–29	1929–30
II—ALMONDS.											
A—British Empire.											
United Kingdom	Tons	..	43	..	10	1	48	5	1	25	9
Palestine ..	,,	..	10	..	..	..	..	..	4	..	..
Aden ..	,,	..	..	..	..	6	26	27	8	13	11
Bahrein Islands ..	,,	4	..	..	..	..	21	..	..	..	..
Mesopotamia ..	,,	..	585	287	78	121	42	130	..	..	..
Other countries ..	,,	1	..	..	..	78	5	..	3	..	..
B—Foreign Countries.											
Belgium ..	,,	..	..	..	..	10	..	1	..	..	..
France ..	,,	1,067	1,281	778	1,087	534	538	888	1,377	1,036	167
Spain ..	,,	5	133	152	154	195	52	57	15	217	157
Italy ..	,,	1,298	1,892	3,487	2,192	2,344	1,307	2,845	2,247	2,127	3,281
Austria ..	,,	..	..	1	..	20	..	23	5	..	..
Greece ..	,,	37	10	35	..	15	66	103	224	387	264
Persia ..	,,	689	1,122	1,027	1,193	1,198	1,017	733	1,137	1,089	902
*Egypt ..	,,	39	10	55	141	48	20	137	195	211	..
Other countries ..	,,	24	4	11	1	28	2	7	92	165	241
Total ..	,,	3,164	5,090	5,833	4,856	4,648	3,144	4,956	5,308	5,270	5,032
III—CURRENTS AND RAISINS.											
A—British Empire.											
United Kingdom	Tons	7	4	1	6	5	7	6	5	4	1
Mesopotamia ..	,,	..	49	24	42	1	1	42	..	..	..
South Australia ..	,,	2	..	..	..	..	..	..	..	..	3
Other countries ..	,,	17	8	4	4	5	..	12	..	5	3
B—Foreign Countries.											
Spain ..	,,	2	..	1	..	..	1	..	..	..	..
Italy ..	,,	..	..	8	9	7	4	3	5	3	2
Austria ..	,,	..	1	14	4	4	..	5	2	2	2
Greece ..	,,	2	9	..	25	4	26	42	17	27	67
Muskat ..	,,	..	..	..	..	13	8	8	..	23	..
Persia ..	,,	621	826	1,403	784	610	637	990	674	732	770
China (ex-Hongkong).	,,	..	..	..	6	7	7	..	2	4	1
Egypt ..	,,	..	..	2	..	7	..	..	..	5	2
Other countries ..	,,	..	1	..	..	..	7	11	5	30	8
Total ..	,,	651	898	1,457	880	663	698	1,119	710	835	829

*Under foreign countries since 1923–24.

Articles and countries of consignment.	Quantities.										
	Unit	1920-21	1921-22	1922-23	1923-24	1924-25	1925-26	1926-27	1927-28	1928-29	1929-30
IV—DATES.											
A—British Empire.											
Aden ..	Tons	..	5	..	..	12	14	..	1	..	..
Mesopotamia ..	,,	*18,227	20,254	24,834	32,271	25,664	24,095	12,838	†31,043	†19,017	†24,265
Bahrein Islands	,,	2	8	6	2	47	2	105	27	48	50
Hongkong ..	,,	..	..	2	..	3	1	2	..	4	..
Other countries	,,	..	5	..	..	..	..	23	1	36	5
B—Foreign Countries.											
France ..	,,	1	..	..	..	15	..	161	7	6	11
Italy ..	,,	..	..	..	..	10	17	61	..	6	5
Muskat ..	,,	10,501	8,838	8,781	7,908	6,698	7,160	5,915	6,510	7,217	6,767
Other Native States in Arabia.	,,	82	4	161	1,754	352	194	151	247	51	108
Persia ..	,,	3,112	2,829	4,178	3,681	1,997	2,873	3,107	3,414	2,039	2,242
China (ex-Hongkong).	,,	..	6	2	..	1	1	3	6	..	3
Other countries.	,,	..	2	..	..	6	23	15	12	..	10
Total ..	,,	31,925	31,946	37,964	45,616	34,805	34,380	22,876	41,268	28,424	33,475
V—OTHER SORTS											
A—British Empire.											
United Kingdom.	Tons	8	6	8	14	9	11	15	11	20	16
Gibraltar ..	,,	1	..	..	..	..	3	..	..	..	..
Aden ..	,,	..	2	1	52	..	110	26	..	..	..
Mesopotamia ..	,,	..	20	..	..	7	4	24	..	..	..
Other countries.	,,	12	..	32	8	80	3	11	5	14	350

*Shown under Asiatic Turkey.
†Shown under Iraq.

Articles and countries of consignment.	Quantities.										
	Unit	1920-21	1921-22	1922-23	1923-24	1924-25	1925-26	1926-27	1927-28	1928-29	1929-30
B-Foreign countries.											
France ..	Tons	9	..	10	3	1	12	5	..	..	6
Spain ..	"	1	..	..	..	..	1	..	3	2	1
Italy ..	"	2	25	111	529	118	121	408	1,755	534	149
Austria	"	..	12	2	8	33	18	9	28	21	..
Greece ..	"	40	14	83	210	130	316	242	199	342	257
Muskat ..	"	3	..	..	..	36	2	3	1	1	..
Other Native States in Arabia.	"	..	..	1	..	..	..	..	..	4	..
Persia ..	"	136	257	345	171	345	193	215	228	181	109
Egypt ..	"	..	..	..	7	189	19	6	10	321	9
Portuguese East Africa.	"	354	885	627	200	872	1,642	2,177	3,450	2,328	5,781
United States of America (Via Atlantic coast).	"	..	1	18	20	2	1	4	1	..	..
Other countries	"	3	4	1	1	19	15	3	3	18	4
Total ..	"	563	1,226	1,239	1,223	1,841	2,471	3,148	5,694	3,786	6,682
Total, All Fruits and Vegetables.	"	30,303	39,160	46,493	52,575	41,957	40,693	31,599	52,980	38,315	46,018

CASES UNDER THE BOMBAY SPECIAL (EMERGENCY) POWERS ACT, 1932, AND THE CRIMINAL LAW AMENDMENT ACT, 1932.

*Mr. R. R. Bakhale for Rao Bahadur R. R. KALE (Bombay University): Will the Honourable the Home and General Member be pleased to place on the Council table a statement of cases in which action was taken under sections 3 and 4 of Bombay Act No. XVI of 1932 and sections 4 and 7 of Act No. XXIII of 1932, showing (*a*) the particular section under which action was taken; (*b*) the places where the action was taken; (*c*) the number of men and women concerned; (*d*) the cases reviewed by the Governor-in-Council under sub-section (*4*) of section 4 of Act No. XVI of 1932 together with the result of such review?

The Honourable Mr. R. D. BELL: Four statements, numbered I, II, III and IV, are placed on the Council Table. Statement I shows by districts the number of persons arrested and the number of orders issued under sections 3 (*1*) and 4 (*1*), respectively, of the Bombay Special (Emergency) Powers Act, 1932 (XVI of 1932), in the Bombay Presidency from the 29th December 1932 to the 31st December 1933. Statement II shows the number of persons convicted under sections 4 (*1*) and 7 of the Criminal Law Amendment Act, 1932 (XXIII of 1932), from the 1st January 1933 to the 31st December 1933 in each of the districts of the Presidency in which these sections have been in force. In neither of these two statements is the information given by sexes, since this would involve a reference to all the district officers concerned as regards section 4 (*1*) of the Bombay Special (Emergency) Powers Act, 1932, while as regards section 3 (*1*) of this Act, and section 7 of the Criminal Law

Amendment Act, 1932, the information is not readily available and its tabulation would be laborious.

The first six-monthly review undertaken by Government under section 4 (*4*) of the Bombay Special (Emergency) Powers Act, 1932, was intended to cover only those orders issued or deemed to have been issued under section 4 (*1*) of the Act before the 1st January 1933 which had not already been reviewed in connection with the special review undertaken in fulfilment of the assurance given by Government in the November-December 1932 session of the Bombay Legislative Council. In certain deserving cases, however, orders issued even after the 1st January 1933 were examined under the review and cancelled or modified, as found desirable. Statements III and IV show by districts the number of orders cancelled or modified as a result of the two reviews.

The second six-monthly review is now in progress.

I.

Statement showing the number of persons arrested and the number of orders issued under sections 3 (1) and 4 (1), respectively, of the Bombay Special (Emergency) Powers Act, 1932, from 29th December 1932 to 31st December 1933.

Name of district.	No. of persons arrested under section 3 (*1*)	No. of orders issued under section 4 (*1*)
Bombay City	118	175
Bombay Suburban District	..	7
Ahmedabad	43	60
Kaira	50	47
*Panch Mahals	..	4
*Broach	1	1
Surat	..	3
Thana	..	1
Ahmednagar	3	2
East Khandesh	..	..
West Khandesh	..	1
Nasik	6	8
Poona	10	7
Satara	..	..
Sholapur	..	1
Belgaum	..	1
Bijapur	..	3
Dharwar	3	27
Kanara	31	124
Kolaba	..	12
Ratnagiri	4	10
Karachi	24	27
Dadu	..	..
Larkana	1	10
U. S. Frontier	1	..
Sukkur	..	..
Nawabshah	13	14
Hyderabad	12	35
Thar Parkar	..	..
Total	320	584

*In the amalgamated district of Broach and Panch Mahals no action under section 3 (*1*) or section 4 (*1*) was taken from 6th November 1933 (the date of the amalgamation) to 31st December 1933.

II

Statement showing the number of persons convicted under sections 4 (1) and 7 of the Criminal Law Amendment Act, 1932, from 1st January 1933 to 31st December 1933 in those districts of the Bombay Presidency in which these sections have been in force.

Name of district.	No. of persons convicted under section 4 (1)	No. of persons convicted under section 7.
Bombay City	..	46
Bombay Suburban District	..	..
Kaira	..	..
Ahmednagar	..	1
East Khandesh	..	1
West Khandesh	..	..
*Sholapur	..	3
Kanara	..	26
Ratnagiri	..	3
Karachi	..	..
Total	..	80

*In Sholapur district, section 4 has not been brought into force, while section 7 was brought into force only with effect from 25th August 1933.

III

Statement showing the number of orders under section 4 of the Bombay Special (Emergency) Powers Act, 1932, cancelled in toto *or modified as a result of the special review.*

Name of district.	Orders cancelled *in toto.*	Orders modified.
Bombay City	58	..
Bombay Suburban District	10	2
Ahmedabad	3	..
Kaira	..	..
Panch Mahals	16	13
Broach	..	..
Surat	..	..
Thana	1	..
Ahmednagar	..	..
East Khandesh	..	..
West Khandesh	8	..
Nasik	6	..
Poona	1	12
Satara	23	19
Sholapur	..	..
Belgaum	1	..
Bijapur	6	..
Dharwar	5	39
Kanara	10	..
Kolaba	24	10
Ratnagiri	..	..
Karachi	..	..
Dadu	..	..
Larkana	..	..
U. S. Frontier	3	..
Sukkur	17	1
Nawabshah	9	2
Hyderabad	..	..
Thar Parkar	1	..
Total	202	98

IV

Statement showing the number of orders cancelled in toto *or modified as a result of the first six-monthly review under section 4 (4) of the Bombay Special (Emergency) Powers Act, 1932.*

Name of district.	Orders cancelled *in toto*.	Orders modified.	Remarks.
Bombay City	137	..	71 orders out of 137 cancelled were originally issued *after* 1st January 1933.
Bombay Suburban District ..	..	..	
Ahmedabad	..	..	
Kaira	..	..	
Panch Mahals	9	..	
Broach	..	..	
Surat	..	..	
Thana	..	..	
Ahmednagar	14	..	
East Khandesh	..	..	
West Khandesh	..	1	
Nasik	5	..	
Poona	..	..	
Satara	..	..	
Sholapur	..	..	
Belgaum	..	..	
Bijapur	4	..	
Dharwar	15	16	
Kanara	30	..	
Kolaba	3	..	
Ratnagiri	..	..	
Karachi	12	..	3 orders out of 12 cancelled were originally issued *after* 1st January 1933.
Dadu	..	..	
Larkana	..	..	
U. S. Frontier	..	..	
Sukkur	..	..	
Nawabshah	2	1	
Hyderabad	25	2	3 orders out of 25 cancelled and both of those modified were originally issued *after* 1st January 1933.
Thar Parkar	..	2	
Total ..	256	22	77 orders of those cancelled and 2 of those modified were originally issued *after* 1st January 1933.

I may say, Sir, to supplement the information, that the orders shown as cancelled in statements III and IV do not represent the total number of orders cancelled during the year. As I mentioned in the general debate of the budget, the total number of cancellations was over 1,000 during 1933.

CLERKS IN THE EDUCATIONAL DEPARTMENT TRANSFERRED TO LOCAL AUTHORITIES.

*Rao Saheb P. D. KULKARNI (Poona District): Will the Honourable Minister for Education be pleased to state—

(1) from what year the clerks from the Educational Department, Central Division and Bombay Division, were transferred to the District Local Boards;

(2) whether these transfers are of permanent nature;

(3) the names of the clerks so transferred, the year in which they were transferred and the pay they were then drawing;

(4) whether the consent of each clerk was taken beforehand for the transfer and the place of transfer; if not, why not;

(5) whether there is any rule which requires that the consent of the Government Servant to be transferred to a Local Authority should be taken;

(6) whether Government are aware that certain clerks who were transferred without their consent have protested; if so, how their representations are dealt with;

(7) whether Government are aware that these persons have suffered much in their promotions and prospects in their service on account of their transfers; if so, how Government propose to redress their grievance;

(8) what steps Government have taken to safeguard the interest of such clerks regarding their future promotions and prospects in the service of the Boards;

(9) what pay they are drawing at present and what pay they would have ordinarily drawn under the rules if they had continued in the Department;

(10) whether it is a fact that certain clerks who were transferred to the Local Boards without their consent and who had reluctantly joined their service, have expressed their desire to revert to Government Service; if so, how many have applied accordingly and what replies have been given to them by Government;

(11) whether any of them have been taken back; if so, how many and under what circumstances; if not, why not;

(12) whether these clerks have liens in the Educational Department, if so, whether their claims are considered while filling up permanent vacancies in the Educational Department;

(13) whether it is a fact that the permanent clerks transferred to the Local Authorities have been saddled with the additional burden of examinations for being eligible for higher grades; if so, whether Government intend to exempt them from the examinations?

The Honourable Dewan Bahadur S. T. KAMBLI: (1) Please see column 5 of the attached statement.

(2) Yes, the transfers are of a permanent nature, but the clerks retain their liens on posts in Government service nominally.

(3) The accompanying statement gives the information.

(4) No previous consent of the clerks was taken because at the time of their transfer such consent was not required under the rules then in force.

(5) Under Bombay Civil Services Rule 107 (*a*) Government may not transfer an officer to foreign service against his will.

(6) Of the clerks transferred to the Local Authorities (*vide* the accompanying statement), 8 protested against their transfer. Their requests for reversion to the Department were not complied with by the Director of Public Instruction. Three of them appealed to Government against his decision and Government permitted two of them to revert to their service, as in their cases the Local Authorities gave notice to Government in accordance with Bombay Primary Education Rule 34 (*d*).

(7) The courses open to Government were either to transfer the clerks to local authorities or to retire them as their posts were surplus. The first alternative involved less hardship to the clerks and was therefore adopted. Government cannot do anything to redress any grievance they may have.

(8) Local Authorities have full discretion in this respect and Government cannot interfere in the matter.

(9) The pay that is being drawn at present by the clerks in question has been shown in column 7 of the accompanying statement. It is not possible to say what pay they would have ordinarily drawn if they had continued in the Department.

(10) *Vide* reply to paragraph (6) above.

(11) Two clerks were taken back in Government service in consequence of the local authorities giving the Department notice under Bombay Primary Education Rule 34 (*d*).

As regards the other clerks please see reply to paragraph (6) above.

(12) Attention is invited to the reply given to clause (*g*) of Mr. N. N. Patil's question printed at page 437 of volume XXXV of Bombay Legislative Council Debates, 1932.

(13) In Rule 53 (*b*) and (*c*) of the Primary Education Rules provision has been made for the exemption of the clerks (1) from the Accounts Clerks' Examination by the Local Authority under which they are serving, such exemption being granted for reasons to be recorded in writing which shall be subject to comment by the Examiner, Local Fund Accounts, in his audit notes, and (2) from the School Board Accountants' Examination by the Director of Public Instruction with the concurrence of the Examiner, Local Fund Accounts, on the recommendation of the School Board and the Local Authority.

Statement showing the names of Clerks in the Central and Bombay Divisions, who have been transferred to the District Local Boards.

No.	Name.	Designation.	Name of the District Local Board to which transferred.	Date from which transferred.	Pay on the date of transfer.	Present pay.	Remarks.
1	2	3	4	5	6	7	8
					Rs.	Rs.	
		Grade of Rs. 105—5—140.					
1	Mr. V. T. Johore.	Head Clerk, Deputy Educational Inspector, East Khandesh.	East Khandesh.	1st July 1926	140	..	Retired from service.
2	Mr. M. G. Kanade.	Head Clerk, Deputy Educational Inspector, Ahmednagar.	Ahmednagar.	1st October 1926.	140	..	Do.
3	Mr. A. L. Dharap.	Head Clerk, Deputy Educational Inspector, Ratnagiri.	Ratnagiri ..	1st January 1927.	110	..	Do.
4	Mr. V. R. Saswadkar.	Clerk, Deputy Educational Inspector, Poona.	Poona ..	1st August 1927.	140	140	....
5	Mr. V. V. Ranade.	Head Clerk, Deputy Educational Inspector, Nasik.	Nasik ..	1st September 1927.	140	..	Retired from service.
6	Mr. D. A. Ghatpande.	Head Clerk, Deputy Educational Inspector, Sholapur.	Kolaba	15th August 1927.	140	..	Do.
7	Mr. B. N. Panat.	Head Clerk, Deputy Educational Inspector, Satara.	West Khandesh.	1st March 1928.	140	..	Do.
8	Mr. G. V. Ketkar.	Clerk, Educational Inspector, Southern Division.	Sholapur	1st November 1928.	140	140	Proceeded on leave preparatory to retirement.
		Grade of Rs. 85—5/2—100.					
1	Mr. S. G. Vaidya.	Clerk, Deputy Educational Inspector, Ahmednagar.	Bombay Suburban District.	4th March 1926.	95	..	Retired from service.
2	Mr. B. L. Asgekar.	Clerk, Deputy Educational Inspector, East Khandesh.	East Khandesh.	1st July 1926.	95	110	Appointed as Head Clerk and Accountant in the Office of the District School Board, East Khandesh, in the grade of Rs. 100—5—150 with effect from 1st January 1933.
3	Mr. B. M. Kirtane.	Do. ..	Do. ..	1st July 1926.	100	100	
4	Mr. V. K. Deshpande.	Clerk, Deputy Educational Inspector, Satara.	Satara ..	1st August 1926.	100	140	
5	Mr. V. D. Ogale.	Do. ..	Do. ..	1st August 1926.	90	100	

No.	Name.	Designation.	Name of the District Local Board to which transferred.	Date from which transferred.	Pay on the date of transfer.	Present pay.	Remarks.
1	2	3	4	5	6	7	8
		Grade of Rs. 85—5/2—100—contd.			Rs.	Rs.	
6	Mr. K. G. Moralwar.	Clerk, Deputy Educational Inspector, Ahmednagar.	Ahmednagar.	1st October 1926.	100	120	Appointed as Head Clerk in the office of the District School Board, Ahmednagar, in the grade of Rs. 105—5—140 with effect from 7th September 1928. Reverted to Government service on 1st May 1932 from which date he has been on leave preparatory to retirement.
7	Mr. D. P. Patwardhan.	Clerk, Deputy Educational Inspector, Ratnagiri.	Ratnagiri ..	1st January 1927.	90	125	Appointed as Head Clerk and Accountant in the office of the District School Board, Ratnagiri, in the grade of Rs. 105—5—140 with effect from 17th December 1932.
8	Mr. V. G. Joglekar.	Clerk, Deputy Educational Inspector, Thana.	Thana ..	1st March 1927.	100	100	He has been reverted to Government service.
9	Mr. V. G. Bhide.	Clerk, Deputy Educational Inspector, Kolaba.	Ratnagiri ..	27th May 1927	100	100	
10	Mr. J. W. Deshpande.	Clerk, Deputy Educational Inspector, Poona.	Poona ..	1st August 1927.	100	100	
11	Mr. G. M. Bhide.	Do. ..	Do. ..	1st August 1927.	100	..	Retired from service.
12	Mr. R. V. Khasnis.	Clerk, Deputy Educational Inspector, Nasik.	Nasik ..	11th September 1927.	100	100	
13	Mr. K. V. Madiwale.	Clerk, Deputy Educational Inspector, Ahmednagar.	Kolaba ..	1st December 1927.	100	100	He has been reverted to Government service.
14	Mr. V. M. Deshpande.	Clerk, Deputy Educational Inspector, West Khandesh.	West Khandesh.	1st March 1928.	90	100	
15	Mr. B. S. Deshpande.	Clerk, Deputy Educational Inspector, Sholapur.	Sholapur ..	1st November 1928.	95	100	

No.	Name.	Designation.	Name of the District Local Board to which transferred.	Date from which transferred.	Pay on the date of transfer.	Present pay.	Remarks.
1	2	3	4	5	6	7	8
		Grade of Rs. 30—5/2—80.			Rs.	Rs.	
1	Mr. S. N. Behere.	Clerk, Deputy Educational Inspector, Kolaba.	Bombay Suburban District.	10th March 1926.	50	..	Resigned service.
2	Mr. E. B. Kulkarni.	Clerk, Deputy Educational Inspector, Satara.	Satara ..	1st August 1926.	70	80	
3	Mr. M. S. Deshpande.	Clerk, Deputy Educational Inspector, Satara.	Do. ..	1st August 1926.	65	80	
4	Mr. L. T. Kushte.	Clerk, Deputy Educational Inspector, Satara.	Do. ..	1st September 1926.	80	100	
5	Mr. R. V. Gandhe.	Clerk, Deputy Educational Inspector, Ahmednagar.	Ahmednagar.	1st October 1926.	60	75	
6	Mr. S. G. Gachkeshwar.	Clerk, Deputy Educational Inspector, Ahmednagar.	Do. ..	1st October 1926.	55	70	
7	Mr. G. N. Agashe.	Clerk, Deputy Educational Inspector, Ratnagiri.	Ratnagiri ..	1st January 1927.	60	75	
8	Mr. L. S. Kher.	Clerk, Deputy Educational Inspector, Ratnagiri.	Do. ..	1st January 1927.	55	70	
9	Mr. K. S. Phanse.	Clerk, Deputy Educational Inspector, Ratnagiri.	Do. ..	1st January 1927.	50	65	The question of his pay is under consideration.
10	Mr. V. R. Chaphekar.	Clerk, Deputy Educational Inspector, Thana.	Thana ..	1st March 1927.	80	80	The question of his promotion to the grade of Rs. 85—100 is under consideration.
11	Mr. S. C. Pawagi.	Clerk, Deputy Educational Inspector, Thana.	Do. ..	1st March 1927.	50	65	
12	Mr. S. G. Kolhatkar.	Clerk, Deputy Educational Inspector, Kolaba.	Kolaba ..	1st August 1927.	60	75	
13	Mr. V. B. Gadgil.	Clerk, Deputy Educational Inspector, Poona.	Poona ..	1st August 1927.	65	80	
14	Mr. E. N. Joshi.	Clerk, Deputy Educational Inspector, Poona.	Do. ..	1st August 1927.	65	85	Promoted to the grade of Rs. 85—100 with effect from 23rd December 1932.
15	Mr. B. R. Joshi.	Clerk, Deputy Educational Inspector, Poona.	Do. ..	1st August 1927.	55	70	
16	Mr. D. B. Paranjpe.	Clerk, Deputy Educational Inspector, Nasik.	Nasik ..	1st September 1927.	60	75	

No.	Name.	Designation.	Name of the District Local Board to which transferred.	Date from which transferred.	Pay on the date of transfer.	Present pay.	Remarks.
1	2	3	4	5	6	7	8
		Grade of Rs. 30—5/2—80—contd.			Rs.	Rs.	
17	Mr. S. P. Mulay.	Clerk, Deputy Educational Inspector, West Khandesh.	West Khandesh.	1st March 1928.	50	65	
18	Mr. S. D. Bhadkamkar.	Clerk, Deputy Educational Inspector, Nasik.	Nasik ..	1st November 1928.	75	80	
19	Mr. S. N. Deshpande.	Clerk, Deputy Educational Inspector, Nasik.	Do. ..	1st November 1928.	80	..	Died on 18th July 1929.
20	Mr. G. H. Joshi.	Clerk, Deputy Educational Inspector, Sholapur.	Sholapur ..	1st November 1928.	60	70	The District Local Board, Poona, has since taken him over from the District Local Board, Sholapur.
21	Mr. V. S. Sathe.	Clerk, Deputy Educational Inspector, Sholapur.	Do. ..	1st November 1928.	65	75	
22	Mr. G. B. Pise.	Clerk, Training College for Men, Dhulia.	Bijapur ..	1st July 1929 .	80	125	His services have been lent to the District Local Board, Bijapur, in the grade of Rs. 105—5—140.

HOLDERS OF INAM VILLAGES: RIGHT TO VOTE FOR COUNCIL ELECTIONS.

*Rao Saheb P. D. KULKARNI (Poona District): Will the Honourable the Revenue and Finance Member be pleased to state the names of the Inam villages the holders of which are not eligible for voting for Council elections on the ground that the villages are not held by one person only ?

The Honourable Sir GHULAM HUSSAIN : A list of such villages is placed on the table. It is presumed that the honourable member refers to the right of inam-holders to vote in landholders' constituencies only. Such holders are eligible for registration in the roll of general constituencies, even if a village is not held by one person only, provided they possess the prescribed franchise qualifications.

List of inam villages the holders of which are not eligible for voting at Council elections on the ground that the villages are not held by one person only.

NORTHERN DIVISION.

Ahmedabad District.

Vastral.
Charal.
Kadipur.
Lana.
Virpur.
Arnej.
Rajpur.
Kharakdi.

Kaira District.

Charan-nu-muvadu.
Sarsa.
Jalia.
Valasan.
Mirapur.
Dantali.
Alwa.
Mahmadpura.
Narangar-no-math.
Khandi-vav.
Nagewal.
Sastapur.
Bhatpura 2nd.
Sangol.
Harkhol.
Ghadvi-nu-muwadu.
Govindpura.

Panch Mahals District.

Gadukpur.
Kotda.
Erandi.
Moryo.
Nasirpur.
Dhamai.
Angalia.
Tajpur.
Mataria.
Padardi.
Sureli.
Umarpur.
Amiad.
Khojalwasa.
Tarvadi.
Dhandhalpur.
Kasanpur.
Rasulpur.
Bhat-nu-muvadu.
Veganpur.
Vinzol.
Narsana.
Khandoli.
Madhvas.
Alali.
Balentia.
Barola.
Devpuri.
Ghoda.

Panch Mahals District—contd.

Khandewal.
Sureli.
Brahmkheda.
Ghosala.
Dungara.
Bordi.
Bhathiawada.
Tanachhia.
Vintoj.
Mojalpur.
Ghodadara.
Maghasar.
Saliav.
Kadachhala.
Navaria.
Jamanpura.
Pavadi.
Jotpur.
Kaligam.
Sampoi.
Parthampur.
Mankhosala.
Ramar Rajput.

Broach District.

Mangleshwar.
Tham.
Maktampor.
Nadathla.
Osara.
Umraj.

Surat District.

Deladva.
Umber.
Dindoli.
Mota Varachha.
Bhestan.
Sonari.
Abhva.
Vesu.
Sania Hemad.
Vanz.
Svadla.
Vadila.
Koshadi.
Karootha.
Kathkuva.
Modharkui.
Janvan.
Devgiri.
Piparia.
Toli.
Mogar.
Nasilpor.
Saran.
Chasa.
Majigam.
Ghej.
Khudvel.

NORTHERN DIVISION—*contd.*

Thana District.

Khativali.
Varle.
Mhasval.
Tis.

CENTRAL DIVISION.

Ahmednagar District.

Jawale.
Pimpri-pathar.
Rui.
Primpri-Gavali.
Mhasne.
Karandi.
Kasar-Pimpalgaon.
Tinkhadi.
Khedleparmanand.
Miri.
Shingwe-Keshav.
Pravara-Sangam.
Najik-Chincholi.
Usthal Dumala.
Deodaithane.
Sangwi.
Awhane Bk.
Gadewadi.
Najik-Babhulgaon.
Varur Bk.
Sangwi Kd.
Konoshi.
Rashin.
Babulgaon.
Pategaon.
Ruigavan.
Sheri-Khurd.
Dhond-Pargaon.
Satephal.
Sawargaon.
Dighol.
Mohori.
Ambi Dumala.
Kasara.
Eklahare.
Kuranpur.
Akolner.
Nimblak.
Ambilwadi.
Chas.
Karanji.
Nandgaon.
Jamb.

East Khandesh District.

Umbarkhede.
Don.
Talonde Pragane Chalisgaon.
Talonde Pragane Deher.
Pimparkhede.
Shendni Digar.
Galwade Digar.
Bhokri.
Tamaswadi.
Undani.

East Khandesh District—contd.

Vichkhede.
Shivre.
Anchalgaon.
Gondgaon.
Shindi.

West Khandesh District.

Sundarde.
Hatnur.
Harduli.
Tokartalav.

Nasik District.

Mohegaon.
Pancha.
Vadner.
Odha.
Maturi.
Dadhegaon.
Shilapur.
Gowardhan.
Dari.
Pimpalgaon-Garudeshwar.
Kone.
Vaghera.
Vele.
Jategaon Bk.
Gawatha.
Murumbi.
Sonari.
Fardapur.
Dhulgaon.
Nandesar.
Ahirgaon.
Chitegaon.
Vinchur.
Saikheda.
Shimpi Takli.
Chandori.
Pimplad.
Korhate.
Dhagur.
Shivnai.
Samnere.
Shevgedang.
Avali.

Poona District.

Yeravda.
Aundh.
Yarandavne.
Ahire.
Gauddara.
Dapodi.
Sangvi Haveli.
Tulapur.
Urli Devachi.
Baner.
Bhosari.
Ravet.
Sashte.
Kirkat Wadi.
Nhavi Sandas.

CENTRAL DIVISION—*contd.*

Poona District—contd.

Vadhu Khurd.
Bakori.
Akurdi.
Nigade.
Pimple Saudagar.
Pimpri Waghere.
Ambi.
Gogalwadi.
Pimpri Bk.
Girvi.
Narsingpur.
Takli.
Nagapur.
Aurangpur.
Andgaon.
Kelgaon.
Kolharwadi.
Chandoli.
Yelvadi.
Retavadi.
Vaki Bk.
Vade.
Shelgaon.
Askhed Bk.
Koregaon Kd.
Chikhalgaon.
Pangri.
Palu.
Bhavadi.
Surkhundi.
Kanhewadi Bk.
Dehane.
Urse.
Adhe.
Mau.
Amble.
Sawale.
Daholi.
Bhaje.
Karandali.
Narayangaon.
Velhavali.
Govitri.
Sudawadi.
Sudumbre.
Kambre Nane Maval.
Pale Nane Maval.
Karanjgaon.
Karhali.
Ambe Bk.
Vadgaon Nimbalkar.
Chincholi.
Malegaon Kd.
Kumbharvalan.
Kolvihire.
Vaghapur.
Somori.
Pimpari.
Varpuri.
Kumbhoshi.
Ekhatpur.
Valunj.
Kelkavale.
Malshiras.
Wakad.

Poona District—contd.

Lavale.
Tathavade.
Nera.
Jambe.
Daravali.
Bhugaon.
Bhavadhan Bk.
Pimpri Dumale.
Markhar.
Dahiwadi.
Gunat.
Ganegaon Dumale.

Satara District.

Upale Mayani.
Kalambi.
Karve.
Kotij.
Dhavleshwar.
Tadsar.
Renavi.
Wadiye Rayabag.
Shalgaon.
Shirgaon.
Rayagaon.
Amrapur.
Bhikawadi Kd.
Hingangadi.
Khed.
Shirgaon.
Vashi.
Nagaon.
Narsingpur.
Kaulge.
Inam Dhamni.
Padmale.
Mangale.
Hatcgaon.
Kapri.
Gudhe.
Shirala Kd.
Chandoli Bk.
Kharshi Tarf Baramure.
Ganje.
Voroshi.
Ruighar.
Sangavi T. Medha.
Karandi T. Medha.
Wahagaon.
Vengale.
Sarvat.
Kandat.
Bamnoli T. Kudal.
Bhanang.
Dare T. Tamb.
Chorambe.
Chakdeo.
Parvat.
Katnoli.
Mahigaon.
Punawadi.
Taloshi.
Karandi T. Kudal.
Asale.
Udtara.
Zagalwadi.

CENTRAL DIVISION—*contd.*

Satara District—contd.

Naigaon.
Pachawad.
Dhom.
Mhavshi.
Morve.
Songirwadi.
Vyajwadi.
Gove.
Borin.
Mugaon.
Kusgaon.
Chikhali.
Nagewadi.
Dahyat.
Kalambe.
Nhalawadi.
Abhepuri.
Virmade.
Vadgaon.
Ekasar.
Kadegaon.
Khadki.
Chindhavli.
Bhogaon.
Kalambi.
Kokarale.
Pimpari.
Sundarpur.
Hingane.
Palashi.
Jamb.
Kalgaon.
Kusur.
Konegaon.
Nadashi.
Potale.
Bhurbushi.
Marali.
Yenpe.
Vadgaon Umbraj.
Sayapur.
Govare.
Parale.
Banawadi.
Ambale.
Garavade.
Paparde.
Jinti.
Vazoli.
Dastan.
Aral.
Kadve Bk.
Gokul T. Patan.
Ghot.
Dicholi.
Maneri.
Wadi Kotavade.
Kadholi.
Kondhavle.
Gothan.
Chafer.
Kadve Kd.
Kushi.
Keloli.
Konjawade.

Satara District—concld.

Tondoshi.
Dadholi.
Diwashi Bk.
Natoshi.
Nadoli.
Niwade.
Banapuri.
Bhambe.
Mendh.
Vajegaon.
Sanbur.
Savarghar.
Mandrul T. Kole.
Gadhav Khop.
Jihe.
Arfal.
Borkhal.
Fatyapur.
Arale.
Dhawadshi.
Nigadi Vandan.
Varne.
Yavateshwar.
Chinchner Vandan.
Pathakal.
Songaon Samat Limb.
Mahagaon.
Kshetra-Mahuli.
Vele.
Sayagaon.
Jaitapur.
Chinchner Samal Limb.
Mardhe.
Atit.
Padali.
Sonapur.
Saspade.
Wawdare.
Lumne Khol.
Asangaon.
Pilani.
Paramale.
Ninam.
Kari.
Revande.
Nitral.
Kas-Khurd.
Ghatwan.
Karandi.
Chikhali.
Jambhe.
Boposhi.
Sangwi.
Mangalapur.
Shirambe.
Ambavde Samat Koregaon.
Sonake.
Nigadi.
Shirdhon.

Sholapur District.

Yavali.
Upale.
Devadhi.
Ambe.
Ozewadi.

CENTRAL DIVISION—*concld.*

Sholapur District—contd.

Bamani.
Ekhatpur.
Andhalgaon.
Karunde.
Kolegaon.
Nimbgaon.
Tandulwadi.
Tambave.
Bacheri.

Bombay Suburban District.

Kurla.
Parjapur.
Marol.
Kole Kalyan.
Mohile.
Asalpe.
Shahar.
Pawai.
Saki.
Paspoli.
Tungwe.
Kapsi.
Tirandaj.
Magatthane.
Pahadi.
Akurli.
Haryali.
Bhandup.
Borivli.
Eksar.
Dindoshi.
Pahadi-Eksar.
Vile Parle.
Juhu.
Valnai Wadhwan.
Marawli.

SOUTHERN DIVISION.

Belgaum District.

Ankli.
Dukkarwadi.
Kavale.
Malwad.
Mudewadi.
Nagurde.
Gundwad.
Bastwad.
Masarguppi.
Ankle.
Sankeshwar.
Kamatnur.
Ammangi.
Hulloli.
Yadgud.
Aste.
Modge.
Bellanki.
Abbihal.
Ramtirth.
Surpali.
Kudchi.
Adhalli.

Belgaum District—contd.

Sambargi.
Madbhavi.

Bijapur District.

Kalkavatgi.
Yatnal.
Honaganhalli.
Agarkhed.
Ballolli.
Bhuyar.
Kapnimbargi.
Mannur.
Tenihalli.
Zalki.
Padaganur.
Devur.
Bodnaikdinni.
Bevinmatti-S-Mankani.

Dharwar District.

Hebli.
Talvai.
Kurdapur.
Hullambi.
Kadhalli.
Bannikop.
Kanakur.
Aladkatti.
Bidarkop.
Gatgodi.
Laxmipur.
Mulgund.
Sagarvalli.
Yadikop.
Anksapur.
Sankapur.
Javaur.
Shanvad.
Belgali.
Virapur.
Myadagop.
Tippapur.
Ganagapur.

Kanara District.

Nil.

Kolaba District.

Kurkundi Koltembhi.
Ashte.
Davansar.
Kurmurli.
Javli.
Durshet.
Nandanpada.
Savarsai.
Rode.
Nandangaon.
Shirdhon.
Kushivli.
Usarli Budruk.

SOUTHERN DIVISION—*contd.*

Kolaba District—contd.

Kalundre.
Chinchvan.
Chikhale.
Chirwat.
Chindhran.
Pargaon.
Posari.
Karade Budruk.
Vahal.
Patawadhi.
Diksal.
Savroli.
Chowk.
Nevali.
Bamnas.
Manivali.
Mandad.
Wadap.
Hedavali.
Chinchavli tarf Divali.
Wali.
Umroli.
Kharavli.
Kangule.

Ratnagiri District.

Anjani.
Khar.
Ambadas.
Pedhe.
Deorukh.
Golawali.
Kond Ambedu.
Kondyen.
Pur.
Purye tarf Devalen.
Sonawade.
Shiposhi.
Kurdhonde.
Chindravli.
Niveli.
Devache Gothane.
Juvathi.
Shejavali.
Dhopeshwar.
Kamte.
Achara.
Gaudwadi.
Chindar.
Trimbak.

NASIK SCHOOL BOARD: CLAIM TO TRAVELLING ALLOWANCE OF A MEMBER RESIDING OUTSIDE THE DISTRICT.

*Rao Saheb P. D. KULKARNI (Poona District): Will the Honourable Minister for Education be pleased to state—

(*a*) whether Government are aware that under clause (*g*) of sub-rule (1) of the new Rule 13 of the Bombay Primary Education Rules, a person is disqualified from being a member of a School Board, if he does not ordinarily reside within the District;

(*b*) whether Government are aware that under sub-rule (3) of the same rule, if any person already elected or appointed becomes subject to any of the disqualifications specified in sub-rule (1) of the rule, his seat becomes vacant;

(*c*) whether Government are aware that Mr. Ghogale, a member of the District School Board, Nasik, has changed his head-quarters and gone to Bombay to reside there permanently and that he is doing business at Lalbaug since August 1932;

(*d*) whether Government are aware that he had applied to the Chairman of the District School Board, Nasik, on the 22nd March 1933 for travelling allowance from Igatpuri to Nasik on the ground that he had to come from Bombay to attend the meetings of the Board;

(*e*) if so, what amount of travelling allowance was paid to him and why;

(*f*) what action Government propose to take in the matter ?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) and (*b*) Yes.

(*c*), (*d*) and (*e*) The Chairman, District School Board, Nasik, reports that Mr. Ghogale represented on 22nd March 1933 that ne had gone to live at Bombay and had to come to Nasik for attending the School Board meeting and asked if he could get travelling allowance from Igatpuri to Nasik and back, but that Mr. Ghogale has as a matter of fact never been paid any travelling allowance, and that Mr. Ghogale's claim for travelling allowance has been disallowed as he has actually continued his residence in Nasik.

(*f*) No action is necessary in view of the reply given above.

SUGARCANE RESEARCH WORKS AT PADEGAON.

*Rao Saheb P. D. KULKARNI (Poona District): Will the Honourable Minister for Education be pleased to state—

(*a*) whether it is a fact that an intending visitor has to obtain the previous permission of the Director of Agriculture before he can visit the sugarcane research scheme for the Deccan, at Padegaon ;

(*b*) if so, the reasons therefor ;

(*c*) whether it was necessary to obtain such permission for visiting the Manjri Farm ;

(*d*) if not, why such difference is made in the case of the sugarcane research works at Padegaon ;

(*e*) who has placed this restriction—the Imperial Council of Research or the principal agricultural officer of the station ;

(*f*) if it is placed by the latter officer, viz., the principal agricultural officer of the station, what his experience in and qualifications for sugarcane research work are ;

(*g*) whether it is a fact that the major portion of his service is spent in doing mere propaganda work and not doing any scientific research work ;

(*h*) if so, whether Government propose to remove this restriction or at least to make some other arrangement by which the intending visitors can have easy access to the research work at Padegaon ?

The Honourable Dewan Bahadur S. T. KAMBLI : (*a*) No visitor is prevented from visiting the station. If a member of the public desires to get into touch with the officers stationed there for advice on agricultural or other problems connected with the research work done there he is asked to communicate with the Director of Agriculture.

(*b*) The station is intended for research work and is not for giving general advice or propaganda centre.

(*c*) No.

(*d*) The Manjri Farm was not only a centre of research but for propaganda work as well while the new station is used for research work only.

(*e*) The Director of Agriculture.

(*f*) Does not arise.

(*g*) No.

(*h*) The present arrangements are satisfactory. No change is needed.

AGRICULTURAL DEPARTMENT: APPOINTMENTS IN PROVINCIAL SERVICE.

*Rao Bahadur R. V. VANDEKAR (Nasik District): Will the Honourable Minister for Education be pleased to state the number of persons with their names, castes, qualifications and length of service, holding substantive or acting appointments in the Provincial Service in the Agricultural Department?

The Honourable Dewan Bahadur S. T. KAMBLI: A statement containing the information required by the honourable member is placed on the Council Table.

STATEMENT.

Statement showing the names, castes, qualifications, length of service, etc., of officers in the Bombay Agricultural Service.

Serial No.	Name and designation of the officer.	Caste.	Qualifications.	Length of service in years.	Whether holding permanent or acting appointment.	Remarks.
	Bombay Agricultural Service—Class I.					
1	Rao Bahadur D. L. Sahasrabudhe, Agricultural Chemist to Government, Bombay Presidency, Poona.	Konkanasth a Brahmin.	M.Ag., M.Sc. ..	26¾	Permanent.	Allowed to retain the scale of pay of Rs. 350—50—1,200 with halts at 6th and 12th years.
2	Mr. S. S. Salimath, Deputy Director of Agriculture, S. D., Dharwar.	Lingayat ..	B.Ag. ..	22¾	Do.	
3	Mr. N. V. Kanitkar, Soil Physicist to Government, Bombay Presidency, Manjri (Post held in abeyance for the period of the Dry Farming Research Scheme).	Konkanasth a Brahmin.	M.Ag., B.Sc. ..	24½	Do. ..	On deputation as Chief Investigator, Dry Farming Research Scheme, Sholapur.

Serial No.	Name and designation of the officer.	Caste.	Qualifications.	Length of service in years.	Whether holding permanent or acting appointment.	Remarks.
	Bombay Agricultural Service—Class I —contd.					
4	Rao Saheb B. P. Vagholkar, Deputy Director of Agriculture, S. C. D., Poona (seconded.)	Panch Kalashi *alias* Somavanshi Kshatriya Pathare.	L.Ag. ..	25½	Permanent.	On deputation as Principal Agricultural Officer, Sugarcane Research Scheme, Padegaon.
5	Mr. V. V. Gadgil, Deputy Director of Agriculture, S. C. D., Poona.	Konkanast h a Brahmin.	B.Ag. ..	24½	Do.	
6	Mr. K. V. Joshi, Deputy Director of Agriculture, N. C. D., Nasik.	Konkanast h a Brahmin.	B.Ag. ..	24½	Do.	
7	Dr. T. G. Shirname, Professor of Agricultural Economics, Agricultural College, Poona.	Maratha ..	B.Ag., (Bom.) Ph. D. (Wales), F. S. S. (Lond.), F. R. E. S. (Lond.).	6½	Officiating (on probation.)	
	General Provincial Service.					
1	Mr. C. G. Paranjpe, Agricultural Engineer to Government, Bombay Presidency.	Konkanast h a Brahmin.	Sub-overseer of the College of Engineering, Poona, with II class.	24	Permanent.	
	Bombay Agricultural Service—Class II.					
1	Mr. J. P. Trivedi, Professor of Agricultural Engineering, Physics and Mathematics, Agricultural College, Poona.	Shrimali Gujarati Brahmin.	L.C.E., A.M. I.E. (Ind.)	24½	Permanent.	
2	Mr. F. J. Master, Personal Assistant to the Director of Agriculture, Bombay Presidency, Poona.	Parsi ..	B.Ag. ..	30½	Do.	
3	Mr. H. G. Baluch, Assistant Professor of Dairying, Agricultural College, Poona.	Baluchi Mahomedan.	B.Ag. ..	14½	Do.	
4	Mr. M. L. Patel, Cotton Breeder, South Gujarat, Surat.	Bania ..	M.Ag. ..	21½	Do.	
5	Mr. V. R. Dharwarkar, Cotton Superintendent, S.M.C., Dharwar.	Deshastha Brahmin.	L.Ag. ..	24½	Do. ..	On deputation to His Exalted Highness the Nizam's Dominions.
6	Rao Saheb G. L. Kottur, Cotton Breeder, S.M.C., Dharwar.	Deshastha Brahmin.	M.Ag. ..	24½	Do.	
7	Mr. S. H. Prayag, Cotton Breeder, Khandesh, Jalgaon.	Vaishnav Brahmin.	M.Ag. ..	23½	Do.	
8	Mr. C. S. Patel, Cotton Superintendent, Surat.	Lewa Patidar.	L.Ag. ..	28¾	Do.	

Serial No.	Name and designation of the officer.	Caste.	Qualifications.	Length of service in years.	Whether holding permanent or acting appointment.	Remarks.
	Bombay Agricultural Service—Class II—contd.					
9	Dr. Badri Nath Uppal, Plant Pathologist to Government, Bombay Presidency, Poona.	Kshatriya Brahmo Hindoo.	B.A. (Punjab). Ph.D.(Iowa)	7	Permanent.	On leave for study abroad.
10	Mr. T. N. Jhaveri, Assistant Professor of Entomology, Agricultural College, Poona.	Modh Bania ..	L.Ag. ..	26¼	Do.	
11	Mr. K. S. Kulkarni, Assistant Professor of Agriculture, Agricultural College, Poona.	Saraswat Brahmin.	B.Ag. ..	19	Do.	
12	Mr. B. S. Kadam, Crop Botanist to Government, Bombay Presidency, Karjat.	Maratha ..	B.Sc.(Iowa), M.Sc. (Carnell) U.S.A.	3½	Do.	
13	Dr. M. K. Patel, Assistant Professor of Mycology, Agricultural College, Poona.	Patidar of Surat District.	M.Sc., Ph.D. (Iowa).	2½	On probation.	Officiating Plant Pathologist to Government, Bombay Presidency.
14	Mr. L. S. S. Kumar, Assistant Professor of Botany, Agricultural College, Poona.	Brahmin ..	M.Sc.(Lond.), A. R. C. S., D.I.C.	2½	Do.	Officiating as Economic Botanist to Government, Bombay Presidency (special temporary post on Rs. 300—25—400—30—550—35—700—40—1,000).
15	Mr. N. Narayana, Assistant Professor of Chemistry, Agricultural College, Poona.	Brahmin Bangalorean.	M.Sc. ..	¾	Do.	
16	Mr. R. Y. Hulkoti, Inspector of Agricultural Schools, Bombay Presidency, Manjri (seconded).	Raddi ..	B.Ag. ..	22¼	Permanent.	On deputation as Cotton Superintendent, S.M.C., Dharwar.
17	Mr. V. C. Pavate, Inspector of Agricultural Schools, Bombay Presidency, Manjri.	Lingayat ..	B.Ag. ..	10¼	Do. (Provisionally substantive).	
18	Mr. G. B. Patel, Cotton Breeder, North Gujarat, Viramgam.	Lewa Patidar.	B.Ag. ..	13¼	Permanent.	
	Officiating and temporary appointments.					
1	Mr. G. P. Patil, Acting Divisional Superintendent of Agriculture, Deccan Canals, Baramati.	Maratha (Lewa Patidar.)	B.Ag.,B.Sc. (Edin.)	6¾	Acting.	
2	Mr. G. P. Pathak, Acting Cotton Superintendent, Surat.	Khedwal Gujarati Brahmin.	B.Ag. ..	24¼	Do.	

Serial No.	Name and designation of the officer	Caste.	Qualifications	Length of service in years	Whether holding permanent or acting appointment.	Remarks.
	Officiating and temporary appointments—contd.					
3	Mr. V. M. Chavan, Acting Assistant Professor of Botany, Agricultural College, Poona.	Maratha ..	B.Ag. ..	11¾	Acting.	
4	Mr. M. N. Kamat, Acting Assistant Professor of Mycology, Agricultural College, Poona.	Saraswat Brahmin.	B.Ag.,M.Sc., (Minsota) U.S.A.	13¾	Do.	
	Miscellaneous Appointments.					
1	Mr. P. L. Patel, Cotton Breeder, Broach (Under the Indian Central Cotton Committee.)	Patidar ..	M.Sc.(Iowa)	1½	Temporary	Financed from the funds of the Indian Central Cotton Committee.
2	Dr. J. K. Basu, Soil Physicist, Sugarcane Research Scheme, Padegaon.	Brahmin ..	M.Sc., Ph.D. (Lond).	1¾	Do. ..	Financed from the funds of the Imperial Council of Agricultural Research.
3	Dr. R. D. Rege, Crop Physiologist, Sugarcane Research Scheme, Padegaon.	Gaud Saraswat Brahmin.	B.A., M.Sc., Ph. D. (Lond).	1¾	Do. ..	Financed from the funds of the Imperial Council of Agricultural Research.
4	Dr. J. A. Daji, Assistant Investigator, Dry Farming Research Scheme, Sholapur.	Parsi ..	M.Ag.,B.Sc., Ph. D. (Lond).	14	Do. ..	Financed from the funds of the Imperial Council of Agricultural Research.
5	Mr. S. V. Shevade, Cotton Superintendent Banilla Cotton Scheme, Amalner (Under the Indian Central Cotton Committee.)	Karhada Brahmin.	L.Ag.	28¾	Do. ..	Financed from the funds of the Indian Central Cotton Committee.
6	Mr B. P. Deshpande, Cotton Entomologist, Broach. (Under the Indian Central Cotton Committee).	Chandraseniya Kayastha Prabhu.	B.Ag.	10	Do. ..	Financed from the funds of the Indian Central Cotton Committee.

GRAZING FEES IN NANDGAON TALUKA OF NASIK DISTRICT.

*Rao Bahadur R. V. VANDEKAR (Nasik District): Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) whether it is a fact that the Gavalees (cowherds) of Nandgaon, Muldongri, Chandora, Talavade, Babulvadi, Jamadari, Naidongri, Vehelgaon, Pimparkhede, Kasari and Sakore villages in the Nandgaon taluka of Nasik district have sent representations to Government about five or six months back requesting them not to increase the grazing fee from four annas to one rupee per head of cattle, and had also waited upon the Collector of Nasik in deputation in the matter;

(*b*) whether it is a fact that these Gavalees are asked to pay the balance of grazing fees for the last year at the rate of twelve annas per head of cattle and the grazing fees for the current year at the rate of one rupee and whether coercive measures are being taken by the mamlatdar to recover the same;

(*c*) whether it is a fact that the Gavalees of all the villages excepting the three villages of Muldongri, Babulvadi and Talavade have paid their grazing fees;

(*d*) whether Government are aware that these Gavalees are not professional graziers and are permanent residents of different villages;

(*e*) whether Government are aware that on an average they are not more than twelve per village and that their total number does not exceed 150;

(*f*) whether Government are aware that these Gavalees are all indebted to the moneylenders for their cattle and are in these days of depression hardly in a position to maintain themselves, their cattle and pay the new enhanced grazing fee;

(*g*) if so, whether they intend to reduce the grazing fee in the case of these Gavalees, as they have done in the case of certain Dhangars and Gavalees in the Satara District?

The Honourable Khan Bahadur D. B. COOPER: (*a*) No application was received by Government from the Gavalees of certain villages in Nandgaon Taluka in the matter of reduction in the rate of grazing fee; nor did any deputation wait upon the Collector of Nasik in the matter;

(*b*) Yes.

(*c*) A sum of grazing fees amounting to Rs. 204-8-0 remains to be recovered from the Gavalees of Jamdari, Kasari, Vehelgaon, Talvade, Chandhore and Nayadongri. The Gavalees of Muldongri and Babulwadi have paid the fees.

(*d*) No. The Gavalees have presumably settled here as these villages afford sufficient grazing and also are near enough to the railway to allow ghee and butter to be sold for consumption in Bombay. There is considerable trade in these commodities on bazar days at Nandgaon, Nayadongri and Jalgaon towns on the railway.

(*e*) There are in all 167 Gavalees and they live in 13 villages. The average number of Gavalees per village is 13.

(*f*) No.

(*g*) Does not arise.

REDUCTION OF GRAZING FEE IN NANDGAON TALUKA.

*Rao Bahadur R. V. VANDEKAR (Nasik District): Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) whether it is a fact that the agriculturists were formerly required to pay a grazing fee of annas two per sheep and the non-agriculturists a fee of annas four per sheep in the Nandgaon, Yeola and Malegaon talukas of the Nasik District;

(*b*) whether it is a fact that the agriculturists were served with notices that a grazing fee of annas four per sheep would be levied on them;

(*c*) whether it is a fact that the residents of Nandgaon taluka had on their behalf as well as on behalf of the general public and the villagers of Yeola, Nandgaon and Malegaon talukas sent petitions on the 11th August and 17th October 1932 to Government in the matter, requesting them to reduce the grazing fees ;

(*d*) if so, what steps were taken by Government in the matter ?

The Honourable Khan Bahadur D. B. COOPER : (*a*) No. Under the old rules existing prior to 1928 agriculturists of Forest villages were required to pay a grazing fee of anna one per head for sheep and goats and agriculturists of non-forest villages and professional graziers were required to pay a fee of annas 2 per head of sheep and goats.

(*b*) Agriculturists of Forest villages were not called upon to pay annas 4 per head of sheep or goats in cases where they had paid fees by the 15th August. Sheep and goats belonging to agriculturists of non-forest villages and to professional graziers are charged annas 4 per head according to rules.

(*c*) An application dated 29th October 1932 was received by Government from the Dhangars of Nandgaon in the matter of reduction in the rate of grazing fee but it was returned to them under rule 11 of the Petition Rules. After compliance with the rule they submitted another petition to Government on 29th June 1933.

(*d*) It has been found after inquiry that the applicants' alleged complaints are not well founded and Government cannot accede to their request for reduction of grazing fees.

GRANT OF FREE GRAZING.

*Rao Bahadur R. V. VANDEKAR (Nasik District) : Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) whether Government have granted to any people in any district in the Presidency the right of free grazing ;

(*b*) if so, in what districts, and the reasons for such grant ?

The Honourable Khan Bahadur D. B. COOPER : The Honourable Member is referred to the reply given to a similar question put by Mr. M. D. Karki at the session of the Legislative Council held in February 1926. The reply and the statement mentioned therein are printed on pages 89 and 1696 to 1700, respectively, of the Bombay Legislative Council Debates, Volume XVII.

UNSTARRED QUESTIONS AND ANSWERS.

SUB-JUDGES' COURTS IN RATNAGIRI DISTRICT.

Rao Bahadur S. K. BOLE : Will the Honourable the Home and General Member be pleased to state—

(*a*) the number of sub-judges' courts in the Ratnagiri district ;

(*b*) in what towns they are situated ;

(*c*) the name and caste of the Shirastedar in each of these courts and the period for which he has been holding that post ;

(*d*) the number of other clerks in each of these courts ;

(*e*) how many of them belong to the Advanced and how many to the Backward and Depressed classes respectively ?

The Honourable Mr. R. D. BELL : (*a*) Seven.

(*b*) Ratnagiri, Dapoli, Chiplun, Deorukh, Rajapur, Deogad and Malvan.

(*c*), (*d*) and (*e*) A statement giving the information is attached.

STATEMENT.

Name of the Court.	Name of the Sheristedar.	Caste.	Period for which he has been doing that work.	No. of other clerks.	Advanced classes.	Intermediate, formerly styled Backward Classes.	Backward, formerly styled Depressed Classes.
1	2	3	4	5	6	7	8
			Y. m.				
First Class Sub-Judge's Court, Ratnagiri.	Mr. S. S. Amrite—Suit Sheristedar.	Maratha ..	2 6	7	3	4	..
	Mr. B. V. Bhide—Darkhast Sheristedar.	Brahmin ..	2 6				
Dapoli ..	Mr. D. N. Khanolkar—Suit Sheristedar.	Goud Brahmin.	6 6	10	4	6	..
	Mr. V. V. Khanolkar—Darkhast Sheristedar.	Do. ..	6 6				
Chiplun ..	Mr. S. N. Deshpande—Suit Sheristedar.	Kayastha Prabhu.	2 4	9	4	5	..
	Mr. V. K. Padhye—Darkhast Sheristedar.	Brahmin. ..	Recently appointed.				
Deorukh ..	Mr. D. S. Sarkhot—Suit Sheristedar.	Goud Brahmin.	3 7	6	5	1	..
	Mr. M. Y. Thakur—Darkhast Sheristedar.	Do. ..	Recently appointed.				
Rajapur ..	Mr. S. L. Barde—Suit Sheristedar.	Bhandari ..	0 11	8	6	2	..
	Mr. R. N. Naphade—Darkhast Sheristedar.	Brahmin ..	0 1				
Deogad ..	Mr. N. G. Pai—Suit Sheristedar.	Goud Brahmin.	1 0	8	6	2	..
	Mr. H. R. Dhuri—Darkhast Sheristedar.	Gabit ..	0 11				
Malvan ..	Mr. V. A. Almeida—Suit Sheristedar.	Christian ..	Recently appointed.	10	3	5	2
	Mr. B. R. Kanade—Darkhast Sheristedar.	Brahmin ..	0 3				

CONSTRUCTION OF A BUILDING FOR GOVERNMENT HIGH SCHOOL AT MIRPURKHAS.

Khan Bahadur GHULAM NABI SHAH (Thar Parkar District): Will the Honourable Minister for Education be pleased to state—

(*a*) whether it is a fact that an estimate for the construction of the building of the Government Madressah and High School, Mirpurkhas, has been made and given priority over other schemes;

(*b*) if so, whether provision has been made for this item in the next year's budget?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) Administrative approval to the work has been given by Government. The question of the priority of this work will be considered when funds become available.

(*b*) No.

AGRICULTURE IN SIND: PROPAGANDA WORK.

Khan Bahadur GHULAM NABI SHAH (Thar Parkar District): Will the Honourable Minister for Education be pleased to state—

(*a*) what amount is annually spent by Government over the Agricultural Department in Sind and how much of it is spent on doing propaganda work;

(*b*) whether Government are aware that the staff employed for doing the propaganda work is inadequate considering the increased work it has to do;

(*c*) if so, whether Government intend to increase the staff so as to entrust one propaganda officer with one taluka?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) An amount of about Rs. 4,00,000 is being spent annually on the Agricultural Department in Sind, out of which a sum of about Rs. 80,000 is expended on doing propaganda work.

(*b*) Yes.

(*c*) The question of increasing the staff for propaganda is under the consideration of Government.

TRAINING IN AGRICULTURE TO SIND HARIS.

Khan Bahadur GHULAM NABI SHAH (Thar Parkar District): Will the Honourable Minister for Education be pleased to state—

(*a*) whether Government are aware that Sind is principally an agricultural province and that an agriculturist requires some sort of training;

(*b*) if so, whether Government intend to give training to the sons of Sind haris in improved methods of cultivation at Government farms by providing them with stipends?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) Yes.

(*b*) The farms established under the Six Farm Scheme are intended to serve as centres for the training of zamindars and haris in improved agricultural methods and in the use of improved agricultural materials. Approximately 5/6th area of each farm is sub-divided among haris who cultivate their holdings on the batai system under the guidance and supervision of the Farm Managers. This sort of training is quite satisfactory. No change in this practice is called for at present.

TAPEDARS IN SIND: LANDED PROPERTY RETURNS.

Khan Bahadur M. A. KHUHRO (Larkana District): Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) whether tapedars and supervising tapedars in Sind are required to submit to Government or to their superior officers annual landed property returns;

(*b*) whether it is a fact that Keshowdas, a supervising tapedar in Upper Sind Frontier District, has submitted the landed property returns from the years 1913–14 to 1933–34;

(*c*) if so, what property he has shown in those returns;

(*d*) whether it is a fact that the said Keshowdas has submitted a false declaration of the arable land alleged to have been purchased by him in the years 1913 and 1914;

(*e*) if so, what action Government propose to take in the matter?

The Honourable Sir GHULAM HUSAIN: (*a*) Yes.

(*b*) Yes.

(*c*) The returns or copies thereof for the following years only are available on the records:—

1914–15
1921–22
1928–29
1929–30 to 1931–32.

The property shown in each return is as under:—

	Description of property.	Where situated.	Value.
			Rs.
1914–15	Residential house	Rohri	2,000
1921–22	Do.	Do.	2,050
	Do.	Do.	1,000
	Do.	Do.	1,350
	Do.	Do.	1,550
	Do.	Do.	1,000
	Do.	Do.	6,000
	Do.	Jacobabad	2,000
1928–29	Do.	Rohri	12,950
	Do.	Jacobabad	2,500
	Arable land	Rohri Taluka	1,500

1929–30 to 1931–32. Same property as shown in return of 1928–29.

Returns for other years are not available. Where a previous return requires no change the return is submitted in a form which is destroyed after a period of one year.

(*d*) Arable land alleged to have been purchased in 1913 and 1914 has not been shown in the returns before 1928-29.

(*e*) Inquiries have been made as a result of which the pay of Mr. Keshavdas has been reduced for submitting an incorrect landed property return.

VISAPUR JAIL.

Khan Bahadur A. E. PATEL (Northern Division): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether it is a fact that Visapur Jail is situated in close proximity of a tank in an isolated place;

(*b*) whether the climate of the place is unhealthy for human habitation and malarial;

(*c*) whether it is a fact that the prisoners have to use for drinking purposes the water in the same tank in which they bathe and wash their bodies;

(*d*) whether it is a fact that the water is most unsuited for drinking purposes;

(*e*) whether it is a fact that the report of Mr. H. D. Painter, Chairman of Visapur Jail Inquiry Committee, the Executive Engineer's letter No. 4745 of 1922 and the report of Mr. Balubhai T. Desai and others regarding Visapur Jail, dated 2nd August 1930, are all on the whole against continuation of the Visapur Jail any longer on climatic and hygienic grounds;

(*f*) whether it is a fact that Visapur Jail was first opened and closed and then reopened only as a temporary measure for locating political prisoners on account of their large numbers which could not be accommodated in other jails;

(*g*) whether it is a fact that the climate of Yeravda Jail is much better and healthier than that of Visapur Jail;

(*h*) whether it is a fact that even then the Yeravda Camp Extension Jail is closed for political prisoners while Visapur Jail is still allowed to continue;

(*i*) if so, what are the reasons for continuing Visapur Jail in preference to Yeravda Camp Extension Jail;

(*j*) whether Government intend to make Visapur Jail a permanent jail; if not, when they propose to close it;

(*k*) whether Government intend to appoint a committee to inquire into and report upon the sanitary condition and other grievances of the jail and also generally on the advisability of continuing the jail?

The Honourable Mr. R. D. BELL: (*a*) The Jail is situated near a lake but not in specially isolated place.

(*b*) No.

(*c*) (*i*) The usual type of bathing troughs is provided, but some of the prisoners prefer to bathe in a bay near the prison. This bay is wired off from the lake to prevent prisoners getting out of their depth. The water in this bay is chlorinated.

(*ii*) Water for drinking purposes is pumped from near the "bund" which is at least half a mile away from the bay where the prisoners bathe, into a high level tank from where it gravitates into a large settling tank in the centre of the prison. Here it is treated with alum and chlorinated. Distribution pipes take this purified water to all parts of the prison.

(*iii*) The capacity of the lake at its lowest level, is 7,596,000,000 gallons. With this volume of water in the lake, there is practically no possibility of the drinking water being in any way affected by the bathing which takes place at a site half a mile away from where the drinking water is pumped.

(*iv*) The fear or criticism implied is therefore groundless. The conditions are not materially different from those at Khadakwasla.

(*d*) No.

(*e*) The answer is in the negative as regards the first two reports and in the affirmative as regards the third.

(*f*) Yes.

(*g*) No.

(*h*) It is a fact that the extension prison at Yeravda has been closed while Visapur Prison continues.

(*i*) The buildings at Visapur are permanent and suitable employment for the prisoners is available.

(*j*) A proposal to retain Visapur Prison as a permanent prison is under consideration.

(*k*) No. There is no ground for complaint regarding either the insanitary condition or other circumstances of the jail.

SPECIAL HONORARY MAGISTRATES IN POONA CANTONMENT: CLAIMS OF MUSLIMS FOR APPOINTMENTS.

Khan Bahadur A. E. PATEL (Northern Division): Will the Honourable the Home and General Member be pleased to state—

(*a*) the number of special honorary magistrates in the Poona Cantonment, together with their names and nationalities;

(*b*) whether there are any Muslim honorary magistrates in the said area;

(*c*) how many Muslim honorary magistrates were appointed for the said area during the last 20 years;

(*d*) if none, why not;

(*e*) whether Government are aware that whenever vacancies of honorary magistrates occur in the Poona Cantonment, the claims of the Muslim community are overlooked;

(*f*) if so, whether Government intend to give due consideration to the claims of Muslims in this respect, while making new appointments in future ?

The Honourable Mr. R. D. BELL : (*a*) There are no *Special Honorary Magistrates* in the Poona Cantonment. If however the Honourable Member desires information about the Honorary Magistrates working in the Poona Cantonment, it is as follows :—

(1) Lieut.-Colonel Khan Bahadur D. D. Khambatta .. (Parsi).
(2) Khan Bahadur M. N. Mehta .. .. (Parsi).
(3) Khan Bahadur K. K. Sunnawalla .. .. (Parsi).
(4) Mr. V. B. Moodliar .. .. .. (Madrasi).

(*b*) No.

(*c*) None.

(*d*) It is impracticable now to review the circumstances in connection with appointments made during the last 20 years. No special need of such an appointment has ever been felt.

(*e*) No.

(*f*) Does not arise.

REDUCTION IN ROAD GRANTS TO DISTRICT LOCAL BOARDS.

Mr. MADHAVSANG JORBHAI SINDHA (Broach District): Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) whether it is a fact that the road grants which were being given to district local boards have been curtailed for the last two years to 65 per cent. ;

(*b*) whether Government are aware that the condition of the roads in the Presidency is becoming worse day by day ;

(*c*) if so, how long this policy of retrenchment in the matter of road grants paid to district local boards will continue ?

The Honourable Khan Bahadur D. B. COOPER : (*a*) Grants-in-aid to District Local Boards for repairs of roads etc., sanctioned during the last four years were as follows :—

Year.	Grant.
	Rs.
1930–31	16,00,000
1931–32	10,75,000
1932–33	8,00,000
1933–34	8,00,000

Comparing the grants sanctioned for the years 1931–32, 1932–33 and 1933–34 with the grant for 1930–31, the reduction in grant for 1931–32 was 32·8 per cent., while that for the other two years was 50 per cent.

(*b*) It is reasonable to presume that the reduction in the grants has been accompanied by some deterioration in the standard at which Local Board roads are maintained but Government have no precise information on the point.

(*c*) Till the financial position improves.

BOMBAY-RAJPUTANA ROAD.

Mr. MADHAVSANG JORBHAI SINDHA (Broach District): Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) when the provincial road leading from Bombay to Rajputana *via* Ahmedabad will be completed;

(*b*) whether it is a fact that some negotiation is going on with the Baroda State about the construction of a bridge over the river Mahi;

(*c*) if so, what the result of the negotiation is?

The Honourable Khan Bahadur D. B. COOPER: (*a*) Government propose that the Bombay-Rajputana route should be *via* Nadiad and not *via* Ahmedabad. The route as proposed will be:—

Bombay to Rajputana *via* Nadiad-Modasa (existing road), Modasa-Idar-Taranga Hill-Abu Road (road to be constructed), Abu Road-Sironi-Erinpur-Pali-Beawar and Ajmer (existing road). As a commencement work is in hand on making the road in the middle section but progress on its completion, within the jurisdiction of this Government, must depend on the availability of funds. It cannot therefore be said when this road will be completed.

(*b*) and (*c*) No such negotiations are going on at present. The Baroda Durbar however agreed in the year 1930 to certain conditions proposed by this Government as regards apportionment of the cost of the proposed bridge.

OPENING OF OLD BRIDGE OVER RIVER NARBADA AT BROACH.

Mr. MADHAVSANG JORBHAI SINDHA (Broach District): Will the Honourable Minister for Local Self-Government be pleased to state when the old bridge over the river Narbada at Broach will be opened for the public?

The Honourable Khan Bahadur D. B. COOPER: The question of the purchasing by this Government of the existing Railway bridge at Broach is under consideration. As, however, it will not become surplus to the Bombay, Baroda and Central India Railway for probably another three years, so as to be available for conversion to a road bridge, it is premature to forecast when it may be opened for the public.

INAMDARS OF VINZOL IN GODHRA TALUKA : RENT SUITS.

Mr. M. H. MEHTA (Panch Mahals District) : Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) whether it is a fact that Gokaldas Damodars and other inamdars of Vinzol in Godhra Taluka filed rent suits Nos. 242, 244, 245, 275, 277, 278 and 279 of 1931 in the Court of the Mamlatdar of Godhra against Vagha Jesing and other tenants in the said village to recover rents for the season of S. Y. 1987 ;

(*b*) whether it is a fact that the said suits were not disposed of till April 1933 ;

(*c*) whether they were adjourned for hearing till 8th May 1933 in the Court of the extra Aval Karkun at Godhra ;

(*d*) whether the defendants in the suits deposed on the day of hearing, before the Aval Karkun, that the Mamlatdar accompanied by the Talati and the plaintiff inamdars had before that day visited the said village ;

(*e*) whether they further stated that the Mamlatdar got japtis made to recover the dues claimed in the above-mentioned suits and also made several recoveries ;

(*f*) if so, whether the Aval Karkun gave credit for the amount recovered in the decrees made in the said suits ;

(*g*) whether it is a fact that no receipts were given by the Talati for these recoveries in many cases ;

(*h*) whether suits for the rents of S. Y. 1988 were also filed by the inamdars of the said village Vinzol, against the same tenants in the court of the Mamlatdar ;

(*i*) whether decrees were passed in favour of the inamdars in these suits, before suits for S. Y. 1987 were decided without considering the objections of the tenants ;

(*j*) whether it was brought to the notice of the Aval Karkun by the tenants that the matter in dispute was the subject matter of litigation in the civil court from which an appeal was pending in the High Court ;

(*k*) whether one of the co-sharers—Ranchhod Hargovan gave an application to the Aval Karkun, pointing out the rulings of the High Court that since the matter was pending before the High Court the court had no jurisdiction to try the suits ;

(*l*) whether it is a fact that the said Ranchhod Hargovan was not heard and was made to leave the court ;

(*m*) if so, whether Government intend to make enquiries in the matter ?

The Honourable Sir GHULAM HUSSAIN : (*a*) Yes.

(*b*) Yes. They were disposed of on 18th and 19th May 1933.

(*c*) No. They were heard from time to time, and 8th May 1933 was one of the dates of hearing.

(*d*) and (*e*) No.

(*f*) The plaintiffs (inamdars) admitted in writing that the amount was received from the tenants, and consequently the necessary credit was given in decreeing the sums due.

(*g*) No. Receipts were given by the talati in all cases.

(*h*) Yes.

(*i*) Decrees were passed in favour of the inamdars as the facts were not brought to the notice of the Mamlatdar during the hearing of the suits.

(*j*) and (*k*) Yes.

(*l*) No. Desai Ranchhod Hargovan presented to the Mamlatdar a petition of objection which was taken on the file by the Extra Aval Karkun as the suit was pending in his court. Ranchhod was given a hearing and the petition has been noted in the proceedings and the decision of the court.

(*m*) No. Under section 87 (5) of the Land Revenue Code it is open to an aggrieved party in an assistance suit to appeal to the Prant Officer against the decision of the Mamlatdar or Extra Aval Karkun. No appeals were preferred to the Prant Officer in this case.

GRIEVANCE OF RAILWAY PASSENGERS FROM KAVI AND JAMBUSAR SIDE.

Khan Bahadur VALI BAKSH A. PATEL (Northern Division): Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) whether Government are aware that only up train No. 148, which leaves Kavi at 14-10, does not stop at the flag station of Kantharia ;

(*b*) whether Government are aware that as a result of this the passengers from Kavi and Jambusar side are greatly inconvenienced as they have to travel further up to the stations of Vegalpore and Arrach and then to go back in the dark to their villages which are very near Kantharia ;

(*c*) if so, whether Government intend to move the railway administration to remove this grievance of the travelling public ?

The Honourable Sir GHULAM HUSSAIN: (*a*), (*b*) and (*c*) The attention of the Honourable Member is invited to the reply given to his question* regarding the grievances of railway passengers in Gujarat.

* Printed in Debates of 19th February 1934.

PROVISION FOR ACCOMMODATION IN TRAINS BETWEEN BROACH AND KAVI.

Khan Bahadur VALI BAKSH A. PATEL (Northern Division): Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) whether Government are aware that the trains running between Broach and Kavi are generally too much over-crowded and that therefore the passengers have to stand up in the trains;

(*b*) whether Government are aware that as the trains are over-crowded the passengers at every station are greatly inconvenienced and find it difficult to get seats in the trains;

(*c*) if so, whether Government intend to move the railway administration to provide sufficient accommodation in the trains for the convenience of the travelling public?

The Honourable Sir GHULAM HUSSAIN: (*a*), (*b*) and (*c*) The attention of the Honourable Member is invited to the reply given to his question* regarding the grievances of railway passengers in Gujarat.

COLLECTION OF ELECTRICITY DUTY.

Mr. HOOSENALLY M. RAHIMTOOLA (Bombay City): Will the Honourable the Revenue and Finance Member be pleased to give information similar to what he has given in his reply to the question on the above subject printed at pages 959 to 963 of Volume XXXVII of the Council Debates for the remaining months of the year 1932–33 and the totals for the whole year?

The Honourable Sir GHULAM HUSSAIN: A statement giving the information required is placed on the table.

* Printed in Debates of 19th February 1934.

Statement showing the amount of electricity duty collected in each city of the

Name of the Division.	Name of the District.	Name of the town or city.	October 1932.
1	2	3	4
			Rs.
		Bombay City ..	1,00,148
	Bombay Suburban District.	Bandra Mulund Ambernath.	1,215
Northern Division ..	Ahmedabad ..	Ahmedabad	1,700
	Kaira	Nadiad	19
	Panch Mahals ..	Godhra	145
		Dohad	70
	Broach	Broach	131
	Surat	Surat	1,227
		Rander	56
	Thana	Thana	178
		Kalyan	155
		Dombivali	5
		Bhiwandi	50
		G. I. P. Railway Kalyan Station and Kalyan Railway staff quarters.	....
Central Division ..	Ahmednagar ..	Ahmednagar ..	240
	East Khandesh ..	Jalgaon	....
		Amalner	....
		Bhusawal	....
	West Khandesh ..	Dhulia City	84
	Nasik	Nasik City, Nasik Road and Deolali Cantonment.	296
	Poona	Poona City	3,836
		Poona Cantonment ..	
		Lonavla	
		Khandala	
	Satara	Panchgani	29
	Sholapur ..	Sholapur	311
		Pandharpur	9
Southern Division ..	Bijapur.. ..	Bijapur	....
	Dharwar ..	Dharwar	....
		Gadag	10
		Hubli	....
	Kolaba	Panvel	44
		Matheran	29
Sind ..	Karachi.. ..	Karachi	3,994
	Larkana ..	Larkana	....
	Sukkur	Sukkur	....
		Shikarpur	1,156
	Dadu	Kotri	6
	Hyderabad ..	Hyderabad	872

Note.—In many cases there is a difference between the total for each city entered in furnished for each of the six months April to September 1932 inclusive, and those now the figures for April to September 1932 represented duty due for those months, but not indicate duty actually credited to Government in the months of October 1932 to March

Bombay Presidency for each month from October 1932 to March 1933.

Amounts collected in the month of					Total collections for the financial year 1932–33.
November 1932.	December 1932.	January 1933.	February 1933.	March 1933.	
5	6	7	8	9	10
Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
351	56,110	1,25,149	4,838	1,26,141	5,63,436
1,367	1,566	1,818	2,697	1,715	14,759
2,000	12,300	4,100	3,500	3,100	32,700
30	17	51	26	26	182
162	80	103	106	....	740
45	73	25	38	51	647
167	167	185	203	233	1,587
1,102	1,279	1,311	916	1,033	12,727
63	75	121	48	60	781
101	103	102	95	94	1,280
110	122	110	93	92	1,253
2	4	3	3	2	27
54	57	77	68	36	576
....	....	....	....	....	497
218	184	223	206	165	7,222 (This includes amounts collected as duty by the Garrison Engineer, Ahmednagar.
....	87	83	63	78	627
39	15	39	41	29	195
....	....	....	36	204	240
50	101	52	30	37	549
202	213	292	270	265	2,430
3,770	6,882	4,106	3,797	4,045	39,377
22	20	22	24	25	282
295	437	370	372	331	3,036
3	3	7	6	6	52
154	169	....	140	92	885
....	....	....	113	128	241
12	6	8	7	5	58
161	108	147	85	73	805
31	31	43	33	23	366
46	29	32	21	11	306
3,880	3,884	3,751	3,035	3,203	40,482
....	60	83	57	57	449
1	8	2,496	705	492	3,702
383	345	352	336	373	3,472
13	14	7	14	25	111
745	1,124	1,101	1,099	1,230	10,120

column 10 above and the total arrived at by adding together the figures previously furnished for the months of October 1932 to March 1933. This is due to the fact that actually credited to Government in those months, whereas the figures now given 1933.

CONSTRUCTION OF WEIR OR BARRAGE IN LOWER SIND.

Mr. SHAIKH ABDUL MAJID (Karachi District): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether the attention of Government has been drawn to a letter published in the *Sind Observer*, dated the 24th March 1933 by Rao Bahadur Hiranand requesting Government among other things to undertake the construction of a weir or a barrage at some suitable place in Lower Sind and thus to save the zamindars of Lower Sind from the threatened scarcity of water supply; if so, will the Honourable Member be pleased to place a copy of that letter on the Council table;

(*b*) whether Government have considered the desirability of preparing a complete project for the construction of a barrage in Lower Sind;

(*c*) whether it is a fact that there is complete unanimity of opinion among the engineers in Sind that the construction of a barrage at Kotri is necessary in the interests of Lower Sind?

The Honourable Mr. R. D. BELL: (*a*) Yes. A copy of the letter* is placed on the Council table.

(*b*) The question of the provision of a second barrage for Lower Sind has been mooted, but the cost would be prohibitive considering the comparatively small area and unproductiveness of the country which could be brought under command for irrigation.

(*c*) No.

ARTICLES IN NEWSPAPERS ON KESHUDAS TULSIDAS, SUPERVISING TAPEDAR IN SIND.

Mr. SHAIKH ABDUL MAJID (Karachi District): Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) whether the attention of Government has been drawn to certain articles bearing on Keshudas Tulsidas, Supervising Tapedar, Upper Sind Frontier District, which appeared in the issues of the *New Era* of Sukkur dated the 13th March, 10th April, 24th April, 22nd May, 29th May, 5th June and 17th and 31st July 1933, and to an article on the same subject appearing in the *Hindu League Gazette*, a weekly, dated the 3rd September 1933;

(*b*) whether Government propose to take any steps on these articles and, if so, what steps?

The Honourable Sir GHULAM HUSSAIN: (*a*) Yes.

(*b*) Inquiries were made as a result of which the pay of Mr. Keshudas was reduced for submitting an incorrect landed property return.

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* Kept in the Secretary's Office.

ORIENTAL TRANSLATOR TO GOVERNMENT.

Mr. A. N. SURVE (Bombay City, North): Will the Honourable the Home and General Member be pleased to state—

(*a*) the educational and other qualifications of the present Oriental Translator to the Government of Bombay, and the number and names of the languages which he knows;

(*b*) the duties assigned to him both before and after the transfer of the charge of States from the local to the Central Government;

(*c*) his total pay inclusive of all allowances;

(*d*) who attends to most of the duties pertaining to that office, e.g., translation, office supervision, etc.;

(*e*) the name of the person who attends to such duties, his educational qualifications and the number and names of the languages which he knows;

(*f*) whether he has officiated as Oriental Translator at any time, and, if so, how many times;

(*g*) whether it is a fact that the present Oriental Translator is an examiner in Urdu for the High Proficiency Examination, and, if so, what his qualifications for the same are?

The Honourable Mr. R. D. BELL: (*a*) He has passed the Sind Court Pleaders' Examination and knows the following five languages:—

Hindustani, Sindhi, Arabic, Persian and Marathi.

(*b*) The transfer of the States from the Government of Bombay to the Government of India has not materially affected the duties assigned to him.

(*c*) Rs. 1,050 per mensem in the scale of Rs. 800—50—1,200, with compensatory allowance at the rate of Rs. 135 per mensem when the headquarters of Government are at Bombay and at the rate of Rs. 42½ per mensem when they are at Poona, *plus* Rs. 100 per mensem as Secretary, Civil and Military Examination Committee.

(*d*) The Oriental Translator himself.

(*e*) and (*f*) Do not arise.

(*g*) There is now no such examination as the High Proficiency Examination. The corresponding examination is now the First Class Interpretership but this examination so far as Urdu is concerned is not held in this Presidency and the present Oriental Translator is not an examiner for it.

PROPOSED ABOLITION OF THE POST OF ORIENTAL TRANSLATOR TO GOVERNMENT.

Mr. A. N. SURVE (Bombay City, North): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether it is a fact that since the transfer of the States to the charge of the Government of India from the local Government the

post of the Oriental Translator to Government has become supernumerary or, at any rate, its duties have become so very light that they could be assigned to the assistants of the Oriental Translator, and the said post could be abolished;

(*b*) whether it is a fact that there is a demand from the public that while retaining the Oriental Translator's Office, the post of the Oriental Translator should be abolished and its duties distributed among the assistants of the Oriental Translator;

(*c*) whether it is a fact that the Government have decided not to abolish the said post until the inauguration of the new constitution;

(*d*) if so, how many other posts are there which have become similarly supernumerary but have been continued although the duties attached to them have become very light;

(*e*) what saving is anticipated by Government by the abolition of the post of Oriental Translator and by the distribution of the duties of that post among the assistants on payment of allowances?

The Honourable Mr. R. D. BELL: (*a*) No.

(*b*) Government are not aware of any such demand.

(*c*) Government have not taken any decision on the subject.

(*d*) Does not arise.

(*e*) Does not arise.

DACOITIES IN UPPER SIND DISTRICTS.

Mr. S. S. TOLANI (Western Sind): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether Government are aware that one Abdul Rahman Brohi and his gang have committed a number of dacoities in the districts of Upper Sind during the last few years;

(*b*) if so, how many such dacoities have been committed by him and his gang and in what villages and at what time;

(*c*) how many dacoities have been successfully found out and with what result;

(*d*) what steps have been taken by Government to prevent the recurrence of such dacoities?

The Honourable Mr. R. D. BELL: (*a*) Yes.

(*b*) and (*c*) A statement giving the information is placed on the Council Table.

(*d*) The police forces in the Sukkur, Larkana and Upper Sind Frontier Districts have been reorganised and the strength of the forces has been considerably increased since 1931-32. All possible steps were taken to effect the arrest of the ring-leader and a reward of Rs. 2,000 was offered for information leading to his capture. The dacoit evaded arrest for a considerable time but was eventually killed in an encounter with the Chagai Levy Corps early in November 1933.

Statement giving information required in clauses (b) and (c) of Mr. Tolani's Question No. 1.

No.	Name of village.	Date and time of dacoity.	Number of accused persons.	Result.
	Larkana District.			
1	Bossan, taluka Ratodero.	13th March 1931, 10 a.m	2	Abdul Rahman was sent up for trial but the case was withdrawn as he was already undergoing 7 years' imprisonment.
2	Bhuti, taluka Mirokhan..	11th March 1933, 7 p.m.	21	Abdul Rahman and his gang escaped. Twenty-three local men, who were alleged to have looted the village after the dacoits had left, were arrested and sent up for trial. The case is pending.
	Upper Sind Frontier District.			
3	Kaureja, taluka Jacobabad.	18th January 1931, 8 p.m. and 12 midnight.	10	Six were sentenced to 7 years' rigorous imprisonment and one to six months' rigorous imprisonment.
4	Karimbakhsh Khoso, taluka Thul.	29th/30th May 1933 ..	11	The Jirga is still pending.
5	Near Lashkari Brohi, taluka Jacobabad.	26th January 1931, 12 midnight.	3	Two were sentenced to 7 years' rigorous imprisonment and one was discharged.
6	Lashkari Brohi, taluka Jacobabad.	27th January 1931, 2 p.m.	3	Two were sentenced to 7 years' rigorous imprisonment and one was discharged.
7	Muhammadbaksh Brohi..	22nd February 1931, 1 a.m.	1	Sentenced to 7 years' rigorous imprisonment.
8	Near Khandukhan's Village, taluka Jacobabad.	7th September 1933, 7 p.m.	1	Still undetected.
9		7th September 1933, 7-30 p.m.	1	Still undetected.

PETITION FROM THE ZAMINDARS OF THAR PARKAR.

SYED MIRAN MAHOMED SHAH (Hyderabad District): Sir, before the honourable House proceeds with the regular business, I wish to present a petition from the Thar Parkar zamindars to be placed on the Council table, for the information of the honourable members. I have signed that appeal. The subject is the hardship caused by the revised Barrage rates of assessment in the Barrage area and their applicability in general to Sind and, in particular, to Thar Parkar District.

The Honourable the PRESIDENT: The statement will be placed on the Council table.

MOTION FOR ADJOURNMENT OF THE HOUSE.

Mr. B. S. KAMAT: Sir, before the House proceeds to the next business, I desire to beg leave of the House for an adjournment motion to the following effect:

"That this House do now adjourn to discuss a definite matter of urgent public interest, viz., to call attention to the Budget proposals of the Government of India as announced by their Honourable the Finance Member on Tuesday last so far as they affect this Presidency, and to request Government to communicate to the Government of India the strong feelings of dissatisfaction of this House regarding the treatment this province is receiving at their hands."

The Honourable the PRESIDENT: This motion has been placed in my hands and has been allowed. Is there any objection?

The Honourable Sir GHULAM HUSSAIN: None, Sir.

The Honourable the PRESIDENT: It will then be discussed at 4 o'clock. The tea interval will be between 3-30 and 4 p.m.

Mr. B. S. KAMAT: Sir, I am asked by the Honourable the Leader of the House whether I wish to have this motion discussed this afternoon. I believe there is no other alternative under the rules. When leave is asked in the House the discussion must begin at 4 o'clock. I am aware that there is also a Sheriff's meeting this evening, a public meeting, called elsewhere and that some members of the House wish to attend that meeting also. I venture to hope that it would be quite possible for us to finish our debate here in time to enable such honourable members to attend that meeting.

The Honourable the PRESIDENT: I cannot be too sure of that myself, from what I know of my own experience of this House. But at the outset, honourable members must be prepared to sit till 6 o'clock which is the proper time up to which discussion can go on. It is left to them to conclude the debate before that; and if there is time, they can attend the other meeting. But nobody can say that the discussion will be concluded at 5 o'clock or before the other meeting begins. Therefore honourable members should not be in much hope of doing both.

Mr. W. G. LELY: May I know, Sir, whether it is possible to add another motion to the honourable member Mr. Kamat's motion, that the House do adjourn at 5-15, whether the discussion concludes or not, so that honourable members may be enabled to attend the meeting called by the Sheriff?

The Honourable the PRESIDENT: As I said, it all depends on the honourable members. If nobody wishes to speak on the subject after 5 o'clock, the debate concludes *ipso facto*, but if any honourable member stands up and wishes to address the House, the Chair cannot stop him.

I understood the honourable member to ask whether it would be within the rights of any honourable member to get up at 5 o'clock or 5-15 and ask for a closure. Is that what he asked? Did he want to enquire whether it would be up to any honourable member to ask for a closure at 5 o'clock or 5-15?

Mr. W. G. LELY : I do not think so. I wanted to make an additonal motion for the adjournment of the House and of the debate, whether it is concluded or not, at 5-15 p.m.

The Honourable the PRESIDENT : That is impossible. That is not according to law. The debate on an adjournment motion is to continue from 4 o'clock to 6 o'clock and not for one minute after that. Within that time, every honourable member has a right to take part in the discussion, and it is open to the House to conclude the discussion before that. The motion for the adjournment of the House would be appropriate after the debate is concluded. I might inform honourable members that as a rule, after the conclusion of the debate on an adjournment motion, the House can adjourn for the rest of the day. The practice, however, which we have followed in this House is that, after the discussion, the House is taken to have adjourned. The motion for adjournment of the House has a technical meaning. After that, very often other business is taken up. In this case, that business may be foregone.

There is another point. If the Honourable the Finance Member has to give a reply at some length, that would mean that I would have to stop the discussion at about 5 o'clock in order to conclude the debate at 5-15. That point has to be borne in mind. But if, on the other hand, the Honourable the Finance Member has only a short statement to make regarding the motion, then he would not require much time and it may be possible, if the House helps us, to conclude the debate at 5-15 o'clock. After that I would be willing to consider the question of adjourning the House for the rest of the day. That is possible.

Mr. W. G. LELY : Do I understand, Sir, that as an alternative it is possible for any honourable member to move the closure of the debate at 5 or 5-15 ?

The Honourable the PRESIDENT : Honourable members must help the Chair. If there are five or six honourable members who stand up when the closure is asked for, then the Chair will have to consider whether the closure should be accepted. If honourable members understand this and the other honourable members would not stand up at 5 o'clock, I would be willing to accept the closure. If the case underlying this motion is stated sufficiently, then the Chair will see that the closure is accepted.

DEMANDS FOR GRANTS—(*Discussion resumed*).

Sardar Rao Bahadur B. R. NAIK (Surat District) : Sir, I rise to move :

Reduce by Rs. 1,000—Total Demand—Rs. 48,13,000 (B. page 12).

Sir, this cut relates to the Lloyd Barrage and Canals Construction—Reserved. On page 12 of the Blue Book the amount under this head is put down as Rs. 48,13,000, but when I turned the pages of the Blue Book and also the Civil Estimates, for the details of this amount, I could find them nowhere. It is quite possible that some other items have been

[Sardar Rao Bahadur B. R. Naik]

mixed with this amount and therefore it is difficult to find this amount of Rs. 48,13,000.

The Honourable the PRESIDENT: What is the difference that the honourable member finds?

Sardar Rao Bahadur B. R. NAIK: There is no such amount either in the Blue Book or in the Civil Estimates as Rs. 48,13,000. I have seen all the Public Works budgets and the Blue Book also, but I cannot find the details of this sum. Of course I may be wrong. But I think the Honourable the Finance Member may be able to explain.

The Honourable the PRESIDENT: It is the demand on page 12 of the Blue Book.

Sardar Rao Bahadur B. R. NAIK: That is so. The amount of Rs. 48,13,000 is on page 12 of the Blue Book. But I do not find the details anywhere. Perhaps the honourable member the Finance Secretary will be able to point out the page on which I can find the details of that sum.

The Honourable Sir GHULAM HUSSAIN: The Budget Estimates.

Sardar Rao Bahadur B. R. NAIK: I have seen the Budget Estimates also. I cannot find the details. As I said, I may be wrong. Perhaps I do not understand much about these account matters. But I am entitled to ask the honourable member the Finance Secretary about the details.

The Honourable Mr. R. D. BELL: May I explain this? Would it be of any use to the honourable member if I explain this now?

Sardar Rao Bahadur B. R. NAIK: Yes, Sir.

The Honourable Mr. R. D. BELL: If the honourable member turns to page 6 of the Budget Estimate of 55-Construction of Irrigation, Navigation, Embankment and Drainage Works, he will see a sum of Rs. 56,65,300.

The Honourable the PRESIDENT: Where?

The Honourable Mr. R. D. BELL: Page 6, Sir. Then deduct from that the amount for the provision of an assistant revenue officer, Rs. 20,300. That reduces it to Rs. 56,45,000. Then at page 20 of the same compilation, there is a sum of Rs. 3,08,400, Special Establishment, Voted: next at page 279 of the White Book, Pensionary Charges, Voted, Rs. 80,400. These two sums should be added to Rs. 56,45,000. Finally at page 6 of the Public Works Department Estimates, there is a suspense item of Rs. 20,000 and a second deduct item of 12 lakhs for receipts on capital account. That is how the figure is worked out. I do not know what practical value it has for the honourable member, but there it is.

2-30. p m.

Mr. V. N. JOG (Dharwar District): Sir, I think a rather reasonable explanation would be that in the White Book it is said that 5 per cent.

[Mr. V. N. Jog]

cut is not taken into account. Only the Blue Book has taken account of the 5 per cent. cut. In 48 only the reserved portion is taken. In 55 the total is Rs. 71,77,000. That is partly transferred and partly reserved. If that is deducted it comes to about 51 lakhs and now the demand made is Rs. 48,13,000. I do not know whether the 5 per cent. cut would make any difference. Otherwise it does not tally at all.

The Honourable the PRESIDENT: Is that the explanation?

The Honourable Mr. R. D. BELL: Yes, Sir.

The Honourable the PRESIDENT: That seems to be the explanation.

Sardar Rao Bahadur B. R. NAIK: Sir, the Honourable the General Member who is in charge of this department took about a quarter of an hour to explain the item of Rs. 48,13,000 to show how it was made up and yet he was not correct. The honourable member Mr. Jog also tried to explain and he is not also correct. I therefore request the honourable member the Finance Secretary to tell us how the amount is come to though it seems he also does not know but he is trying to find out. This is like a shrewd and intelligent Marwari moneylender who is trying to explain to his ignorant debtor. Similarly, here we do not know the intricacy of the accounts and we do not know how to discuss this question and so I will not go into details. I am quite sure that the Honourable the General Member himself is not sure where this particular item is included and to what it relates——

Mr. C. G. FREKE: Sir, may I say a few words on this subject? The detailed figures have been explained by the Honourable Mr. Bell. In previous years it has been made clear to this House that what is voted under this particular head is not the joint establishment of the Public Works Department to which the honourable member Mr. Jog is referring. That is voted under 41. Under this head we have the works expenditure, the cost of special establishment and pensionary charges of the barrage account less the receipts on capital account. The Honourable the General Member has given the detailed figures and has pointed out where these detailed figures are shown in the Public Works Department Estimates. There is no discrepancy in any of the figures.

Sardar Rao Bahadur B. R. NAIK: Sir, anyway I accept the explanation given by the honourable member the Finance Secretary, but I would request him to note in future that we on this side are laymen not well conversant with the intricacies of the methods in which Government accounts are kept and also not conversant with what is known in banking circles as "window-dressing", and that therefore we should like to have very clear statements of figures in the White Book.

I know, Sir, that I am not so competent as my honourable friends from Sind to discuss the general question of the Lloyd Barrage, and as a matter of fact I have been requested by my honourable friends from Sind that I should not try to go into details because it is they who have personal knowledge of conditions there and it is they who will discuss it more thoroughly than I can hope to do. I would only point out that when

[Sardar Rao Bahadur B. R. Naik]

this scheme was launched, this honourable House was told that it would cost about 19 crores. We now know that it has exceeded that estimate by about 9 to 10 crores and that it has cost up to now 26 crores—I am of course subject to correction if I am wrong in making this estimate—and the interest charges increase every year and being accumulated, go on piling up. Of course, Government have been selling lands in the Sukkur Barrage area and are deducting the proceeds of land sales from the interest charges. In this way they will try to meet some portion of the interest from the land sale proceeds year after year, but I am afraid that even by selling lands they will not be in a position to cover the whole amount of interest on the capital outlay on this scheme. I wonder how Government propose in this manner to make the whole scheme workable in a way as to be able to pay the full interest as well as the capital expenditure even after 100 years. I cannot understand how this Government will be even able to pay the interest on the capital outlay on this Lloyd Barrage. Of course, we will be told that as Sind is to be separated very shortly the Presidency should not bother about it, but I know as a matter of fact a sum of Rs. 10,00,000 from the Famine Relief Fund used to be taken away yearly and paid as part interest on the capital outlay on the Sukkur Barrage. It means it has gone out of the general revenues of this presidency. For the last two years or so, they have stopped taking this money from the Famine Relief Fund, and they are taking from the sales of land in that area to pay as part interest. We have been told by the Honourable the General Member year after year that the prices of land have been going up, that there has been a great demand for land, and therefore the Barrage would be in a position to pay. But, Sir, there are other items on which money has had to be spent besides the construction of the main Sukkur Barrage. If honourable members will look at the budget not of this year only but of previous years also, they will find that lakhs of rupees are being spent on the construction of and repairs to canals, and we are told that this extra expenditure was necessary because, on account of the construction of the Sukkur Barrage, some of the canals necessarily required repairs and readjustment. Therefore, it would not be correct to say that the Sukkur Barrage cost only 20 crores or 22 crores. As a matter of fact the expenses involved in the changes required in the other canals have also to be taken into account. The canals in Karachi and other parts had to be widened and repaired and changes had to be made in their formation. These changes were necessary due to the construction of the Lloyd Barrage. By the construction of the Barrage the cultivators round about will be benefited, and we were told that there was no reason why the other cultivators should be made to lose for the sake of those who were round about the Sukkur Barrage. Therefore, my contention is this: If you total up the whole amount and take into consideration the cost of the construction of other canals, which was necessitated on account of the construction of the Sukkur Barrage, the cost will be much more than 26 crores.

[Sardar Rao Bahadur B. R. Naik]

After all, Sir, even if Sind is separated, the Presidency proper may have to be responsible; Sind may not be in a position to pay to the Central Government. I do not know how the adjustment will be brought about when Sind will be separated. When it is separated, if an agreement is arrived at between the Central Government and Sind that, whether Sind is able to pay or not, the Presidency proper will not be charged anything, or will not be made to pay anything, that will be of course all to the good. But we do not know how the adjustment will be brought about. So, I think honourable members from the Presidency proper also are interested in this large scheme.

My object in moving this cut is also to get the fullest information as to how the Barrage is going on, how many acres of land Government have been able to dispose of last year and during the current year, and what prices the lands are fetching in that area, also whether there is any future prospect of an improvement in the prices of land in the Barrage area. All this information will be available by bringing forward this cut motion.

With these remarks, Sir, I leave this matter to the honourable members from Sind, who requested me yesterday that I should move this cut, so that they might be able to enlighten this side of the House on the whole subject. With these remarks, I move the cut.

Question proposed.

Mr. SHAIKH ABDUL MAJID (Karachi District): Sir, I rise to support the cut moved by my honourable friend Sardar Rao Bahadur Bhimbhai Naik. At the very outset, I should like to state for the information of the Government and this honourable House that I have been busy for some time past in preparing a pamphlet on the Barrage and the Public Works Department in consultation with and the assistance of my honourable friend Mr. Mahomed Hashim Gazdar. We have finished one part of the work, which is more or less of minor importance and related to the poor representation of Mussalmans in the Barrage Public Works Department services and which was submitted by my late honourable friend Mr. Mir Mahomed Baloch and myself to His Excellency Sir Frederick Sykes, in the form of a memorandum for the consideration of the Government. But the more important part of the work, concerning the overmanning of the department and the financial side of the question is still under consideration, and we shall submit the pamphlet, as soon as it is ready, before Government for their consideration and also for the public at large.

It is my honest conviction, Sir, that the Public Works Department in Sind needs very drastic retrenchment, that the whole policy of Government as regards the payment of the Barrage debts has to be more precisely defined and executed, and that the administrative machinery has to be purified and overhauled, and all other questions which arise out of the Barrage have to be carefully examined. The financial liabilities on the province arising out of the project have to be

[Mr. Shaikh Abdul Majid]

readjusted on an equitable basis and reduced to the minimum. My province mainly depends upon agriculture. It is a poor province and it is condemned as a deficit province. On the factors that contribute to its deficit a thorough investigation is needed ; and to that extent it should be treated sympathetically in any financial readjustment that may eventually be brought about between Sind, the Government of Bombay and the Government of India.

After making these preliminary remarks, I would remind the House with regard to two points on which I had to speak at length during the Debate on the budget, namely, the expenditure per head of the population of the various departments of the Bombay Government and the cost of the administrative machinery in Sind, so far as it relates to the Public Works Department. I did not get sufficient time then to illustrate fully my arguments. Although the Honourable the Home and General Member did say something to the effect that my reference to the necessity of retrenchment in the Public Works Department required careful consideration, from my experience of the attention devoted by Government to retrenchment in Sind I have no hope that any appreciable retrenchment will be effected. What is required is not the pruning knife of retrenchment here and there, but an axe of reduction in the cost of the establishment by no less than 50 per cent. Government must revert to the pre-Barrage establishment. During the pre-Barrage period, the total establishment consisted of one Chief Engineer in Sind, two superintending engineers, 13 executive engineers and including the cost on establishment the total expenditure amounted to 13 lakhs. The total discharge controlled amounted to 123,000 cusecs ; and the mileage of the canals and distributaries was in the vicinity of 8,400. The land cultivated amounted to 30 to 35 lakhs of acres, both for kharif and rabi. Under post-Barrage conditions, the total discharge of water controlled is less by exactly 30,000 cusecs and the total length of the canals and their distributaries is more or less the same. The total area of cultivation of kharif at present is nearly the same. It is only in rabi the cultivation has increased by 7 or 8 lakhs of acres. Anyhow, the total cultivation in rabi would be somewhat less than the cultivation in kharif at present. My point is that when cultivation per season is more or less the same, why there should have been an increase in the strength of the establishment. In pre-Barrage days, when the rabi cultivation amounted to between 2 to 10 lakhs of acres, the establishment had to sit idle and had less work to do than they had to do in the kharif season. Now, under the Barrage conditions, the cultivable area under rabi has increased and therefore the time of the establishment would remain occupied. The straight question I would put to Government is whether the staff which is enough for the kharif season cannot attend to their duties for a less amount of cultivation during the rabi season. The total area under cultivation in kharif season is nearly the same in the Barrage zone as it was in the pre-Barrage period. Why was that staff not considered quite enough for the rabi season, when the cultivable

[Mr. Shaikh Abdul Majid]

area in that season is not more than what it was and what it is in the kharif season. If one Chief Engineer, 2 Superintending Engineers, 12 Executive Engineers and their establishment sufficed for about 30 lakhs of acres in the kharif season, why that same staff could not suffice for a less amount of cultivation during the rabi season ? Formerly there was no bund road, no motor traffic, no modules and no scientific control over the distribution of water ; but with all those obstacles in the way of controlling canals and distributing water, the work was efficiently done in former days. Now, when the bund roads are available, motor cars are available, when there is complete regulation of water, the staff in all reason should be reduced and brought down to the level of the pre-Barrage days. My firm conviction is that there was absolutely no necessity to have more than double the staff even during the period of the construction of the Barrage. The Committee of experts have made reference to the above point in their report on page 24 on the "expenditure on the establishment." The expert committee give their opinion :

"These percentages are on the total works expenditure and if the cost of imported machinery, structural steel and gear be deducted, the average percentage of establishment charges will rise to 36 on a works cost of 407 lakhs. When work is done on this scale with the aid of mechanical appliances, establishment charges ought to be particularly low."

The expert committee say in an emphatic manner that the cost of establishment should be low. In the same paragraph they have thrown a hint to Government to reduce their expenditure by quoting the example of the Sutlej Valley Scheme :

"Excluding the first three years in which the work was mainly one of preparation and ordering out the machinery, the percentage rate on the Sutlej Valley Scheme was 22·4 in the 4th year and it dropped to 13·1 in the 5th year."

If you look on the same page, you will find that the percentage of expenditure on the Barrage establishment works out at 18·3 at the end of the 4th year and at 19·0 at the end of the 5th year. This shows that the Bombay Government refused to listen to the hints so mildly thrown by their own experts. On page 53 under "principal recommendations", the expert committee recommended that "it should be possible soon to reduce the establishment and overhead charges and effect economies by combining the Sukkur Barrage construction divisions and the regular maintenance divisions of the Public Works Department in Sind." The expert committee expected reduction in the establishment and overhead charges soon after 1929 when they submitted their report. The project was expected to be completed in 1932 but the expert committee had already hinted at the excessive percentage of expenditure in the report and recommended to reduce the establishment and overhead charges and effect economies. But our Government acted upon their recommendations with a vengeance. While nominally amalgamating the Barrage establishment with that of the Public Works Department they appointed one more Engineer as Joint Chief Engineer in Sind. It is true that they later on abolished the post of the Joint Chief Engineer but in all other

[Mr. Shaikh Abdul Majid]

respects no reduction has been made in the overhead charges. The Joint Chief Engineer must enjoy his salary for the current year also. If you look cursorily at pages 30 and 31 of the Civil Works Budget Estimate, you can form some conception of the enormous army that is employed in the Public Works Department in Sind: 1 Chief Engineer, 1 Assistant and Temporary Engineer, 5 Superintending Engineers, 5 Assistant 3 p.m. Engineers, 19 supervisors, overseers, clerks and draftsmen, 2 chowkidars, 15 servants, 39 executive Engineers and Assistant Executive Engineers, 93 Assistant Engineers, temporary Engineers and apprentice, 213 supervisors, overseers, accountants, clerks, draftsmen and store-keepers, 12 chowkidars and mechanic, 65 servants. Besides this, new divisions are being created every year. Some of them may be absolutely necessary and some of them may be superfluous as Plant Division is in charge of a separate executive engineer. I do not know the exact number of canal assistants, Abdars and Darogas. On page 31, under the heading "Superintending Engineers", the assistant engineers for the current year are shown to be four. But for the next year, they are shown to be five. Still one more assistant Engineer has been appointed. Under some other items too the expenditure has increased.

Now, leaving this question aside, I will say a few words about the cost of the project. It is stated on page 85 of the Review of Administration:

"The Bombay Government was convinced that the existing conditions of cultivation and irrigation were not suited to the special circumstances of the country and that Sind needed improvement and benefits of the kind which the Punjab and the United Provinces had long enjoyed. It submitted a rough forecast of the cost of the scheme at Rs. 1,120 lakhs and revenue as Rs. 63·5 lakhs with a net return of approximately 5·7 per cent. on the capital cost."

The Government of India gave sanction for the preparation of detailed plans and estimates. It was then found that the whole scheme would cost 18·3 crores. The Bombay Legislative Council gave their approval to the project in June 1923. Looking to the magnitude of the project, the Bombay Legislative Council accorded their approval in a significantly brief resolution to the effect:

"That this Council approves of the Sukkur Barrage project as sanctioned by the Secretary of State and recommends to the Governor in Council that the work should be commenced as soon as possible."

But brief as the resolution was, I believe, the then members of the Legislative Council realised their grave responsibilities in giving their approval to the launching of this magnificent project, which has been called by my honourable friend Syed Miran Mahomed Shah as the 8th wonder of the world. Dewan Bahadur Godbole, Mr. G. B. Trivedi and several other honourable members launched vigorous attacks against some features of the project. All these attacks were set at rest by the very hopeful figures given by Mr. Musto. He said on page 5 of his pamphlet that "the final capital invested would be Rs. 1,836 lakhs and final net return as 14·6 per cent. . . . . a net profit to Government

[Mr. Shaikh Abdul Majid]

(after paying all interest charges) of 8·6 per cent. on the capital outlay or a net surplus revenue of 158 lakhs per annum for the benefit of the general revenues of the province."

Sir Charlton Harrison, while speaking on the subject on 9th June 1923 in this honourable House, had to give expression to these views:

"Years of thought have been expended and I claim that we have before us an estimate as carefully and as soundly prepared as that of any of the great engineering works that have been undertaken by man. I ask you, Sir, and the House to accept as safe the estimates for the barrage and canals. They are the product of no hurry and scurry but of years of unremitting, anxious and able consideration. The forecasts have been prepared in great detail and on a conservative basis."

From such assurances of the experts of Government, this honourable House was convinced that the total cost of the project would not come to more than 18·36 crores, and that within a period of 25 years from the period of construction the arrears of interest charges would be fully paid and that eventually the project would pay 13 to 14·6 per cent. Those forecasts were mainly responsible in persuading the members of this honourable House in 1923, and even afterwards, to lend their support to Government in the execution of the project. But one year after the above forecast, revised estimates were made by the Chief Engineer, who, without altering the amount, showed the cost of the project to be nearly the same, and this revised recapitulation was sanctioned in a Bombay Government resolution dated 7th September 1925.

The Honourable the PRESIDENT: May I interrupt the honourable member for a minute? Most of the facts that he is referring to are already known to the House. He is now repeating the history of the project. I thought he was going to discuss the policy of the department or the department as it has been working and point out where the department had erred. That would be more useful to the House. It is for him, of course, to discuss the subject as he likes, but I think so far he has been repeating facts within the knowledge of the House.

Mr. SHAIKH ABDUL MAJID: Well, Sir, I do not know whether the honourable members of this House know what happened in 1923. I just wanted to remind them of the assurances given by Government when the project was first presented to the House. Then, I want to read again from the report of the experts:—

"After some further experience of construction and closer examination of details, the Chief Engineer prepared a second revised recapitulation amounting to Rs. 20·04 crores and submitted the same to Government on 3rd February 1928."

The project was first estimated at 18·36 crores, and, then after two years, that estimate was raised to 20·04 crores. And it is stated in the report of the experts—

"although the second recapitulation is not formally sanctioned, work is proceeding in accordance therewith, presumably with the approval of Government."

[Mr. Shaikh Abdul Majid]

Perhaps, the committee of experts themselves were not sure that our engineering giants in Sind had taken any permission from Government for the revised recapitulation which enhanced the cost of the project by nearly 2 crores. And, so far as this honourable House is concerned, I do not know if its consent was asked for this revised recapitulation. At present, Sir, the total capital outlay and the interest charges amount to a round figure of nearly 26 crores of rupees, and I do not know what will be the position within the next decade. It is true that we will get about a crore of rupees from the Government of India for the Baluchistan section, but nothing is known of the understanding that has been entered into with Khairpur State by Government in 1923. The then General Member stated that Khairpur State would contribute its share of the cost of the project. I want to quote him. He said:

"The Khairpur State, as honourable members are aware from the papers circulated to them, is contributing its share towards the construction of the barrage."

Up to this time, we do not know what that share is which is going to be contributed by Khairpur State towards the cost of the barrage. On page 171 of the "Reviews of Administration" we are informed that the question was discussed at a conference held at Simla, where the representatives of the Government of India, the Government of Bombay and the Khairpur State were present, and it was decided that—

"the question of the exact implications of the understanding between the Bombay Government and Khairpur State as to participation in the Barrage scheme should be further examined."

While in 1923 this honourable House was definitely informed that the Khairpur State was going to contribute its share towards the cost of the construction of the Barrage, in 1934, we are told that the exact implications of the understanding between the Bombay Government and the Khairpur State as to participation in the Barrage scheme should be further examined. I do not know if any written understanding was entered into between the Bombay Government and the Khairpur State, and, if there is any document to that effect, I do not understand why there should be any difficulty in settling the question. We further know from the same "Reviews of Administration" that it is proposed to allow the State to repay its share over a period of years. On page 168 it has been stated that the Khairpur State is to pay its share over a period of years, but on page 179 we are told that the exact implications should be further examined. Again, coming to the Blue Book, page 178, we find an entry "Deduct share of cost of Barrage payable by Khairpur State—26,31,000." I do not know whether this figure is fictitious or real, whether this 26 lakhs of rupees is only a pious hope or actually some sort of understanding has been arrived at on the basis of which it is expected that this 26 lakhs of rupees will be recovered from the Khairpur State as the first instalment towards the share that it has to pay. Sir, it is in the interest of the people of this presidency as well as the people of Sind that some committee of experts should be appointed to investigate into all matters connected with the Barrage and to suggest measures to help

[Mr. Shaikh Abdul Majid]

the future Government to run the Barrage and its canals on economic lines and to make it a profitable concern. Otherwise, the debt charges are increasing every year, and we do not know where it will lead us.

Then, Sir, this Barrage project has adversely affected what is generally called Lower Sind, and the pledges that were then given by Government for carrying out necessary improvements in Lower Sind to ward off any danger that may threaten Lower Sind are not being satisfactorily fulfilled. Some of the works have been postponed for want of funds. Moreover, there is general discontent among the agricultural classes in Karachi district on one matter particularly and that is that the beds of the canals in that division are being raised instead of lowered, and there are on the one hand zamindars who are of the opinion that if the beds of the canals in the Karachi district are raised, then they will not get enough supply of water for rice cultivation; and on the other hand, there are the engineers who are of the opposite view, who think that by raising the beds of the existing canals they will be in a position to supply water in sufficient quantities to lands. This question requires examination, and I would advise Government that the Khatedars and zamindars who have been hard hit should be taken into consultation and the practical difficulties that they have had to experience after certain improvements have been made should be investigated into, and if there are any defects in the scheme of improvements, they should be rectified.

One other matter which I want to know from Government is this: I want to know whether the realisations from sales of land as well as the revenue which accrues to Government from the Barrage area are being utilised towards the payment of the debt of the Barrage, or whether a part of the revenue is being utilised for other purposes. That is another matter which ought to be elucidated, because if the revenues accruing to Government from the Barrage area are utilised for other purposes, then there is no near possibility of paying the instalments towards the repayment of the Barrage debt. With these words, I support the cut that has been moved by my honourable friend Sardar Rao Bahadur Bhimbhai Naik.

Mr. MAHOMED HASHIM GAZDAR (Karachi City): Sir, I rise to support the cut moved by the honourable member Sardar Rao Bahadur Naik. I am not doing it in any spirit of carping criticism, to embarrass Government or anybody or to find fault with anyone. The condition of Sind is very critical. Sind is the Barrage and the Barrage is Sind. If by any means we are going to embarrass Sind finances, we will be ruining the whole province.

My honourable friend Mr. Shaikh Abdul Majid who preceded me has very ably shown to this honourable House how the estimates framed by such eminent engineers, if not of the century, at least of this generation—Sir Arnold Musto and Sir Charlton Harrison—in spite of their emphatic assurances feelingly given to this honourable House that they would

[Mr. Mahomed Hashim Gazdar]

never be exceeded, were exceeded within two years by nearly two crores. My humble submission to this honourable House is that they should be very cautious where questions of money are concerned. We are very fortunate that at the head of this Government we have got the Honourable Sir Ghulam Hussain as Finance Member and the Honourable Mr. Bell as General Member. Both of these Members of Government have got very, very wide experience of the Public Works Department. They have all these years dealt with the Public Works Department in one way or the other. They have hitherto given support to reports from the officers on the spot, as we call them. But I would humbly suggest now that they should very carefully examine those reports from the officers concerned, because they are interested in extravagance, and a very effective brake must be put on their extravagant habits.

Well, Sir, the first thing to which I would like to draw the attention of the House is that though Government or this honourable House has never sanctioned any estimate beyond Rs. 18·35 crores, the Chief Engineer, Sind, is working on Second Revised Recapitulation which is estimated to cost nearly 20 crores and 3 lakhs. Well, Sir, the most irregular thing that is being done in Sind to-day—and I really do not understand why this is being allowed—is that though this project has been working for the last two years, you will find from column 6 on page 178 of the Blue Book that the detailed estimates for the remaining works have not yet been sanctioned. Though the project will cost us 19·22 crores for works, the detailed estimates sanctioned to date are only for Rs. 17·32 lakhs. It means that there are still heaps of works for which no detailed estimates are framed. We do not know when these detailed estimates will be framed or what they will cost. Therefore it is very necessary that the Honourable the General Member should take this House into confidence and circulate as soon as convenient to him to honourable members of this House a revised and up-to-date statement of estimates containing all the works that are to be constructed with the details sanctioned. I have learnt that Government fixed 30th September 1933 as the last date for submitting detailed estimates, and I am also informed that the estimates involving several lakhs were sanctioned in one day. If that is so, I would request Government to withdraw or cancel those sanctions, and write to the Chief Engineer in Sind to withdraw the sanctions given by him to all these estimates which have been so hurriedly sanctioned, because there might possibly be some waste of money, in case the estimates are not properly framed and the officers utilise the whole money though it may not be needed.

3-30 p.m.

The Honourable the PRESIDENT: Is the honourable member likely to take some time?

Mr. GAZDAR: I may take about 10 or 15 minutes, Sir.

The House adjourned for tea till 4 p.m.

(*The House re-assembled after tea at* 4 *p.m.*)

ADJOURNMENT MOTION re : BUDGET PROPOSALS OF THE GOVERNMENT OF INDIA.

The Honourable the PRESIDENT : The time limit for speeches is 15 minutes.

Mr. B. S. KAMAT : Sir, I shall formally move my motion although it has been read out to the House this morning. The motion I wish to place before this House is this :—

"That this Council do now adjourn to discuss a definite matter of urgent public importance, viz., to call attention to the Budget proposals of the Government of India as announced by their Honourable the Finance Member on Tuesday last so far as they affect this Presidency, and to request Government to communicate to the Government of India the strong feelings of dissatisfaction of this House regarding the treatment this Province is receiving at their hands."

Sir, I am grateful to this House for granting me leave and therefore the opportunity to call attention to the proposals of the Government of India which affect this Presidency. I am somewhat under a disadvantage inasmuch as I got a printed copy of the speech of the Honourable the Finance Member of the Government of India only about an hour or an hour and a half ago. I shall have to depend therefore on the printed summary of his speech as it has appeared in the press. Nonetheless, the observations which I shall have to make will apply to the general conclusions which could be deduced from the proposals put forward by the Government of India. It is not my purpose to-day to go over all the features of the Government of India budget proposals, not because I do not find anything good in them—there might be very good features in that budget—but because it is not relevant to my purpose for this motion to go over all the features of the Government of India proposals. I intend confining myself to such proposals only as affect this Presidency, and further on, I desire to point out that on the whole, this Presidency has been receiving both in the past and in the present an unfair treatment at the hands of the Central Government, as compared with the treatment which some other provinces, particularly Bengal, have received at their hands.

Sir, the main outline of the Government of India proposals is this. For 1933–34, that is, the current year which is coming to a close, their financial position is good, that is to say, after providing for debt reduction to the extent of 3 crores of rupees, they have a surplus balance of 129 lakhs. I am pointing out these figures in order to show that their general condition is good. So far as 1934–35, that is, the next year is concerned, without going over all the fluctuations which they have recounted in their various revenue and expenditure items, the general position of the Government of India for 1934–35 is that they expect a deficit of 153 lakhs, and therefore they propose to make up the revenue by some additional forms of taxation. They have various proposals of new taxation over which I need not go, except those which I venture to think affect us prejudicially, but in the main their proposals are to have

[Mr. B. S. Kamat]

an excise duty on sugar, an excise duty on matches and some other taxation. A summary of their taxation proposals shows that they hope to raise 140 lakhs of rupees by the new sugar excise duty, about 30 lakhs of rupees by the tobacco duty, four lakhs by the silver duty, and they expect to lose 5 lakhs in the abolition of export duty on raw hides, but the net total amount from the new taxation proposals will be 169 lakhs, thereby covering the deficit of 153 lakhs to which I just now referred. They will have by these new taxation proposals a surplus of 16 lakhs, irrespective of the match excise duty. That in broad outline is the position of the Government of India proposals for the next year and their financial position for the past year. I give this as the background for my criticism both with reference to the new duties and also with reference to the treatment, the invidious treatment, which they propose to give to this Presidency.

Now, Sir, when there is a deficit, I quite concede that it is reasonable that there should be some more taxation. I do not deny that in order to reinforce their position it is necessary for the Government of India to have some more resources. That is not my grievance. I go further and say that if they have chosen the sugar excise duty, probably they are on firm ground, although I think when they are trying to raise 3 crores by the match excise, they are not on such strong ground at all.

Referring to the sugar excise duty, I shall have to ask the House to bear with me when I give some details regarding these proposals. The contention of the Government of India is that owing to the protection to the sugar industry which they have given by their Sugar Protection Act two years ago they have lost revenue to a very great extent. In 1930-31 the Government of India maintain that their income from the sugar import duties was 10½ crores. In the subsequent year it fell to 7 crores, in the current year it dwindled down to 5 crores and for the next year i.e., 1934-35 they do not expect to have more than 2·05 lakhs from this source of income. I admit that protection to the sugar industry has cost the Government of India a pretty large sum. They are now turning to a proposal to reimburse themselves, if not wholly, to the extent of 10 crores, at any rate partially to some extent, and their proposal is to levy an excise duty on home-made Indian sugar to the extent of Re. 1-5-0 per cwt. and they calculate the Re. 1-5-0 thus. The Sugar Committee of about four or five years ago had recommended that sugar should be a protected industry and that there should be a protective duty against imported sugar from Java, Mauritius and other countries. The question was subsequently taken up for a special enquiry and the Government of India then passed a special protection bill two years ago levying a duty of Rs. 7-4-0 per cwt. on imported sugar purely as a protective measure and they further added on to that a surcharge to the extent of Rs. 1-13-0 per cwt., thereby levying a duty of Rs. 9-1-0 on imported sugar. It is true that with this Rs. 9-1-0 against imported sugar, the Indian sugar factories are likely to have a fairly sufficient protection and a handsome margin of profit. Taking the cost of production of sugarcane and the

[Mr. B. S. Kamat]

cost of manufacturing white sugar, it is expected by those people who have gone into these figures that there will be a fair margin of profit left to the sugar industry if efficiently carried on by the sugar factories in India. From that point of view, probably the Government of India are right when they propose to levy Re. 1–5–0 as excise duty, because if you take off Re. 1–5–0 from Rs. 9–1–0, there will remain the net balance of Rs. 7–12–0 as the duty against Java sugar. That is sufficient protection for the industry.

With this history of sugar duty and with the recognition as I have given that there is some reasonableness on the part of the Government of India in levying this Re. 1–5–0 excise duty, I shall have to bring to the notice of this House the special circumstances so far as they prevail in the Bombay Presidency about this sugar industry. It seems that the Government of India have based their considerations and calculations in deciding to levy this excise duty of Re. 1–5–0 on the sugar industry's conditions prevailing in Upper India, that is to say, in Bihar and in United Provinces. The considerations which have guided them are enumerated in the speech of the Honourable the Finance Member and there, the Government of India fear that with Rs. 9–1–0 there will be an excessive stimulus to sugar production and that with this over-production they think that too many people will rush into the industry and that if there is over-production, there is bound to be a reaction adverse to the interests of everyone concerned, namely, those who invest their capital in the manufacture of sugar and adverse also to the prices which the sugarcane grower, the cultivator, will realise under these terms of competition. They therefore want to save both the manufacturer and the cultivator from a state where the over-production of sugar in India will be soon reached. It is true, at any rate those who have followed the deliberations of the Imperial Research Council and also the views propounded by the Sugar Technologist with the Government of India, will realise that it is true at the present moment that in Bihar and United Provinces, i.e., in Upper India generally there is a scramble for starting new sugar factories. During the last year I think there have been started sugar factories there by the score, but I draw a distinction here and my point in bringing this fact to the notice of this honourable House is that the conditions to a great extent differ in the Bombay Presidency. There has been no scramble, despite the high protective duty of Rs. 9–1–0, in the Bombay Presidency to start new factories, and so far as my information goes, hardly five or six people have come forward asking Government for any concessions with reference to the Deccan Canal water or in other respects. I do not think therefore that there has been a scramble in this Presidency as there has been elsewhere. Then again, conditions in Bombay differ in another respect. We here, unlike United Provinces and Bihar, cannot entirely depend on the cultivator bringing his sugarcane to the doors of the sugar factories. The sugar factory owner has to plant his own cane, unless he is foolish enough to be at the

[Mr. B. S. Kamat]

mercy of individual cultivators who may not raise the particular variety of sugarcane which the factory owner would like to have. If he is a wise man, in the Bombay Presidency at any rate, the sugar factory owner will have to invest his capital in acquiring land round about the factory to a very large extent, and to plant his own cane, of a particular variety which gives a better return in the juice and which also will give a particular rotation to his factory, for the simple reason that the crushing season of the factory is only about 125 to 150 days in the year, and the owner has to see that he gets enough cane to go on with the crushing, once the engines and crushers are started day to day, without depending on individual cultivators in the neighbourhood. That is a peculiarity of the Bombay Presidency. In the United Provinces and Bihar that is not so. The cane cultivators have no other alternative—except perhaps to prepare what they call the *khandsari* sugar which they can manufacture—they have no other alternative but to take their cane to factory owners, with the result that conditions are entirely different there from those that prevail in this Presidency. That being the case, the sugar duties, although they would not weigh very heavily on factory owners in the United Provinces and Bihar, at any rate, are likely to affect much more sugar manufacturers in this Presidency, inasmuch as the industry is almost in an infant stage here. There is hardly a factory—except one or two—which has been well established here and which has made profits in the past few years. Most of them are in the experimental stage, and they require all the help that is necessary. To that extent, I differentiate the Bombay Presidency from the other parts of the country where the sugar excise duties are proposed to be levied. For these reasons, because the industry is in an infant stage here and because of the special consideration of sugarcane cultivation, by the factory here, I do think, although intrinsically the excise duty proposed is not very heavy, still it is likely to prejudice this new industry in the Bombay Presidency : and there we should be exempted ; and I need not say that, if this industry is injured, it is not only the manufacturer who will suffer but even the Government of Bombay will suffer, inasmuch as the Deccan Canals are not at all giving an adequate return, as everybody in the House by this time knows. That is, Sir, with reference to the sugar excise duty proposed.

I shall now come to the other duty, namely, the match excise duty. Now, I have just enumerated to the House the financial position of the Government as it stands with reference to the next year, that is to say, that they are in deficit to the extent of Rs. 1,53,00,000, and that the taxation other than matches which they have proposed will bring them Rs. 1,69,00,000, thereby meeting their anticipated deficit Rs. 1,53,00,000.

Might I make a request to the Chair that, although under the rules, on a motion for adjournment an honourable member cannot speak for more than 15 minutes, the subject is so wide that I may be allowed to exceed the time limit ?

The Honourable the PRESIDENT: Yes.

Mr. B. S. KAMAT: By the other taxation that I have just enumerated, the Government of India hope to make the two ends meet and to cover the deficit of Rs. 1,53,00,000. The question, therefore, from our point of view, as general tax-payers arises, why are they raising this match excise duty? I might incidentally tell the House that the total receipts from the match excise duty are estimated to be 3 crores of rupees. If they are raising enough money, an amount of Rs. 1,69,00,000, to meet their deficit of Rs. 1,53,00,000, why are they raising this additional 3 crores by the match excise duty? And the reason is something peculiar. Reading between the lines, it is now perfectly plain that this additional 3 crores is being raised to help one particular province, namely, the province of Bengal, and that is perhaps the gravamen of our complaint. The Bombay Presidency has been, and even today is, the Cinderella of the Government of India and Bengal is their favourite child. It is this thing to which we object.

I wish to draw, in this connection, a brief outline of how we have behaved and how Bengal has behaved during the last few years. Before I come to that, it is necessary to give a little more in detail the nature of the proposed match excise, because there is a little novel feature about it, to which I wish to draw the attention of this House. Under their proposal the Government of India suggest that even the Indian States should be roped in. That is to say, whether the match factories are situated in British India or in Indian States, an agreement is to be come to between the Indian States and the Government of India that they will levy a corresponding match duty in the Indian States, and the whole of the profits of the match duty will be thrown into a common pool with the Government of India, out of which the Government of India propose to distribute no less than Rs. 70,00,000 to the Indian States, and even those Indian States which have no factories will be entitled, on the population basis, to get something out of this windfall. That is a special peculiarity of the match excise arrangement.

The other objection to the match excise duty is that that industry also is a struggling one in the Bombay Presidency, and is more or less not a very strong and healthy industry. We have round about Bombay and in other parts of the presidency a large number of match factories, and although they might be enjoying a little protection as against imported matches, still the internal competition for them is there, and to that extent they are leading somewhat of a struggling life. Now, this match excise duty of Rs. 2-4-0 per gross of boxes is likely to weigh very heavily against this industry in the Bombay Presidency, and to that extent the objection against the match excise duty stands. But the other constitutional position, namely, that even the Indian States having no match industry whatsoever are to benefit by this duty is somewhat extraordinary. The Government of India, while describing their proposals on this score, have also pointed out that in another province, namely, Burma there has been a duty on the consumption of matches, and the total receipts from this source are something like

[Mr. B. S. Kamat]

Rs. 18,00,000. When this 3 crores of rupees is collected, the Government of India propose to give back to the Government of Burma Rs. 18,00,000 as a measure of equity, out of this amount of 3 crores. These are the only two parties, so far as I can read the proposal, namely, Burma and the Indian States, who will benefit from the match duties, and as far as I can see the proposal, we, the very presidency where we have this industry, shall not benefit at all from this common pool of 3 crores of rupees.

Sir, there is still one more unkindest cut of all, and it is this. As soon as this duty is levied, the Bombay Government, as the local agents of the Government of India, will be asked to do the unsavoury task of tax gatherers of this duty on matches. The money will actually pass through their hands, and it will be distributed to the Government of India and certain Indian States, but not to the Government of Bombay. I think this is rather unreasonable. I am not prepared to say whether it is iniquitous, because I do not wish to use strong language. That is the history about the match duty.

Now, I shall turn to the second part of my motion, namely, how this presidency has been treated in contradistinction with another province, namely, Bengal which, as I said, is the favourite child of the Government of India. It is an old history, Sir, as everybody in this House is aware. The history dates back to what is called the Financial Relations Settlement or the Meston award. We suffered from that ever since the beginning of the Reforms. That award was prejudicial to us. We protested against it, so also the Government of Bombay and, I believe, everybody concerned fought against the Meston Settlement, and we thought we had sufficiently impressed the Government of India, so that they would not repeat that offence.

Now, Sir, why is the Government of India giving to Bengal a very large slice of what really is federal revenue? The justification which they have mentioned is this, that the case of Bengal is special and even in the White Paper plan it has been recognised to be so. Sir, the only reference, perhaps to my knowledge, in the White Paper plan to Bengal's plight is contained in a foot-note, where they have discussed export duty. Export duty no doubt in all countries perhaps is federal revenue, and nobody doubts that that should be federal revenue. It has been mentioned in a foot-note in the White Paper that if jute duty is collected by the Government of India, at least 50 per cent. of it will have to be given to Bengal. That is no doubt a recognition made in the White Paper plan. But those who have carefully read the White Paper will have to look up some other paragraph on two other points. If Bengal is entitled to this 50 per cent. out of the jute duty, the two important points are, when is that to be, and by whom is the amount to be distributed? In answer to these two points, Sir, I wish to refer this House to paragraph 137 of the White Paper itself. Paragraph 137 of the White Paper says:

"The Federal Legislature will be empowered, when the constitution is finally framed, to assign to provinces and states, in accordance with such schemes of distribution as it

[Mr. B. S. Kamat]

may determine the whole or any part of the net revenues derived from any one or more of the sources specified in the margin."

The sources specified in the margin are salt, federal excise and export duties. Jute has an export duty as a monopoly of India, and this paragraph, if I read it aright, makes it perfectly clear that it shall be the duty of the federal legislature to distribute this duty in due time. My answer to the first point I raised "Who is to distribute this duty?" is this. It is the federal legislature, when it comes into existence. Now, Sir, we have not seen, even we are not in sight of, the federation, much less the federal legislature, and it will be some years perhaps before we shall have the federation and the federal legislature. When the federal legislature comes into existence, by all means let the problem be placed before that legislature, and let that legislature distribute federal revenues. As it is, I think it is anticipating things too much if the Honourable Sir George Schuster takes it upon himself to place this proposal before the present Assembly and to distribute the export duty on jute to Bengal according to his own sweet will. That is a function of the federal legislature, which has yet to come into existence, and not of the present Legislative Assembly. That is a point more or less on the constitutional principle.

Now, I come to the equity and the reasonableness of the treatment given to Bombay versus Bengal. As every one perhaps knows, I do not wish to remind the House as to how we have behaved during the last ten or twelve years about our Budgets and how Bengal has behaved. During the last ten or twelve years, in order to balance our budgets, we have levied additional taxation on ourselves. To that extent our Ministers and we the members of the legislature have co-operated with the Government to give them additional sources of revenue. Then again, we have retrenched and retrenched, we have cut down the salaries of our employees a great deal. We have fixed new scales of pay. We have even gone the length of reducing our Cabinet. We have undertaken various measures for re-organising the whole of our machinery, and we have effected retrenchment, almost drastic, everywhere. May I ask, is this the reward which the Government of India are giving to us for our good behaviour?

I wish to refer in this connection to an assurance which was given by a former Finance Member of the Government of India as to how he expected the provinces to behave. It was, I think, in 1923 that the then Finance Member pointed out, while the subject matter of controversy in those days was the provincial contribution:

"I should like to say that for my part the strongest appeal that the provincial Governments can make to me in this matter (in the matter of relief or in the matter of the provincial contribution) is to show themselves worthy of assistance from the Central Government by strenuous and successful endeavours to make both ends meet."

That was the assurance. Now, depending on that assurance, probably the Government of Bombay tried strenuously as he said to make both ends meet and we have

4-30 p.m.

[Mr. B. S. Kamat]

succeeded, after a great deal of strenuous efforts, in balancing the budget. What is the position of Bengal ? In the first place, Bengal is lightly taxed. While the incidence of taxation in our presidency comes to Rs. 7 or Rs. 8 per head, I do not think Bengal raises per head more than Rs. 2½. I think it is less than Rs. 3. I am speaking from recollection and I am subject to correction. That is the incidence of taxation in the two provinces. Here, we have managed to have law and order. Bengal is still having terrorism and is therefore spending something like 50 lakhs per annum more than is normally necessary, to check terrorism. And yet the Government of India in spite of this state of things is making a present to them of half the export duty on jute which is one crore and sixty-seven lakhs. This is the reward to Bengal for not taking proper care of law and order.

The Honourable Dewan Bahadur S. T. KAMBLI : There is one other point to which I wish to draw the honourable member's attention. Was Bengal paying its provincial contribution regularly ?

Mr. B. S. KAMAT : I am thankful to the Honourable Minister for drawing my attention to the fact that they had been very bad paymasters. From the very beginning, 1921, they started an agitation to exempt themselves from provincial contribution. A deputation came to Simla or Delhi in 1921 or 1922. By lobbying with the members of the Legislative Assembly and by interviewing the Members of Government, they got relief from provincial contribution. That is the sort of behaviour of Bengal.

The point to which I was going to refer, before concluding my observations, was the plight of Bombay. It has been the idea of either the members of the Meston Committee or of certain Members of the Government of India that Bombay is a rich province. We who live in the presidency know very well to what state of depression we have come ; and at the present moment particularly, if the town duty on cotton is taken away, the plight of the Bombay Presidency will be so deplorable that I need not describe it. That is perhaps a disaster we have to face. In spite of that, no relief is being given to Bombay either from the excise duty on the match industry which is mainly a Bombay industry or from the excise duty on sugar or from any other taxation whatsoever. But the present of one crore sixty-seven lakhs is made to a province which from the very beginning of the Reforms has been the naughtiest child among the provincial governments. I leave the rest of the conclusion to the House. I do hope that the Government of Bombay will be pleased to convey to the Government of India the considered feeling of dissatisfaction which, as I have set forth in my motion, has been created by the proposals of the Finance Member of the Government of India and particularly with reference to the step-motherly treatment accorded to the Bombay Presidency. [*Applause.*]

Question proposed.

Mr. W. G. LELY (Bombay Chamber of Commerce): Sir, I do not propose in the limited time at my disposal to follow my honourable friend Mr. Kamat into a discussion of the general provisions of the Central Budget which was introduced by the Honourable the Finance Member on Tuesday. As I think he said, the main feature of the ordinary taxation proposals is the imposition of an excise duty on Indian manufactured sugar. As far as that is concerned, I do not think that this province has any particular reason to quarrel with the Government of India's proposal. It indicates that the Government are realising, what has long been known, that you cannot go on imposing taxation on a tremendous scale without sooner or later arriving at a point when the taxation defeats its own end, and becomes subject to the law of diminishing returns. I am not myself interested in the sugar trade, and I am not sure of the figures, but I think that the present scale of import duty amounts to something over 200 per cent. *ad valorem*. It has obviously killed the import trade in sugar, resulting in the reduction of the Government of India customs revenue from 10½ crores two years ago to 2 crores estimated in the budget for the coming year. Obviously the gap has to be filled somehow, and I do not know that we can complain if Government seek to do this by a countervailing excise duty. The present revenue from the import duty has been reduced to a figure which is too small to benefit any one while one of the dangers of import duty on such a scale is that it encourages the mushroom growth of a lot of concerns for the growth and manufacture of sugar which will not be able to face the pressure of economic competition when the protection is removed.

The feature in the Central Budget in which this Council is more particularly concerned,—also a point to which my honourable friend Mr. Kamat has referred,—is one which I might almost call a revolutionary proposal,—that the Government of India should come to the assistance of the jute growing provinces, and return to them half the export duty on jute which at present accrues exclusively to the Central Government. I have to move within a very few minutes a resolution on this subject at a public meeting which has been called by the Sheriff of Bombay; and I shall not at great length anticipate what I propose to say there. There are various issues involved. There is the question whether it is right in principle that a particular province should enjoy the revenue which is derived from a duty on export of its own produce. I think it is quite possible for the province concerned to argue that it should. There is also the question whether such a case, if it is accepted, should be met by the imposition on India as a whole of a new impost, such as the excise duty on matches. I think that an even more important point is the question whether it is sound to anticipate, by piecemeal legislation of this kind, the ultimate distribution, as between provinces in greater or less need of assistance, of the proceeds from this new form of taxation. The Finance Member, in his speech, was careful to say that what the Government of India propose to do now would not be taken as a precedent that would be binding on the Federal Government when it comes into

[Mr. W. G. Lely]

existence, and that the Federal Government would be free to retain for its own use the whole of the excise duty on matches if it thought it fit. But the fact is that a precedent has been started, and it may be difficult to escape from it.

I should particularly like to deprecate any suggestion that this House views with jealousy the windfall which has come to the sister province of Bengal. It has long been contemplated that Bengal should be given at least 50 per cent. of the export duty on jute. That is actually one of the proposals of His Majesty's Government as recorded in the White Paper. If that is accepted, I do not quite know how else the surrender can be financed except by the imposition of taxation of some other kind on an all-India basis. Nor do I think it fair that Bombay should claim, as I have heard it suggested, that the proceeds of the particular taxation which is now proposed—an excise duty on the manufacture of matches—should belong more properly to the province in which the manufacture is primarily conducted (and Bombay has particular claim in that respect) rather than to the rest of India. I think that argument is based on a fallacy. The excise duty will ultimately be paid not by the manufacturer but by the consumer, and to that extent the tax will be contributed in accordance with the consumption by different provinces of the matches manufactured, which is roughly in accordance with their population.

The point that I do think this province is entitled to stress, without any belittling of the needs of Bengal and without any criticism of the method by which the Government of India propose to meet them, is that Bombay also has crying financial needs. I think Bombay is also entitled to emphasize the point that financial needs may be just as great though they are concealed beneath a balanced budget as if they are revealed to the world by a budgetary deficit. The most pressing, the immediately pressing, need of this province at the moment, I think, is that the tendency, growing daily in intensity, to diversion of trade from Bombay to other ports inside and outside the presidency should be checked. The most immediate aspect of that problem is the question of the cotton export trade, which is rapidly leaving Bombay. It has been pressed upon the Government of Bombay that in self-defence, apart from the matter of bounden duty, they must assist Bombay's trade by the removal of the cotton town duty. We know that the difficulty is the hole which this is going to make in the budgets of the Government and of the Corporation. Here is a matter in which the Government of India can assist on precisely the same lines as it is now proposing to assist Bengal. I do not however think that we can complain that the Government of India in this particular respect is deliberately neglecting the needs of this province. They have not, I think, been specifically put before them. The Bombay Government have balanced their budget. If Government now see their way to unbalance their budget by revoking the town duty on cotton, they will have an overwhelming case, in the face of what the Government of India now propose to do for Bengal, for assistance on a smaller scale but in a matter no less urgent.

Mr. J. B. PETIT (Bombay Millowners' Association) : Mr. President, I beg to support the motion of my honourable friend Mr. Kamat for the adjournment of the House in order to enter our most emphatic protest against the new taxation-proposals of the Government of India, so far as they relate to us, which will have the effect, not only of penalising this province but also of adding to the enormous difficulties against which we have been struggling during the last few years.

In effect, Sir, they amount to an attempt on the part of the Government of India to rob our province in order to be able to pay Bengal. The honourable the Finance Member of the Government of India does not make a secret of it. In fact, he has expressed himself in so many words in his speech. That, to my mind, is the sum-total of at least one of the proposals, namely, the imposition of an excise-duty on matches, of which we produce half the total quantity manufactured in this country. If we look at the figures, Sir, we find that the total production of matches in India amounts roughly to 19 million gross boxes per year, 50 per cent. of which are supplied by the Bombay Presidency. The impression that such duties are invariably paid by the consumer is very largely a fallacy ; and at least we in Bombay know to our cost that there are numerous occasions on which it is impossible to pass on such levies to the consumer; in which case they constitute an additional load on the industry concerned whether it is earning or losing. It is clear from the wording of that part of the speech of the honourable the Finance Member of the Government of India, relating to the excise proposals, that a very large and substantial slice out of the amount which Bombay will help the Central Government to earn through the instrumentality of the duty on matches, will go to the Government of Bengal. To add to our disappointment and grievance, there is absolutely no mention anywhere, of our province getting its proper share of it even on the consumption-basis, assuming for the moment that it is the consumer that pays.

There are numerous other objections to these two proposals. First of all, Sir, as a matter of industrial policy, I am opposed to the imposition of excise duties on indigenous industries. They are wrong in principle. They are really a tax on production. They impose a load on indigenous enterprise at source, which constitutes a clog in the wheel of our industrial development ; and they have unfortunately a tendency to become permanent. In short, they are a negation of our industrial policy and the principle of protection to which the country is now committed. The intensely harmful and corroding effect of excise-duty on the cotton goods manufactured in the country, are too well-known to all of us at least in this province, to be repeated at this time of the day. The bitter memories we have of that utterly iniquitous piece of legislation, ought to serve as a warning to the originators of the proposals.

For all these reasons, Sir, I most strongly deprecate the suggestion relating particularly to the imposition of an excise-duty upon the production of matches and its tyrannous effect, not only upon the enterprise concerned, but also upon the industrial progress of the country in general.

[Mr. J. B. Petit]

There is no doubt in my mind that it is going to seriously affect the development of this industry in our province and may in course of time even strike at the very root of the enterprise which Bombay has undertaken at so much risk, and if I may say so, also with considerable success. I do not on purpose desire to speak at present on the effect that the imposition of the duty on sugar will have on that industry, because it does not directly concern us and will not therefore be germane to the main purpose of the present discussion, although the general objections, both of policy and principle, which are applicable to the match-industry, are equally applicable to the sugar-industry. For similar reasons, Sir, I will not refer to the removal of the export duty on hides, although I am not at all sure if it is going to benefit the country; nor even to the other taxation-proposals contained in the budget of the Government of India. But the fact, that we do not protest against them as we are doing against the one proposal which directly affects our Presidency and by which it is proposed to give a subsidy to the Government of Bengal, must not be construed as our acquiescence in the other proposals, against which also we have got the strongest possible objection to urge on various grounds.

When boiled down, the result of the proposed additional taxation will thus enable the Government of India by a stroke of the pen, first, to convert their present deficit-budget into a surplus one, and secondly, to pass on a substantial portion of it to the Government of Bengal in the shape of a refund of the duty on jute, because of the impoverished condition to which that Presidency has reduced itself. We, in this province, do not either envy Bengal or grudge her windfall. On the contrary, we sympathise with her in her misfortunes. But our quarrel is mainly with the Government of India. Our grievance is that they are constantly neglecting our needs and ignoring our difficulties, merely because we are manfully helping ourselves. If Bengal has her deficits and her problems, so have we. And, we have the additional obligation to fulfil and our responsibilities to bear as the Gateway of India and the chief Emporium of the East, which, I am sure, even the Government of India will not deny, we have always discharged in a manner worthy of the country and entirely in keeping with our own past traditions. With this end in view, we have readily taxed our people to the bone and bled ourselves white even at the risk of over-straining the taxable capacity of the province to breaking point. The main ground of our complaint therefore is that Bengal is not the only province that has been so hit by the world-depression, that we also are as badly hit if not worse, and that it is no fault of ours if Bengal will not tax herself enough to balance her budget as most of the other provinces have done. As is well-known, she hardly pays anything like what she ought to by way of land-revenue, because of her so-called "permanent settlement". It is equally well-known that the cost of maintaining law and order in Bengal is exceedingly heavy and out of all proportion to her revenues, owing to the unsettled conditions continuously prevalent in that province. In spite of all

[Mr. J. B. Petit]

these facts and in spite of the further fact that she has done really nothing to balance her budgets in the past as we have done, the Government of India are rushing post-haste to her help! On the other hand, under precisely similar circumstances, they have not only never cared to assist our Province but have also invariably left us groaning under the load of various unjust and one-sided settlements merely because we have behaved like men and put our shoulders to the wheel, as though it was a crime to have done so.

This, Sir, is the strongest ground of our opposition to the proposals of the Government of India; and I trust that, backed by the support of this honourable House, which I hope will be unanimous, the Government and the public of the Presidency will send the strongest possible protest against this further proof, if one were still needed, of the iniquitous treatment that is being meted out to this Province from year to year. I have accordingly very great pleasure in supporting the motion for adjournment moved by my honourable friend Mr. Kamat; and I hope the House will carry it in a manner which will be indicative of its strongest possible feeling of resentment and indignation on this question. [*Cheers.*]

The Honourable the PRESIDENT: I wish the honourable member Mr. Bakhale, or any other honourable members who wish to address the House on the subject, if they desire that the debate should be concluded early, to be brief and to associate themselves in a few words with the motion before the House. I gave the honourable mover of the motion extra time to put the case before the House fully.

Mr. R. R. BAKHALE: Sir, I assure you that I will not take a second longer than is necessary, and I hope to finish within five minutes.

I rise to associate myself with the motion that has been made by my honourable friend Mr. Kamat. And, Sir, in what we are going to say this afternoon on this motion, the opposite benches need not necessarily suppose that we approve of everything that they have done with regard to retrenchment. We shall still go on criticising them until we are satisfied that adequate and enough retrenchment has been effected. But when an attack from an outside Government is made, I can assure them that the benches on this side are entirely at one with the opposite benches in demanding what is due to us.

Sir, there is a small passage in Sir George Schuster's speech to which a passing reference was made by the honourable mover of this motion. Sir George said:

"I am not suggesting that we can in any way anticipate the new constitutional proposals, the form of which is still under consideration by the British Government, nor that we can attempt to put upon our shoulders the responsibility of dealing with the problems of the provincial Governments."

Then he goes on to say:

"There is a case for special treatment being meted out to Bengal."

[Mr. R. R. Bakhale]

and he says further if any action is to be taken, it is right that something should be done without delay, because Bengal has been, since 1930, incurring deficits at the rate of about 2 crores per annum.

Now, I have got before me a copy of the report of the Federal Finance Committee of 1932, over which Lord Eustace Percy presided and of which Sir Akbar Hydari and a few other distinguished people like Sir Kailas Haksar, Mr. Robinson and Mr. Sundaram were members. In that report, a forecast of the provincial budgets has been made for the years 1933–34 to 1937–38, and from that forecast we find that Bombay has been shown a deficit of 65 lakhs in her budget during this period, while Bengal has been shown a deficit of 2 crores per annum. We all know that after this report was published, we have reversed our position and have been able to present a balanced budget, while Bengal has remained where she has been all these years and she has made no attempt whatever to reduce her expenditure. For that also, I have got the authority of the same committee. Sir George Schuster assumes that whatever relief the Government of India is going to give, that will be on the understanding that Bengal has made every retrenchment and economies to the fullest possible extent. Has it been really done? That is a pertinent question which we are entitled to ask the Government of India. The Percy report says:

"We fully appreciate the difficulties through which Bengal is now passing, but we cannot believe that the Bengal Government and Legislature have no means at their disposal, whether of economy or of increased taxation, to reduce a deficit of this magnitude; and, in the hope that measures will be devised to meet the situation, we have felt justified in reducing the anticipated deficit by about 40 lakhs."

Here is the expression of opinion of an important committee like the Federal Finance Committee which has stated that if there is a will, Bengal can easily find a way out. Unfortunately, it seems to us that it has not been done, and hence this protest.

Mr. PESTANSHAH N. VAKIL (Ahmedabad City): Sir, the case of Bombay is so strong that I need no more than touch very briefly upon a few points within the limited space of time allotted to us. In the first place, Sir, ever since the institution of reforms, Bombay has been treated like Cinderella, as my honourable friend Mr. Kamat has rightly remarked. Sir, the word "Excise" has very bitter memories for a man belonging to the Bombay Presidency. For more than a generation the Bombay Presidency suffered from the levy of excise on cotton cloth. We all even now entertain very bitter recollection of that episode. The fight for its abolition was prolonged and stubborn and it was not till 1925 that the duty was abolished. The bulk of the textile industry being located in the Bombay Presidency the burden mainly fell on the people of this Presidency. Now, Sir, excise again is sought to be levied on matches and sugar. I do not for a moment question the right of the Honourable the Finance Member of the Central Government to levy any duty that he considers it advisable to levy, nor do I feel myself competent to discuss those duties on their merits. I only want to point out to this honourable House that

5 p.m.

[Mr. Pestanshah N. Vakil]

the levy of these duties prejudicially affects the people of this Presidency. There are several match factories in this Presidency and there is also the growing industry of sugar manufacturing and the proposed levy of these new excise duties will certainly hit and hit very hard these two industries.

Sir, the Bombay Presidency has contributed from the beginning of the reforms and even in pre-reform days very considerably to the exchequer of the Central Government. For instance, the revenues derived from income-tax. I need not inform this honourable House that at one time Bombay's quota was as much as six crores of rupees and even now it is, I understand, more than half of that sum. The Government of India have not thought it proper to allot any portion of that huge slice to the Bombay Presidency. The differential treatment, if I may be permitted to say so, has been so marked in other directions also that I remember, Sir, that at one time it was a matter of complaint on the part of the Services that the Presidency was looked at askance by the Central Government, so much so that when Sir Claude Hill was appointed Home Member of the Government of India, there was a mild surprise at that belated recognition of the claims of Bombay and it was not till Mr. Crerar, who afterwards became Sir James Crerar, that the Government of India could find any suitable man in the Bombay Presidency to fill any responsible post in the Central Government. What I want to convey is that Bombay has from the very beginning received this kind of step-motherly treatment, not only in the matter of Services but in the matter of revenue as well. Now, Sir, is there any dearth of good men in the Bombay Presidency? If anything, there is a plethora of public-spirited citizens. However, in the Cabinet of the Central Government, there is not a single Indian from this Presidency. Even Sir Dinshaw Mulla was appointed only for a very short time. Wherever you turn, whether in the matter of revenue, whether in the matter of Services, Bombay has been receiving that kind of differential treatment.

Sir, the Honourable the Finance Member of the Bombay Government deserves very great credit for having presented a balanced budget to this House. It was sought to be made out that the budget was not really a balanced budget and some there were who were anxious to convince us that it was very delicately balanced. It may be delicately balanced, but balanced it was and the reward that we are going to get for having a balanced budget is that we are to be left out in the cold. The psychological effect of a balanced budget is very great indeed. It is so heartening. At any rate the rot was stopped and a definite period was placed to a series of deficit years. But as was rightly pointed out, a province which has been so cautious and circumspect in the domain of finance has received such unenviable treatment. I therefore very heartily associate myself with the protest that has been raised, and I do trust that it will ultimately have its effect on the Central Government.

Mr. P. R. CHIKODI (Belgaum District): Sir, I wish to associate myself with everything that has been said by my honourable friend

[Mr. P. R. Chikodi]

Mr. Kamat in moving his motion of an adjournment of the House. The only thing to which I should like to draw the attention of the House is that the excise duty which the Government of India now propose to levy on the sugar industry would very prejudicially affect sugarcane growing agriculturist in the Bombay Presidency, especially because nearly eleven crores of rupees have been sunk in the construction of canals in the Deccan bringing no return as the canals are all working at a loss. It is therefore most essential that an infant industry like the sugar industry which is just coming into existence should not be crippled by the levy of such an excise duty. It may be justifiable to levy that duty in the U.P. or in Bihar or elsewhere, but it is quite unjustifiable to levy it here in the Bombay Presidency. That is the only thing to which I would emphatically draw the attention of this House as well as of the Government of India, because ultimately the excise duty will have to be paid by the consumers. I do not wish to say anything further than that because all the points have already been touched upon by other honourable members.

With regard to the invidious distinction that is made between Bombay and Bengal, I also enter my strong protest against it as I have been doing since the Meston Award was given. With these words, Sir, I support wholeheartedly the motion moved by my honourable friend Mr. Kamat.

Mr. HOOSENALLY M. RAHIMTOOLA (Bombay City): Sir, I shall follow your advice and briefly support the motion. In our childhood we learnt the proverb: "God helps those who help themselves"; but the contrary seems to be the case here. The Government of India help those who do not help themselves. Sir, one of the reasons why the seat of the Central Government was removed from Calcutta to Delhi was to dissociate the Central Government from the influence of one provincial Government so that fair justice could be done to the other provinces. But, Sir, the old association of the Central Government with one province and its love still seem to continue, with the result that Bengal has been receiving favoured treatment from the Government of India. Sir, since the inception of the present reforms, under the Meston Award the provinces had to make a contribution to the Central Government. Bengal almost from the very beginning of the reforms refused to make her contribution whereas Bombay continued to do so. It was several years after that the provincial contributions were stopped. Bombay ought to have taken a lesson from this, but instead from 1930 onwards when bad years came, it tried to put her house in order by imposing new taxation and by retrenchment, by starving nation-building activities, curtailing education, and stopping hospital beds and thus managed to balance her budget. The result is, no help to Bombay. Calcutta, on the other hand, refused to do anything, and the result is that Calcutta gets such liberal help! I will give only one example. The Government of India have sanctioned a terminal tax on passengers for the benefit of Calcutta city.

[Mr. Hoosenally M. Rahimtoola]

Bombay recently asked for it to help the Municipality to balance the budget of the Improvements account, but the Government of India said that it could not be allowed. Look at the differential treatment between Calcutta and Bombay!

Rao Bahadur N. E. NAVLE (Ahmednagar District): Sir, I wish to join in the emphatic protest that is going to be recorded in this House against the proposals of the Government of India. Sir, I would restrict my remarks to the duty on sugar, as I come from the district where the great sugar producing concern, namely, the Belapur Syndicate, exists, and as there are smaller factories being erected and raised in the Ahmednagar district. Mr. Dahanukar's enterprise is well known. Also in the Sholapur district and in other parts new sugar factories are coming into existence under the Deccan canals. I think we ought to enter an emphatic protest against the proposal of the Government of India to impose an excise duty on sugar. Sir, these sugar-producing concerns are infant enterprises, and if they are not protected according to the Government of India's plan, namely, 15 years' protection, then I should surely say that what the Government of India are giving by the right hand they are trying to take away with the left hand. This is unfair treatment that is being meted out to the infant sugar-producing concerns which are coming into existence under the Deccan canals. Without taking any more time of the House, I would join in the emphatic protest that the House is going to enter against the Government of India's proposals.

Rao Bahadur G. K. CHITALE (Ahmednagar District): Sir, I wish to associate myself with the motion, but with this caution, namely, that the Bombay Government being subordinate to the Government of India, it will be much better if, instead of talking out the motion, we put it to the vote and carry it. Mere talk, which may be forwarded to the Government of India, will be of no use. However, Sir, I feel that the constitutional position of the Government will not enable them to vote with us, but even if they are isolated, even on a single motion like this, it will be a triumph for this part of the House, if we put in support all our votes.

Before I conclude, I shall touch only one point, namely, the enhanced tax on tobacco, or cigarettes or *bidis*. That point has not been touched. No other province has so far imposed a duty like tobacco duty. We have imposed it now, and I believe the revenue from that source will go up a great deal when the screw will be tighter and tighter later on. But apart from that, it is too true that the whole of the taxation is being passed on to the consumers. Therefore, I say, without more speeches, let the proposition go to vote, and let us show our strength to the Government of India, because constitutionally speaking it will have more effect than the public meeting which is going to be held over the matter.

Mr. C. N. PATEL (Kaira District): Sir, I endorse what has fallen from the lips of my predecessors. I want to make only one submission, and it

[Mr. C. N. Patel]

is this, that for the protest that we are obliged to make today I, for one, hold the Bombay Government responsible. They have failed to do their duty. Had they done their duty properly, they would not have been forced to come to these straits. What I feel most is this. I do not grudge at this stage the additional taxation on this presidency. I would be prepared to concede the justification for the various steps they have taken, even to the extent of having additional burdens on this presidency. But I feel, and very strongly, that they should not have curtailed the necessary expenses of the presidency and thereby shown that we have balanced our budget. If they had gone on, in spite of this taxation, giving us the same amenities of life, so far as education, hospitals, etc. are concerned, then the Government of India would have seen that there is not a balanced budget, and they would have seen some other way of extending their helping hand to us. We should have shown that in spite of all our additional taxation we have not a balanced budget, and if the Bombay Government had done that, if they had only foreseen this contingency, they would have got better help. With these words, I support the motion.

The Honourable Sir GHULAM HUSSAIN: Mr. President, we very much appreciate the point of view of the honourable members of this House. We will forward the proceedings of this debate to the Government of India with our opinion. I have nothing more to add.

Question put, and agreed to unanimously.

It being 5-15 *p.m., the House adjourned till* 10 *a.m., on Saturday, the* 3rd *March* 1934.

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Saturday, the 3rd March 1934.

The Council re-assembled at the Council Hall, Bombay, on Saturday, the 3rd March 1934, at 10 a.m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present :

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ADVANI, Mr. P. B.
ALLAHABAKSH, Khan Bahadur
AMINUDDIN, Mr. SAIYID
ANGADI, Rao Bahadur S. N.
BAKHALE, Mr. R. R.
BANGI, Mr. A. K. J.
BELL, the Honourable Mr. R. D.
BHUTTO, WADERO NABIBAKSH ILLAHIBAKSH
BIRADAR, Sardar MAHABOOBALI KHAN
BOLE, Rao Bahadur S. K.
BRANDER, Mr. J. P.
BULLOCKE, Mr. A. GREVILLE
CHIKODI, Mr. P. R.
CHITALE, Rao Bahadur G. K.
CLEE, Mr. C. B. B.
COLLACO, Dr. J. A.
COOPER, the Honourable Khan Bahadur D. B.
COVERNTON, Mr. S. H.
DAVIS, Mr. G.
DESAI, Mr. H. R.
DESAI, Mr. S. B.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
D'SOUZA, Dr. J. ALBAN
EWBANK, Mr. R. B.
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GARRETT, Mr. J. H.
GAZDAR, Mr. MAHOMED HASHIM
GHULAM HUSSAIN, the Honourable Sir
GHULAM HYDER SHAH, Mr.
GHULAM NABI SHAH, Khan Bahadur
GILDER, Dr. M. D.
GOKHALE, Mr. L. R.
GOVER RORA, Mr.
JAM JAN MAHOMED KHAN, Sardar Bahadur
JAN MAHOMED KHAN, Khan Bahadur
JOG, Mr. V. N.
JONES, Major W. ELLIS
KALBHOR, Mr. G. M.

KAMAT, Mr. B. S.
KAMBLI, the Honourable Dewan Bahadur S. T.
KARBHARI, Mr. M. M.
KENNEDY, Mr. T. S.
KULKARNI, Rao Saheb P. D.
LANE, Mr. C. M.
LELY, Mr. W. G.
MACKIE, Mr. A. W. W.
MAXWELL, Mr. R. M.
MEHERBAKSH, Khan Bahadur S.
MEHTA, Mr. M. H.
MODAK, Rev. R. S.
MODI, Sardar Davar T. K.
MORE, Mr. J. G.
NAIK, Sardar Rao Bahadur B. R.
NAVLE, Rao Bahadur N. E.
PARULEKAR, Rao Bahadur L. V.
PATEL, Khan Bahadur A. E.
PATEL, Mr. BHAILAL SARABHAI
PATEL, Khan Bahadur VALI BAKSH A.
PATIL, Dewan Bahadur D. R.
PATIL, Mr. N. N.
PATIL, Rao Saheb V. S.
PETIT, Mr. J. B.
PRADHAN, Rao Bahadur G. V.
RAHIMTOOLA, Mr. HOOSENALLY M.
RESALDAR, Mr. A. K.
SERVAI, Mr. A. E.
SHAIKH ABDUL AZIZ, Mr.
SHAIKH ABDUL MAJID, Mr.
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SHINDE, Mr. R. B.
SINDHA, Mr. MADHAVSANG JORBHAI
SMART, Mr. W. W.
SOLANKI, Dr. P. G.
SURVE, Mr. A. N.
SURVE, Mr. V. A.
SYED MIRAN MAHOMED SHAH
SYED MUNAWAR, Mr.
TOLANI, Mr. S. S.
TURNER, Mr. C. W. A.
VANDEKAR, Rao Bahadur R. V.

DEMANDS FOR GRANTS—(*Resumed*).

Question again proposed—

Reduce by Rs. 1,000—Total Demand under 55, Construction of Irrigation Works (Lloyd Barrage and Canals Construction) Rs. 48,13,000.

The Honourable the PRESIDENT: Mr. Gazdar. Before the honourable member proceeds, I might inform the House that the debate

[The President]

on this demand will end at about quarter past eleven. To leave some time for the Honourable Member in charge to reply, the debate should end at quarter to eleven, or ten minutes to eleven.

The Honourable Mr. R. D. BELL: Probably, I shall not require much time.

The Honourable the PRESIDENT: The debate might then end at eleven.

Mr. MAHOMED HASHIM GAZDAR (Karachi City): Sir, yesterday I was dealing with the financial aspect of the project and pointing out that it might lead to excesses. I drew the attention of the honourable House to the second revised recapitulation of the project which has increased the cost by 169 lakhs without the sanction of the honourable House. This will give you, Sir, some insight into the methods of work of the bureaucracy in Sind which enjoys, it appears, complete freedom from any real and effective control by the Government of Bombay.

Sir, it has been pointed out to you how the original estimates, which were prepared with much labour, careful thought and mature consideration and proper scrutiny after a prolonged study of the problems involved, by such eminent engineers as Sir Arnold Musto and Sir Charlton Harrison, have risen from 15·80 crores to 20·03 crores. This is within a short period of five years. The project work has been going on for ten years. The major portion of it is completed and the Barrage and canals have been working for the last two years. But the wonder is that still the detailed estimates of full cost of works have not been either framed or sanctioned. Against an estimated cost under "works" of Rs. 19,22,41,000 detailed estimates have been sanctioned for Rs. 17,32,43,727 only. It means either works are being carried on without sanction or still a large portion of works requires to be estimated and constructed after due sanction is given.

This state of affairs, Sir, is surely scandalous and needs strong censure by this honourable House. By this time, that is after three years of the opening of the Barrage works by His Excellency the Viceroy, we should have had in our hands and before the public, an exhaustive completion report relating to the project. We have none as yet. But, Sir, this is what we should expect by employing too many officers. It confirms the proverb that too many cooks spoil the broth.

I am stressing this point of the excess of 25 per cent. over the original estimates as framed by the two distinguished engineers and further probable excesses with the only object of sounding a note of warning against probable excessive expenditure and pressing the urgent need for drastic economy wherever it is possible. It will be admitted, Sir, that an appreciable variation of cost of works combined with increased borrowings for works and payment of interest charges must vitiate all calculations of financial returns. When the project was sanctioned by the Bombay Legislative Council in June 1923, it was confidently anticipated, on the

[Mr. Mahomed Hashim Gazdar]

figures supplied by Mr. R. T. Harrison, the then Secretary to Government, Public Works Department, and Sir Arnold Musto, that the maximum borrowings would be Rs. 16 crores only. But what is the position of the debt charges of the Lloyd Barrage to-day? We shall reach a total net burden on 1st April 1934 of Rs. 24,45,50,000, and adding to that Rs. 1,39,89,000 to be paid out of borrowed capital during 1934-35, the total debt charge will stand at Rs. 25·76 crores at the end of the next year. It should be remembered that out of this sum of Rs. 1,30,89,000, Rs. 89,14,000 is to be borrowed for interest payment alone, the rest being required for works, etc. I submit this to the honourable House and enquire whether this is a satisfactory state of affairs. Against a maximum estimated borrowing of 16 crores as forecasted, Government have already borrowed 26 crores. The annual interest payments on this figure alone will far exceed net receipts both from land sales and refunds of customs duty, which are used at present for repayment of debt, by about a crore of rupees yearly. If this state of affairs continues for the next ten years, the sum-at-charge will be 36 crores. I humbly ask, what shall be then the financial position of the project?

I beg to be excused for drawing this gloomy picture, but I am afraid I have not done with it yet. I believe there are still certain other factors, the expenditure on which was not fully determined by the framers of the project to which this honourable House was made to commit itself. Everyone of these factors will constitute so much additional burden on the project. These factors may be briefly summarised as follows:

(1) Exceptional heavy losses on stock, depreciation and repairs of plant.

If you look on page 130 of the Blue Book you will find, Sir, that the total amount provided under special tools and plant, in the Revised Estimate, was Rs. 1,05,54,000, but if you refer to column 6, you will find the actual cost till end of March 1932-33 is Rs. 1,60,79,461. The estimated expenditure during 1933-34 and 1934-35 is Rs. 2,77,00,000. This shows an excess of about 57,00,000. It will be seen that an attempt is being made to wipe out the excess by taking credit and charging the same amount to works which will augment cost of the latter.

(2) Unforeseen expenditure.

This is made up of (*a*) failure of works already constructed, but which require reconstruction, namely certain banks and regulators, and (*b*) seepage in Rohri Canal due to porous banks and necessary remedial measures. These two items may come to about 25 lakhs till all banks and regulators are made *pucca*. Further, the damage caused by seepage in Khairpur State by Rohri Canal may have to be compensated for by this Government, because it has deteriorated lands in Khairpur State.

(3) Construction of essential drainage works. These are estimated at 64 lakhs.

[Mr. Mahomed Hashim Gazdar]

(4) Decrease in salvage value of plant from 1,05 lakhs to Rs. 60 lakhs. That is a further excess of 45 lakhs on the sanctioned estimate of Rs. 20·03 crores.

(5) Excessive staff and establishment.

At the time of sanctioning the project, the Government of India had, with its weight of authority and responsibility, recommended the appointment of one Chief Engineer, 2 superintending engineers and 9 executive engineers only for construction work. But, Sir, what did actually happen? We had exactly more than double of that number of officers employed on the Barrage. We could have easily saved 1·5 crores by way of economy on establishment if we had followed advice given by Government of India. The whole of it was wasted, because 5 superintending and 28 executive engineers were appointed. Former were paid salaries of superintending engineers, but their powers were reduced to those of executive engineers. In fact we had a sort of officers who were called superintending engineers but who, in actuality, were executive engineers. And similarly, the executive engineers who were actually drawing the salary of executive engineers were as a matter of fact carrying the responsibility only of sub-divisional officers. I have had an opportunity previously of showing how money was being wasted on the Plant Division. You will also see that the good taxpayers' money is being wasted on continuing a medical staff even after completion of the work. Please see page 18 of 41-Civil Works Budget Estimate. When there is no concentrated camp of thousands of workers as we had at Sukkur——

Mr. C. M. LANE: Sir, is 41-Civil Works Budget under discussion?

The Honourable the PRESIDENT: No.

Mr. MAHOMED HASHIM GAZDAR: I do not follow, Sir.

The Honourable the PRESIDENT: "41-Civil Works" is not now under discussion.

Mr. MAHOMED HASHIM GAZDAR: We are discussing generally "55, Construction of Irrigation Works."

The Honourable the PRESIDENT: The honourable member would be right if he discussed anything relating to that demand.

Mr. MAHOMED HASHIM GAZDAR: Sir, I am discussing a provision for medical staff which is made under 55, Irrigation. Sir, we are spending Rs. 21,000 on employment of medical staff which is not now necessary. If we abolish this staff, we will save Rs. 21,000 annually.

I hope I have made it clear, Sir, how we are thus further encumbered by liabilities, such as drainage works, etc., which must be executed, and which, combined with unforeseen expenditure and losses on heavy repairs and depreciation of machinery, unforeseen cost of reconstruction of collapsing banks and regulators, remedial measures for stopping dangerous seepage from Rohri Canal, depreciation of salvage value etc., must increase the ultimate cost of the project. It is, therefore, all the more necessary that this House, being unable to undo what has happened in the

[Mr. Mahomed Hashim Gazdar]

past, should seriously consider the question of possible economies and severely cut down all items of expenditure without detriment to the project and its efficient management, in order to improve the financial position of the project. I mean we should employ the pruning knife drastically. I would humbly suggest for the serious consideration of Government and of this House the following measures:

(1) Abolish the Mechanical Division, saving Rs. 63,000 a year.

(2) Abolish the medical establishment, saving Rs. 21,000 a year.

(3) Abolish the posts of 3 superintending engineers, 14 executive engineers and staff, thus saving about 20 lakhs a year.

Sir, I do not wish to say anything in respect of this subject, because I will have an opportunity to deal with it when I move this particular cut under 41, Civil Works.

(4) Abolish the special revenue staff.

We are spending even now about 3½ lakhs of rupees on this staff, which was required to sell lands, to classify them, to fix the rates of duty for all classes of land. But I believe now we have only about 8 or 9 lakhs of acres left to be sold, and that sale programme is so arranged that we will be able to sell them only in 20 or 25 years. Now, before the Barrage, all land sales used to be effected by the Collectors of districts. I think this work could easily be given to the Collectors of districts, and the Commissioner in Sind may be given the powers of a revenue officer and he may also be given an additional assistant to carry on this work.

(5) Recover one crore immediately from the Government of India for construction of Khirtar Branch in Kelat.

Sir, I find that since 1928, an agitation has been going on that we should recover from the Government of India the cost of works which we have constructed in Baluchistan. I find from the "Reviews of Administration" that the Government of Bombay are preparing a memorandum and they will get some day one crore of rupees from the Government of India. But I would suggest that we should do it as early as possible and get that one crore of rupees. I would like to ask the Honourable the General Member why this recovery is not shown in the Blue Book.

(6) Then, Sir, I would further request that the 26 lakhs of rupees which we have spent on works in Khairpur State should also be recovered. There is no use carrying on investigation to find out what were the exact implications of the understanding between this Government and Khairpur State. We have actually spent 26 lakhs of rupees for works in that State and we should recover that as soon as possible.

(7) Then, Sir, Government should allow the water-courses to be constructed by zamindars. I find a general complaint all over Sind that the water-courses constructed by the Public Works Department are not satisfactory and they also cost too much. If the Public Works Department continues to construct them Government will spend about 2 crores of rupees and will take 25 years to recover that amount.

Sir, I would very much like to discuss and explain each of the above points, but the time is very short and, therefore, I wish to refer only

[Mr. Mahomed Hashim Gazdar]

to a few other essential points in order to draw the attention of Government to them.

The first point is the paucity of Muslims in the service. The Public Works Department in Sind is predominantly and overwhelmingly manned by one particular advanced class of Sind Hindus. The Muslims get hardly 10 per cent. of the posts. They are now being hounded out even from peons' jobs, which are being given to non-Muslims imported from the United Provinces and other places outside Sind. My honourable friend Mr. Shaikh Abdul Majid has already submitted a memorandum to Government, and I hope due consideration will be given to it. Our engineering graduates from London, with double engineering degrees, are not even getting work-charged overseers' posts, in spite of our position in the officers' cadre being below 5 per cent. and yet we are told that qualified hands are not available. This is the encouragement we receive at the hands of Government in the province of Sind. Sir, is it not unfair and unjust on the part of a Government which boasts of dealing out equal justice to all to treat my community in such a shabby manner?

Sir, the next point to which I wish to draw the attention of Government is to the urgent need for framing a complete and thorough scheme for arresting and preventing waterlogging in the Barrage area. It has become a serious menace. A large volume of water is being brought throughout the year into a flat country which drains with difficulty and where facilities for drainage are non-existent or poor. The soil is highly impregnated with salt. The sub-soil water table has already risen rapidly to an embarrassing extent. It is a great mistake to irrigate more than 60 per cent. of culturable area annually in such a country. An intensity of 81 per cent. adopted in the project is a serious mistake. The future progress of irrigation will depend upon the extent to which the sub-soil water level is kept under control. This important problem needs the closest and immediate attention of Government if many large tracts of Sind are not to be made permanently uncultivable, nay uninhabitable.

The question that next is uppermost in my mind is the welfare of the zamindars of the Karachi district. They had apprehended great trouble after the completion of the Barrage canals. The Government admitted liability for protection or compensation in case of any damage. But in spite of promises, and, I must admit, performances, of Government in carrying out improvement schemes in the Karachi district and in Lower Fuleli, the zamindars are completely ruined as the canals do not flow sufficiently long and at full supply levels to mature the rice crop. Every year we receive reduced supplies in the Karachi canals. The remarks of the Honourable Member in charge in presenting the Sukkur Barrage project on 8th June 1923, with regard to the urgency of constructing a barrage at Sukkur because the Punjab was withdrawing more and more water, apply with greater force in this case. If the Barrage is necessitated by abstraction of water in the Punjab, Lower Sind canals

[Mr. Mahomed Hashim Gazdar]

must be held to be affected in common with other canals and the completion of Sukkur Barrage has further aggravated the situation for the former. Because of the Punjab withdrawals a cry was raised that if Sind was to be saved it should be now or never. But what about Lower Sind canals now? All the prophecies of the Chief Engineers in Sind, based on the gradual raising of Kotri levels at Kotri gauge, in spite of lesser discharges in the Indus, that Lower Sind canals which take off from the Indus about 30 to 80 miles below Kotri will not be affected by abstraction of water by the Barrage canals have proved false. The levels at the canal heads are showing a tendency to sink lower and lower and not correspond with the rise on the Kotri gauge as in pre-Barrage days. It may be due, partly to retrogression of the bed of the Indus, but it is surely due, in a greater measure, to the Barrage. The Government are in honour bound to protect or compensate them. I therefore request Government to investigate this matter and bring up some proposal to effectively arrest the ruin of the Karachi district zamindars. Sir M. Visvesvarayya and Nawab Ali Nawaz Jung Bahadur, the two experts appointed to inspect and report on the engineering aspect of the Barrage, have suggested a feeder canal from the Jamrao head for saving lower Sind against adverse effects of Barrage. Government do not accept it for financial and other reasons. I suggest a low submerged weir at Jherruk to raise the flood water levels and construction of two feeder canals on both banks to feed the existing canals. Whatever Government may be pleased to do, it ought to do immediately; the zamindars want water at full supply level and for a sufficiently long period commencing with an early date in kharif season.

The other point to which I wish to draw Government's attention relates to the complaints of Thar Parkar zamindars regarding reduction of the rice area and frequent interference with and reconstruction of modules. They were guaranteed 90,000 acres of rice in the original project as sanctioned by the Secretary of State for India in Council and this House, but it has been reduced to 11,000 acres. This reduction is serious and needs searching investigation.

Sir, lastly, is the excessive assessment fixed in the Barrage area. That is another question agitating the minds of people in Sind. A proper enquiry should be conducted in this affair and fair rates charged all over Sind.

Sir, with these remarks, I support the cut moved by the honourable member Sardar Bhimbhai Naik, and I hope this House will support it.

Mr. C. M. LANE: Sir, I understood that the object of the honourable mover of this cut was to elicit information as to how the figure of 48·13 is arrived at. The Honourable the General Member has given an explanation for it, but if the honourable mover requires actual details, I would refer him to page 114 of the Blue Book. The figure arrived at there shows details of items totalling 56·65, and the Honourable

[Mr. C. M. Lane]

the General Member has already explained how by making deductions for non-votable items that total is brought down to 48·13.

The first honourable member who spoke for Sind, Mr. Shaikh Abdul Majid Lilaram, gave a long list of figures. I remember that during the general discussion he said that if he had a blackboard he would be able to make it clear. I regret that without a blackboard he failed to make it clear. He has given a long list of figures, all of which I could not examine, but some of which I could say are wrong. He compared as he had done before, the amount of work under pre and post-barrage conditions. He said that the amount of work is now exactly the same as it was in the pre-Barrage days, the same area is covered and rather less water is being distributed. Although much of the discussion relating to the establishment charges is not relevant to the demand under discussion—it will come under 41, Civil Works—I may in this connection say that conditions in Sind are absolutely and entirely different now to what they were before the Barrage. I understood the honourable member (Mr. Shaikh Abdul Majid) to say that the kharif area is now only 30 lakhs and it is ridiculous to have so many executive engineers looking after the distribution of water for that area. It might interest the honourable House if I gave some information about irrigation under the Barrage. In the year 1932-33, the first year of working of the Barrage canals giving perennial irrigation over a large area in Sind, the kharif area was 1,368,524 acres, of which I may say over 350,000 acres was cotton; the rabi area was 1,155,067 acres, of which over 700,000 was wheat; the total cultivation irrigated by the Barrage canals in that year (1932–33) was over 2½ million acres. The pre-Barrage irrigated area was 1,830,000 acres. Last year, 1933–34, the kharif area was not 30 lakhs of acres; it was 1,700,000 acres—cotton had gone up to 555,000 acres. The rabi final figures are not available, but I think I can safely say that they will be in the neighbourhood of 1,400,000 acres. Rabi has nearly caught up kharif, and in a few years it is bound to do so. The total cultivation for this year will be 3 million acres.

Mr. MAHOMED HASHIM GAZDAR: On a point of information. I beg to draw the attention of the honourable member the Secretary of the Public Works Department to the Irrigation Administration Report, part III, appendix, pages 39–43. The pre-Barrage area given there is 28 lakhs for kharif and about 10 lakhs for rabi.

Mr. C. M. LANE: On that point, Sir, I may say that the figures which the honourable member is quoting are for the whole of Sind. I am referring to the area commanded by the Barrage canals only.

The final increase in area is forecasted at 3,183,000 acres ove and above what was irrigated in pre-Barrage days. Sir, we are now actually irrigating 1,270,000 acres over and above the pre-Barrage figure. Well, Sir, that shows that the Barrage is functioning and having some effect. If honourable members will refer to plate II given at the beginning of the Blue Book, they will see that Irrigation revenue, which is shown by

[Mr. C. M. Lane]

the green line, has increased from 93 lakhs in 1921–22 to 1,46 lakhs up to date. They will also notice that from 1932–33 to 1933–34 (revised) the line flattens out. I personally would like to extend that line on the slope on which it commences to 1931–32.

This conservative estimate for 1934–35 is due to the present economic conditions and the slump in prices, and it is on the safe side. It shows an increase of 57 per cent. in irrigation revenue in about 10 years.

10-30 a.m.

Now, Sir, working expenses have been criticised as being extravagant. If honourable members will turn now to plate III, they will see that during the same period, the working expenses on irrigation have risen from 160 lakhs to 175 lakhs, or an increase of 9·4 per cent. as compared with an increase in revenue of 57 per cent. There must, of course, I think every one will recognise, be some increase in working expenses with the very large increase in the area irrigated.

The honourable member I think is now again breaking away into the 41 Budget in discussing all these demands. He asked why we got an increase in the number of Assistant Engineers from 4 to 5. I take it he is referring to page 31 of the 41-Civil Works Budget, where under the head "Superintending Engineers", there are shown 5 Superintending Engineers for 1933–34 and 5 for 1934–35, and 4 Assistant Engineers for 1933–34 and 5 for 1934–35. That means an increase of 1 Assistant Engineer. I would invite attention to the following entry on the same page, which is "Supervisors, Overseers, Clerks and Draftsmen." Against that entry the strength for 1933–34 was 20, and that for 1934–35 is 19. The explanation for the one extra Assistant Engineer is that last year there was a Supervisor working in place of an Assistant Engineer, and provision is made by the reduction of one Supervisor.

In connection with Government's commitments in Lower Sind, I think page 97 of the Review gives information which is adequate to answer most of the criticisms that have been made. But, Sir, I would like to say one or two words only showing the effects of the Barrage on Lower Sind. There are branches of the Fuleli called the Mirwah Talhar. It is a long branch and it comes under the Fuleli improvements project. The remodelling of that particular branch has yet to be taken up. Government have, during the last kharif season received representations from zamindars of the Mirwah Talhar saying that it is now perfectly obvious to everybody that the Barrage has no adverse effect on Lower Sind and asking us not to remodel the branch and exhorting us to leave them where they are. I don't think we are going to leave them where they are, and we hope to improve their condition. But that is an indication of the views of one part of Lower Sind. As regards the actual effect of the Barrage on Lower Sind, I would like to mention that last year we had by no means a high abkalani or inundation of the Indus in the upper regions, that is to say, Sukkur. The level at Sukkur did not approach the record, and the actual discharge did not approach the record. Nevertheless, at Kotri last year the river rose 9 inches above

[Mr. C. M. Lane]

the previous absolute record. Bunds were very severely strained and it was only with great difficulty and, I must say, due to the very good work of local officers that breaches were avoided. The trouble was not deficiency of water; it was due to excess water. If we again get the 1929 discharge coming down the Indus, it is calculated that the gauge reading will reach 27 feet, that is, 2 feet above this year's record; and the previous absolute record is 24·9 feet.

Mr. MAHOMED HASHIM GAZDAR: On a point of information——

Mr. C. M. LANE: As far as the effects of the Barrage on Lower Sind are concerned, the only adverse effects are the possibility of the levels in the beginning being affected and the possibility of inundation period being shortened——

Mr. MAHOMED HASHIM GAZDAR: On a point of information——

The Honourable the PRESIDENT: The honourable member does not yield.

Mr. C. M. LANE: The honourable member Mr. Shaikh Abdul Majid said that Government are raising the beds of the canals in the Karachi district. Government have done nothing to raise the beds of the canals in the Karachi district. I take it that what he means is that Government are not nowadays digging them out and lowering them to levels which they used to do 20 years or so ago. It is universally recognised that the old clearance was extravagant and to a large extent a waste of money, because if these canals are dug down to this low level to give water early in the season they at once silt up again to their regime levels and the expenditure is wasted. What we have done is to resection and regrade these canals on more scientific lines so as to give them as far as possible non-silting sections and to give a better command to the lands on them.

Well, Sir, the next speaker, who should have an intimate knowledge of the Barrage and its working, gave us a dismal and gloomy picture of the future of Sind and the Barrage, and dilated on the extravagance of our establishments. I remember that in the general discussion he mentioned that it was well known that on the Jamrao canals the working expenses exceeded Rs. 2·7 per acre. I have had the opportunity since of looking up the figures of actual working expenses of our canals in Sind. In 1929, taking the canals in Sind, the working expenses were Rs. 1·78 per acre; in 1930–31 Rs. 1·54 per acre and in 1931–32 Rs. 1·38 per acre. As regards the particular canal to which he referred, viz. the Jamrao Canal, the Jamrao canal went through several very unfortunate years accompanied by failure of the rabi supply. In consequence, the area under irrigation went down considerably. The working expenses in these years actually did reach Rs. 2·7 and went up to Rs. 2·8 per acre. The figure is now down to Rs. 1·41.

Mr. MAHOMED HASHIM GAZDAR: I would draw the attention of the honourable member to the table on——

The Honourable the PRESIDENT: The honourable member does not yield.

Mr. C. M. LANE: I do not yield because the honourable member has, I think, already taken enough time and there is not much left.

The honourable member—if I may again revert to him—Mr. Shaikh Abdul Majid referred to going back on our agreement with Khairpur State. He asked why it is necessary to re-open this question again. The reason is this. The original provision for recovery from Khairpur State was based on Khairpur only getting kharif supply. That State has now requisitioned a rabi supply and negotiations are in progress with the Government of India and we might possibly be in a position to allow them a rabi supply, if so their liabilities will have to be recalculated and to be increased.

I have answered most of the technical points raised, and I do not think I need say anything more. As regards the financial aspects raised these will no doubt be fully answered later.

SYED MIRAN MAHOMED SHAH (Hyderabad District): Sir, I wish to offer a few remarks with regard to this cut——

The Honourable the PRESIDENT: Perhaps the honourable member was not in the House when I pointed out to the honourable members that the debate on this demand would conclude at 5 minutes to 11.

SYED MIRAN MAHOMED SHAH: Ten minutes left.

The Honourable the PRESIDENT: The debate on this demand would conclude at 5 minutes to 11, so the honourable member may now marshall his arguments so as to finish within that time.

SYED MIRAN MAHOMED SHAH: Very well, I will be very brief in my remarks. The honourable members who have preceded me have discussed this matter threadbare. One of them, being an eminent engineer of repute, has discussed the facts and figures which I do not claim to know. I wish to speak as a layman voicing the feelings of my constituents only and do not wish to dwell on the Barrage project as a whole or the non-Barrage area as a whole. I wish to confine myself to the difficulties and grievances of my constituents.

As Government is aware, Sir, my district is governed by two regions—the Barrage and the non-Barrage area. Half of it is governed by the Barrage area and the rest of it by Fuleli canals, and the canals taking directly from the River Indus. So far as the Fuleli canal project is concerned, we have been informed that Government propose to spend about Rs. 2,75,000 on the remodelling of the branches of the Fuleli canal. But, Sir, I would like to urge on the Government the views of the zamindars of the Fuleli canal region, for whose benefit it is stated that these branches are being remodelled. Recently, when the Honourable the General Member had the opportunity of visiting Hyderabad, a deputation consisting of the zamindars of Fuleli canal waited upon him and reminded him of the promises which his predecessors in office made with regard to the remodelling of the branches of the Fuleli canal. Those promises

[Syed Miran Mahomed Shah]

were made when the Honourable Sir Ghulam Hussain was the General Member of the Government of Bombay in 1931. The promise was that Government would make an experiment on the Fuleli Canal by selecting an average piece of land and putting it in the possession of the Chief Agricultural Officer in Sind. Proper duties and proper discharges would be arrived at as a result of the experiments carried out on this piece of land and sluices would be constructed on this basis. That promise has not been fulfilled so far and the wishes of the zamindars are being trampled upon. That is the greatest grievance of an outstanding nature that stands against Government from the Fuleli zamindars. Time and again they have made representations, petitions, and protests against the non-fulfilment of that promise. Now the Chief Agricultural Officer——

Mr. C. M. LANE: On a point of order, Sir. Isn't this discussion on 55 excluding Lloyd Barrage? The demand is 55, Lloyd Barrage and Canals Construction.

The Honourable the PRESIDENT: The honourable member is referring to 55.

SYED MIRAN MAHOMED SHAH: I am referring to Construction of Irrigation, Navigation, Embankment and Drainage Works in Appendix I of which (page 22) the Fuleli project is shown, where Rs. 2,75,000 have been provided for the purpose of remodelling the branches of the Fuleli canal. My contention is that this should not be done until the experiments which were promised by Government are carried out. Government have pointed out that this expenditure is being incurred for the purpose of remodelling and moduling the branches, which include the water-courses of zamindars as well. If my honourable friend the Secretary——

The Honourable the PRESIDENT: The honourable member is right. He may proceed.

SYED MIRAN MAHOMED SHAH: Thank you, Sir.

The Honourable Mr. R. D. BELL: Sir, if you look up the statement of demands, you will see that the demand which is now being discussed is No. 37, Lloyd Barrage and Canals Construction—Reserved Rs. 48,13 lakhs. The honourable member is now discussing demand No. 36.

The Honourable the PRESIDENT: The position has been made clear to me now. The honourable member Syed Miran Mahomed Shah would see in the order of demands to be made that there is a demand under 55, Construction of Irrigation Works other than Lloyd Barrage and Canals Construction, Rs. 11,40,000 and below that 55, Construction of Irrigation Works, Lloyd Barrage and Canals Construction Rs. 48,13,000, which is the demand under consideration at present. Under that demand the subject matter that the honourable member is referring to does not come, but it would be a proper thing to discuss under the next

[The President]

demand. Both are 55, Irrigation. One is Lloyd Barrage, and the other is Irrigation other than Lloyd Barrage.

SYED MIRAN MAHOMED SHAH: I am speaking with regard to areas other than the barrage.

The Honourable the PRESIDENT: No, that would not be in order. If that is so, he is not in order. I myself was misled that way, but now the honourable member the Finance Secretary has pointed out, and that is distinct, that the demand which is now under consideration does not include the matter the honourable member Syed Miran Mahomed Shah is referring to.

SYED MIRAN MAHOMED SHAH: Do I understand that it does not include the areas outside the barrage ?

The Honourable the PRESIDENT: No, that is the next demand.

SYED MIRAN MAHOMED SHAH: Then I must confine myself to the areas commanded by the barrage. I would try to state within five minutes left at my disposal what are the difficulties of my constituents in the district so far. My honourable friend from Karachi Mr. Gazdar has already pointed out the defective construction of the water courses. I was going to raise this point, but I was brought to order and I have to submit to your ruling, Sir. The water courses were very crudely designed and very haphazardly constructed because the barrage project was to be put into working order by the kharif season of 1932. The water courses were hurriedly and haphazardly constructed without any proper supervision over them of superior officers. Contracts were given to unskilled contractors who had no experience of construction and these contracts were carried out without any supervision on the part of skilled experts. Hence the difficulties of the zamindars have become innumerable, and I think on that ground even the maintenance of the present number of Executive Engineers will be justified. I have been seeing that everywhere their offices are crowded, hundreds and thousands of people are clamouring at their doors about their rights to have enough water, to get the readjustments of water courses according to levels and to get their various conflicting claims re-adjusted and settled by the executive engineers who I know have so much work to do in dealing with all these matters that they have very little time for leisure. All this is on account of nothing but the defective alignment and crude construction of the water courses and because the executive engineers are not armed with sufficient powers to deal with some questions themselves. For instance, if a zamindar wants a new head for his water course, the executive engineer has no power to give it to him, but the executive engineer has to carry on a lot of correspondence with the Superintending Engineer who has to investigate the claim and pass orders. The executive engineers are on the spot and know the local requirements of the zamindars best and I think therefore that it is high time now that the project has been completed, to arm the executive

[Syed Miran Mahomed Shah]

engineers with sufficient powers to give new heads to zamindars if the executive engineers think that such a new head is necessary and can be justifiably given. Sir, I do not wish to ventilate my personal grievance here but during the last two years I have not got a single drop of water simply on account of this difficulty. This is the complaint of everybody else there. On account of the natural defects in the soil the people cannot get water according to the scheme, i.e., according to the estimates originally made. For instance, about 600 to 700 acres are put on one module and therefore practical difficulties have been experienced by several zamindars being posted on one particular water course to the extent of 600 to 700 acres where each of them had a separate karia before the Barrage irrigation. I think therefore that these areas should be reduced in number and the number of water courses should be increased. It is not a table land; it may be possible in a flat land like Tando Allahyar or unirrigated portion like the desert district, but where land has already borne the point of plough and which is not a table land, it is very difficult to put large areas of land on a single water course. So that I think Government will be well advised to reduce the area on each water course and to invest the executive engineers with powers to give new heads wherever they are necessary.

With these remarks, I resume my seat.

Mr. C. G. FREKE: Sir, I move the closure.

The Honourable the PRESIDENT: I accept it.

Sardar Rao Bahadur B. R. NAIK (Surat District): Sir, there is no time left for me to say what I want to say on this subject. So I would like to hear the remarks of the Honourable the General Member without taking up time.

The Honourable the PRESIDENT: I would personally like to know whether the honourable member is now satisfied that that item of Rs. 48,13,000 is properly explained.

Sardar Rao Bahadur B. R. NAIK: I am not yet satisfied because the details are not properly given, but still I hope the Honourable the General Member will satisfy us on those points in winding up the debate.

The Honourable Mr. R. D. BELL: Sir, the item which we are really discussing is the item of Rs. 56,65,000 shown on page 114 of the Blue Book, that is to say, it is the provision for works there which is under criticism. The difference between that figure and the figure of Rs. 48,13,000 shown in the statement of demand is merely on account of adjustments in respect of the staff and certain recoverable charges which are really of no moment. The vital figure is the figure of Rs. 56,65,000 which it is proposed to spend on capital works, not on maintenance, on the Sukkur Barrage system next year. Sir, there have been not only remarks made which travelled outside the Sukkur Barrage system altogether, but there have been remarks made which really relate to the working of the system the expenditure in connection with which comes

[Mr. R. D. Bell]

under a different head altogether. However, I suppose, Sir, you will allow me the same licence in touching upon all these matters because they are all connected.

Now, Sir, I should like to say at the outset, in case I suddenly find myself deprived of time later, that I am with the House in considering that this most important subject cannot; in the time at our disposal, receive adequate attention in a debate of this kind, and I should go further and say that, even outside this debate, in actual administration there is perhaps a little more concentrated attention required on the affairs of the Lloyd Barrage. We are going through a period of transition at the present time. The old construction divisions and circles have been abolished, although, as the new honourable member from Karachi has pointed out, there is still a great deal of construction work to be done. The Executive Engineers, who are in charge of the maintenance and the running of the canals, are also in charge of the new works and in addition, they are also in charge of the roads and buildings. Therefore, particularly at a time like this, more concentrated attention at the top is required but, owing to certain circumstances, it is perhaps not being given as fully as it would be given if these circumstances did not exist. I myself am doing double duty now and, owing to the reduction of establishments, there is a great curtailment of the leisure time of the Members and Ministers on this bench. Then, the honourable member the Secretary, Irrigation Department, Mr. Lane, is also doing double work. In Sind we have abolished the post of Joint Chief Engineer, we have lost our Financial Adviser, and, although we still have the post of Revenue Officer, Mr. Dow is proceeding on leave after seven years' service in that appointment while unfortunately his successor Mr. Green died recently so that the post of Revenue Officer is now in the hands of an officer in whom Government have full confidence but who is a comparatively young officer and has nothing like the experience that Messrs. Dow and Green had. It seems to me, therefore, that we shall have to do something within the Secretariat to pull the whole machine together a bit and see where we really are.

Sir, the present position as regards expenditure on the Barrage is shown at pages 178 and 179 of the Blue Book. As the honourable members are aware, the original sanctioned estimate was for a figure between 18 and 19 crores of rupees, but for some years, as they are also aware, Government have been working on the second revised capitulation statement, a summary of which is given in column 4 of Appendix D on page 178 of the Blue Book. It is not altogether easy perhaps for the honourable members to follow these figures, but the net sanctioned estimate if I may call it so—the net unsanctioned estimate as I ought to call it—on which we have been working, as the honourable members are aware, is 20·03 crores. That figure consists partly of direct charges and partly of indirect charges, the direct charges amounting to 1,935 lakhs. The important point for honourable members to remember is that 19·35 crores is not the figure of gross expenditure. The figure of 19·35

[Mr. R. D. Bell]

crores is arrived at after making certain deductions from the figure of gross expenditure. These deductions are shown in the same column 4 of the Blue Book, page 178, where you will see "Deduct—Receipts on Capital Account....Rs.—2,78,11,000", near the foot of the column. That item of 278 lakhs is made up of salvage value of the plant, Rs. 75 lakhs—I am giving round figures; recoveries on account of cost of water-courses Rs. 187 lakhs; and recoveries on account of cost of rectangulation Rs. 16 lakhs, altogether Rs. 278 lakhs. There is also a deduction, which is shown in the Blue Book, of Rs. 26 lakhs as the share of the cost of the barrage payable by the Khairpur State. These figures come to 304 lakhs and if you add that figure of 304 lakhs to the 1,935 lakhs of direct charges which I mentioned just now, you get a figure of 2,239 lakhs which is the estimated figure of gross expenditure as shown on p. 178 of the Blue Book——

An Honourable MEMBER: What about the pensionary cost of the establishments?

The Honourable Mr. R. D. BELL: There is a small figure of pensionary charges which, owing to accounts requirements, has now to be added to that figure and also deducted on the other hand from the indirect charges, and adding this, viz. Rs. 32 lakhs, we get the figure of 2,271 lakhs as the gross direct expenditure. Against this, the total probable expenditure to the end of 1934–35 is shown at page 179 of the Blue Book. In column 6 there is the actual outlay to end of 1932–33; in column 7 there is the probable outlay during 1933–34; and in column 10 there is the estimated budget figure for 1934–35. All these figures have to be added together, viz. the figure of 1,902 lakhs near the foot of column 6 *plus* the figure of 91·76 lakhs in column 7 and the figure of 74·28 lakhs in column 10.

These make the total expenditure to the end of next financial year 2,068 lakhs, indicating that, on our estimates, there will be, after the end of next year, still 203 lakhs to be expended. This is a fair indication of the amount of construction work which has still to be carried out, and incidentally it explains the apparent discrepancy in the figures of the detailed sanctioned estimates to which attention has been drawn. Most of this expenditure is required to be carried out on regulators, falls and water channels. Well, Sir, it is time that the outlook was reviewed. We want another recapitulation statement. We want to see where we stand now both as regards the figures of gross expenditure and the anticipated recoveries, and the preparation of that statement is now in hand by the Chief Engineer in Sind.

11 a.m.

There are two matters in connection with the recoveries about which an explanation is perhaps required. The honourable member for Karachi asked why it was that no recovery is shown on account of the Khirtar branch. At present the arrangement is that the Government of Bombay are getting nine-tenths, as its irrigation share, of the charges imposed in Baluchistan. There is a proposal that the Government of India should pay to the Government of Bombay the proportionate

[Mr. R. D. Bell]

capital cost, or the interest and sinking fund charges thereon, and charge land revenue as they think fit. In this respect, therefore, there may be an alteration as a matter of form in the future estimates.

The honourable member Mr. Lane has explained the position as regards Khairpur. The position of Khairpur has not altered so much as it has been reviewed by the Government of India. The Government of India, as honourable members are aware, have now taken over the control of all the Indian States which were formerly under the control of the Government of Bombay, and they naturally, in the interest of Khairpur State, have scrutinised the arrangement which has been made with the Bombay Government. The matter is merely at the stage of discussion at present. The quotation which the honourable member Shaikh Abdul Majid gave regarding the exact implications of the understanding relates not to the capital deduction of 26 lakhs shown in this statement, but to a claim that we should provide Khairpur State with a rabi supply.

There are two very important matters which have been dealt with by the honourable member Shaikh Abdul Majid. They refer to the establishment charges and the arrangements for paying the interest. It is not at all easy to explain some of the figures. The honourable member Mr. Lane drew the attention of honourable members to diagram No. 2 showing the irrigation revenue, which shows that from 1932–33 to 1934–35 no increase in irrigation revenue is expected. Now, Sir, he has also given us the increases in the figures of cultivation. In 1932–33, last year, there was an increase of 7,00,000 of acres in the Barrage area alone; it is expected that this year there will be a further increase of 6,00,000 acres; and next year we anticipate a further increase. Without of course an investigation of the figures, I cannot explain accurately to the House now why it is that for these three years land revenue remains absolutely constant. One reason is that the figures of the revenue year and the financial year cross one another, and before last year, 1932–33, there were considerable arrears of land revenue, the collection of which has gone to swell the receipts of 1932–33 and 1933–34. On the expenditure side, in the important matter of establishment charges, it is still more difficult to explain the exact position at the present moment, because the figures have been confused by a method of re-calculating the share of establishment charges debitable to the scheme. This has been explained in the Blue Book. Instead of the Lloyd Barrage Scheme being charged the actual cost of the establishment, the establishment charges for all Sind are now divided *pro rata* over all classes of works and repairs. This is not an important matter, in my opinion, as regards the construction works, but it is a very important matter as regards the working of the Barrage itself. Owing apparently to this method of redistributing the establishment charges, the working expenses have increased very considerably, partly of course due to maintenance, but partly, I suspect, owing to the method of calculating the establishment charges. This is an important matter, because on the amount of the establishment charges charged to maintenance depends the figure which

[Mr. R. D. Bell]

is subsequently shown as net improvement in land revenue due to the project. This illustrates what I have said at the beginning, that it is time that a little more concentrated attention was being paid to investigate the stage which we have now reached in bringing this scheme into working order. The interest charges are really a matter for the Finance Department. I may say that the proceeds of the sales of land are earmarked towards part payment of the interest charges, but so far the remaining charges, with one very small exception, have been met by further borrowing. That unquestionably is a matter which requires further and very careful consideration.

Another important matter to which the honourable member Syed Miran Mahomed Shah referred was the water courses which, he said, were not in all cases working properly. I am prepared to believe that, because I had complaints about it myself in Sind. Part of the explanation is that these water courses were not constructed after taking levels, but were laid out more or less empirically from the contour lines, and unquestionably in some cases modifications or additions will be necessary. All I can say on that point is that this is a matter for the local zamindars to represent to the local engineering authorities. It unquestionably is the latters' duty to see that the water courses which they have provided for the cultivators function properly, and if zamindars do not receive satisfaction in this matter from the local engineering staff in Sind, they are quite in order in making specific complaints to Government.

I was interested to hear what the honourable member Syed Miran Mahomed Shah had to say as regards the business of the executive engineers. He said they were busy from morning till evening in regard to complaints about water courses. That was what I ascertained myself in Sind. They were busy not merely in regard to water courses, but in regard to all the other innumerable little problems that must necessarily arise when there is a great change-over in the system of irrigating a very large tract of country. The executive engineers there gave me figures of their correspondence which in some cases had approximately doubled. While I admit that the figures of establishment charges require to be investigated, it is very hard for any one to say with certainty that the number of executive engineers at present is excessive. But on that point there is one thing to be remembered, namely, that, as a rule, you can never reduce your staff unless you delegate powers. You will not be able to cut down the number of your executive engineers unless some of their powers are delegated to assistant engineers, and you will be unable to cut down the number of superintending engineers unless you delegate some of their powers to executive engineers. It may be necessary or it may be desirable, but in the long run it amounts to a relaxation of financial control. It is questionable how far this delegation should extend, and it is not such an easy matter as honourable members at first sight may think to cut down an executive engineer here and another there and a superintending engineer on the top of them all.

[Mr. R. D. Bell]

Then, Sir, there is the important subject of water-logging. This is a problem which we are only beginning to tackle, but it is from the engineering point of view, apart from the bunds and the necessity of raising them, the most important engineering problem in front of the staff in Sind. One honourable member suggested that the area under cultivation will have to be reduced from 84 per cent. to 60 per cent. I am not prepared to make any mathematical statement of that kind, but I think it is probable that it will be necessary in some shape or form to regulate and control cultivation. Certainly what ought to be done is to prevent water-logging and not wait and try to cure it after it has occurred.

I see that my time is up. I have already admitted that a subject of this importance cannot receive adequate attention in a debate of this kind. I have admitted that the affairs of the Barrage require, at the present time particularly, close supervision and investigation; and I think, if the honourable House will accept my assurance that on these points, so far as can be done, this investigation will be investigation and that the various points, some of them very important, which have been raised will receive attention, I can leave the motion to the decision of the House.

Sardar Rao Bahadur B. R. NAIK: Sir, I beg leave to withdraw my motion.

Motion, by leave, withdrawn.

The original demand for Rs. 48,13,000 put, and agreed to.

The Honourable Mr. R. D. BELL: Sir, I beg to make a demand for Rs. 11,40,000 under 55-Irrigation—except Lloyd Barrage—Reserved.

Question proposed.

The Honourable the PRESIDENT: Motion No. 8, the honourable member Rao Saheb Kulkarni.

Sardar Rao Bahadur B. R. NAIK: What about motion No. 7?

The Honourable the PRESIDENT: The honourable member does not want to move it. Apart from that, I may point out that the figure quoted in motion No. 8 is for 1932–33.

Rao Saheb P. D. KULKARNI: Sir, I move:—

"Reduce by Rs. 100—Unproductive—A-Irrigation Works—Total voted demand—Rs. 6,19,000 (P.W.D.E. page 13)."

Sir, to save us from the ravages of famine the Deccan Irrigation works are said to have been constructed spending more than 10 crores of rupees. It will be a consolation to us when we spend such large amounts in financing these unproductive works, if they are there to give some relief to the people unmistakably. But the case is altogether different. Nearly half a century has elapsed and still we are going from bad to worse. Our condition has not improved in any way. In Gujarat and the Deccan there are in all 43 irrigation works out of which up till now only 39 are classed as unproductive works. The total expenditure

[Rao Saheb P. D. Kulkarni]

on these works has imposed a heavy burden of debt on this presidency. The figure of total expenditure on these works differs according to the answers given to different honourable members at different times. For instance, the honourable member Mr. Kamat asked a question in 1931 what the total expenditure was on these works and he was told that till then, that is, 1929–30, the expenditure was Rs. 10,25,09,061. I am giving this from Volume XXXI of the B. L. C. Debates, page 730. After a lapse of two years, when again the same question was asked by the honourable member Rao Bahadur Vandekar, the reply was given that up till 1932–33 the total expenditure was Rs. 10,23,00,000. This is given on 18th August 1933 on page 696, B. L. C. Debates. There is a difference of 2 lakhs in the course of two or three years. I do not know how to reconcile these figures. I take it that more than 10 crores of rupees have been spent on the construction of these works. In spite of these large investments we are groaning under the heavy debts we had to incur under various circumstances. Take the case for instance in our district of Maval and Junnar talukas, where there are no irrigation works either productive or unproductive. If you look into the record of rights, you will see that the indebtedness of the agriculturists of Maval and Junnar talukas is much less than that of the agriculturists of Haveli, Bhimthadi and Indapur talukas which are irrigated talukas. After a lapse of 50 years the lands of the agriculturists of these irrigated talukas are required to be sold owing to their heavy indebtedness. No one comes to their rescue. What is the reason for this ? There are co-operative societies, tagavi loans and sowcars. In spite of the hard work in the fields for 12 hours in the day and even during the nights, the agriculturists of these irrigated talukas are not in a flourishing condition ; their lands are being taken away by the sales of their lands for the debts they had to incur in the efforts to make profit by irrigation and they now entertain the fear that in course of time all of their lands will be taken away from them and that they will be compelled to go to the mills in the neighbouring towns to earn their livelihood. It is evident that these works are run at a loss. If the agriculturists do not derive any benefit out of it, why should you run these works at all ? We are told that the works are in good condition and they have been working for the last half a century. The net revenue also shows that it has decreased to Rs. 7,37,150 when compared with that of last year as given on page 6 of Irrigation Administration Report, Part I, 1931–32. The area which is irrigated is also decreasing year by year. Under such circumstances what is the benefit in throwing away so much money which is asked in the shape of demand now ?

I shall now quote figures to show that the area under irrigation is decreasing day by day. I am quoting the figures from page 6 of the same Report, 1931–32. In 1930–31, the area under irrigation was 228,705 and in the year 1931–32 it was 207,151, the decrease amounting to 21,554 acres in a year. What does this show ? It shows that there are some unfavourable circumstances under which the irrigators are smarting. Otherwise, the works which were mainly intended for the benefit

[Rao Saheb P. D. Kulkarni]

of the agriculturists should have been taken advantage of by them. One reason that has contributed to this difficulty is that there is no margin of profit left to them owing to the fall in the price for gul or sugar. Therefore the people are not taking advantage of these facilities for irrigation. This fact is not corroborated by the figures given here on page 10 of the said Irrigation Report, 1931–32. If you look into the figures of area under sugarcane cultivation both in Gujarat and Deccan, you will find that in the year 1930–31, the area was 30,102 acres and in the year 1931–32 it has increased to 30,450 acres. There is evidently an increase in the total area in spite of the slump in sugar or gul. Now, the question is why, in spite of an increase in the area under sugarcane cultivation, the revenue has decreased and the people are not taking advantage of the irrigation facilities. The reason for this can be found in unsympathetic operation of the hard and fast rules of the Irrigation Department. The people have not been taken into confidence in the framing of these rules; their grievances are not promptly attended to, though they are told that they are attended to.

Further, it is stated in the report that the decrease in the revenue is due to the fact that there was sufficient rainfall and that there was a slump in prices and consequently there came the less demand of water. But, Sir, the reason given therein is not a tenable one when we look into the figures given elsewhere in the same Report, 1931–32. I shall show figures to prove that the decrease is not due to sufficient rainfall. In the case of the Nira Right Bank Canal, it will be seen that owing to the enforcing of the hard and fast canal rules unsympathetically the area under irrigation is decreasing, year by year. In the year 1930–31, on the Nira Left Bank Canal the area under irrigation was 19,700 acres and in the year 1931–32, the area under cultivation has fallen to 18,310 acres. These figures indicate that there is something wrong with the system. Though the people are very anxious to take advantage of the irrigational facilities, for one reason or another, they are avoiding it, and dare not take sufficient advantage of it. This is the state of affairs in places where there is the block system, bund rules and other adversities. Where there is no block system and where there is moderate water rate, you see the perceptible increase in the area of irrigated lands. Take the instance

11-30 a.m.

of the Jamda canal in Khandesh. There, you will see that the area irrigated in 1931–32 is 2,018 acres as against the average of 1,380 and the revenue accrued is Rs. 14,732 as against Rs. 10,666 with the abnormal rainfall in the year (page 32 of the Irrigation Report, 1931–32). What is the reason for this increase in the area irrigated and in the increased amount of revenue? There are two reasons, very simple reasons, but these reasons cannot be convincing to the people in power who enforce the rules arbitrarily in the case of the poor ignorant agriculturists. I am convinced that the reason is that we have got the block system, there are the hard and fast bund rules and there are so many grievances on the part of the agriculturists, particularly irrigators; that only accounts for the decrease. On the Jamda canal in Khandesh

[Rao Saheb P. D. Kulkarni]

the rates are very moderate,—Rs. 16 for sugarcane and Rs. 10 for other crops. Therefore the irrigators are taking full advantage of the moderate rates and the facilities afforded, which results in benefiting Government also. That is not the case with Nira Left Bank Canal Irrigators. There we are in great debt, our lands are sold and we are on the verge of bankruptcy. I mean the irrigators in our district. I have asked so many questions in the Council regarding the indebtedness of the irrigators in Deccan, but I am sorry that I have not been supplied with the necessary figures, Government's reply was that the labour involved would be incommensurate. I do not know what will be the fate of the agriculturists if the labour of a few clerks is valued so much.

Another point to which I wish to draw the attention of the House is that we are told the Irrigation Research Circle has been abolished. But the same expense is still being incurred under another name. All these years they used to give the figures of the expenditure on the establishment of each district separately. But this year they have invented another system and the figures of establishment charges are given in consolidated figures, so that we are unable to find out which division is retained and what amount is spent under what head. I am at a loss to know why this novel method is invented this year! The old method was easier to follow. I shall give one instance. On page 10 of the Budget estimate—item 51, Rs. 15,000 are provided for the Irrigation Research Division, but there are no details. The establishment charges are given in a lump sum under item 86 on page 13 of P. W. D. Estimates. If the Irrigation Research Division is abolished, there remains no necessity of keeping the expenditure on that head. Why are the establishment charges not shown separately as they were shown in the previous years? In the absence of the necessary details, we are likely to draw inferences which may not be sustainable in the eyes of Government. This defect in budgeting must be attended to.

Thirdly, the Irrigation Department is in the habit of asking for excessive allotments just like a greedy person asking for crores, lakhs and thousands, though they are not able to spend the whole amount so greedily asked. They are not competent to anticipate what amount they will be spending in the next year. By asking for excessive allotments, they are depriving other departments of their legitimate share. I shall give only one instance of their greediness. This remark is from the Accountant General in his Appropriation Accounts, 1930–31, page 114, where the excessive optimism in regard to spending capacity is detected and criticised. The original grant of Rs. 83,000 for "constructing the Visapur tank" was augmented by the addition of Rs. 50,000 from "Re-grant of Lapses" which proved unnecessary as a saving of Rs. 23,778 occurred on the original grant. [*An Honourable Member*: What are you reading from?] Appropriation Accounts. This was in 1930–31. The same thing happened in 1931–32 and it is shown on page 104 of the same Report. On page 41 of the same report (1931–32) comment is made that 15·6 per cent. of the grant made

[Rao Saheb P. D. Kulkarni]

to this Department remained unspent. Where was the necessity of asking for so much when you knew that it would not be spent? Saving of Rs. 10·19 lakhs is shown from a voted grant of 63·23 lakhs on page 104. Why this greediness?

Another point is that the works executed nowadays by the Irrigation Department are of a bad quality. When an information is asked for about such instances we are not taken into confidence by the Government. I shall give one instance. Within a few months of the construction of a bridge at Wadgaon Nimbalkar it was washed away. Thousands of rupees thus went into the water. When we asked Government to place the investigation report on the Council table, our request was flatly discarded. You come here now and ask us for grants for a similar work, you take thousands of rupees from the tax-payers and the representatives of the tax-payers are denied even the account of those amounts.

The Honourable the PRESIDENT: May I point out one thing to the honourable member? I was just looking into the Budget and I find that this is a demand for expenditure not charged to revenue. That piece of information may probably make some difference in the arguments of the honourable member.

Rao Saheb P. D. KULKARNI: I know that this item refers to capital expenditure not charged to revenue. I am dealing with the same. Sir, before the works are completed they are washed away and thereby thousands of rupees are wasted. Investigations are carried on for years together. When such works are executed by the Department, there is little hope of their being ever productive. I do not know why the Honourable Member in charge shirks the duty of placing the investigation papers on the Council table for the information of this honourable House. If he accedes to our request, much of the doubt about the working of this department will be removed. In the first instance, we are told that investigations are proceeding. Next time we are told that the investigations have been made, and the third time we are told that the investigations are again re-opened. At last one Executive Engineer and one Sub-divisional Officer were charged with negligence of duty in that connection, but as to recovery of the loss there is nothing before us. This instance has been given on pages 267–68 of Volume XXXV and Fifth Question List of this session. I can show hundreds of instances of this nature. What is the use of only pointing them out? I have quoted instances of the advantages derived from the Irrigation Department. They are that after 50 years' toil in the field our land is taken away, our cattle are taken away and we are indebted to the extent of crores of rupees to the sowcars, societies and Government. No help is forthcoming either from Government or from the Irrigation Department. Now, save us from this Irrigation Department. Let us have the simple system that is followed on the Jamda canal in Khandesh. Their indebtedness is less, because there are no rules enforcing block system etc. We want water, we want protection from famine, but we do not want this harsh

[Rao Saheb P. D. Kulkarni]

treatment from the Irrigation Department. Take the case of these advisory committees. Not even a single meeting is called in two years. When members urged to call it, it was told that there is no work to be done in the meeting. There are the grievances of bund rules, night watering regulations, etc. Whether the grievances are of urgent nature or not, is to be settled by the Government officials and not by irrigators. The blocks and bunds are quite unnecessary, and yet we are forced to accept them. That is the reason why the department is working at a loss in my division.

Sir, I do not wish to take more time of the honourable House. I have placed certain facts and figures in my support. If Government are pleased to convene a round table conference for irrigators I shall be in a position to place many more facts before them and convince them that the irrigation works will not work at a loss really, but that owing to the unsympathetic treatment and behaviour given by the authorities to the irrigators and because they do not look to the wants and needs of the irrigators who as a consequence do not receive all due facilities, the department is working at a loss. With these words I have fully justified my motion and place it before the House.

Question proposed.

Mr. G. S. GANGOLI: There is a demand under XIII and 15. I want to know under what head it comes; in irrigation, but whether in this very cut.

The Honourable Mr. R. D. BELL: I think the honourable member is referring to the fact that a great part of the honourable the mover Rao Saheb Kulkarni's speech would properly come under head XIII.

Mr. G. S. GANGOLI: I have got something to say about irrigation in Kanara, but I do not know under what head it comes. This irrigation business in this budget is a puzzle to me.

The Honourable Mr. R. D. BELL: It does not come under this head. Of that I can assure the honourable member.

Mr. P. R. CHIKODI (Belgaum District): Sir, it seems to me that Government in the matter of irrigation are favouring only two portions of the presidency, namely, Sind and the Deccan. Coming from the Southern Division and the Karnatak, Sir, I wish to record my protest against this policy of favouritism to these particular parts of the province and not caring for the other tracts which are equally liable to famines or scarcities and the need of water in those places is just as much as the other parts that are now being supplied with irrigation. We have been told, Sir, that a certain amount of relief is being given to the agriculturists in the Deccan. I do not grudge that. I am even thankful to Government for what little relief the agriculturists in the Deccan are getting, but I am bound to ask, what have they done for the agriculturists in the Southern Division? Sir, since the year 1884, irrigation projects are being designed, revised and then kept back. The Gokak Canal

[Mr. P. R. Chikodi]

Project has been again and again revised and it was estimated to cost about five crores of rupees, but that amount was considered too high and that project was kept back. Another project was taken up, namely, the Markandeya (मार्कण्डेय) River Project, which also has been held back. Now, sir, the prices of agricultural products have gone down, wages have gone down, and the rate of interest has also gone down, and if Government want to acquit themselves of their duty properly, it is necessary that some of the projects which have been held in abeyance should now be taken up, so that one of the grievances of the Karnatak will be removed or redressed. It is not understood why Government have been so very careless of the interests of the other portions of the presidency.

After recording this protest, I should like to refer to the cost of establishment in respect of irrigation works financed from loans. This is a work for which money is found out of loan funds and it is necessary that the expenditure on establishments should be kept within the justifiable limits, but I now find that the cost of establishment in relation to the cost of works is going high. For the current year the cost of establishment is Rs. 1,98,300 and the cost of works is Rs. 3,98,700, but, Sir, only during the last year (I am only referring to the figures of last year) the expenditure on works was 4 lakhs and the expenditure on establishment was 1 lakh, that is to say, the establishment charges were 25 per cent. of the cost of the works, and this year they have been increased to 33⅓ per cent. I should like to know why there has been this increase. I tried to find out whether an explanation was given in the Blue Book but I could not trace it.

With these words, I should like to ask Government to declare what they have got to say with regard to the policy of proceeding with irrigation works in the Southern Division and also why the expenditure has increased.

Mr. G. S. GANGOLI: Am I to understand that the Honourable the General Member wants me to speak on XIII and 15?

The Honourable Mr. R. D. BELL: No, the honourable member cannot.

The Honourable the PRESIDENT: That is a separate head.

Mr. G. S. GANGOLI: I have something to say in connection with this, but I do not know whether it comes under this head.

The Honourable the PRESIDENT: That is a separate head, as I said.

Mr. G. S. GANGOLI: There is no demand for that?

The Honourable Mr. R. D. BELL: No. The general arrangements are shown in the diagram at page 33 of the Blue Book. The honourable member for Kanara would be in order if he spoke about tanks in Kanara under the head 15.

The Honourable the PRESIDENT: The honourable member for Kanara wishes to know whether there is a separate demand distinct from the one under XIII so that he may not refer to matters that are covered by that.

The Honourable Mr. R. D. BELL: Yes, Sir, Demand No. 8.

Mr. G. S. GANGOLI: That is the demand under discussion?

The Honourable Mr. R. D. BELL: Not Motion No. 8 but Demand No. 8.

The Honourable the PRESIDENT: The first column of the Demands, Serial No. 8.

Mr. G. S. GANGOLI: I wish, Sir, to add only two points in continuation of what the honourable member from Belgaum Mr. Chikodi has just now said. He pointed out that this year there has been an increase in the cost of establishment and a decrease in the cost of the actual return to the agriculturists. That is a point which the House will be entitled to have an explanation about from the Honourable the General Member as to how it is that salaries only show an increase and the real return to the agriculturists is on the decrease. The honourable member Mr. Chikodi also made out another point that every time Karnatak is taken to be part of the Deccan, whereas in fact it is not there and in fact Karnatak is on the whole being neglected all these long years. These are the only two points which have already been placed before the House and which I wanted to endorse whole-heartedly.

Mr. V. A. SURVE (Ratnagiri District) (Addressed the House in Marathi): Sir, I rise to support the motion moved by my honourable friend Rao Saheb Kulkarni. A lot of money has been spent on irrigation works but, in actual practice, the benefit derived by the agriculturists is very small. In the Ratnagiri district many minor irrigation schemes were at one time contemplated but received little attention from Government. Government, as a rule, pay much attention to big irrigation schemes on which provision can be made for importing considerable machinery from England and highly paid engineers can be provided for. My experience is that Government are not very solicitous about small irrigation works which may cover 500 acres or 1,000 acres or even 5,000 acres at the most. In the Ratnagiri district there is a total of 9 talukas, but there is not one taluka in which a bigger irrigation scheme than such as would cover 200 or 500 acres has been taken up by Government. This grievance has been placed before Government these ten years but without any attention from the Irrigation Department. Government merely want to tom tom to the world that they are the supporters and the guardians of the poor agriculturists. True it is that if there is anyone who is the backbone of the Government and from whom they derive the largest amount of income, it is the poor agriculturist class, but this same agriculturist has been reduced to such a pitiable and distressed condition that he does not get even two rupees to pay

[Mr. V. A. Surve]

his revenue assessment. All the sympathy which he receives from Government and from Government officers is mere lip sympathy.

In the Ratnagiri district there was a major irrigation scheme conceived for the tract between Ambeghat and Kundighat. Many of the big engineers of the Public Works Department went there from Bombay and spent about Rs. 10,000 in travelling allowance, but what was the net result? Nothing that I know of. Probably that scheme is running to waste in the files of the Government or has gone to the waste paper basket. I say to Government that in these days even if they were to translate even one-hundredth part of their lip sympathy into action for the backward Ratnagiri district, we the poor agriculturists will be very grateful indeed. With these words, I support the motion for the cut as proposed by my honourable friend Rao Saheb Kulkarni.

12 noon.

Rao Bahadur S. N. ANGADI (Belgaum District): Sir, my only object in rising to speak on this motion is this. The policy which has been pursued by Government with reference to the Karnatak in respect of irrigation is far from satisfactory. Very often I have raised my voice against that policy, and from sheer exhaustion I had stopped making speeches in that connection. Though Government have spent crores of rupees for Sind and also for the Deccan, they have not done anything of the kind for Karnatak. All that they have done so far for Karnatak is that they have spent 14 lakhs, long long ago, for the construction of the Gokak canal; after that they have not spent a farthing on irrigation in the Karnatak.

In the Karnatak also as elsewhere there have been many minor schemes, and it was at one time thought that the little Markandeya scheme, which was going to cost Government only 19 lakhs, was almost going to be taken up and finished but that scheme also has been dropped. I am not making any reference to other big schemes which were very feasible, but which, probably owing to financial stringency, have been regarded as impracticable and as not worth consideration in the present financial situation. Therefore, I do not wish to make any reference to it. But I may point out that if Government are prepared to spend a lakh or two, they would be able to do a lot of good. I know as a matter of fact that there is one scheme like that which I have suggested by writing a letter to Government some time back, and that is near the village where the Gokak canal is extended. If Government were to put up a small bund across the stream at Nadarhatti, they would be able to irrigate a number of acres, because just across the stream there is a small village which has been suffering from famine for a long time, and if Government were to spend a lakh or so, they would be able to give very good relief to these villagers who have been suffering from chronic famine. Unless there is very good rain, they generally suffer from famine.

I do hope, Sir, that some attention will be directed to Karnatak. What I say is that the policy which Government have pursued with regard to the Karnatak division is not at all satisfactory, and I do hope

[Rao Bahadur S. N. Angadi]

that Government will see their way to spend something for Karnatak. The situation is rather painful for us. I would make an appeal to Government to do something for Karnatak at least now. I do not say that they should spend a very large amount. They should take up minor schemes, such as the one I have suggested. Let them spend at least a couple of lakhs, so that it will give necessary relief to many who have been suffering from chronic famine. With these words, I resume my seat.

Sardar Rao Bahadur B. R. NAIK (Surat District): Sir, the honourable members Mr. Chikodi and Rao Bahadur Angadi just now pointed out that Government have spent crores of rupees on irrigation works both in Sind and in the Deccan and that Karnatak has been neglected. I now rise to speak about Gujarat. If honourable members will take the trouble to go into the estimates of the expenditure that has been incurred on irrigation schemes during all these years, they will find a very, very small amount has been spent on irrigation in Gujarat, and my complaint more than that of any other honourable members is on account of the very high land revenue that Gujarat is paying to Government, and that money is being spent for irrigation and other works in the other parts of the presidency. Sir, how Gujarat has been neglected and other parts have been benefited I shall show by reading an extract from the report of the Banking Enquiry Committee. The report says that on account of the irrigation works in the Deccan and Maharashtra, land values have gone up four times during the last 30 years, while in Gujarat the rise in land values is the smallest in the whole presidency. The report says:

"An examination of the statement indicates that land values have considerably risen during the last 30 or 35 years, but the rise shows considerable variations from district to district and even from taluka to taluka. The increase has been the highest in the districts of Maharashtra and the Konkan and the lowest in those of Gujarat.*******Khandesh and Satara record abnormal increases, varying from 400 to 600 per cent."

So far as Gujarat is concerned, the report says that there is a small rise in Ahmedabad only. This will show that, on account of the irrigation works which were introduced in the Deccan and Maharashtra, land values have gone up there considerably in the last 30 years, while Gujarat has not had any benefit of this nature at all.

Perhaps, I would be told that there is no scope for big irrigation projects in Gujarat, but there are certainly places where you can erect small bunds across small streams, by which a great deal of dry land can be turned into irrigated land. I have pointed out this matter year before last. Take the instance of Pardi and of other areas which have small rivers. If you erect small bunds across these rivers, the land will be turned into garden land. This question has altogether been neglected and Gujarat has not been given the benefit of irrigation works at all. Gujarat has got such an amount of land, and if Government try to turn dry land into irrigated land, they will be successful and the cultivators generally will be benefited. I do not want at this stage to refer—because

[Sardar Rao Bahadur B. R. Naik]

the subject is not covered by the present demand—to the amount of land revenue derived from Gujarat and how much is being spent on the improvement of land on the whole. That will come at a later stage, but I do say that something must be done for erecting small bunds, thus creating facilities for intensive farming and fruit growing in some parts of Gujarat where it is feasible.

Mr. A. N. SURVE (Bombay City, North): Sir, I rise to join in the appeal made by my honourable friend the member for Ratnagiri district (Mr. V. A. Surve). Sir, in that district there are many streams, and the water in them is running to waste. If minor irrigation works are undertaken there, the water may be used for irrigation purposes, of course for small areas. Government have a department which looks after this kind of work, but I think its activities are at present suspended. Government find that there are so many schemes which have been investigated already and which could be taken in hand, but they have not the money; and therefore they will take up these schemes one after another when funds permit.

So far as my information goes, the Ratnagiri district has not been examined for purposes of constructing embankments. The matter is very important in this sense, that Ratnagiri is a district which, so far as its productive capacity is concerned, is very poor, and on that account all its inhabitants are obliged to come to Bombay and engage themselves in mills and in other factories. Now, Sir, in Bombay city we find there have been strikes, lock-outs and other similar troubles in mills and factories. The necessary consequence of that is that the inhabitants of Ratnagiri find themselves starving. But if the construction of the minor irrigation works suggested by us is undertaken, these people will have some sort of a second string to their bow. If they cannot find work in Bombay, they can go to their native places and engage themselves in cultivation and save themselves from starvation. For that reason it is necessary that Government should see what could be done in order to give the inhabitants of Ratnagiri an extra means, I should say, of supporting themselves.

Then, Sir, there is another difficulty. Government have not only not been taking any steps for providing the people of Ratnagiri with this means of subsistence, but they are trying, by the introduction of the budki rules, to inflict another hardship on the people of that district. In the past three or four years Government have introduced some kind of rules, which are called the budki rules, and the operation of these rules comes in the way of the cultivators in this way: by "budki" it means that though the people irrigate their land by water raised by themselves from natural streams, Government will, on that account, impose additional taxation. The effect of that is that the cultivators of the soil which is known to be very inferior want to spread their cultivation and eke out some sort of miserable subsistence, then Government comes upon them and tries to take out some money from them. Now

[Mr. A. N. Surve]

by natural formation the soil of the district is very poor. If the agriculturist cannot get any living in Bombay and goes there and tries to earn something out of his labour, Government comes in the way, and in that way the inhabitants of Ratnagiri district are suffering great hardship. For that reason I think that Government should be pleased to consider how they can help the inhabitants of that district. With these remarks, I support the motion that is before the House.

Rao Saheb P. D. KULKARNI: I have nothing to say in reply.

The Honourable Mr. R. D. BELL: Sir, the motion is to reduce the total voted demand of Rs. 6,19,000. I should like to explain to honourable members that that sum relates solely to a demand for unproductive works in the Deccan. Technically, it covers the whole of the Presidency proper, but the works are, for next year's programme, restricted to the Deccan. The provision is divided into Works, Rs. 3,90,000, and the balance for Establishment, Pensionary charges and Tools and Plant. The works which are being carried out are estimated to cost Rs. 3,90,000, and are given on pages 10 to 13 of the Budget Estimate under "55-Construction of Irrigation, Navigation, Embankment and Drainage Works." On page 10, you will find four drainage works Nimbgaon Shirdi Drainage scheme, Culvert No. 29 Drainage scheme, Manjri Drainage scheme and Drainage scheme for distributaries Nos. 2 and 3 on the Pravara Left Bank Canal. There is not much to be said about these drainage schemes. They are works in progress which have been taken up with the object of reclaiming water-logged lands and it is necessary to complete them. The two most important items are on pages 11 and 12. There is on page 11 a provision of Rs. 1,06,000 for remodelling the Nira Left Bank Canal; and on page 12 a sum of Rs. 2,32,000 for the Nira Right Bank Canal Project. I may explain the stage which has now been reached in carrying out these schemes. The Nira Village Development Project was approved in 1924 by the Legislative Council and the original project comprises the widening and remodelling of the Nira Left Bank Canal at a cost of 36·7 lakhs of rupees and the construction of a weir. Now, the construction of the weir is dropped. As regards the remodelling a sum of only 7½ lakhs is required to complete it. No one has made any criticism about the further carrying out of this work.

The Honourable the PRESIDENT: There are two other cut motions below, which refer to the two sub-heads mentioned by the Honourable Member. I do not know whether the honourable member Rao Saheb Kulkarni would prefer not to move them, if the Honourable the General Member gives a general reply in regard to those items also. [*Rao Saheb P. D. Kulkarni nodded assent*]. That is all right.

The Honourable Mr. R. D. BELL: I was merely explaining what grant is covered in discussing this demand, because the honourable mover himself travelled somewhat outside the demand and discussed, for instance, the Jamda canal which has nothing to do with this. There is no construction work being carried on there. Well, these are the two

[Mr. R. D. Bell]

principal items. There is another item on page 13 into which I need not go.

There has been a complaint made about the establishment charges both by the honourable mover and the honourable member Mr. Gangoli. The reason why there is a great difference in the figures this year when compared with former years is explained on pages 86 and 87 of the Blue Book. The Public Works Department establishment charges are shown under the head "41" and by distribution they are transferred to other heads under which the expenditure is incurred such as 55, 60, 15 and XIII. In the past in the budget estimates the amount transferred to these other heads from head 41 had been estimated at the rate of 24 per cent. This is not the method followed in the accounts. Ultimately, when it comes into the accounts, the total expenditure is divided *pro rata* over all the heads under the Public Works Department. The result has been that when the account figures which are arrived at by *pro rata* distribution are compared with the corresponding figures in the budget estimate, they have varied very greatly——

Mr. P. R. CHIKODI: I understand that the establishment charges which used to be calculated at the rate of 24 per cent. have been abandoned now and are now distributed by a *pro rata* system. I shall be glad if the Honourable Member will kindly explain what *pro rata* system is.

The Honourable Mr. R. D. BELL: Yes, Sir. Suppose at the end of the year all the establishment charges have amounted to a crore of rupees and the total works carried out under heads, XIII, 15, 55, 60, 42 and 41 amounted to four crores of rupees. The total establishment charges are 25 per cent. of the total expenditure and are calculated at this rate under all heads.

Mr. P. R. CHIKODI: This is done after the close of the year, but what is the basis for a particular figure given as establishment charges in framing the budget for the coming year?

The Honourable Mr. R. D. BELL: In the budget we now distribute the estimated expenditure on establishment over the estimated cost of the work; in the accounts we distribute the actual expenditure on establishment over the actual expenditure on works.

The honourable mover complained that Government have not taken the House into its confidence in connection with the disaster to a bridge between Baramati and Vadgaon. There was a question asked by the honourable mover on this subject and he then had the opportunity of asking supplementary questions which I think he did not take advantage of because the case is *sub judice*. I do not therefore re-open the subject in this debate.

Honourable members have asked for some declaration of Government's policy—in the case of Karnatak by the honourable members Mr. Chikodi and Rao Bahadur Angadi and in the case of Gujarat by the honourable member Sardar Rao Bahadur Bhimbhai. The honourable member

[Mr. R. D. Bell]

Mr. A. N. Surve made a request in regard to Ratnagiri district and the rules about *budkis*. This last matter is none of my business. When we reach Land Revenue the Honourable Member in charge will deal with the question.

As regards the other two revenue divisions, the position is simply this. We have no schemes under contemplation. All the schemes considered hitherto are unproductive and in the present financial position it is impossible to take them up.

Mr. P. R. CHIKODI: Why should you not add one more unproductive work to the long list of unproductive works already existing?

The Honourable Mr. R. D. BELL: We are not taking up any new unproductive works in the Deccan either. The works we have started must be completed; otherwise the money we have expended will be thrown away. In the Karnatak the people are in a more fortunate position than in the Deccan. We have got a project which is estimated to cost 171 lakhs the return being 1·7 per cent. Apart from that unproductive return, the fact of the matter is that the tract commanded is not liable to famine. So, money spent will be thrown away twice over.

Rao Bahadur S. N. ANGADI: May I know what the Gokak Mills are paying to Government as a result of the agreement between Government and the Gokak Mills?

The Honourable Mr. R. D. BELL: I cannot give a reply to that question without notice.

In Gujarat, there are three schemes which are all mentioned in the Review of Administration of which honourable members have received a copy. They are also unproductive schemes and there is no prospect of undertaking them at the present time. There is a further complication in the case of Gujarat schemes inasmuch as they involve the co-operation of Indian States.

Mr. V. N. JOG: What about the Markandeya scheme?

The Honourable Mr. R. D. BELL: The expenditure already incurred was for the preparation of the project.

These are the principal points. The fact of the matter is that, owing to financial stringency, the demand under this head is being whittled down year after year; and when the works now being carried out on the Nira Right Bank Canal and the Pravara Left Bank Canal are completed there will be nothing more to ask money for under this head, except a few small drainage works.

As a matter of fact there is no complaint this year, so far as I can gather, as regards the provisions for new drainage works or for the completion of the works in progress on the Nira Right Bank Canal and the Pravara Left Bank Canal. I do not think I need waste the time of the House further.

Question put, and negatived.

Mr. G. S. GANGOLI (Kanara District): Sir, before the demand is put to the vote I wish to address the House as regards irrigation in Kanara. So far as Kanara is concerned which is covered by heads XIII and 15 there is no expenditure. I understand from the Honourable Member that for the purpose of expenditure this includes head 55.

The Honourable the PRESIDENT: I do not know what the Honourable Member said. It is not clear to me.

The Honourable Mr. R. D. BELL: No irrigation in Kanara can come under head 55. It either comes under head 15 or possibly under head 5, Land Revenue. The revenue is divided in an arbitrary way between Land Revenue and Irrigation. The honourable member asked a question about this and he knows the facts perfectly well.

Mr. G. S. GANGOLI: Sir, the point is this. If there were a separate establishment for Irrigation, that would be under the head 15. Now, as there is no separate establishment under the head 15, I think it will come under 55. My point in making these observations is simply this. My honourable friend Mr. Chikodi has made out that Karnatak has been forgotten. And I am here to say that much more so is the case with Kanara.

12-30 p.m.

Rao Bahadur S. N. ANGADI: Kanara is part of Karnatak.

Mr. G. S. GANGOLI: Coming to page 35, we find that the portion of land revenue due to irrigation is 93 lakhs. There was a question tabled on this point—in fact a series of questions, as the Honourable the General Member knows—but no definite answer has been given till now. I refer him to page 488, dated 15th August 1933——

The Honourable Mr. R. D. BELL: Which volume?

Mr. G. S. GANGOLI: Proceedings of the last Poona session, Volume XXXVIII.

The Honourable Mr. R. D. BELL: I remember that perfectly. The revenue from certain lands is divided arbitrarily between Land Revenue and Irrigation heads. It is not worked out according to soil classification, but very roughly. There is no other point in the honourable member's questions.

Mr. P. R. CHIKODI: At page 6 of the Public Works Department Budget Estimates of "15-Other Revenue Expenditure financed from Ordinary Revenues", Kanara is shown.

Mr. G. S. GANGOLI: I know that. If there is one injustice grosser than another which Kanara is suffering from, it is this. In other parts of the presidency if no water is taken from canals and tanks, there is no irrigation charge; in Kanara, whether or not there is any tank or canal we have to pay 80 per cent. of the land revenue. Every year, we have to pay 8 lakhs odd for irrigation. In several villages there is no irrigation, and for several years past thousands of acres of land are lying fallow and no irrigation is taken from the canals or tanks, because there is no water. Yet we are charged irrigation fees up to 80 per cent.

[Mr. G. S. Gangoli]

of the land revenue. Year after year we have been paying 8 lakhs of irrigation fees, and what is the return? Only Rs. 15,000 or Rs. 25,000 every year is spent for irrigation purposes. There is no separate establishment for that. And furthermore, out of 2,135 tanks, they repair only 25 or 50 tanks every year. From the time the administration came into the British hands, the tanks were never repaired all at one time. They have been repairing only 25 or 50 tanks a year, so that each tank gets repair once in a hundred years. There is no canal, no establishment to repair the tanks, and we get no water from the tanks for irrigation. Yet we have to pay 80 per cent. of our land revenue as irrigation fees. [*Interruption.*] Every year we have to pay 8 lakhs odd as land revenue for purposes of irrigation, and we get no return. This is the grossest and heaviest injustice that Kanara is groaning under. And when we get no crops and we cannot pay land revenue, everything is covered under the head of civil disobedience and non-payment of taxes. That it is an injustice must appeal to the Honourable the General Member and also to the Revenue Member. So, in this matter at least I hope our grievance will be redressed.

The Honourable Mr. R. D. BELL: I may point out, Sir, that the amount which is being discussed now is given under 15-Other Revenue Expenditure financed from Ordinary Revenues.

Mr. G. S. GANGOLI: Demand No. 15 will never be reached on the floor of this House, and therefore this cannot be discussed.

The Honourable the PRESIDENT: I do not think that can be an excuse for discussing it now. The question is whether the expenditure is included in the demand which is now before the House.

The Honourable Mr. R. D. BELL: Sir, I find a provision of Rs. 16,000 for the Kanara Division at page 11 of the Budget Estimate of 15-Other Revenue Expenditure financed from Ordinary Revenues.

Mr. G. S. GANGOLI: But the expenditure will be under the Public Works Department.

SYED MIRAN MAHOMED SHAH (Hyderabad District): Sir, before the demand is actually put to the vote, I would request you to give me an opportunity to express the feelings of the non-Barrage area people. I was not permitted to speak about Fuleli when the other cut was being discussed. If you will permit me——

The Honourable the PRESIDENT: This is a different demand.

SYED MIRAN MAHOMED SHAH: This is 55-Irrigation. The whole grant is going to be put to vote and there will be no other opportunity for me to speak.

The Honourable the PRESIDENT: Yes, the honourable member may speak.

SYED MIRAN MAHOMED SHAH: Sir, before closure was applied, I wanted to place the grievances of the Fuleli canal zamindars before the

[Syed Miran Mahomed Shah]

Government. In my previous speech I had pointed out how the Honourable Sir Ghulam Hussain, when he was in charge of the Irrigation portfolio, had promised to the Fuleli zamindars that experiments would be carried on in the Fuleli tract by the Chief Agricultural Officer in Sind and the duties and discharges would be based on the results arrived at in the course of those experiments. In that connection the zamindars of that tract offered to give labour and the piece of land that Government might select. The Chief Agricultural Officer came to the tract but perhaps he thought that he would not be able to arrive at the results which were suggested by the original estimates or there might have been other reasons not known to us on account of which these promises were not fulfilled. Nor was the experiment attempted. It was said on behalf of Government that there was no agreement so far as the selection of an average piece of land was concerned. But that should not be the ground on which the promises given by a responsible Member of Government should not be fulfilled.

Now, Government are undertaking a project which will cost them nearly half a crore of rupees and which is being gradually completed. But everything depends upon the income of the zamindars concerned, because the nature of the land in the Fuleli tract is such as requires much more water than the lands within the Barrage area. Those lands within the Fuleli tract which had affinity to the lands within the Barrage area have already been transferred to that side, I mean the lands of Matti and Tando Bago talukas. On Fuleli lands nothing but rice can be raised. It was precisely on these grounds that the zamindars urged Government that experiments should be carried out by the Chief Agricultural Officer on the basis of which the heads and sluices of the water-courses could be constructed. Now Government has not fulfilled the promise and is now undertaking modules without caring to redress the grievances of the zamindars. One of the reasons given for the construction of modules is that they will not be able to give any water for rabi during winter seasons to those lands having rabi now, and they wish to make provision for those lands which otherwise would be deprived of the rabi irrigation for ever. But, Sir, if one were to look at the figure of rabi cultivation, within the Fuleli tract, as compared with that of the kharif, one will be able to see that the kharif figure was 286,590 acres, while rabi figure is only 16,134 acres. For the sake of this small piece of land the entire tract is going to be deprived of a sufficient quantity of water and the sluices are going to be constructed arbitrarily. It is not that we do not wish to submit to the proper regulation of water or equitable distribution, as it is called by the Public Works Department. But our contention simply is that it should be carried out according to a certain system, on proper lines, and in carrying out that project the advice of the Agricultural Department should be taken into account. The Public Works Department, for reasons best known to themselves, are not doing that. That is the only complaint. It is not that all the sluices of the zamindars have got no masonry heads. That is not the

[Syed Miran Mahomed Shah]

case. There are certain water-courses which have got no masonry heads, but they should not be constructed on the calculations arrived at in the Barrage area because they are quite different from those in the Fuleli tract. Masonry heads may be constructed in such a way that there should be no waste of water. The supply should not be restricted to such an extent that the agriculturists cannot raise rice crop which is the only crop that they can raise in that tract. Now, Sir, it may be said——

The Honourable the PRESIDENT: Do I understand that the honourable member is opposing the total demand ?

SYED MIRAN MAHOMED SHAH: Yes, Sir. I am opposing it on these grounds.

The Honourable the PRESIDENT: It does not matter on what grounds. Do I understand that he is opposing the demand ?

SYED MIRAN MAHOMED SHAH: Yes, Sir, and in doing so, I am placing these views before the House.

Rao Bahadur G. V. PRADHAN: Are we not discussing the cut proposed by the honourable member Rao Saheb Kulkarni ?

The Honourable the PRESIDENT: Well, after the honourable member finishes his remarks—and I understand from him distinctly now that he is opposing the demand—I would like to lay down what the procedure strictly should be in matters of demands and debates following upon them.

SYED MIRAN MAHOMED SHAH: I was referring to the contention of the Public Works Department that they are remodelling and moduling the water-courses for the benefit of the tail because on account of the working of the Barrage these people will be affected and there will be deficient supply of water for them. It is specifically on that ground that they are moduling and regulating the water. As I have pointed out, Sir, rabi cultivation is very small—16,000 acres as compared with 286,000 acres for kharif. Our contention is that these tail people can be transferred to the Barrage area where the Barrage distributaries in the Tando Bago taluka terminate. In that way they may meet that situation and also meet the grievances of the Fuleli zamindars on the other side. It is not only the question of rice cultivation, but there is the question also of fruit-growing on the Fuleli, which is a great fruit-growing tract in Lower Sind. On account of the working of the barrage, this Fuleli canal has ceased to be perennial, so that for nearly five months in the year those people do not get water at all. The people who have grown their fruit trees are suffering and, therefore, they have now formed themselves into an Association. They made representations to Government, but I think nothing has been done in that direction. They were promised that certain branches and distributaries of the barrage canals would be allowed to flow into the Fuleli, but that promise has not yet been fulfilled. I think it will be in the interest of the revenues of

[Syed Miran Mahomed Shah]

Government also if something is done for the fruit growing people and if their grievance is removed.

Then, Sir, I will refer to those canals which take off from the river Indus directly. Government have provided some money for extending the bunds in order to protect the area commanded by these canals from floods of the river Indus, but I wish to point out to Government that they have neglected that extreme portion of the district so far as the irrigation of those canals is concerned. Excepting the Hassanally canal which is the only canal in working order, the heads of the other canals in the tract get silted up and they require remodelling and re-sectioning. Therefore, new heads ought to be constructed for these canals, especially the Mulchand wah canal which requires a direct head from the Hasanally canal; otherwise the whole area will be ruined and dilapidated, although it was a fertile country some time back. On account of the silting up of the Mulchand wah the people who have invested lakhs of rupees there stand to lose all that investment, unless of course Government come to their rescue and connect the Mulchand canal with the Hasanally canal which is working in proper order and which has been constructed on new and scientific lines.

So, Sir, all these grievances are of an outstanding nature. Unless something definite is done by Government, I think this tract of land, especially the non-Barrage area, is in great danger of being ruined during the next few years. The value of the land has considerably depreciated on account of this apprehension, and in course of time as there will be larger withdrawals at the head of the Barrage at Sukkur, I think this danger will go on increasing, unless Government come to their rescue. Moduling and reducing the sluices is not the only remedy. That is analogous to half a bread being distributed. The size of the bread has to be increased; the quantity of water should be increased instead of being decreased, Government should not rob Peter to pay Paul. That policy should not be adopted. Some effective remedy should be provided for the non-Barrage areas also, which is by increasing the heads of the canals which take off directly from the river Indus and by allowing the branches and distributaries of the Barrage to flow to the Fuleli, in order to compensate the vast areas that have dried up on account of the working of the Barrage. With these remarks, I oppose the grant.

Mr. C. M. LANE: Sir, I understand that the honourable member is moving that the whole grant be cut out, on the ground that his particular area, namely Fuleli, is not being sufficiently well treated. The Fuleli project has not yet been completed. The work is still going on; we are now nearing the final stage, but there is still more work to be done.

The question of the modules, as I said—I forget whether it was in the budget session last year or in the Poona session—has been confused with the question of an experiment which was to be carried out by the Chief Agricultural Officer in regard to rice duties. That experiment has not

[Mr. C. M. Lane]

yet been carried out, and the reason why it has not been carried out is that the Fuleli zamindars will not agree to accept any result produced by the Chief Agricultural Officer at present, as indicating what is possible under post-Barrage conditions. The experiment has therefore been deferred indefinitely. Meanwhile, we have to distribute water. Without modules we cannot distribute the water. There have been cases admittedly of modules being wrongly designed or set on wrong levels. Where these complaints have been found to be justified, the modules have been corrected and errors have been remedied.

The question of supply to the gardens in the upper reaches of the Fuleli, the honourable member suggests, should be met by tailing the branches of the Barrage canals into the Fuleli. But there is no surplus water in any branch of any canal on the Barrage, except in fortuitous circumstances where development of rabi cultivation may not have reached our forecast. As soon as final development is reached, there will certainly be no surplus water. Some allowance has however been proposed to be made from the Hyderabad branch, I think if I remember rightly, to these particular garden areas, and the proposal was, I think, for 40 cusecs or thereabouts to be just turned into the bed of the Fuleli canal, and the owners of the gardens would lift the water out again by pumping. It does not seem to me a very good proposal, and it is being reconsidered. An alternative under consideration is the possibility of syphoning under the Fuleli and having a small distributary, but that may cost more money than it would be worth spending on it.

As regards the other canals in the Hyderabad district, I would refer honourable members to pages 96 and 97 of the Review. The Mulchand wah, which I know very well myself, is to be a branch of the Hassanally wah. This is mentioned in paragraph 28 on page 96 of the Review. Government are taking up these projects, but they cannot all be taken up at once, and I cannot get all the money I would like to get out of the Finance Department. Unfortunately progress must be somewhat slow. But these projects have not been lost sight of, and they will be taken up. Meanwhile, the honourable member suggests, I gather, that the heads of all canals taking off the Indus should be—I do not know what word he used, but I think he said—enlarged. I do not know what purpose that would serve. It would not bring any more water into the canal than they get at present. I did not quite follow that, I am afraid. I do not think that there is anything else to answer except to say that I hope the honourable mover will withdraw his opposition to this grant and allow the honourable House to pass it.

The Honourable the PRESIDENT: Before I put the demand, I must make it clear to the honourable members that it seems this year an attempt is being made to make a departure by raising a discussion at the end when the demand is being put to the vote. I think this idea has arisen out of the permission that was given under special circumstances in connection with a provision of Rs. 23,000 out of a demand for the

[The President]

Village Improvement Scheme as there was no cut under it. The procedure for demands for grants is laid down clearly. There is sufficient opportunity given to honourable members to table cuts on demands under the various heads placed before the House. They can clearly understand what cuts they should table and move on demands either under the major heads or sub-heads. Sufficient time is given for that. Sometimes, some honourable members cannot study the budget so thoroughly as some other honourable members can and forget to table cuts and take the opportunity of opposing the whole demand as is being done in this session only. I cannot remember a departure like this in any of the previous sessions. The procedure for tabling cuts and discussing demands is the same more or less as is laid down for the passing of Bills. Amendments to sections are all considered in all details, and yet if an honourable member is opposed to the very principle of a clause, at the end he can get up and oppose the clause. I know, and every honourable member here knows, that the honourable members who have spoken on this demand did not mean to oppose the demand in the strict sense of the term. The opposition is made just to get round a difficulty. They say "I oppose the demand" and make a speech. I do not feel inclined to give that facility hereafter. That will handicap the House in discussing and passing the budget.

Mr. P. R. CHIKODI: When the demand is made and when there are no motions for cuts———

The Honourable the PRESIDENT: A cut motion should be given. The Chair cannot help the lapse on the part of honourable members. There is an opportunity given to table cuts. Unless there is a special circumstance, I cannot allow this. There can always be an exception to any ruling I may give, but I cannot make it a general rule.

Question, "That a grant of Rs. 11,40,000 under 55, Construction of Irrigation Works—Except Lloyd Barrage—(Reserved) be made," put, and agreed to.

It being 1 *p.m., the House adjourned till* 2 *p.m., on Monday, the* 5*th March* 1934.

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Monday, the 5th March 1934.

The Council re-assembled at the Council Hall, Bombay, on Monday the 5th March 1934, at 2 p.m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present.

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr. A. B.
ADVANI, Mr. P. B.
AMINUDDIN, Mr. SAIYID
ANGADI, Rao Bahadur S. N.
ASAVALE, Rao Bahadur R. S.
BAKHALE, Mr. R. R.
BANGI, Mr. A. K. J.
BELL, the Honourable Mr. R. D.
BHUTTO, WADERO NABIBAKSH ILLAHIBAKSH
BIJARANI, Khan Bahadur SHER MUHAMMAD KHAN
BIRADAR, Sardar MAHABOOBALI KHAN
BOLE, Rao Bahadur S. K.
BRANDER, Mr. J. P.
BULLOCKE, Mr. A. GREVILLE
CHIKODI, Mr. P. R.
CHITALE, Rao Bahadur G. K.
CLEE, Mr. C. B. B.
COLLACO, Dr. J. A.
COOPER, the Honourable Khan Bahadur D. B.
COVERNTON, Mr. S. H.
DAVIS, Mr. G.
DESAI, Mr. H. R.
DESAI, Mr. S. B.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
EWBANK, Mr. R. B.
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GARRETT, Mr. J. H.
GAZDAR, Mr. MAHOMED HASHIM
GHULAM HUSSAIN, the Honourable Sir
GHULAM HYDER SHAH, Mr.
GHULAM NABI SHAH, Khan Bahadur
GILDER, Dr. M. D.
GOKHALE, Mr. L. R.
GREAVES, Mr. J. B.
HUMPHREY, Mr. JOHN
JAN MAHOMED KHAN, Khan Bahadur
JITEKAR, Mr. HAJI IBRAHIM
JOG, Mr. V. N.

JONES, Major W. ELLIS
KALBHOR, Mr. G. M.
KAMAT, Mr. B. S.
KAMBLI, the Honourable Dewan Bahadur S. T.
KARBHARI, Mr. M. M.
KENNEDY, Mr. T. S.
KULKARNI, Rao Saheb P. D.
LANE, Mr. C. M.
LELY, Mr. W. G.
MACKIE, Mr. A. W. W.
MATCHESWALLA, Mr. G. E.
MAXWELL, Mr. R. M.
MEHERBAKSH, Khan Bahadur S.
MEHTA, Mr. M. H.
MITHA, Mr. MAHOMED SULEMAN CASSUM
MODAK, Rev. R. S.
MODI, Sardar Davar T. K.
MORE, Mr. J. G.
NAIK, Sardar Rao Bahadur B. R.
NAVLE, Rao Bahadur N. E.
OWEN, Mr. A. C.
PARULEKAR, Rao Bahadur L. V.
PATEL, Khan Bahadur A. E.
PATEL, Mr. BHAILAL SARABHAI
PATEL, Mr. C. N.
PATEL, Khan Bahadur VALI BAKSH A.
PATIL, Dewan Bahadur D. R.
PATIL, Mr. N. N.
PATIL, Rao Saheb V. S.
PETIT, Mr. J. B.
PRADHAN, Rao Bahadur G. V.
PRATER, Mr. S. H.
RAHIMTOOLA, Mr. HOOSENALLY M.
RESALDAR, Mr. A. K.
SERVAI, Mr. A. E.
SHAIKH ABDUL AZIZ, Mr.
SHAIKH ABDUL MAJID, Mr.
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SHINDE, Mr. R. B.
SMART, Mr. W. W.
SOLANKI, Dr. P. G.
SURVE, Mr. A. N.
SURVE, Mr. V. A.
SYED MIRAN MAHOMED SHAH.
SYED MUNAWAR, Mr.
TURNER, Mr. C. W. A.
VAISHAMPAYAN, Dr. V. G.
VAKIL, Mr. PESTANSHAH N.
VANDEKAR, Rao Bahadur R. V.
WADKE, Mr. B. P.

ARTICLE IN "BOMBAY SAMACHAR".

Mr. A. K. RESALDAR (Ahmedabad and Surat Cities): Sir, before the House proceeds to discuss the demands for grants, I want to ask the Honourable the Home Member for some information. I want to know whether he is aware of the feelings of excitement prevailing amongst the Mussalmans of the city and the Presidency over an article published in the local paper "Bombay Samachar" on the 25th February 1934, page 14, under the heading "The Prophet of 25 crores," in which very strong and malicious criticism is made of the great Prophet of the Mussalmans and of his family and of the sacred places and which has injured the feelings of the Mahomedans of the Presidency.

The Honourable Mr. R. D. BELL: Sir, I do not quite understand what the urgency of this matter is. According to the honourable member this article appeared 8 days ago and it is now brought forward apparently as a matter of extreme urgency. All I can say is that I have no information regarding it.

Mr. A. K. RESALDAR: Will the Honourable the Home Member enquire into the matter soon and take immediate steps to pacify the feelings of the Mussalmans?

Mr. SHAIKH ABDUL MAJID: If you allow me, Sir, I shall inform my honourable friend that the article to which he has referred was really written, but subsequently the editor apologised and explained that he did not mean to injure the feelings of the Mussalmans and that he has got respect for the Prophet of Islam. So, if there was any article of that nature, it has been subsequently withdrawn.

Mr. A. K. RESALDAR: There is no article withdrawing the previous article. It is only a pamphlet.

Sardar Rao Bahadur B. R. NAIK: I know that the editor has apologised for the article.

DEMANDS FOR GRANTS—(*Discussion resumed.*)

Expenditure in England.

The Honourable Sir GHULAM HUSSAIN: Sir, I move a demand for a grant of Rs. 4,96,000 under the head "Expenditure in England—Reserved and Transferred."

Question put, and agreed to.

52, *Extraordinary Charges—Reserved.*

The Honourable Sir GHULAM HUSSAIN: Sir, I move a demand for a grant of Rs. 1,14,000 under "52, Extraordinary Charges—Reserved."

Question put, and agreed to.

47-*Miscellaneous—Reserved.*

The Honourable Sir GHULAM HUSSAIN: Sir, I move a demand for a grant of Rs. 21,54,000 under "47, Miscellaneous—Reserved."

Question proposed.

Mr. J. G. MORE (Sholapur District): Sir, before I move my cut to this demand, I think preference should be given to the honourable member Mr. Chikodi, whose cut includes mine, so that I may have occasion to speak on the general cut,

The Honourable the PRESIDENT: The honourable member does not move his cut in that case?

Mr. J. G. MORE: If the honourable member Mr. Chikodi is going to move his cut, I am not—

The Honourable the PRESIDENT: That I cannot say.

Mr. J. G. MORE: I do not move.

Mr. G. S. GANGOLI (Kanara District): Sir, I beg to move:

Reduce by Rs. 100—E-Petty Establishments—E-3—Tobacco Establishment—Total Voted Demand—Rs. 10,300 (C.E. p. 291.)

Sir, I move this cut in the tobacco establishment. When the Tobacco Bill was introduced, several honourable members repeatedly asked whether there would be any extra expenditure or extra establishment maintained for the same. So far as I remember the explanation was that no extra expenditure would be incurred or that no extra establishment would be maintained for this purpose. That is one part of my grievance.

The other is that as soon as this Tobacco Act came into force, persons not actually dealing in it but who once dealt in it before the Bill was introduced in this House, are being charged duty. The tax is not taken by way of licence fee as was understood but in the way that income tax is recovered. Persons who were dealing in tobacco before the Bill was introduced in this House, are made liable for the fee. That is another part of my grievance.

The Honourable Sir GHULAM HUSSAIN: The honourable member has not made it clear how it is recovered.

Mr. G. S. GANGOLI: The Honourable Member asks me to make my grievance more clear. I shall do so. This Bill was discussed in this House in the month of March last year. At the time when the Bill was being discussed in this very House, the Collector asked his subordinates to supply him with a list of persons who dealt in tobacco—snuff, bidis, and other things. The village kulkarnis accordingly prepared the lists showing the names of several persons in the town or village who were dealing in tobacco, and after this Bill was passed into law (in the meantime some months elapsed and some persons had ceased trading in tobacco) the tax was recovered from them on the basis of their past trading.

The Honourable Sir GHULAM HUSSAIN: Will the honourable member give the names of those persons?

Mr. G. S. GANGOLI: I shall give the names of the villages or towns, but not the names of the persons.

The Honourable Sir GHULAM HUSSAIN: Will he give specific instances?

Mr. G. S. GANGOLI: I shall give the names of the villages—

The Honourable Sir GHULAM HUSSAIN: How can I take any action if you do not give me the names of the persons?

Mr. G. S. GANGOLI: I shall supply the information within a week.

Mr. J. G. MORE (Sholapur District): Sir, the point that I wish to place before this honourable house is whether Government are right in asking from this House additional expenditure on new establishment. This issue was raised when the Tobacco Bill was before this House and it was argued on behalf of Government by the honourable member the Commissioner of Excise and the honourable member the Legal Remembrancer that there was no dark or deep design, and that Government are not going to establish any new service for collecting the tax and you, Sir, at that time specifically brought the issue before the Government benches. I will read out the relevant portion from the Council report :—

"The Honourable the PRESIDENT: I should like to place before the House the assurance given by the Honourable Leader of the House which must be accepted as a pledge. The issue is there whether Government wish to incur any additional expenditure in the form of a new service; or in the form of retaining those officers here who are retrenched in order to effect a saving. In that case it is no saving at all. If that is not so, an assurance must be given clearly to save the time of the House.

The Honourable Sir GHULAM HUSSAIN: Absolutely. I was surprised to hear the suggestion that in order to provide for some officers who are to be retrenched we are introducing this Bill. It never occurred to me till I heard it now in the debate. We have no intention to employ additional officers. (vide page 1051, part XIX, Volume XXXVII, dated February 28, 1933)."

Now it can be seen in the Budget that a new establishment is proposed by Government in spite of the assurance given at the time when the Tobacco Bill was before this House—

The Honourable Sir GHULAM HUSSAIN: Sir, the honourable member is misrepresenting what I said then. The clerical establishment had been retrenched in the offices of Collectors and Mamlatdars and elsewhere, and so, for the collection of this tax, in some of the districts they need a clerk or two. A clerk, Sir, is surely not an "officer of Government."

Mr. J. G. MORE: But that also is an additional establishment.

The Honourable Sir GHULAM HUSSAIN: The word there is "Officer".

The Honourable the PRESIDENT: The Honourable the Finance and Revenue Member draws a distinction between an Officer and the establishment which is contemplated at present, and points out that the assurance was given that officers already in service would be utilised for the purpose of collection of this tax, that no further assurance than that was given; and that it is not intended to incur any expenditure on the employment of new officers at all. All that is aimed at is to increase the clerical establishment wherever necessary but not to increase the number of officers.

Mr. G. S. GANGOLI: A clerk is also an "officer of the third class" according to the Civil Service Regulations.

The Honourable Sir GHULAM HUSSAIN: Sir, they first started with the Excise Commissioner and then they came down to the retrenched

[Sir Ghulam Hussain]

officers, and therefore I gave an assurance, that it was far from the intention of Government to increase the number of officers. This petty establishment cannot come under the heading of "Officers of Government."

Mr. L. R. GOKHALE: Is it temporary or permanent?

The Honourable Sir GHULAM HUSSAIN: Temporary.

Mr. J. G. MORE: Then again, Sir, we are being blindly asked to vote for the amount. In the White Book the strength of the staff is not mentioned and we are asked to vote nearly Rs. 10,300 for the presidency proper. That shows that Government have no idea as to how many clerks will be required for the establishment.

Then, Sir, the second point I wish to bring to the notice of this honourable House is that when the Tobacco Bill was introduced, the Government gave an assurance that the tax will not be levied on the producers of tobacco. In my district I have come across certain complaints from the growers of tobacco. They are accustomed to take their tobacco from their villages to the bazaar but the officers there drive them away on the ground that they have no licence. This sort of annoyance should cease and the agriculturist who produces tobacco should have his interests safeguarded by Government. This is another point which I wish to bring to the notice of the House.

Rao Bahadur G. V. PRADHAN (Nasik District): Sir, in the White Book I find that the total expenditure shown for the Presidency proper is about Rs. 10,300 for the next year, out of which Rs. 4,100 is shown as Rewards,—Under Allowances, Honoraria—Rewards Rs. 1,800; and under Contingencies—Rewards Rs. 2,300. In all Rs. 4,100 out of Rs. 10,300 is the sum reserved for rewards. Such an amount was not provided last year in the original budget but in the revised estimate it appears a sum of Rs. 6,000 has been provided. This system of giving rewards necessarily means that they are to be given as a rule to those persons who give information and, therefore, this system leads to a good deal of mischief, particularly in villages in the hands of village politicians. So also in Sind we find another sum of Rs. 525 provided for giving rewards. Sir, there is a paid establishment doing this kind of work and I see no reason for providing for such a large amount to be awarded as rewards to the tune of something like Rs. 4,500 or Rs. 4,600.

Then, Sir, there is another complaint so far as the rules under the Tobacco Act have been framed. The Government were given certain powers to frame rules. We find that those rules have been framed and applied even to the smallest village, with the result that every person who deals in tobacco even to the extent of one or two rupees by the end of the month comes under the Act. The rules framed show that every person who is dealing in tobacco, whether he is a retail dealer or a wholesale dealer, must keep accounts and submit these accounts for examination of the officers, must also keep a visitors' book and if he fails to do this he becomes liable to be punished under the Act

[Rao Bahadur G. V. Pradhan]

by way of cancellation of license. Sir, the dealers in tobacco, particularly in villages, are mostly illiterate or ignorant people. Last year I had made a point that this Act might be applied to cities and towns but that it should not be extended to villages where mostly widows or old men who cannot go on field work occupy themselves in selling bidies or chewing-tobacco and making a few annas profit by the end of the week. My request had not the desired effect and now we find that these very persons are called upon to keep accounts. This House knows that most of these persons are illiterate and even if it is possible for all of these persons to sign or write out a few figures, it is impossible for them to keep accounts in the manner in which they are called upon to keep accounts. Necessarily the result is that this will put a premium upon those persons only who can keep accounts, and they alone will be allowed to do the business and the others will be thrown out of employment. This is a very serious difficulty particularly in the case of retail dealers, and I see no reason why they should be called upon to keep any accounts whatever. You calculate the tax under a certain system. I find that the power is given to the Collector to fix the tax, and so long as he sells retail the question whether he sells one rupee worth or two rupees worth makes absolutely no difference. That being the case that they should be called upon to keep accounts is a very serious matter which will hit particularly those persons who take to this business only because they are very old or because they happen to be widows with a family to maintain with no other means of subsistence.

The second difficulty under the rules is that the person who wants a licence has to put in an application for it, and in that application he has to state the place where he wishes to deal in tobacco. This is probably what is meant by "place" in the rules; I do not know what the real meaning of the word is. When the person applies for a licence, he is called upon to mention the lane, the house, the person who owns the house, in fact every detail, so that he is restricted to sell tobacco in that particular shop or house and nowhere else. The result would be that if this licensee is a tenant, the landlord can give him notice to vacate the premises as soon as he gets the license, and if he vacates the premises all the money spent in obtaining a license becomes useless as, if he goes to another place, another license has to be obtained.

The Honourable the PRESIDENT: How does it touch on the question of Establishment?

Rao Bahadur G. V. PRADHAN: Because, Sir, this cut refers to the establishment which looks after these things.

The Honourable the PRESIDENT: The honourable member is dealing with the rules and the policy.

Rao Bahadur G. V. PRADHAN: I find, Sir, that the policy cannot be discussed just now. I will reserve my remarks so far as the rules are concerned. But as regards the establishment, there are two points. The first is that we do not know what the establishment is, what the strength

[Rao Bahadur G. V. Pradhan]

of the establishment is this year nor where it is required; that column in the white book is left blank. The second is that we do not know why establishment was required this year, so that we can have an estimate of the establishment for the next year. While the figure of expenditure is only Rs. 6,000 this year, for next year Rs. 10,000 are provided and no reasons have been given as to why the establishment is required to be increased for the next year.

The next question is as regards these rewards. They are, from the beginning to the end, a source of mischief to the poor public, and the system of giving rewards should be abolished as early as possible.

Mr. G. S. GANGOLI: I have no further remarks to make.

The Honourable Sir GHULAM HUSSAIN: Sir, as regards the first charge against this department, that after having given an assurance we are again employing establishment, I have already explained that it is very petty establishment, of clerks and not of officers.

The next point that was raised was that the growers of tobacco are charged fees. I would assure my honourable friend who has made that allegation that the grower is altogether exempted, and I would request him to specity any instance in which the grower has been charged. It is no use making vague allegations. Every grower of tobacco knows that he is exempt. He has the liberty to go and sell his produce.

Mr. G. S. GANGOLI: He is exempted in the Act but not in practice.

The Honourable Sir GHULAM HUSSAIN: Under the rules also he is exempted, I might assure my honourable friend.

Then as regards the establishment, these are the estimates. We hope that next year it will not cost us more than that amount. We cannot yet say what the exact establishment is going to be.

Then as regards the rewards, it is an inducement to people to give us information. Otherwise, anybody may deal in tobacco without a license, and we will not know about it. We have not got so many officers or so many police or excise officers or other officers to enable us to know what is going on in respect of this trade in every village.

As regards the keeping of accounts by retail dealers, I might inform the House that we have considered the case of retail dealers in towns and villages, and we are authorising the Collectors to exempt illiterate retail dealers from keeping accounts. But it is necessary to ask wholesale dealers at least to keep accounts. And what are those accounts? The total amount of sales and the stock remaining with them of each kind of tobacco. That is not keeping regular accounts. All that is required is the quantity sold and the balance in hand of the different kinds of tobacco. However, we fully realise that there might be hardship on illiterate retail dealers. Government have considered the question, and are authorising the Collectors, wherever possible, to exempt illiterate retail dealers from keeping accounts.

Mr. J. G. MORE: My allegation was that the grower of tobacco was prevented from selling his tobacco.

The Honourable Sir GHULAM HUSSAIN: Will the honourable member specify some instances, so that we may enquire? The grower knows full well by this time that he has not to pay these charges.

Mr. J. G. MORE: If the Honourable Member gives an assurance that he will make enquiries through the local officers, that will be enough. The only assurance I want is that the growers of tobacco will not be teased by Government officers.

The Honourable Sir GHULAM HUSSAIN: They are exempted under the Act. They are allowed to sell without any license.

Mr. J. G. MORE: Is it not the duty of Government to see that the growers are not troubled unnecessarily?

The Honourable Sir GHULAM HUSSAIN: We have received no complaints. I would again request honourable members to specify any instances, so that I may make enquiries.

Mr. J. G. MORE: I make a complaint on behalf of the growers of tobacco.

The Honourable the PRESIDENT: The Honourable the Finance Member is right in asking the honourable member to help him by pointing in which direction, in which district, in which taluka and in which village this has happened, so that enquiries could be made. But if it is a general statement, enquiries cannot be made all over the presidency regarding something which probably has not happened. Why can the honourable member not help the Honourable the Finance Member by giving one or two specific instances in particular villages or talukas or of any particular growers?

Mr. J. G. MORE: If the information is supplied, will he be pleased to see that the growers are not troubled?

The Honourable the PRESIDENT: That is what he says.

Mr. L. R. GOKHALE: Is it not a fact that the agriculturist can sell only to the wholesale dealer without any license, and that if he were to deal direct with any retail dealers he will have to produce a license? As a producer of tobacco, is it not that he is allowed to sell tobacco only to the wholesale dealer without a license? Or can he sell it to any person whatsoever?

Mr. S. H. COVERNTON: As I understand it, the question is whether a grower of tobacco can sell it to anybody. It is true that he can sell to anybody the tobacco grown by him.

The Honourable the PRESIDENT: The question was whether he could sell it retail to anybody, and not only sell it wholesale to a wholesale dealer.

Mr. S. H. COVERNTON: He can sell to a retail man tobacco grown by him. If he grows his own tobacco he can do it without a license. But he cannot take tobacco from another person and sell it as his own without a license. It is impossible to deal with the complaint raised by the honourable member opposite, because he has given no details at all as to what the nature of the complaint is. I do not know whether

[Mr. S. H. Covernton]

it was a local complaint existing in some particular village, or a mistake on the part of some individual officer. Unless the honourable member gives us further particulars, I am afraid we cannot go into it.

Mr. J. G. MORE: In taluka places.

Mr. M. M. KARBHARI: Can a grower of tobacco make *bidis* out of his own tobacco and sell them retail without a license?

The Honourable the PRESIDENT: The rules must be looked into for that.

Mr. G. S. GANGOLI: In view of the general discussion, I ask for leave of the House to withdraw the motion.

Motion, by leave, withdrawn.

Mr. P. R. CHIKODI (Belgaum District): Sir, I move:

"Reduce by Rs. 100—E-Petty Establishments—E-3—Tobacco Establishment—Total Demand—Rs. 1,25,600—Voted (C.E. page 287)."

The reason why I move this cut is that I want to bring to the notice of this House and Government certain grievances in respect of the working of the Tobacco Act.

2-30 p.m.

At the outset I may say that I am glad to hear from the Honourable Leader of the House that the Collectors have been asked to exempt small retail dealers from keeping accounts——

The Honourable Sir GHULAM HUSSAIN: Not in big cities.

Mr. P. R. CHIKODI: If that is so, then the grievance is there. Even in big cities the retail dealers are illiterate and they are poor men. It is impossible for them to keep accounts unless they keep clerks.

The Honourable Sir GHULAM HUSSAIN: Does he know the nature of the accounts they are called upon to keep? Only how much is sold and how much remains.

Mr. P. R. CHIKODI: With due deference to what the Honourable Leader of the House has said, whatever may be the nature of the accounts to be kept, whether it is one figure or two figures or three figures, or whether it is one entry or two entries, he has to write it out. If he does not know how to write, it is impossible to keep an account unless he keeps a clerk. That is the complaint of those who deal in tobacco.

Then, he has to keep a Visitors' Book. This may be kept. But under the rules, it is provided that it is to be taken away from the dealer by the Collector as soon as either the term or license expires or the license is cancelled. I do not know why this Book is to be kept by the Collector.

Then, Sir, when the dealer does not act personally he must employ his agent and then the agent must take a *nokarnama*. If the wife, son or daughter of the dealer sits in the shop and acts for the person to whom licence is issued, is there any necessity for taking a *nokarnama*? This is another difficulty.

Then, the third difficulty is with regard to the hawkers. Hawkers generally reside in one place and they hawk. If there are one or two bazaars held in a week, the hawker also goes there and sells his stock. There, the village patel comes and asks for the license. Unless the

[Mr. P. R. Chikodi]

hawker has taken a license for that particular place he is not allowed to sell tobacco. It seems necessary that the hawker should be allowed to have a license for the whole district. Similarly with regard to fairs. There are occasional fairs held in a year. At such fairs the hawkers will not be allowed to sell unless they have got a license for that particular place where the fair is held. The rules made under the Tobacco Act are so strict that they hit hard the small men who are dealing in tobacco.

With regard to the assessment, everything is done in an unsatisfactory manner. The village officers are depended upon for the levy of the assessment which bears no proportion to the income of the dealers. The result of this is that the dealers in the British territory are getting less customers and the dealers in the surrounding Indian States are getting more of them. This is particularly so in the Belgaum district. A furlong or a half from the town of Belgaum there is the territory of an Indian State, and the people accustomed to smoking *bidis* go to that place for getting their stock. Take the case of Nippani in the Chikodi taluka. That is one of the talukas which grows the largest amount of tobacco. There the complaint is that the tobacco dealers in that taluka will be compelled to shift to the Kolhapur State which is at a distance of 5 or 6 miles from that taluka. Unless these grievances are redressed, the people dealing in tobacco will be very hard hit. The dealers are assessed to the maximum amount permissible under the Act, without any checking whether the levy is properly imposed or not by the superior officers. One dealer may be earning a profit of Rs. 10 and another may be earning a profit of Rs. 100. If a uniform rate is levied on both the men, the poorer man will be hard hit.

The Honourable Sir GHULAM HUSSAIN: Will he explain what is his particular grievance?

Mr. P. R. CHIKODI: The maximum rates have been prescribed by the Act which are based upon the population of towns and villages. This is not fair. The rates should be based upon profit earned. If a dealer is asked to pay the maximum fee without any reference to the quantity he has sold and the profit he has made——

The Honourable Sir GHULAM HUSSAIN: The honourable member has been telling us that it is impossible for the illiterate dealer to keep accounts. If he does not do so, how will Government be able to know what his profits are in order to assess the rate?

Mr. P. R. CHIKODI: It is laid down in the Act that for a village containing 1,000 people the maximum rate is Rs. 2-8-0. Of course, the village patel may or may not be in a position to know what the man's profits are. But what he does is that he simply suggests an arbitrary figure, say, Rs. 1-10-0 or so on within the maximum; hence the tax is levied irrespective of the profit of the man who deals in tobacco. The village patel can ascertain locally what the profits of a dealer are and it is not necessary for the dealer to maintain an account. The result is that on account of these difficulties small dealers will be compelled to shift to Indian States that are near by.

[Mr. P. R. Chikodi]

Now, Sir, with regard to the establishment. Of course it has been dealt with. I do not know why this additional establishment should be necessary. What is the basis for this additional establishment? Although in a district the number of dealers is small, the additional establishment asked for seems quite disproportionte. In reply to a question put by an honourable member the number of dealers in Tobacco for 17 districts is given. When we compare with it the establishment that was given and for which additional one was asked for in a note in connection with a supplementary grant, we find that, although in a district the number of dealers is small, the establishment seems more than necessary. An enquiry must be made into the matter. The Collectors must be asked why they want so much establishment and their demands should be checked. It is no use giving them all that they requisition. These are the points which I wish to place before the House and I hope the grievances I have mentioned will be redressed.

Question proposed.

Rao Bahadur S. N. ANGADI (Belgaum District): Sir, I rise to support the motion made by my honourable friend Mr. Chikodi. My only object in doing so is to place for the consideration of the Honourable the Finance Member certain grievances which people are suffering from on account of the working of the Tobacco Act. As was pointed out by my honourable friend, Nipani is the largest of the towns in the presidency which deal in tobacco, and I think there are no two opinions that it is almost the first place in the Presidency so far as the tobacco trade is concerned. So also, the Chikodi taluka is the one taluka in which the staple crop can be said to be tobacco. So, if there is anything in connection with the working of the Act which is likely to affect the growers, then this taluka will suffer the most. When I am dealing with this matter, I must make it plain that so far as the Act is concerned, it has exempted growers from the tax. The point that I want to make out is that in spite of the Act the growers in the Chikodi taluka have been suffering on account of the working of the Act. When we framed the Act, it was supposed so far as the growers are concerned that they were selling tobacco only in the shape of leaves and not in any other shape. I think we started on that assumption, and, therefore we said that all the growers must be exempted. So far as the Chikodi taluka is concerned, what happens is this. They have got to powder it before they are able to sell the tobacco to the purchasers. That is a defect in the Act which I know can be modified only by an amendment of the Act. If it is a fact that on account of want of a provision to exempt growers who have to sell their tobacco after powdering it, the growers in certain parts of the presidency have been suffering, I think it is the clear duty of the Government to see that this grievance is remedied as soon as possible.

Secondly, Sir, there is the question of Mahar petty traders. In Nipan a number of petty traders carry on the tobacco trade not during the whole year but only during a certain season, probably extending to

[Rao Bahadur S. N. Angadi]

two or three months in the year. What they do is this. They go to Nipani, and they have to occupy some places in the open. According to the rules, as was pointed out by my honourable friend, every licensee has got to specify the place which he occupies while selling this commodity. But, as you know, Sir, these petty traders, when they have to occupy places in the open, have to take chance and occupy any place that happens to be vacant. The man who goes first will occupy any place he likes, the man who goes next will occupy a place that is convenient to him, and the man who goes last will have to occupy the place that is left vacant by the rest. The point is this. None of these petty traders can say that they are going to occupy a particular place. That is almost an impossibility, because no petty trader has any right to occupy any particular place; any petty trader has as much right as any other to occupy any place in the open. Under these circumstances, the rules require a little amendment. In this connection, I may say that a printed copy of a representation has already been put into the hands of the Revenue Secretary, and I think I have forwarded another copy to the honourable member Mr. Brander. In that printed representation many of the grievances which our people are suffering from have been embodied.

Another point is this. I do not think it was proposed under the Act to tax the *dalals* who do not do business on their own account. They only sell and purchase for their clients. The Act aims at taxing only those who carry on the trade on their own account. I do not think Government will be justified in taxing the *dalal* who purchases and sells for his customer, whatever may be the amount of business he does in this way during the whole year.

I am also told that the village officers exercise petty tyranny. But, after all, that is a matter of administrative adjustment, and I do hope that Government will see their way to prevent the exercise of petty tyranny in the working of the Act.

Then, Sir, the keeping of accounts is really a small affair, and it was explained to be such by the Honourable the Revenue Member. I do not deny that. However, as has been pointed out by several honourable members, it will go rather hard for the illiterate retail dealer if he is asked to keep accounts. He will be compelled to give some payment to someone who knows how to write. This will also give rise to occasions of petty tyranny. In these circumstances, if the Honourable the Revenue Member is willing to extend this privilege to towns and cities there is no reason why he should not go a little further and give it to the villages as well.

The Honourable Sir GHULAM HUSSAIN: I said "villages and towns."

Rao Bahadur S. N. ANGADI: So far as that statement of the Honourable the Revenue Member goes, undoubtedly it is satisfactory, and I am glad that he is going to ask the Collectors to see that illiterate dealers are exempted from keeping accounts. I am told that in villages it so

[Rao Bahadur S. N. Angadi]

happens that although sale of tobacco may not be the main business of a shopkeeper, yet he has to keep *bidis* to attract customers; he has to keep all sorts of wares so that the customer who comes to him may purchase all his requirements in the same place. It is with that object that he has to keep *bidis*. I say that such shopkeepers should not be taxed at all. That is a matter of policy which Government must seriously consider. I can quite understand those who keep shops only for selling *bidis* being taxed. There can be no objection to that. But the question is whether a shopkeeper who has to keep some *bidis* simply to attract customers and who does not make selling of *bidis* his main occupation, should be taxed at all. I am told that all are taxed, irrespective of the fact whether their main business is sale of *bidis* or not. I hope Government will seriously consider whether the class of people I have mentioned should be taxed at all. With these remarks, I support my honourable friend Mr. Chikodi.

Mr. L. R. GOKHALE (Poona City): Sir, the rules made under the Bombay Tobacco Act are insufficient, and, in some respects, not very reasonable. Besides, the rules are not available to the licensee. They are not published in the vernacular languages. I specially refer to the rules made under the Government resolution No. 460/33 (*e*). Rule 5 says:

"The village officer to whom an application has been presented shall examine the particulars given in the application and forward it with his remarks to the mamlatdar, mukhtyarkar, or mahalkari, as the case may be, who shall assess and fix the licence fees according to the general or special orders of the Collector."

Now, these special orders of the Collector are not known to any of the licensees. Only certain general rules are published in the Government Gazette, a major portion of which refers to confiscation. But the particular rules which are of vital importance to the dealers are a sealed book to them. I think I am correct in my statement. So far as my enquiries go, I am told that these rules, giving directions to the mahalkaris and mamlatdars are issued by the Collector and are not available to the public. If that is so, then the question arises as to how a person is to know whether he has been properly or improperly taxed. That is one very great inconvenience to the people and a great defect in the rules. That is probably because the Act is new and the Government itself is not in a position to know what the proper procedure should be or what other difficulties there might be in the way of dealers.

I will give in brief two or three points which oppress very heavily the producer and dealer in the tobacco trade. One has already been referred to by my honourable friends today, and that is about the weighing of tobacco. It is known to everybody that if you weigh tobacco again after weighing it once and putting it in the godown, the quantity is reduced and the quality also deteriorates. In fact, re-weighment means a great loss to the dealer in tobacco. How this should be prevented is a thing which I leave to the executive officers. But I put before the House the difficulties confronting the dealers. If you weigh a given quantity of tobacco three times in a year, you will find that the weight is reduced by about 15 per cent. What happens is this. After a time the leaves drop down

[Mr. L. R. Gokhale]

and sometimes only the stems remain. These stems have to be thrown away because they are useless. All these things should be taken into consideration when the rules are laid down regarding the weighment or re-weighment of tobacco from time to time.

The second great difficulty is this. . The application for a license has to be submitted through the village officer. It cannot be submitted to the Mamlatdar direct. Why not to the Mamlatdar or the Mahalkari direct? The point is, that it is sometimes more safe, more convenient, to meet the Mamlatdar directly than to go through these village officers. We need not mention the reasons. Under the present rules, the application is to be made to the village officer, who forwards it to the Mamlatdar when it suits him. If provision is made under which an application can be made direct to the Mamlatdar or Mahalkari, that will save a good deal of inconvenience and probably time and everything else.

The third point is this. As my honourable friend Rao Bahadur Pradhan pointed out, a license is given to a certain individual to deal in tobacco at a certain place. He cannot change that location without notice to the proper authority. That takes a long time and it becomes very difficult for him to get a new place immediately after the orders are received. So this hardship should be considered and some rule should be substituted enabling the dealer to change the location of his place of business.

The next point is about the rate of interest—1 per cent. per month. The present rule lays down that if the payment is not made at the proper time, Government is entitled to recover 12 per cent. interest—1 per cent. per month—which I believe is a great hardship. We are thinking of controlling usury and when Government comes forth and charges 12 per cent. interest, the moneylenders will certainly feel justified in charging 18 per cent. interest. I do not think that the recovery of the license fee would involve so much expense as to justify the levy of 12 per cent. interest. Of course it is not the money, it is the principle underlying it, that is undesirable.

The next point I wish to refer to is the question of two or three godowns being owned by one man in one city. Take for instance a place like Belgaum or Chikodi or Poona. In these places the dealers in tobacco cannot get one sufficiently big godown to store their goods, and the license requires that there shall be one godown, unless different licenses are taken out for the different godowns. As far as I can see, there is no provision for five or six godowns being used under one licence. That is the difficulty. My suggestion is that provision should be made in the license to enable the licensee to store his tobacco in more than one godown——

The Honourable Sir GHULAM HUSSAIN: For storing the goods?

Mr. L. R. GOKHALE: Yes, for storing tobacco. The form of the license, as it is worded at present, does not make any provision for that.

The next point is about the *nokarnama*. My honourable friend Rao Bahadur Asavale says, and I also say, that the *nokarnama* must be there.

[Mr. L. R. Gokhale]

But the point is, who should be required to work under a *nokarnama*? The wording is ambiguous. I have got a copy of the rules published in the Government Gazette dated the 9th June 1933. In the rules at present there is no provision made for persons who are agents, not *de jure* but *de facto*. That should be provided for.

Mr. S. H. COVERNTON: Will the honourable member kindly explain the point?

Mr. L. R. GOKHALE: Not agents in law, but in fact—persons who actually act as agents though they are not agents as such appointed by the licensee as agents or as servants. The person may, for instance, be the brother-in-law of the licensee or some other relation. They are dealing on his behalf. At present the form of the licence makes no provision for any of these persons to act on his behalf, nor does the *nokarnama* form give us any idea.

There is one more point and that is about the keeping of accounts. It is a difficult problem to speak about these accounts. Accounts mean only two things—credit and debit sides. There cannot be a third thing in accounts. So many goods received, so many sold. These are the only two items to be written. And where is the difficulty in keeping such accounts? That question is asked. But there are methods of keeping these accounts though they consist in credit and debit entries only. Thanks to the ignorance of the people, a number of tobacco dealers are not able to read or write. Yet they are able to deal in lakhs of rupees worth of tobacco and carry on business successfully and in a businesslike way. Of course when we have compulsory education in course of time, this difficulty may not arise. Under the present rules, accounts have to be kept. For that purpose an accountant will have to be kept. Who should pay for him? The trader will have to spend about Rs. 300 on an accountant or clerk. Then he will not be able to spare anything for himself. He will be hard put to it to make both ends meet. He earns only enough to make both ends meet. Under the present rules he will have to keep servants, which he cannot afford to do. Another point is that it is not desirable to make these things public. Suppose a dealer in tobacco has got customers in certain places. If he gives the names of his customers to a third person, that third person may take advantage of it. So it is sometimes unsafe for a dealer to divulge the names of his customers. Of course I do not want to blame the Government for these rules, because they were copied in a hurry but they must realise the position and find a solution for these difficulties. Unfortunately for us and fortunately for Government the tobacco tax has come to stay. It was enacted for two years and I do not know what its fate will be.

Then, as regards the temporary licensees, the applicants are required to give the place, the period, etc. The difficulty is this. The places of these fairs are not always defined and the period also is indefinite. Suppose a fair is to last for six days. It is extended for two more days. The license will not be valid for those two days. We know what these

[Mr. L. R. Gokhale]

village fairs are. The period of these fairs depends on the sweet will of the elders of the village. They can extend the period of the fair; they can curtail it occasionally. But the period of the licence is not changed. It is indefinite in so many respects. This definiteness of the licence is not very desirable.

Then, as regards renewals, it is necessary that the applications for renewals should be made one month before the expiry of the licence. It is very difficult for the ignorant licensees to remember the exact date of the expiry of the licence. If the application is made 29 days before the expiry of the licence, it may be timebarred. Discretion may be given to the Collectors in these matters. Even in law there are occasions when delays are excused and condoned in the best of legislations. I do not think the tobacco legislation is of such a serious character that there should be no provision for excusing delays. Of course, Government probably are also not aware of the defects in the rules, not being conversant with them, but my only purpose is to point out the insufficiencies of the rules in many respects as far as they have been brought to my notice by the persons concerned.

3 p.m.

The next point is rather a delicate one. The rule is that no one should deal with a person who may be a wholesale dealer but who cannot produce a licence. Now, Sir, take the case of a dealer who comes to Poona from Baroda, Nasik or anywhere else, to purchase tobacco in Poona. If he has not got in his pocket a licence authorising him to deal in that, the man in Poona cannot sell tobacco to him. If still the deal goes through, the authorities pounce upon him and say "You are dealing with somebody who does not possess a licence." What will you do in such a case? That will be a breach of the Act and the dealer in Poona is perhaps liable to forfeit his own licence for selling tobacco to one who has no licence. If, on the other hand, he does not deal with people who come to deal with him, he is very likely to lose business, and the question will be whether to forfeit the licence or to lose business. Should not Government think over this? There are persons who come not only from the British territory, but also from Indian States, to purchase tobacco. In the Indian States there are no licences required. Say a person from Bhor, Sangli or Miraj may come to purchase tobacco from a man in Poona or in Satara or anywhere else. How is he to be provided with a licence? How is he to deal with such a man? I think it is a problem of real practical importance to the dealer in tobacco when he has to deal with outside customers who are not from his own village or from his place of business but from elsewhere. That is a practical difficulty which I think Government should provide against.

The Honourable Sir GHULAM HUSSAIN: There is no penalty.

Mr. L. R. GOKHALE: Kindly read the rule.

Mr. S. H. COVERNTON: No licence is required to buy.

Mr. L. R. GOKHALE: Licence is required to sell to a person who is a wholesale dealer. An agriculturist or a producer of tobacco deals

[Mr. L. R. Gokhale]

with a wholesale dealer who must be a wholesale dealer in order that the producer may deal with him. How is the producer to satisfy himself that the wholesaler has a licence and supposing he is from Baroda or Bhor or from any other Native State ? That is the point.

Further, Sir, I am surprised to find that there should be made rules not known to the outside world but only to the official world for directions to collect ? I think the rules have been sent to the Collectors from the Commissioner. I do not know the exact position. In fact I tried to get these rules but I found great difficulty in getting them. After writing to this department and that department, I got these rules. Is it not necessary, Sir, that these rules should be published in all the vernacular languages and be made available to all the village chavdies so that anybody who wishes to suggest amendments or who wishes to supply the defects that may be found in the rules may be able to do so ? In fact, the rules are so very defective that I have no hesitation in saying that they are more a curse than a guidance to dealers in tobacco.

A large number of petitions have been submitted to the authorities concerned, the Commissioner and so on, from various districts by various Associations in the Presidency against the present rules. In Gujarat there are 5 or 6 associations of the tobacco merchants. In Poona there is one. I think in the Southern Division also there are some associations in the central towns. I should like the Government officials to be in touch with these associations, to write to them officially and to encourage them to submit their views and I think that the rules should be revised as may be necessary in the light of these suggestions. I know this tobacco tax is to stay only for two years, but I do not know whether it is at all going to leave our statute-book because our taxes are not in the habit of going away once they get into that book. That is why I say that Government should be ready to meet all these difficulties.

Lastly, Sir, as I have said, the selling licence does not in so many words mention whether the licensee's wife or children or distant relations should be allowed to sell in his name and on his behalf. The next point is as regards the fees in many places where the law lays down the maximum of fees to be levied, that maximum has been overreached. I know of cases where first Rs. 120 were charged, in appeal, that amount was reduced to Rs. 90 and where it was first put down at Rs. 90, the mamlatdar reduced it to Rs. 80. But even these charges are heavy. I am certainly very sorry, Sir, that this is an Act of our own doing. When the Tobacco Tax was passed, this House by a majority gave its consent to its passing. This Act, Sir, is, as I say, a very oppressive one. In fact, it is proving so very oppressive that many of those who have had a slight experience of its working say that they would rather have a terminal tax on tobacco in their places than to have this tax which oppresses the poor and ignorant people. I hope therefore that Government will consider this question and find out whether they can make it less oppressive and more reasonable.

These, Sir, are some of the points I wanted to bring to the notice of the department concerned and of the officers concerned. I shall take

[Mr. L. R. Gokhale]

an opportunity of doing so again when a representation will be submitted to the department to look into all these matters and many more which are of vital importance to the dealers in tobacco. I must however make one thing very clear beyond doubt and that is, it should be at once made clear to the people by Government that these are the rules under which the Collectors are acting. At present these rules are a sealed book except to the Collector and a few of his officers. So, I insist upon this that these rules should be translated into all the vernacular languages and published in all the taluka towns, and other places. That way you will remove the difficulties which are met with by the ignorant village people. With these words, I do support the cut proposed by my honourable friend with a hope that Government will take all these suggestions not in the spirit of comments for opposition, but in the spirit of co-operation.

Mr. C. N. PATEL (Kaira District): Sir, this Tobacco Act was passed somewhat in a hurry and the rules were framed in equal disregard to the requirements of the trade and the benefit of the people. I would rather confine myself to the special conditions of trade prevailing in the Gujarat district from which I come. Unfortunately, Sir, the framers of the Act as well as of the rules have lost sight of the special trade conditions prevailing in my district. Every village in my district has got some brokers who do not do any business on their own account but they simply bring about transactions between the farmer and the wholesale dealer. They are only responsible for the price as *pakka adatias* and are not responsible for loss or gain and all that they get is one anna per maund and the average business is from 1,000 to 2,000 maunds, giving the *pakka adatia* Rs. 62-8-0 to Rs. 125 per year in all, but there is nothing in the Act which justifies Government in taxing these people, and in spite of repeated protests from these people they have been taxed and the tax has been recovered. Even now there are cases in which these brokers have been asked to take out licences. I submit, even as it is, this Act is proving oppressive to the people and if its working is carried too far, the people would find its working unbearable.

Again, Sir, as regards the incidence of taxation——

The Honourable Sir GHULAM HUSSAIN: May I interrupt the honourable member? Are the brokers who merely do that kind of business on behalf of others taxed?

Mr. C. N. PATEL: The brokers who do not trade on their own account but who merely bring the vendor and the purchaser together are taxed—the middlemen who earn only one anna per maund and whose yearly income does not exceed from Rs. 62-8-0 to Rs. 125 are taxed to the tune of Rs. 25 per year. This man is not a trader, there is no vend of tobacco for which the duty is liable to be levied. Such people have been charged last year that is, 1933-34. Some of them are not going to be charged this year. If Government have seen the justification for not taxing them this year, what have they done to refund the tax

[Mr. C. N. Patel]

they have illegally collected last year? You do not expect them to give notice and file suits for such small items thereby incurring a greater amount of expenditure than the amount to be recovered?

Then, Sir, as regards the incidence of taxation, the proportion Government expect should fall upon the shoulders of the people dealing in this commodity, is it 1, 2, 5 or 10 per cent.? What is the extent? I submit, Sir, there is not one fixed rule for levying this fee in different districts. In Karachi for instance for the first Rs. 2,000 the incidence of taxation is Rs. 5 and for additional Rs. 2,000 it is Rs. 5, so that the man who does business to the tune of Rs. 20,000 has to pay something like Rs. 50. That is not so in the case of any other districts. In other districts there is no such definite scale laid down. The license fee depends upon the sweet will of either the talati or the mamlatdar. In Surat, for instance, books of accounts have been kept by certain merchants. They show them to the huzur mamlatdar. The books of accounts are inspected. They succeed in showing that their total outturn at the end of one year is a particular amount, and yet, in spite of all this testimony, they are taxed heavily. They appeal and the appellate officer passes one omnibus order applying to all people saying that for want of books their appeal is rejected. This thing has actually happened. These are facts which I am submitting for the information of the Honourable the Revenue Member, and if he makes enquiries he will find that what I say is absolutely correct.

But one good thing you have done by enacting this Act and these rules, and it is that you have roused the instinct of self-preservation among these merchants. You have roused them to a sense of self-preservation, so that they have now formed themselves into associations, and they are trying to make a beginning of protesting by approaching honourable members of this Council and even the Honourable the Revenue Member himself. They have just learnt as to how to agitate. You have got only agitation so far, but the difficulty remains all the same, namely, that the trader is taxed beyond his capacity to pay.

Then again, every merchant is not only a tobacco merchant; he is a merchant of many other things besides. That point has been stressed by the honourable member who preceded me and I will not carry it much further, but content myself with saying this much on the point, that to tax a tobacco merchant on the total outturn of all his dealings is unfair. That is what is being done, as a matter of fact. You cannot separate *bidis* from the plenty of other things that the man is dealing in. And you ask him to keep accounts. How on earth is it possible that he should keep accounts of his tobacco sales? How can he satisfy that demand? The iniquity of this will be seen from the fact that persons who were exempt under the one-thousand rupees rule for purposes of income tax are now being made to pay a tax to the tune of Rs. 20 to Rs. 50. I do not think that the Government of Bombay would go so far as to say that the income tax officers were not doing their duty properly, letting these people go scot-free, because as a matter of fact

[Mr. C. N. Patel]

their income was more than Rs. 1,000. People who could not be taxed to income tax by showing that their income was Rs. 1,000 or more are being made to pay a tax to the tune of Rs. 20 to Rs. 50. What is the reason for that? What rules are there by which you are enabled to do this in consequence of the passing of the Tobacco Act? Those rules must have been framed. But those rules are not open to inspection. Copies are not supplied to us even when an application is made. What are the rules meant for? For whom does the Act lay down the rules? They are framed not only for the officers of the department. The tax-payer also ought to know how far he is liable to pay the tax. They are meant primarily for his information, so that, in the event of his being overtaxed, he should know what to do.

The poor traders, as I have already pointed out, are taxed too much. I now come to the wholesale dealers. The wholesale dealers in my district are of a different type from the wholesale dealer that you find in Bombay. The wholesale dealer in my district has no one fixed place of business. He collects his tobacco, I mean some part of it, at one place, at his place of residence or his place of business. But what the wholesale dealer usually does is that he purchases the standing crop in different talukas. He has got to store the tobacco there, because very often the place may be even 20 miles away from his place of residence. So he stores it there. He dries it and stores there. When he purchases loose dried leaves, he stores it at some other place, either at the broker's or, if there is no broker's place, then at some other place. When he gets somebody to purchase it, he takes him to the place where the tobacco is stored, shows his goods and if there is a transaction gives delivery in the ordinary course of business. This is the way he has been doing business for the last hundreds of years. This saves him the carting charges. The definition as laid down of the words "for sale" is "either selling or exposing for sale", and what I have described is technically "exposing for sale". His customer comes there, he takes him there. The goods that are "exposed for sale" are in the godown. So that, if there is a transaction *via* the godown, he is not authorised to put it through under the rules. You never intended to penalise or restrict the movement or betterment of trade. That was not the idea. You only wanted to make 4 to 5 lakhs of rupees. You only wanted 4 lakhs of rupees more to balance the budget, but in fact it has imposed a hardship on these merchants. If he is to regulate his conduct strictly according to the rules, then by the terms of the license he has got to carry every pound of tobacco that he purchases to his place; and you will say "expose for sale at this place", because that is the only place mentioned in the license. Some of these merchants purchase tobacco to the extent of 50,000 maunds or so. Just imagine, Sir, the trouble and expense the man will be put to, if he is forced to carry all this stuff to his "place". The highest capacity to which he can be taxed is Rs. 150. He is willing to pay this amount. I am talking now of the wholesale dealer who deals in tobacco on a very large scale on his own account. It is unnecessary that he should be put to various hardships by the rules and the terms of his license. He is forced to carry,

[Mr. C. N. Patel]

and he will be forced to carry every pound of tobacco that he purchases to his place of business, because anywhere else he would not be entitled to sell. If he is forced to do that, then for the sake of getting Rs. 150 from him, you will be putting him to a loss of several thousands of rupees in carting and recarting his goods and the consequent damage done to them. My submission is that in my district at any rate the wholesale dealer's position is that he keeps his goods at the place of his purchase, and therefore he ought to be allowed to sell them wherever he has stored them, not in the sense that petty dealers do by way of a shop. I would ask Government to make enquiries of their own Collectors and satisfy themselves as to the truth of my statement. If that is the way the wholesale dealer has been doing business for the last hundreds of years, there is no justification whatever for you to frame rules whereby he will be put, in order to pay Rs. 150, to extra cost of thousands of rupees. I do not think that was ever thought of.

Then, Sir, at the time the Act was passed, I had prophesied that the license fees will fall on the agriculturists; and that has been actually the case. You know that these agriculturists, when they sell goods, are subjected to various kinds of discount. In the first place, payment is deferred for some 40 days or 60 days, as is the custom in that part of the presidency. Then again, if he wants money one or two or five days earlier, a discount of 10 per cent. or so is made. Then as regards weighment, the maund is of 42 lbs. to 50 lbs.; it all depends upon these customs in different parts. There are several other burdens also on the agriculturist, namely *dharmadaya* and other things like *tolai*. And now the merchant has added Re. 1 per cent. for his license fee. If the Honourable the Revenue Member makes enquiries, he will find that in my district several merchants have now begun to deduct Re. 1 per cent., in order to compensate themselves for the tax which Government have imposed upon them. It is evident from this, and it is proof of the fact, that the tax has ultimately come to fall upon the agriculturist.

There is another matter which will show how the tax has affected the agriculturist adversely. Formerly, people from outside the presidency used to come and make their purchases in my district, or, in the alternative they used to instruct the local brokers to make purchases on their behalf, the broker getting only one anna commission. There were some brokers who used to do business to the tune of several thousands of maunds every year, they being responsible for the price to the grower, and they recovering the price from the other man. They were not responsible for the loss or the profit. They only got their commission. There are very big brokers in my district who are doing their business on this commission system. These outsiders cannot make their purchases now, as they are not willing to come here and obey the special rules that you have laid down. They do not come in and purchase tobacco now. The result is that the few merchants that now remain there have made a combine and they have kept down the prices. This year, on account of the frost, most of the tobacco crop has been ruined. Very few people have their tobacco crop intact, and therefore the prices were

[Mr. C. N. Patel]

expected to be very high. In my own village, Sir, I had once thought that the price would be Rs. 8 to Rs. 9 per maund of 40 lbs., but I now find that there is nobody to purchase at Rs. 6 per maund even,—not because there has been over-production anywhere, but because the merchants have made a combine. I cannot invite any outsider to whom to sell my tobacco. The agriculturist cannot be expected in the least to make a protest, because nobody listens to him. The licensee can do that. Unfortunately the masses of the agriculturists are illiterate. They do not have that much understanding in them, and they cannot bring about sales to the best of their advantage.

3-30 p.m.

The whole thing depends upon the law of supply and demand. There are very few purchasers, and therefore they can dictate their prices. This is, in fact, the condition to which the agriculturist is reduced, as a result of the working of this Act.

I will not repeat arguments as regards weighment and other things. They have been sufficiently pressed upon the Honourable the Revenue Member, and I will not bother him further on these points. But I would at any rate, during the time that this Act is in force, impress upon the Honourable the Revenue Member the advisability of allowing wholesale merchants in my district to do business in the way they were doing before. If you are concerned with your Rs. 150, by all means take the money, but please do not put the merchant to any extra cost, by making him cart his goods from one place to another. Be satisfied with these Rs. 150, but please do not bother him by insisting upon weighing and reweighing and all these other things. One or two days before I came here to attend this session, I met the Collector of my district at a place called Chikodra in my district, and I pointed out to him the huge heaps of tobacco lying there. Some of the heaps were as high as this Council Hall. Loose leaves of tobacco are piled up in a heap of, say, several thousand maunds. They are preparing the *bidi* tobacco there. The leaf is broken up and cut up, and it is piled up in bags; sometimes it is heaped loose. If you weigh this as per weighment rules there will be loss. It has been suggested that the loss is 25 per cent. Let us put it at 10 per cent., or even 5 per cent. As I have said, in Chikodra I could point out 5 merchants who have got 20,000 maunds of tobacco each in their godowns. If you ask them to weigh these 20,000 maunds, at 5 per cent. what will be the loss? What earthly good are you going to get by this weighment condition? What is the benefit? What is your object in doing that?

Mr. S. H. COVERNTON: Which condition has the honourable member referred to regarding weighment?

Mr. C. N. PATEL: The condition that whenever your officer goes there, he takes it into his head to ask the merchant to weigh up his stock, and he has to do it.

Mr. S. H. COVERNTON: Where is that condition?

Mr. C. N. PATEL: In the rules.

Mr. J. P. BRANDER: I should like to say that in our instructions the officers have been told not to do any weighment at all.

Mr. C. N. PATEL: Why don't you remove this rule?

Mr. S. H. COVERNTON: Which rule, Sir?

Mr. C. N. PATEL: I will point out the rule.

Mr. L. R. GOKHALE: Can the House be supplied with a copy of the rules issued by Collectors to Mamlatdars? If that is laid on the table it will be of great use to honourable members for dealing with the subject.

Mr. C. N. PATEL: Rule No. 12 says:

"The licensee shall keep an account book showing the quantities of tobacco of each main kind, viz. *bidis*, cigarettes, etc., received and sold during, and the balance in stock at the end of each month. The book shall be open for inspection by the Collector, any Tobacco Officer or any person duly authorised by the Collector in this behalf. He shall also keep in the form prescribed by the Collector a book called 'Visitor's Book'."

These visitors' books are meant for the tobacco officers to come and inspect the shops. They will inspect the account book and ascertain the stock. Unless they weigh the tobacco they will not be able to check the stock as mentioned in the book. I take it there is no rule laid down that the stock should be weighed.

Mr. S. H. COVERNTON: No, Sir.

The Honourable the PRESIDENT: There is no such rule.

Mr. C. N. PATEL: It is good if there is no such rule.

Mr. L. R. GOKHALE: If the rules are supplied to honourable members, this will put a stop to this controversy. I know there are certain directions given to the mamlatdars.

Mr. C. N. PATEL: I am more concerned with redressing the grievances of the agriculturists. I am glad that there is no such rule.

Then the account book should be maintained and the visitors' book should be maintained. The stock should be shown in the account book. The tobacco officer may take it into his head to verify the stock. If he does it, it will mean weighing the tobacco which is the only way to check the stock. I quite well understand that the object of this rule which I just now referred to is that a man capable of paying Rs. 150 should not escape with a payment of Rs. 140. If this rule is to apply only to wholesale merchants, I do not understand how it is necessary for that man to keep an account book, visitors' book and a stock book. These provisions ought not to apply to persons who are paying the maximum fee.

Now, I will wind up by urging upon the Honourable Members' attention the discrepancy that prevails in the incidence of taxation in different districts. I understand the standard that obtains in Karachi is satisfactory to the merchants concerned. You should set up such a standard for all the districts. The very fact that you have realised 5 lakhs from this tax instead of 4 shows not that the trade is capable of bearing it but that the Act has been worked harshly. With these remarks I support the cut.

The Honourable Sir GHULAM HUSSAIN: Sir, I intervene at this stage to clear the air. I very much appreciate some of the criticisms that have been levelled against the rules. As my honourable friend Mr. Gokhale expressed a desire that we should publish the rules, Government are considering the question of publishing the rules and of thus giving every opportunity to the people to know what the rules are. I may, at the same time, tell my honourable friend Mr. Patel that we will consider the question whether the broker who merely transacts business on behalf of others should be taxed or not.

I shall first take the last speaker, who said that, because the tax yielded a revenue of 5 lakhs instead of 4 lakhs, it showed that the trade could not bear it. The very fact that so many licenses have been taken out shows that the trade can bear the tax very well.

Mr. C. N. PATEL: They have not taken out licenses, but you have collected this money by attachments and other coercive measures.

The Honourable Sir GHULAM HUSSAIN: I do not want interruption. Government are not forcing anybody to become either a wholesale dealer or a retail dealer. It is of their own choice that people come forward and apply for licenses because they see money in the trade. There is money in the trade, and not the reverse as the honourable member says.

The other suggestion was that wholesale as well as retail dealers should not be required to keep accounts. May I know from the honourable members how the Collectors are to assess the tax? They must know what business each man is doing and what profit he makes. Unless he knows exactly what profit a man makes, he will have to be arbitrary in his assessment. [*Interruption*]. Already we have removed all the hardships in the villages. If honourable members have forgotten what I read out to them, I may again inform them that the retailer in a village will not be required to keep accounts. As regards cities, honourable members must realise that, unless proper accounts are kept, it will not be possible to ascertain what amount of business is done and what profit is made. We have prescribed very simple accounts, not accounts as they are maintained in the Imperial Bank, as was remarked by some honourable members. The dealer must at the end of the year say how much tobacco he sold and what profit he made. We do not want any more information than is necessary for the purpose of assessment.

The last speaker trotted out the bogey of the "poor agriculturists". He says more tobacco is not cultivated because the law of supply and demand is there. But he says that the wicked middlemen have combined and they are not purchasing tobacco. May I remind him of the fact that as regards agricultural produce till the crop is ripe nobody comes forward to purchase it? It is at that time that the prices go down. After the middlemen have made their purchase, the prices go up slowly. Are there any means of saving the agriculturists from the machinations of these middlemen? It is the middlemen who always deprive the agriculturists of their profits, because they only come forward when the crop is ripe. So, this is not a new thing about tobacco.

[Sir Ghulam Hussain]

Then, he said that in Karachi at least the officers are making the assessment very well. I may tell him that the same rules apply to Bombay as to Karachi.

Mr. L. R. GOKHALE: They have got a stronger force——

The Honourable Sir GHULAM HUSSAIN: Everything is the same here as in Karachi.

Mr. C. N. PATEL: The same scale of taxation levied here? If a man in Karachi getting an income of Rs. 20,000 is charged Rs. 50, is the same Rs. 50 charged to a man in Thana getting a similar income?

The Honourable Sir GHULAM HUSSAIN: All the profits are taken into consideration, and the scale is the same for all.

If I understood him correctly, he wanted that a wholesale dealer in tobacco should be allowed to store his tobacco in godowns all over the world, but take out only one license. He says we should not mind where he stores his goods. We insist that he should specify the place where he does business. Is a man to take out one license only, and do business in Karachi, Ahmedabad and Surat? What will be the result? Government will suffer in their revenue and so also the other traders. Is it fair that a man who takes out one license should be allowed to do business in different places?

Mr. C. N. PATEL: Though the man stores tobacco in different places he will be effecting one sale at each place. That would not be business.

The Honourable Sir GHULAM HUSSAIN: I cannot make him understand.

My honourable friend referred to *nokarnama*. There is no form and no fee for it. The trader is asked to put the name of his servant or his son or anybody, so that we may know whether he or any other person is doing business.

As regards hawkers, a point is made that hawkers should be allowed to sell through their servants. If a hawker is to take out one license and send ten servants to hawk his tobacco, will it be fair to the other merchants and even to the retail dealers? Therefore a hawker, if he wants, can have a license in his own name. If he wants a license in the name of his servant, he can have it. Otherwise he will do great harm to the retail dealers and others. He will obtain a license for Rs. 2 and send ten servants to hawk and spoil the whole business of the retail dealers.

Well, another grievance was made by the honourable member Rao Bahadur Angadi. He said that we should not charge any fees to the grower when he deals in powdered tobacco. I think he is already exempted.

Rao Bahadur S. N. ANGADI: Sir, I made another grievance also, about taxing people who keep *bidis* not as a main business, but only to satisfy their customers for other articles they keep.

The Honourable Sir GHULAM HUSSAIN: I am coming to that. If we allow a shopkeeper in oil, sweetmeat, etc., to sell tobacco without

[Sir Ghulam Hussain]

a license, then I am afraid nobody will come forward to take out a license for tobacco. They will keep something else along with tobacco and thus escape the license fee. I might remind honourable members that for towns and villages we have reduced the license fee for retailers from Rs. 2-8-0 to Rs. 2. It would not come to more than about Rs. 0-2-6 per month.

Rao Bahadur S. N. ANGADI: It will come to less than that if you calculate for a day.

The Honourable Sir GHULAM HUSSAIN: So, it will not be hard on the small man. For the wholesale dealer in towns and villages, we have reduced the license fee from Rs. 5 to Rs. 2.

Now, Sir, I hope I have satisfied my honourable friend Mr. Chikodi who has complained that we are levying these fees arbitrarily. He also made the suggestion that even in cities, the dealers should not be asked to keep accounts. May I ask him to suggest on what basis we are to make the assessment if they have no accounts? How are we to know what will be the proper assessment?

Mr. P. R. CHIKODI: Have panchayats who may be asked to fix the assessment.

The Honourable Sir GHULAM HUSSAIN: That will be more costly.

I think, Sir, I have replied to most of the points raised in the debate.

Khan Bahadur A. E. PATEL (Northern Division): Sir, when we were discussing this question last year, everyone of us expressed the fear that there would be difficulties in the working of the Act and that the tax would harm the agriculturists. Now, the actual working of the Act has revealed that the difficulties in the working of the Act are even greater than we imagined them to be and are insurmountable. Everyone of us who represented the agriculturists opposed the Bill very keenly, and yet the Bill was passed into an Act in the teeth of very great opposition on the plea that the finances of the presidency were bad and the budget had somehow to be balanced. That being the plea for imposing this emergency taxation then, I feel there is no case now for continuing the tax to-day. Before I go on to justify my case, I only want to remind this House that this tax is very iniquitous——

The Honourable Sir GHULAM HUSSAIN: I am afraid, Sir, that the honourable member does not know what the question before the House is. He seems to think that a Bill is under discussion.

Khan Bahadur A. E. PATEL: That has been passed. I only want to bring the difficulties of the agriculturists before the House, because at every stage this product is being taxed,—at the place of growth——

The Honourable Sir GHULAM HUSSAIN: Sir, I challenge the statement that we tax tobacco at the place where it is grown. A responsible member of the House should not make incorrect statements like that.

The Honourable the PRESIDENT: What did the honourable member say? Will he repeat it?

Khan Bahadur A. E. PATEL: Sir, I could not follow the Honourable the Revenue Member.

The Honourable the PRESIDENT: I will just explain if the honourable member repeats what he said.

Khan Bahadur A. E. PATEL: I was just going to say that this commodity is being taxed several times over, because at every stage, even at the stage where it passes from the hands of the agriculturist to the general dealer, then at the stage of transit from one place to another——

The Honourable Sir GHULAM HUSSAIN: It is not correct, Sir, to say that tobacco is taxed at the stage where it passes from the hands of the agriculturist to the dealer.

The Honourable the PRESIDENT: The Honourable Member says that it is not correct that the commodity is assessed or charged when it passes from the grower to the dealer.

Khan Bahadur A. E. PATEL: It is true that it is taken from the licensee, but the license fee is ultimately passed on to the agriculturists, because we know that such taxes are ultimately passed on to the grower or the consumer. At every stage the tax is there in one form or another—it may be a license fee or a tax on the commodity when it passes from one place to another. It is stated that it is only a tax on sale. But so far as the agriculturists are concerned, it is a tax on the commodity.

What I then propose to say is this. The income from the tax is estimated at Rs. 5,32,000 at page 100 of the Blue Book. On page 18 of the same book, under the head "Salt", last year's revised estimates from the salt income is given as 6 lakhs. But that particular item is not taken into consideration this year on the plea that no provision has been made for the next year as no intimation regarding the further extension of the Act has been received yet. We can very easily estimate that the same sum of 6 lakhs will be continued this year also. That will give us 6 lakhs for the next year. We can therefore easily drop this particular tax.

The Honourable Sir GHULAM HUSSAIN: What is the salt income coming to the provincial revenues?

Khan Bahadur A. E. PATEL: At page 18 of the Blue Book under the head "III, Salt", there is a note—

"Intimation regarding the extension of the Salt (Additional Import Duty) Act 1931, up to 31st March 1934 was received by this Government in April 1933. No estimate of revenue for the year 1933–34 could therefore be taken into account in the current year's budget. It is expected that this Government will receive 6 during the current year as its share on this account."

The "revised estimate, 1933–34" is shown as 6 lakhs. The last note says:

"No provision has been made for next year as no intimation regarding the further extension of the Act has been received yet."

The Honourable the PRESIDENT: What is the idea of the honourable member in referring to that?

Khan Bahadur A. E. PATEL: My idea is that we can now take 6 lakhs into account, although it is not taken into account in the budget estimates for 1934–35.

The Honourable Sir GHULAM HUSSAIN: Sir, I am sorry for my honourable friend. He has turned 6 thousand into 6 lakhs. The figure given is "6" thousand.

Khan Bahadur A. E. PATEL: I am also sorry, Sir, but some figures are given in lakhs and some in thousands. If it is 6 thousands I am sorry. All the same, there are many other items which should be taken into consideration. Last year, the revised estimates for revenue came to be more than the budget estimates. Even this year, we can easily foresee that the revised estimates will be more than the budget estimates. We know how the budget is framed. We under-estimate the income and over-estimate the expenditure. And ultimately, it comes to the balance being more than is estimated in the budget. Under the circumstances, this particular tax, which has proved very troublesome to the agriculturists as well as to the buyers and sellers of tobacco——

4 p.m.

The Honourable Sir GHULAM HUSSAIN: Sir, I challenge the statement that it is troublesome to the agriculturists.

Khan Bahadur A. E. PATEL: The Honourable Member should find out ways and means to abolish this particular tax as soon as possible.

Rao Bahadur G. V. PRADHAN (Nasik District): Sir, some of the remarks that I wanted to pass have already been made by honourable members, and I have only a few more remarks to make. The first question which the Honourable the Finance Member discussed was the "*nokarnama*". He said that the *nokarnama* was necessary only to enable the authorities to find out who the licensee was in whose name the sale was going on. But a *nokarnama* has to be a legal *nokarnama*, and a legal *nokarnama* has to be stamped, and unless the *nokarnama* is stamped it is incomplete and the dealer and the licensee will come into the clutches of the revenue authorities for avoiding stamp duties. Then, there is another trouble. So far as I can see, under the Act, even persons with an authority "expressed or implied" are contemplated. That being so, how is it that under the rules a *nokarnama* is insisted upon whereby only persons who have written *nokarnamas* are allowed to deal on behalf of licensee? I refer to section 8 (1) (*b*) of the Tobacco (Bombay) Act of 1933, which says:

"if there be any breach of the conditions of the license or of any other license previously granted to the holder either by the holder or his servant or any one acting on behalf of the holder with his express or implied permission".

Under this section, if any person acting on behalf of the holder with his express or implied permission violates the conditions of the license, the holder will be looked upon as having violated those conditions; then how is it that under the rules it is laid down that a person without a *nokarnama* cannot act on behalf of the licensee?

The Honourable Sir GHULAM HUSSAIN: Will the honourable member state where it is so laid down?

Rao Bahadur G. V. PRADHAN: Under rule 11 in notification No. 460/33 (*e*) :—

"The licensee shall grant a *nokarnama* to every person so appointed by him to work at his shop on his behalf."

The Act, as I said, contemplates even the consent of the licensee by implication to be good enough to allow a person to deal on his behalf. But now the implication is wiped out altogether. Everyone is required to have a written authority that he works on behalf of his master who has got a licence. It is this provision which causes trouble, inasmuch as in many cases it is the wife or the children who deal on behalf of the licensee during the temporary absence of the licensee from the shop.

The Honourable Sir GHULAM HUSSAIN: May I ask what is the point, so that we may understand it ?

Rao Bahadur G. V. PRADHAN: I am trying to make it clear. Under the rules you have insisted upon a *nokarnama*. That has been introduced because, I understand, the levy of the tobacco duty is more or less in the hands of persons who also deal with excise licences—liquor, *ganja* and other things. There, of course, the *nokarnama* is insisted upon because the responsibility in matters of liquor or opium is greater. It seems to me that the rules have been more or less copied from the excise rules. My point is that under the rules we should not insist upon a *nokarnama*, because in villages absence of *nokarnama* is likely to bring the licensees into trouble. If the rule is that *nokarnama* shall be necessary to enable a person to deal on behalf of licensee and if it is not forthcoming and the licensee's wife, for example, deals on his behalf then it will be looked upon as a violation of the rules and will probably result in his licence being cancelled or prosecution of the licensee's wife would follow. My contention is that such a condition should not be embodied in the rules.

The Honourable the PRESIDENT: Is the honourable member referring to section 8 ?

Rao Bahadur G. V. PRADHAN: Yes; it does not expressly say that a *nokarnama* is not necessary. But it means that a person with the implied consent of the licensee can deal on his behalf. The rule in actual practice will work hardship inasmuch as a *bidi* shop is not on the same level as a liquor shop. In a liquor shop the time of trading is fixed, whereas no time limit is fixed in the case of a *bidi* shop. Any person can go and ask for *bidis* at any time, and if the licensee does not issue a *nokarnama* in favour of any particular person, nobody else can work on his behalf and nobody else but the licensee can sell a single *bidi*. That will mean a good deal of hardship. The shop no doubt will be there, but the master cannot be expected to be there for all the 24 hours.

Another point in connection with the *nokarnama* is that whenever the word "*nokarnama*" is used, it necessarily means, in the legal sense, an agreement required to be stamped as an agreement so that in the villages the *nokarnamas* of the licensees have got to be stamped.

The Honourable Sir GHULAM HUSSAIN: No stamp is required.

Rao Bahadur G. V. PRADHAN: That is not quite clear. Let it be made perfectly clear. If you want to recover Rs. 2 or Rs. 2-8-0 or any amount, do so, but do not ask the licensees indirectly to pay something more for the stamp also or for something else. If you want to tax Rs. 10 instead of Rs. 2, do it by the direct means. Do not ask him to pay Re. 1 for this stamp and 2 annas for application for license and so on.

The Honourable Sir GHULAM HUSSAIN: No stamp is required.

Rao Bahadur G. V. PRADHAN: No assurance of this nature will help the licensee unless that assurance is translated in rules. The Government has only got the previous guidance of the Excise rules, and they have copied those rules with the necessary changes. We find that in certain cases they do work hardship on the licensees, and it is only at this stage that members of this House should criticise the rules and bring the defects in the rules to the notice of Government, because this opportunity may not offer itself at any other stage.

As regards the keeping of accounts, in my first speech I stated that illiterate persons cannot keep accounts. The Honourable the Finance Member then stated that in the case of towns and villages he would see that accounts are not insisted upon. But if you refer to page 11 of Bombay Act No. II of 1933, there is no distinction made as cities and towns. No reference is made to cities at all. But in common parlance we know what a city is and what a town is. For instance the district headquarters of one district may be a city; the district headquarters of another district may be a town. So, I think Government should not insist upon accounts being kept in towns and taluka places. I will go a little further and say that if a taluka place happens to be the trading centre for tobacco, this rule of keeping accounts may be extended to that place but not to all taluka places. There should be a limit.

Then, as to the rule regarding the place of business. We understand what a city is; we understand what a taluka is; and we understand what a village is. It should not, for instance, be insisted upon that the house number and the name of the lane should be shown simply because it is provided in the licence form. The licence form is very rigid. It does require all this information, so that if the licensee moves from one place to another without the previous permission of the revenue authorities, the licence is cancelled, and once a licence is cancelled, the person will not get back his money. For no fault of his own, he is put to great hardship. Suppose there is a village with a population of 2,000 or less. If the licensee is allowed to trade in that village, every one will know where the licensee has his shop. There is no secrecy about it. In the bigger towns, or what we call cities, that restriction may be necessary. Even there, the restriction to a particular ward, a particular mohalla or a particular street ought to be sufficient. If we restrict the licensee to a particular building, we will be putting a premium to help the landlords. As soon as the landlord knows that his shop is mentioned as the place of business by a licensee, the landlord will at once raise his rent and the tenant will be forced to pay whatever rent is demanded by the landlord, because otherwise his licence will not be valid. So, the place of

[Rao Bahadur G. V. Pradhan]

business of the retail dealer should not be restricted to one particular house in any case.

The Honourable Sir GHULAM HUSSAIN: Take Poona City, for instance. Will it be enough if we say "A Ward", "B Ward" or some other ward of the Municipality?

Rao Bahadur G. V. PRADHAN: Say, for instance, Sadashiv Peth. It may be restricted to one ward or one portion of a ward. Suppose Sadashiv Peth is very big, then you say southern or northern portion of Sadashiv Peth. But you should not insist upon the house number—House No. 333 in Sadashiv Peth—because the owner of that house will immediately raise his rent and will say "You pay so much or get away from here." We should not follow the procedure followed in the case of liquor and other excise shops. The excise shops are owned by big dealers and they take the precaution of engaging the place of business at least for a year, because their licence is for a year and then they start their shops without any risk.

Another point which has been touched to some extent is as regards rule 5. The licensee, before he asks for a licence, should know beforehand what fee he will have to pay. He should know whether the District Magistrate or Collector is going to charge him Rs. 2 or 2 annas. Of course later on we have provided for appeals in case the licensees are dissatisfied with the fee charged. But when putting in the application, he has to put it on mere surmise. In order to avoid the rub between the dealers and the village officers it is necessary that the licensee should know beforehand what the amount of the tax shall be. I understand that the accounts are insisted upon in order to enable the authorities concerned to determine what the fee shall be. If I am right, then the next point arises. We have fixed the maximum assessment given at page 11. If it is a place with a population of less than 10,000 but not less than 5,000, then the scale that would be applied is either Rs. 20 (Scale A) or Rs. 10 (Scale B). Take an example. I am, say, a licensee. I am called upon to keep the accounts. If I do not keep the accounts, I am liable to pay the maximum tax of Rs. 20. But, then, that is not what the rules allow. In spite of the fact that I am prepared to pay Rs. 20, I am compelled to keep accounts. I would rather choose the payment of the maximum tax than the maintenance of accounts, not because I want to hide anything, but because I want to avoid the troublesome work of keeping accounts and the responsibility arising from an allegation that my accounts are false. There is another reason also. I may consider it as divulging a secret to give out the names of the persons with whom I have had dealings. My contention is that where the maximum tax is laid down, it is absolutely unnecessary to insist upon accounts being kept. If a person wants that his assessment should be reduced, he is welcome to maintain accounts. I suppose I have made my contention clear. It should not be necessary to copy the procedure applying to liquor shops in the matter of keeping accounts. So far as liquor shops are concerned, liquor cannot be sold at all places. Liquor

[Rao Bahadur G. V. Pradhan]

cannot be purchased except through Government. Here the difficulty does not arise.

The next point is as regards the instalments. That rule seems to have been copied from the Land Revenue Code. If the tax to be paid is less than Rs. 5, the whole of it must be paid immediately and in advance. If the tax is more than Rs. 5, you may pay it by four instalments. Suppose you have to pay a tax of Rs. 8. Then you may pay it by four instalments of Rs. 2 each every quarter, whereas a man who has to pay Rs. 5 as tax, has to pay the whole amount at once. The system of instalments should be extended to all tax-payers.

Then, another rule which seems to have made a mess of the whole thing is that which empowers the Collector to declare any village as forming part of a town for the purpose of levying fees. He can under the rules declare any village near Poona as Poona City itself. That is very peculiar. The village may be three miles away from Poona. It may contain a population of less than 1,000. Still, if the Collector so chooses, he can call it Poona City, probably because people go by motor cars to that place and purchase *bidis* there and therefore it should be looked upon as a portion of Poona City and therefore it should be taxed at the maximum rate of Rs. 80, whereas in the other case it will be Rs. 2 only. The difference is very great. We do not know under what section Government is given authority to declare a village with a population of 2,000 as a portion of a city with a population of one lakh. I should think that rule is an obnoxious rule.

Mr. S. H. COVERNTON : Excuse me, are you referring to the rule or the section in the Act ?

Rao Bahadur G. V. PRADHAN : I am referring to the rule.

The Honourable the PRESIDENT : Which is the rule ?

Rao Bahadur G. V. PRADHAN : If you turn to Notification No. 460/33(*d*), dated the 8th June 1933, you will find :

"In exercise of the powers conferred by clause (*d*) of sub-section (2) of section 27 of the Bombay (District) Tobacco Act, 1933 (Bom. II of 1933), the Governor in Council is pleased to make the following rule, namely :—

Areas adjoining any town or village and in the opinion of the Collector forming part of the said town or village shall, for the purpose of levying fees specified in the Schedule to the Bombay (District) Tobacco Act, 1933, be deemed to be within the limits of the said town or village."

The Honourable the PRESIDENT : What is No. 27 ?

Rao Bahadur G. V. PRADHAN : Section 27 is that Government may make rules for carrying into effect the provisions of this Act and in particular and without prejudice to the generality of the foregoing provisions, such rules may be made for all or any of the following purposes, namely, prescribing limits of any town or village in which the scheduled taxes shall be leviable, so that the Government is not given the power to say that a village three miles away is not a village, that the limits of Poona city shall not be the limits of Poona municipality, the cantonment municipality and the suburban municipality put together, but that they shall include an area five miles from that place——

Mr. S. H. COVERNTON: The word "adjoining" is there.

The Honourable the PRESIDENT: Was that rule the honourable member read out from the Gazette not covered by this section that he read?

Rao Bahadur G. V. PRADHAN: Government is given power to prescribe limits of any town for the purpose of this Act, but then what I say is that prescribing the limits of any town would mean a particular area which is in the municipal limits, say of Thana or Nasik or something like that, but to go beyond the municipal limits, say 3 or 5 miles and call it "adjoining" and then to extend the higher schedule to any smaller area which is away from that place and although it is not in the municipal limits of the town and rope it in for the higher taxation, I think, is not permissible and should not be allowed. This rule cannot, I submit, be interpreted in that way. The Collector is given absolutely no directions whatever so far as the public are aware as to what the distance should be from a particular place or what the phrase "adjoining" should mean. All that is stated is that the Collector is given wide power to say that a particular village, which adjoins, according to the authorities, a particular city, shall be for the purposes of this Act, a city. There are villages within three miles of Nasik which are absolutely very small. Those villages are roped in with Nasik for the purpose of this Act, causing immense trouble. Under the rule there is no power for any one to complain about it. So, there should be some limit as to what that prescribing limit should be. It should not all be indefinite.

The other difficulty which does not seem to have struck Government is that in the Nasik District every village has got a weekly bazaar day, a bazaar on Friday at one place, a bazaar on Thursday at another place, a bazaar on Tuesday at a third place and so on, throughout the week, the days are distributed between 7 or 8 groups. In all these bazaars all these shopkeepers go from place to place, only doing work for one day of the bazaar in each place. Is such a trader to be called a hawker going from place to place? That trader does not run a shop all the time in each place, but he simply sits in the open in the bazaar on the bazaar day only and exhibits his wares by the road-side or by the side of the bazaar only one day in the week, but according to the existing definition of a hawker, he would have to take out a separate licence at least in each of the seven places which are round about his own town merely for one day's business in a week in each place where he moves from day to day. If he is looked upon as a shopkeeper at all those seven places, he would have to take out retail licences for all those seven places. If he is looked upon as a hawker who has no fixed shop or fixed abode at those places, even then, he shall have to be looked upon as a hawker under the rules in respect of all those places and only for the business of a day in a small bazaar where he will be exhibiting a few petty articles such as a dozen or so match-boxes and a few *bidis*. The form of licence should be such that the Collector or Mamlatdar should have authority to say that any particular places should be roped in together under one licence. I do not say that a man from Satara should be able to go to Khandesh also

[Rao Bahadur G. V. Pradhan]

under one hawker's licence or retail licence; but I say a distance of only 15 or 20 miles of a city may be looked upon as one place for the purpose of one licence.

Sir, another point made was as regards re-issuing or renewing a licence within a month. I think care should be taken to give intimation to the licensees that the licences should be renewed before the expiry of seven or fifteen days of the licence period and that, failing that, the licences would expire. This method would facilitate matters considerably, Government will get their money all right at the proper time, and the licensees will know definitely within what time their licences have got to be renewed. Merely saying that the licensee should get his licence renewed 30 days before the expiry of his licence often puts the ignorant licensee at a disadvantage. I therefore submit that a definite notice like the one I have suggested, if given by Government, in due time would prove very helpful and cause no trouble to any one.

4-30 p.m.

(*The House adjourned for tea till 5 p.m.*)

(*The House re-assembled after tea at 5 p.m.*)

Mr. A. N. SURVE (Bombay City, North): Sir, the speech made by the Honourable the Revenue and Finance Member in elucidation of the rules relating to the keeping of accounts has raised a doubt in my mind. The Honourable Member has said that simple accounts are to be kept with the view that Government may know on what basis to assess the licence fee on the profits he earns. Well, Sir, if he is maintaining that position, may I just enquire if this is a kind of second income-tax, or provincial income-tax——

The Honourable Sir GHULAM HUSSAIN: I am sorry the honourable member did not understand me. The object is to know the exact amount of business done and the profits made.

Mr. A. N. SURVE: If he is to be assessed on the basis of his profits, then it does amount to this, that if he makes a larger profit, he will be liable to a higher assessment, and that would be a kind of second income-tax.

The Honourable Sir GHULAM HUSSAIN: But the maximum has been laid down, and we cannot exceed it.

Mr. A. N. SURVE: Exactly. If the maximum has been laid down, what have Government to do with the amount of profit he earns? That is exactly the point. Government have absolutely no business——

The Honourable Sir GHULAM HUSSAIN: We cannot assess all at a flat rate of the maximum fee.

Mr. A. N. SURVE: The point is not well appreciated. In the same locality there may be two licensees. One may have a larger outturn, the other a smaller outturn. If you are going to assess on the profits or on the outturn of the business, then in the same locality two licensees

[Mr. A. N. Surve]

will have to be taxed at two different scales, and it would create a sort of trade disorganisation. That is the point which I want to urge, which Government may, if they like, consider.

Then, Sir, about the item of profit, if we look to rule 7, published at page 385 of the *Bombay Government Gazette* of 9th July 1933, it does not make any statement as to how the accounts are to be kept. It is a sort of vague, general rule. I shall read it. It says :

"He shall keep in a book an account of his monthly transactions at his shop or place of business and produce the same for inspection whenever demanded by the Collector or any officer duly authorised by the Collector in this behalf."

A little further on it prescribes what kind of Visitors Books shall be kept. It says that the Visitors Book must bear a stamp, but the account book need not bear a stamp. The form of account is not known. In all excise matters, whether it refers to liquor, toddy, ganja or anything of the kind, Government have prescribed the form in which the licensee shall write up the accounts, that it should be done in one particular way and not in any other. Here, as we know, no form is prescribed. The licensees are illiterate. Even if he keeps an account, the licensing authority will be faced with a dilemma. He can say that the account which the licensee has kept is not one which is intelligible to him, and he can therefore hold that the licensee has not kept an account. That is a contingency which may arise. Therefore, if Government want an account to be kept, then they must prescribe the form. That is my submission.

Then there is another point. If the licensees must keep accounts and if the Government have the idea of assessing the amount of duty on the profits, then I think it is an unnecessary interference with the civic rights of an individual which this House can never agree to. Our Government have never been given power to look into the income of any individual, and if what the Honourable the Leader of the House has stated is correct, then I must demur to that statement. We cannot countenance the keeping of an account for this purpose, because it is an interference with the private rights of a citizen. Therefore, Sir, I submit that the rules must be well defined in the matter of these accounts. Otherwise, it is a sword hanging over the head, I should say by a hair, of the licensee. No licensee is safe.

Then, Sir, coming to another point, that is, about the publication of the rules, they were published on the 10th of April, and only 15 days' time was given to persons affected by them to send in their objections. Now, when under an Act the rules are subject to previous publication, a certain course is defined by the Bombay General Clauses Act. Sub-paragraph (*b*) of clause 24 lays down that "the publication shall be made in such manner as that authority deems to be sufficient or if the condition with respect to previous publication so requires in such manner as the local Government prescribes". Now, Sir, I submit that Government are the sole authority to decide the amount of publication. But in this case, where villagers are going to be affected, where we know that the Act itself and the rules published thereunder are not translated

[Mr. A. N. Surve]

into the vernaculars, whether 15 days' time is sufficient notice for the villagers, is a point which Government must take into account. I should say that they have unnecessarily rushed through the rules, and the result is that people think that they have been oppressed. Point after point was made in this House to show how defective the rules are. Therefore, Sir, unless the rules are translated and are made available to the licensees, they are in danger of being subjected to oppression.

The next point that I would like to make is about the engagement of extra hands. On page 101 of the Blue Book we are told in the last sentence that the increase in the next year's estimate is on account of additional establishment required for the grant of licenses in the mofussil under the District Tobacco Act, 1933. Here additional establishment is to be engaged. I want information whether this extra establishment is temporary or permanent, because the point is this: so far as the District Tobacco Act is concerned, I think it is not a permanent Act. If it is a temporary Act, and if you are going to engage more and more staff, a day might come when——

Mr. S. H. COVERNTON: It is temporary, Sir.

The Honourable the PRESIDENT: It is a temporary Act.

Mr. S. H. COVERNTON: And so is the staff.

Mr. A. N. SURVE: Now you are going to increase the staff, and the time may come when we shall have an army of servants. Government may tell us that they have engaged so many servants, that it is difficult to throw them out of employment, and therefore we must agree to continue this Act. That is a contingency which may arise hereafter if the staff is temporary.

The Honourable the PRESIDENT: The Act itself is temporary and the establishment also is temporary.

Mr. A. N. SURVE: My difficulty is about the future. A time may come when Government will tell us "If you do away with this Act, we have employed an army of servants, and if the Act ceases——"

The Honourable Sir GHULAM HUSSAIN: It is neither an army of servants that we have employed, nor is it permanent.

Mr. L. R. GOKHALE: How many are there?

Mr. A. N. SURVE: Then I would draw your attention to the estimated revenue under the District Tobacco Act. I am reading from page 99 of the Blue Book, table of revenue receipts, last item. You will find it stated there that the revised estimate of the receipts under the Bombay (District) Tobacco Act is Rs. 5,60,000, whereas the estimate for the next year is Rs. 5,34,000. The revenue is decreasing, but the establishment charges are going up. That is a point to be considered. If the revenue is going to decrease, why is additional staff required? Speaking subject to correction, I might say that this House was induced to pass this Tobacco Act on the understanding that the whole thing will be managed by the existing excise staff, and there will be no expenditure on the score of extra establishment. If that is the undertaking which the Government have given, I bring this particular fact to their notice, that they

[Mr. A. N. Surve]

are now gradually increasing the charges on the establishment. That, Sir, must be taken into account. There are two facts which the Government must be aware of: First that the Act itself is temporary and therefore Government cannot or at least should not go on increasing the staff; the second fact is that they have already given an undertaking to this House that they would administer the Act with the existing staff. That undertaking is now being broken. The people and especially non-official members on this side feel that this Tobacco Act is really a measure which should be done away with at the earliest moment.

Then, Sir, the amount of increase asked for for the staff is considerable. Under the revised estimate during the present year it is Rs. 84,000; whereas in the next year the bill comes to Rs. 1,26,000, which means an addition of nearly Rs. 42,000. That is a considerable amount and why should non-official members countenance such a demand? As our position at present is it is in conformity with the carrying out of the provisions of the Act. We can do absolutely nothing but to shout and shout and to no purpose because Government may say 'we require this amount for carrying out the provisions which the Act empowers us to do.'

Mr. J. P. BRANDER: I should like to point out a misunderstanding on the part of the honourable member. He seems to refer to the figures of the Bombay City Tobacco administration. That has nothing to do with the present Act at all.

Mr. A. N. SURVE: If the honourable member the Excise Commissioner has tried to correct me that it refers to the Presidency Town, I may tell him that there too the receipts are decreasing. If you will see the receipts under the tobacco duty, you will see on page 99 the revised estimate is Rs. 14,58,000; whereas for the next year with the increased staff it comes to Rs. 14,19,000. That means that the income from tobacco duty has gone down. That shows that the law of diminishing returns has set in.

The last point is that the licensing laws are unpopular everywhere; and our presidency is no exception to it. They are unpopular because they lead to much leakage. Secondly, taking into consideration the educational status of our people, licensing laws are a great harassment to them. The sooner they are done away with the better. Government themselves must admit that the rules they have made are very ambiguous and they cannot question the interpretation their executive officers put upon them. You cannot expect a village licensee to go in appeal to the Honourable the Finance Member. If this is a licensing law, it is so because the Government want revenue and it is not because that tobacco is an injurious article like *bhang* or *ganja*. Government themselves admit that it is a revenue law subject to be thrown out the moment our financial position is better. For this very reason the rules should be so framed as to give the least harassment to the public.

Mr. V. A. SURVE (Ratnagiri District) (Addressed the House in Hindi): Sir, I support the cut which has been moved by the honourable member Mr. Chikodi. The Honourable the Revenue Member is in Bombay

[Mr. V. A. Surve]

and he does not know what the Collector, the mamlatdar and the patil *buva* are doing in the districts. When this Act came into force last year in my district many dealers sent in their applications duly stamped for licenses to deal in tobacco. The orders on these applications were passed in July. In October it was found out that the license fee should have been recovered on the 1st of April and so another order was issued to recover interest on the license fee from April to October. The village patel recovered this amount and issued receipts.

The Honourable Sir GHULAM HUSSAIN (in Hindustani): Will the honourable member specify the places?

Mr. V. A. SURVE: In Devrookh in Sangameshwar taluka the interest was recovered from 5 persons and in the Ratnagiri taluka the same was recovered from 13 persons.

The Honourable Sir GHULAM HUSSAIN (in Hindustani): Can the honourable member produce the receipts?

Mr. V. A. SURVE: I have the receipts myself.

Then, in the Act itself provision is made in regard to the scale of licensing fee according to the population. In spite of express provisions in the Act, the license fee is arbitrarily levied by the authorities. The Collector issues the order to the mamlatdar and the mamlatdar in his turn issues order to the patel. The patel becomes the final authority and whatever he does becomes final. In a village called Sakarpa which has a population of 500, the license fee is Rs. 18.

These illiterate dealers in the rural parts do not know how to keep accounts. Once in a village the mamlatdar had come for inspection. A tobacco licensee approached him to instruct him as regards the keeping of his accounts in regard to his dealings in tobacco. The mamlatdar could not help him in any way and he simply asked the dealer to fill in the several columns. If the mamlatdar is not able to help the village dealer, it is too much to expect him to keep a regular account. The result is that the profits of the dealers could not be verified and the assessment becomes arbitrary. The Revenue Member and the Excise Commissioner should make enquiries and do what is necessary to remedy the grievances of the people. Unless they take out a licence they cannot deal in tobacco, and if they take out a licence they have to keep accounts and on account of their illiteracy they get into trouble when they try to keep accounts. It is the agriculturist who suffers on account of this tax. He pays not only the toll tax, but also the license fee, as the dealer takes good care to see that he himself does not suffer on account of the tax. The high officials of Government know the difficulties in the working of the Act, but they do not come out and give their opinion because then Government would lose in prestige. In the working of the Act, care should be taken to assess the fee strictly according to the population and the amount of the trade. Innocent people are now suffering.

5-30 p.m.

Mr. S. H. COVERNTON: Sir, the House, or rather one or two speakers in the House, have shown some interest in the special establishment which is proposed for 1934–35 to deal with the collection of the tobacco tax and have enquired what it consists of and why it is really necessary. To the second part of that question, the Honourable the Revenue Member has already in some sort given a reply. I might state here the figures of the clerks and peons, so that the House may judge to some extent whether the establishment is excessive. The figure which is provided for establishment, which is temporary establishment, is Rs. 6,200, and that covers 29 clerks in the Presidency and one clerk in Sind, making 30 clerks in all, and 5 peons in the Presidency and one peon in Sind, making 6 peons in all. In the current year (1933–34) the special staff which has been employed on this purpose has consisted of 55 clerks in the Presidency and 2 in Sind, making 57 in all; and 7 peons in the Presidency and one in Sind, making 8 in all. It will be observed that the actual numbers expected to be employed during 1934–35 are considerably less than those employed in 1933–34. But of course it must be remembered that in 1933–34 many of them were employed for a short time only in some districts, whereas in 1934–35 they will be employed for a much longer period. That is why the net result in figures of cost is very much the same as this year, namely, Rs. 6,200.

As regards why this staff is necessary, the Honourable Member in charge has already explained it, but it is clear that there is some misapprehension. For instance, the honourable member from Bombay (Mr. A. N. Surve) remarked that last year it was promised that we would administer the Act with only the excise staff. The Honourable Member for the Revenue Department has already explained that no such promise was given, and I am quite sure that a little thought would convince honourable members that no such promise could have been given since not even the administration of the Abkari Act, the Opium Act or any of the other excise Acts is carried on by the excise staff alone. A very large proportion of the work even under these Acts is done by the ordinary revenue staff, by the offices of the Collectors and the Mamlatdars. Now, in regard to the shops under the Abkari Act or the Opium Act, it must be remembered that the number of shops is extremely limited, owing to the policy of Government in restricting the number of shops. I do not suppose in the average taluka there are more than say,—I cannot reckon exactly—perhaps 7, 8, 9 or 10, and consequently not a very large number in the average district too. Under this Tobacco Act, there is no limitation put on the number of shops, nor is it the desire or policy of Government to restrict the number in any way. Consequently, the number of licences to be dealt with is very very large indeed. This is an enormous amount—dealing with the renewal of these licences. The whole work connected with that has thrown an enormous amount of clerical work of all kinds on the office of the Collector and the office of the Mamlatdar, and it would be quite impossible to expect those officers to deal with that work promptly without very great delays which will seriously inconvenience the licensees and everybody concerned, unless they were given some temporary staff to enable them to deal

[Mr. S. H. Covernton]

with the rush of demand for licences. They require them for different periods in different districts. In some districts the demand is active all the year round; in other districts they want temporary relief only in places where there is big rush. But all cases of requests from Collectors for this temporary staff are very carefully scrutinised and they are allowed only when they can show that it is really and absolutely necessary. If that temporary staff were not employed, I am convinced that the net result would be that the Act would remain a dead letter and that the utmost confusion would come in, because the licensees could not get their licences renewed and they must either close their shops or go working without a licence, and the whole administration of the Act would fall into utter confusion.

The honourable member Rao Bahadur Pradhan remarked that people selling tobacco on fair days and having no fixed shops are put to very great difficulty at present, because they have to take out a licence with the definite place of business shown in it, and as markets are held on different days in different neighbouring villages, they have to go to different markets and take out five or six licences instead of one. This affects only those people who are endeavouring to maintain themselves by selling tobacco in different markets to the consumers coming round to those markets. I do not think there should be any difficulty arising out of that situation either, because, so far as I can see, it will be open to them to take out a hawker's licence. Only one licence is necessary to hawk in different villages. The hawker's licence is not limited to one village. One of the speakers appeared to think that a hawker's licence allowed him to sell only in one particular village or only in one or two villages. That is not the case. I think that the licence contains a provision—I am speaking from memory—a provision for the specification of the area in which he has to hawk, and in the space provided for that he can get entered any combination of villages or any areas that he liked, and if this is done there is no reason why he should find difficulty in selling at the different markets.

The case of the Mahars was raised by one honourable member,—I forget who—

The Honourable the PRESIDENT: Rao Bahadur Angadi.

Mr. S. H. COVERNTON: Their case is rather difficult, because I understand these Mahars sell as retailers and as wholesalers on the same day and that makes the thing more difficult. As a matter of fact, the Commissioner of Excise is giving his close attention now to the problem as to how the Mahars are to be dealt with. Part of the difficulty arises out of the fact that under the Act we have made a distinction between wholesale and retail dealers. We have got two different sets of licences for wholesale and retail. That distinction has not worked altogether satisfactorily in practice, because, as I think one or two members have pointed out today and certain other applications put in by the various associations have pointed out before, it is not easy to say who is a retailer and who is a wholesaler. Very many people are both, and the Act, as it is now worded, throws on them the obligation of having to take out

[Mr. S. H. Covernton]

two licences, one for retail and another for wholesale. The answer to that in theory is, that although they may have to take out two licences, wholesale and retail, yet since in each case the fee is usually based on the amount of business—the retail fee on the amount of retail business and the wholesale fee on the amount of wholesale business—in the end the total would be more or less correct and they would not be overcharged. But of course it is not always easy to get that accurately assessed, and the Commissioner at the moment is considering whether it would perhaps be possible to substitute for the present system a single combined licence which would cover wholesale and retail and allow a man to do whatever he likes, either wholesale or retail. There are, however, certain difficulties about that, because, if you do that, on the one hand it would mean that you would have to charge lower fees than you do now, or you would have to charge retailers the same fees as you charge the wholesalers or probably you would have to charge one set of people a heavier rate of fee than you charge for another set. In other words, a flat rate for wholesalers and retailers would work out favourably for some and unfavourably for others. That is one of the difficulties that has to be considered. Well, that point is being borne in mind, and if we can find means for avoiding that difficulty, a single system of fees to cover everything instead of a separate wholesale and a separate retail, might perhaps be the solution to that.

The honourable member Rao Bahadur Pradhan also, I think, has pointed out that it is inconvenient that places should be specified in the licence, on the ground that it allows a landlord of the premises used to make himself objectionable, that he can ask the shopkeeper to pay a very much heavier rent and turn him out if he refuses to pay that rent, in other words use the provision in the licence which specifies the place of business as a means of extorting money. I do not know whether he has any actual specific cases in mind, but it appears to me that that view depends on rather a misapprehension of the orders. It is true that the licence does specify a particular place concerned, but the transfer of the premises does not involve the taking out of a new licence and it does not require any permission from the authorities. All that is necessary is that the licensee should notify the authorities that he is changing his address and he should get the authorities to make the necessary change in the licence, but he need not wait until the authorities have done that. Some one seemed to suggest that a great deal of labour is involved in this process—probably a month—and in the meantime the man has to stay in the original premises and that the landlord is likely to evict him or charge excessive rent. That is not so. He need not wait until the change has been initialled in the licence form before he moves.

Then there is another point, about accounts. I am not quite sure whether all the honourable members have clearly understood what the Honourable Member in charge said in regard to exempting the dealers from keeping accounts. What Government have actually done is to authorise the Collectors to exempt petty dealers anywhere,—not merely

[Mr. S. H. Covernton]

in towns or in villages as I think some one suggested but anywhere—from keeping accounts, and Collectors can use that power.

The Honourable the PRESIDENT: Cities included?

Mr. S. H. COVERNTON: Anywhere. Most of the dealers would not in the ordinary way be capable of keeping accounts of their business, because they do not know how to read or write, or for some reason or another. The honourable member Rao Bahadur Pradhan asked why they should be made to keep accounts if they are willing to pay the maximum tax. So far as the present scales and the present arrangements are concerned, I am inclined to agree that there probably would be a very valid reason why they should be exempted, but I am not sure whether in fact there would be many genuine dealers who would be willing to say "We will pay the highest rates if only we need not keep any accounts." But it is possible.

A good deal of criticism has been made about the present arrangements on which the assessment is based. It has been suggested that they should instead be based accurately on turnover or profits and various systems. If there is to be any new improvement or any amendment of the Act during the course of its present life, that could only be done if we could obtain accurate information as to what are the profits that are being made; and for that reason it is desirable so far as possible that accounts should be kept. However, that alone is not perhaps a consideration which is really of sufficient importance to justify Government in insisting upon accounts being kept even if they are willing to pay the maximum rates. I think it is a point which has to be considered and we can see about it later on.

One other point which was made earlier in the day's discussion—I am not quite sure whether it was referred to specifically by the Honourable Member in charge—was about the growers of tobacco being allowed to sell broken and powdered tobacco. I would like to say that there is nothing to prevent growers from selling broken or powdered tobacco without a licence. I understand that it did happen in one district that by mistake the local authorities asked the person concerned to take out a licence and that mistake has been corrected and they have been given instructions that growers can sell broken or powdered tobacco without a licence.

Another point that was made by one honourable member—again I think by the honourable member Rao Bahadur Pradhan—was about one month's notice of renewal. He said that the requirement of the renewal application one month prior to the expiry of the licence might involve hardship. It is clearly desirable that the people concerned should apply, if possible, one month before their licence comes to an end, in order to avoid a rush of renewal applications in the Collector's office. As has been explained, the work in connection with the renewal of licences in the Collector's office is very heavy even with the small additional establishment which has been sanctioned, and it must take some time to write out the new licence and carry out the necessary renewal

[Mr. S. H. Covernton]

arrangements; and therefore the longer they apply beforehand the better. For that reason we put in the requirement that they should give one month's notice, but failure to give the required notice will not, as a matter of fact, entail on the licensee any undesirable consequences. It is not provided that if he applies 10 days earlier or 8 days earlier, even two or three days earlier, instead of 29 days earlier, on that account his licence should not be renewed or that he should be subjected to any other penalty. It is simply in order to try and prevent a rush of renewal applications that we have put in that requirement of giving one month's notice.

The honourable member from Bombay (Mr. Surve) suggested that a special form of accounts ought to have been prescribed as in the case of the excise licence, that is to say, if we get them to keep accounts at all, we ought to lay down a particular form in which they should be kept. That is just what Government do not want to do. They do not want to tie them down. In the case of excise licences the position is entirely different, and a very much closer scrutiny is likely to be kept over an excise licensee—a country liquor or opium or ganja licensee—than in the case of a tobacco licensee, and so long as their accounts show what is barely necessary—how much they have sold and how much balance is left—that is all. So, we do not think it necessary to prescribe any form of accounts. Any form of accounts, however simple, would suffice for our purposes. I do not suppose that the honourable member's suggestion that we should tighten things up and impose any particular form of accounts similar to that prescribed in the excise accounts would meet with any enthusiasm from the trade concerned.

Another suggestion was made by one of the speakers that people who sell tobacco along with other goods should be exempted. I submit that there is no very valid ground for that request. I think there must be exceedingly few dealers,—perhaps no one in the world except the wholesalers,—who do not deal in other things also. If you exempt everybody who sells anything else besides tobacco, you will entirely defeat the provisions of the Act. It would be obviously very easy to defeat the provisions of the Act, because a dealer would have only to keep some other things besides tobacco to get exempted.

Rao Bahadur S. N. ANGADI: That is not the position in the villages. In the big cities and towns that may be the case. In the villages almost all the shopkeepers carry on other business and they keep *bidis* only to attract customers.

Mr. S. H. COVERNTON: It is quite true of course that in many villages there may be—probably are—many shops which keep a few cigarettes or a few *bidis*, but I do not see, nor can I conceive, why you should exempt such people from paying the tax, because you cannot possibly lay down any particular line of demarcation and say that a man shall be exempt if not more than a certain proportion of his goods are of tobacco. It would be very hard to make such discrimination. On the other hand, when the Collector or the Mamlatdar goes to assess the

[Mr. S. H. Covernton]

amount of licence fee to be imposed on that man, obviously he would be very unlikely to assess him to the maximum fee. We have a minimum fee laid down—an extremely small fee of Rs. 2. It seems to me there is very little hardship in a case of that sort.

The only other point that occurs to me is the one that was mentioned by the honourable member Rao Bahadur Pradhan and that is about the fixing of limits of cities and towns. It is no doubt possible to improve the wording of the rule. We shall be only too pleased to consider any suggestions made by honourable members in this respect. But there is a provision in the Act which says that Government is empowered to make rules. Obviously there must be some provision for deciding what a town consists of. Taking Poona as an example, it is obvious that it would be absurd to treat the Suburban Municipality, the Cantonment of Poona, the Cantonment of Wanowrie or the Cantonment of Kirkee as all separate towns for this purpose, and it is equally obvious that there must be some provision for deciding what is to be considered as a single town for the purpose. No definition would ever be discovered which would meet the case. We found it difficult to lay down a definition. But last year it was finally decided to give the rule-making power to Government instead of fixing it by a provision in the Act itself. Actually, the suggestion was made that the Government or the Collector might go out of their way to include places miles away from the main town in the town itself for the purpose of swelling the revenue. But the rule distinctly says that they must be places adjoining the municipal border. If they are places adjoining the municipal border, I do not think very much harm could occur in that way. That is all I have to say.

The Honourable the PRESIDENT: Some reference was made to the use of stamps on applications. Any misunderstanding on that point might be corrected.

Mr. S. H. COVERNTON: I understand a 2-anna stamp is required on an application for a licence.

The Honourable the PRESIDENT: Not on a *nokarnama*?

Mr. S. H. COVERNTON: No.

Dr. M. K. DIXIT (Surat District): Sir, it would appear somewhat surprising that on a temporary Act like the Tobacco Act there should be so much speech-making on the part of the non-official members of this honourable House. But we are all justified in talking over this question, because the number of grievances that have been felt by the tobacco dealers is a very great one, and almost all of us have received representations to that effect, so that we might be able to ventilate those grievances on the floor of this House and persuade the Honourable the Finance Member to consider them.

Secondly, though it is a temporary Act, our experience has been that temporary things as far as Government are concerned, and particularly

[Dr. M. K. Dixit]

taxes, have a tendency to become permanent. Therefore there is all the greater reason why we should lay special stress on this point.

I will not however deal with the grievances that have been stated in the House this afternoon. I had an occasion to preside over a meeting of tobacco dealers convened in order to ventilate their grievances, and two or three points which I believe have not been placed before the House are the points to which I wish to make a reference.

One is about accounting. This question has been discussed in detail, but one point to which no reference has been made and on which great stress was laid by the tobacco dealers in the particular protest meeting is about the reduction in weight of tobacco. When the tobacco purchased from the farmer is 100 lbs. in weight, after keeping it for three or four months during which the process of maturing goes on, it is stated that from 15 to 25 per cent. of the weight is lost and in the present state of accounting it is very difficult to put down exactly how much is lost by way of maturing process during which so much drying takes place, and unless some latitude is allowed to these merchants, it is probable that there will be a great discrepancy in the weight shown in the account books. 100 lbs. of tobacco purchased from an agriculturist, when it changes hands perhaps will be 90 lbs.; when it changes hands further it will be 80 lbs. and so on. This is one point to which I wish to draw particular attention of the Honourable the Finance and Revenue Member.

6 p.m.

Secondly, Sir, another point was made about selling of tobacco to persons who do not hold a licence. In Surat at a meeting of the tobacco dealers a great point was made because the Surat district is interspersed with Baroda territory, and the territory of the Nabob of Sachin and many dealers from these two States and also from Damaun from the Portuguese territory come to Surat to deal with the merchants of Surat. The great point they made was that under the licence no trader or dealer in tobacco is allowed to sell tobacco to another merchant who does not have a licence. Under these circumstances it becomes very difficult for them to adjust their sales and enter into the account books. This is a point to which I make a special reference for the consideration of the authorities. I hope they will mend these matters and remove this grievance of the tobacco dealers.

Lastly, there is one point about the rules framed by the Collector for fixing the licence fee for the retailers. I believe Government must have issued instructions to Collectors to frame their own rules which could be passed on to their subordinates, mamlatdars and other officers to fix the retail licence fee. I do not know whether any one on this side of the House knows anything about the details of these rules, as to the basis on which these rules are framed and the basis on which the retail licence fees are fixed. I hope the Honourable the Finance and Revenue Member will tell us something about these rules and will instruct the Collectors also to publish these rules for the information of the general public. I associate myself fully with the other points that have

[Dr. M. K. Dixit]

already been made by my honourable friends and the grievances ventilated by them and I hope that the hardships felt by the tobacco merchants will be removed to a very great extent and their work lightened or facilitated as much as possible.

Mr. BHAILAL SARABHAI PATEL (Ahmedabad City): Sir, I only wish to draw attention of Government to one aspect of the trade and that is the aspect with which the grower is most intimately concerned and deserves very sympathetic consideration. In a district like Kaira, the Dalals or wholesalers very often purchase standing crops and those crops are harvested on the spot. So, one merchant may have to store his crop at several different places not of his own choice, and in fact it is a practice of the trade that that is kept on the very spot till a purchaser comes up. Under the language of the Act such a merchant should have a licence for so many places for tobacco business or at least for all the places where he exposes his goods for sale. If he could not do so, it would place a great difficulty in the way of the grower who would not be able to find so many purchasers who would buy his goods on the spot. This is a grievance both of the grower and of the wholesale merchant and so I particularly draw the attention of Government to do their utmost to remove this particular grievance.

Mr. P. R. CHIKODI (Belgaum District): Sir, if the Honourable the Revenue Member gives an assurance that the various points urged on the floor of the House will be considered and sympathetically considered, then I do not wish to press the matter.

The Honourable Sir GHULAM HUSSAIN: Sir, before the honourable mover of the cut moved his cut, and before this discussion and the criticism that was levelled against the rules, Government had already taken action which should satisfy even the mover of the cut——

Mr. P. R. CHIKODI: There are yet some matters.

The Honourable Sir GHULAM HUSSAIN: I assure the honourable members that we welcome this criticism, and will take it into consideration, and try to modify the rules as far as possible.

Now, Sir, the last speaker perhaps is not here. He spoke about some merchants purchasing tobacco while the crop was standing and purchasing tobacco in different places and storing it in various godowns. The honourable member goes further and says that such merchants should not be required, even though they carry on business in different places, to take out more than one licence. That would be unfair to other merchants. A merchant may store his goods at different places provided he does not deal in tobacco at more than one place. Otherwise it would not be at all fair to the other merchants.

Mr. BHAILAL SARABHAI PATEL: Sir, the wording of the section—I am speaking from memory—is "a place where tobacco is exposed for sale or where sales are made" and a sale would be delivery of the goods as against a promise for money or money. The contract as such may be made anywhere, but technically speaking, as the things are defined

[Mr. Bhailal Sarabhai Patel]

there, my submission is that the sale could be made at the place where delivery is to be given or at least where the goods are exposed for sale.

The Honourable Sir GHULAM HUSSAIN: The merchant cannot do business except at the place for which he has taken out a licence. He may store the goods by all means at any places he likes.

Sir, some other minor points were referred to about the shortage of weight. In fact, the officers of Government do not weigh any of the tobacco. However, as the point has been raised, it will be given due consideration. Sir, I am informed that we only assess the tax on the amount of business done, and that the inspectors do not weigh the tobacco. However, we will take into consideration all the points that have been raised.

The Honourable the PRESIDENT: What about the Sachin and Baroda dealers coming to Surat to deal with the wholesalers there?

The Honourable Sir GHULAM HUSSAIN: If anyone comes to Surat to purchase tobacco, he has to take out a licence. We do not know whether there have been many such cases. However, we will bear in mind this point while considering the various rules.

Mr. P. R. CHIKODI: I beg leave of the House to withdraw my motion.

Motion, by leave, withdrawn.

The demand put, and agreed to.

47, Miscellaneous—Transferred.

The Honourable Khan Bahadur D. B. COOPER: Sir, I move for a grant of Rs. 5,41,000 under 47, Miscellaneous, Transferred.

Question proposed.

Dr. M. K. DIXIT (Surat District): Sir, I beg to move:

Reduce by Rs. 1,000—I—Contributions—Grant to the District Benevolent Society—Rs. 7,200 (C.E. page 295).

The object of moving this cut is not to do away with the benevolent work that the District Benevolent Society is doing but we are paying annually Rs. 7,200 without knowing what the society is and what sort of work is being done by that society. So I should like to know the district in which that society is situated, whether it is a registered society or whether it is doing any benevolent work or if any report is supplied to Government or to the members of the Legislative Council, when we are giving Rs. 7,200 annually. That is the only object and I hope I shall get the information required.

Mr. A. E. SERVAI: Sir, I know something about this society, as I have the honour of representing Government on its Board of Management since last year. I shall briefly explain the aim and object of the society and the circumstances in which a grant is being made to it by Government. The object of this society is to suppress vagrancy and to supply food, shelter and clothing to the indigent poor of all classes, irrespective of caste or creed. This object is mainly carried out by maintaining a dharamshalla at Byculla. This dharamshalla owes its

[Mr. A. E. Servai]

existence to the munificence of the first Sir Jamshedji Jeejeebhoy. It was constructed in 1847 at the expense of Sir Jamshedjee Jeejeebhoy, on land belonging to him. The building cost Rs. 75,000 and the value of the land was about Rs. 10,000. Government were then contributing Rs. 300 a month towards the activities of the society. In order to have a proper and adequate endowment for the dharamsala, Sir Jamshedjee Jeejeebhoy then offered to pay to Government Rs. 50,000 on condition that Government increased their monthly contribution from Rs. 300 to Rs. 600. Government accepted this offer after consulting the Government of India and the transaction was recorded in a deed of trust which was executed by Sir Jamshedjee Jeejeebhoy and the Bombay Government. Since then Government have been making an annual grant of Rs. 7,200 to the Society in pursuance of that trust deed. The provision of Rs. 7,200 which is proposed for next year is thus, to all intents and purposes, of a non-votable character, because Government are irrevocably committed to it under a legal obligation.

Mr. G. S. GANGOLI: But my question whether there is any report, or any report will be supplied to us, has not been answered. That question still stands.

The Honourable Khan Bahadur D. B. COOPER: Sir, this institution is managed by Government under a trust deed, and it is an obligation under the trust deed upon the Government to maintain this dharamsala at a cost of Rs. 600 per month. The institution is managed by a committee, the chairman of which is Sir Jamshedjee Jeejeebhoy, and there are trustees like Sir Dinshaw Petit, Sir Merwanji Cama, and so on. The annual report is published every year and the management is looked after in this manner.

Mr. P. R. CHIKODI: On a point of information. Is it working and, if so, what is the number of cases dealt with, the number of persons who have been given help?

The Honourable Khan Bahadur D. B. COOPER: It is given in the report which I have got.

Mr. P. R. CHIKODI: We have not got a copy of the report, and therefore I am asking for the information.

Mr. J. B. PETIT: About 150 at a time.

The Honourable Khan Bahadur D. B. COOPER: The number of inmates this year ranged from 184 to 139 as against 159 to 179 in 1928—this is the report of 1929—out of which 11 were Mahomedans, 40 Marathas, 18 Christians and 77 Mahars. So, all castes come in there.

Mr. L. R. GOKHALE: Will you give us the report of 1933-34?

The Honourable Khan Bahadur D. B. COOPER: I have not got a copy of that report in my hand. But I shall try to get it. The report that I have got is the latest.

Mr. G. S. GANGOLI: May I know what is the expense like? For what purposes is the amount spent? Is it on food, clothing and so on,

[Mr. G. S. Gangoli]

or on books for schools and colleges, medicine, and so on? What sort of expense is it?

The Honourable Khan Bahadur D. B. COOPER: They are supplied with food and clothing.

Dr. M. K. DIXIT: What I want to know is whether this society renders help to the able-bodied or to the disabled.

The Honourable Khan Bahadur D. B. COOPER: Only disabled and infirm people are helped.

Dr. M. K. DIXIT: I do not want to press this motion. I ask for leave of the House to withdraw it.

Motion, by leave, withdrawn.

Sardar Rao Bahadur B. R. NAIK (Surat District): Sir, I move:

"That the total demand of Rs. 5,41,000, under 47–Miscellaneous (Transferred), be reduced by Rs. 500."

My object in moving this cut is to bring to the notice of the Honourable Minister in charge of Local Self-Government that he has omitted the amount of Rs. 25,000 which was allotted during the current year for the introduction of village panchayats in the presidency. This is perhaps the most important item of expenditure which ought to have been not only retained, but the provision for it ought to have been increased. But we find that this item has been altogether omitted by the Honourable Minister in charge.

The Honourable the PRESIDENT: How is this relevant?

Sardar Rao Bahadur B. R. NAIK: On page 102 of the Blue Book, in the last paragraph it is stated:

"This increase is partly counterbalanced by the omission of the provision for expenditure in connection with the Village Panchayats Act."

Then on page 295 of the Civil Estimates, you will notice, Sir, that a sum of Rs. 25,000 was allotted for village panchayats in 1933–34, but that amount has not been provided in the ensuing year. My grievance is that it has been omitted. I say it ought to have been retained.

It will be remembered that the other day, when a supplementary grant for Rs. 650 was asked by the Honourable Minister in charge for rural uplift, this question was raised, and it was pointed out that the question would be allowed to be debated at the proper time. Now, I want to ask the Honourable Minister in charge of this department whether he is prepared to find out money from some other source and satisfy this side of the House that this sum of Rs. 25,000 will be supplied when found necessary. When the Village Panchayats Act was passed, it was clearly stated by the then Honourable Minister in charge, late Sir Rustom Vakil, that for purposes of making propaganda for the introduction of village panchayats, to explain to the people of the presidency that the Village Panchayats Act was for their benefit, a sum of Rs. 25,000 would be provided, and that provision was accordingly made. Nothing has been done in the course of the whole year, and we find that this provision has been omitted from the estimates of next year. Is this now the enthusiasm and sincerity of the Government for introducing

[Sardar Rao Bahadur B. R. Naik]

the Village Panchayats Act, for which they were so very anxious ? Only last year Government were so very anxious for the introduction of village panchayats, but it seems they are not prepared to do anything in the matter now. As a matter of fact, it was stressed then that the best remedy, perhaps the only remedy of looking after the welfare of the people of the villages will be by the introduction of the Village Panchayats Act, and that these institutions should be started as immediately as possible. It was also pointed out that in order to achieve that object for the benefit of the people they must be educated and propaganda should be undertaken on a large scale, and this side of the House was satisfied with the provision of the small sum of Rs. 25,000 as the initial expenditure. The then Honourable Minister in charge promised that Rs. 25,000 would be provided specifically for educating the people about the benefits of village panchayats. So far as I know, the Local Self-government Institute was consulted in the matter and was asked to prepare a scheme by which this money could be spent and the people can be educated about the advantages of village panchayats and the opinions of District Local Boards were also invited in this connection. Therefore, I want a definite assurance from the Honourable Minister in charge of this department that he is prepared, in consultation with his colleagues, to provide this amount. The agency to be utilised for the spending of this money is a matter which may be left to the decision of Government. I am not very keen that this money should be spent by this department or that department, or by the Local Self-government Institute, or by Government giving contributions to district local boards. That is a matter of detail which can be left to Government. But I certainly very strongly object to the omission of this amount from the ensuing year's budget. With these remarks, I move the motion.

Question proposed.

Khan Bahadur ABDUL LATIF HAJI HAJRAT KHAN (Poona and Sholapur Cities) : Sir, I rise to support the motion of my honourable friend Sardar Rao Bahadur Bhimbhai Naik. In the first place I would like to know from the Honourable Minister whether the amount of Rs. 25,000 that was provided in the estimates for the current year was spent in furthering the cause of village panchayats. To my knowledge, the money was not spent. So far as I know, it was really promised by the Honourable Minister in charge that this amount would be spent in giving some sort of help to the village panchayats. Sir, under the new Village Panchayats Act it has been provided that one-fifth of the local fund cess would have to be given as a grant to the village panchayats by the district local boards. At the same time, we are not aware whether Government are going to give some contribution to the village panchayats. It is impossible for the village panchayats to work without any help from Government. They cannot work only with the help given by the district local boards. Therefore, I think it is desirable to make a provision of not only Rs. 25,000 but of Rs. 50,000 at least, because so many village panchayats will be started. Speaking for my district local board (Sholapur), I should say that the number of village panchayats

[Khan Bahadur Abdul Latif Haji Hajrat Khan]

will increase, and similar will be the case in the Central Division. So, I would request the Honourable Minister to give us the amount of Rs. 25,000 that was provided in 1933-34, and make a declaration about the future grants also.

SYED MIRAN MAHOMED SHAH (Hyderabad District): Sir, I would also emphasise the points raised by the honourable mover of the cut and the honourable member Khan Bahadur Abdul Latif Haji Hajrat Khan, so far as village panchayats are concerned. It has been my experience as president of the district local board, Hyderabad, and it is the experience, I think, of the Honourable Minister also, who himself has been the president of a district local board, that without funds one cannot do any useful or effective work in the mofussil in the villages. It is really the want of funds which is obstructing the course of progress so far as village panchayats are concerned, or rural uplift, or any other beneficial movement. Of course, the funds of district local boards are in a dilapidated and depleted condition. Government already know that progress is not possible without funds. If Government are really desirous of fostering the village panchayats, and do not only wish to consign this Act, which after so much labour has been put on the statute book, to the waste paper basket, then it is high time that the Honourable Minister should implement the intentions of his predecessor, who very ably and nobly brought this measure before this House and the House wholeheartedly supported it, by making a definite move in this direction, especially in view of the fact that Government contemplate abolishing the taluka local boards, as from all quarters it has been unanimously thought desirable to abolish them. Then, to take the place of the taluka local boards, the village panchayats should be given definite encouragement, and this can be achieved only by providing funds and making grants. We know that statutorily Government are not bound to give grants, and some other sources of income have been provided in the Act, but this House conceded to it on the understanding that Government will be making voluntary grants for the establishment of village panchayats. I hope, therefore, that the Honourable Minister will see his way to find out some money for the encouragement of village panchayats.

Another fact to which I specifically draw his attention is the dais' improvement movement carried on by Miss Piggot from the Hyderabad centre. I think it is a unique movement carried on by a missionary. Miss Piggot depends upon individual help and venture. Government had provided a paltry amount some time back in the budget. But I cannot see any such provision in the ensuing year's budget. I have looked through the pages containing provisions under the Medical and Health Departments and others to find out whether any money has been provided for this movement or not. I find that there is no such provision made. Sir, Sind has been very scantily treated under this head. So many beneficent movements are being carried on in the city of Bombay and the presidency proper, to which aid is given by Government. I do not grudge them that. I rather congratulate Government on encouraging such movements all round, because they are one of the items

[Syed Miran Mahomed Shah]

of nation-building departments. Government should give help, but at the same time Government should not forget the province that is situated 800 miles away from them. I wish to emphasise especially the movement for the improvement of dais, and from the little books that this society has been issuing I should like for the information of the House and of the Honourable Minister to give only a few figures to show the work that this society has been doing. During the year 1932, the members and officials of this society visited 53 towns and villages, and organised 242 lectures, which were attended by 9,710 women. It must be remembered that Sind being predominantly Mahomedan, and the women being mostly purdah ladies, it is really due to the efforts of this noble lady that the womenfolk have been given instructions in maternity and infant welfare science and domestic hygiene. Fifteen dais appeared for the examination and 62 new dais received instruction; 63 old dais were supervised, and 49 schools were visited. All this work this movement has been doing in Sind. It is in the fitness of things that Government should encourage this institution and give a liberal grant out of Rs. 8,378, provided for grants, Miscellaneous Grant, to local bodies and other institutions. With these few remarks I resume my seat.

6-30 p.m.

The Honourable the PRESIDENT: I should like to point out to honourable members the scope of the motion so that they may not fall into an error. I understand the honourable mover has moved this cut with the intention of knowing precisely the policy of the Honourable Minister in the step he has taken in omitting an item which existed last year under this demand: only so far. The motion for cuts cannot suggest an increase in the demand that is being made. That is the law: nor can they suggest any alteration in the destination of an item of demand. Therefore, the criticism must only be confined to the omission of a demand for a grant for the next year. That is all.

Mr. P. R. CHIKODI (Belgaum District): Sir, I rise to support the cut and in doing so I would like to bring to the notice of Government the bad effect which will be produced upon the working of the district local boards and panchayats by the omission of the amount for the next year which had been provided for the working of the panchayats. In the district local board of Belgaum we have appointed a committee to bring into operation the new Act with the hope and, with the assurance rather, that the Government would come to our help. When we see that the amount provided for the current year is missing for the next year, it will produce great disappointment not only on the local board but also the panchayats that are existing, because, if the work is to be pushed on the local bodies will have to supplement what was intended to be received from Government. When the resources of the local body are meagre and the grants which Government used to give have been cut down, in some cases by 60 per cent. and in some other cases by 90 per cent., it becomes very difficult for local bodies to cope with the work. Therefore it is necessary that Government should come

[Mr. P. R. Chikodi]

forward and declare whether they want that the local boards should not do anything in the matter or whether they intend to reconsider the matter. With these words I support the cut.

Mr. L. R. GOKHALE (Poona City): Sir, within the limited scope of time allowed for consideration of this question, I may remind the Honourable House of the discussion which we had already on a supplementary grant for Rs. 650 for village uplift. It appears that the efforts of the late lamented Sir Rustom Vakil, the Minister for Local Self-Government, are being thrown over, in a sense. It appears the place of that activity is being taken up by another activity. It is very likely we shall have a discussion under Land Revenue about the demand for Rs. 23,000 asked for. The question at this stage is to know whether Government have made up their mind not to take any further steps to further the proposals contained in the Village Panchayats Act towards sanitation and other purposes which are contained in that Act; or whether Government have made up their mind to give a go-by to those proposals and in their place substitute new ones as regards village uplift. It is stated in many quarters that this attempt to take up the activities of village uplift is simply an eye-wash to divert the activities that are being made by certain agencies. The time may very soon come when a go-by will be given even to the village uplift, when the purpose for which these activities are being taken is served. Is that the attitude of Government towards village panchayats? Otherwise I do not see why, because there is the village uplift, this activity of the village panchayat should be abandoned. Without money nothing can be done. There will be no money for the village panchayats. Many of the Local boards are in financial difficulties. They cannot even meet their obligations as regards education and other activities. So, absolutely many of them have no money to spend for the village panchayat work unless Government give them grants. I know Government are aware of this. Many of the local boards are at their wit's end to meet their own obligations. It should be made clear to those honourable members who are interested in local boards whether they could expect any grant for work in connection with village panchayats.

We only find the blank column here on page 295 of the budget estimate—for the year 1933-34 Rs. 25,000; for 1934-35 nil. Why nil? What was the purpose of this grant? As a matter of fact the revised estimate for 1933-34 shows that this amount of Rs. 25,000 was not touched at all. We were told on the last occasion that this amount had lapsed. What does this mean? Does it mean that the Honourable Minister for Local Self-Government does not take sufficient interest in the amount? Was he a party to the amount being allowed to lapse? Was he consulted on the point? Or did he himself make up his mind that it should lapse? In the villages, if there is anything worth doing, it is the Village Panchayat Act that should be pushed through. There are so many provisions in it which are interesting to villages. That is one of the best Acts. No sooner the author of that Act died his child is starved. At any rate this House should have been taken into confidence

[Mr. L. R. Gokhale]

when this abandonment was decided upon. I anticipate perhaps the answer to me may be the rules were not yet ready. What does it mean? Because the rules were not ready, the amount was not spent or could not be spent and because Government did not think of taking action in framing the rules, the rules were not ready. Is that the answer to the query from this side of the House? I am sure, Sir, if the Government were really inclined to administer this Act, they could have found ways and means to spend the amount of Rs. 25,000 and perhaps much more. At any rate they could have made some provision for expenses under that Act in the Budget. Supposing that they wanted Rs. 23,000 for the village uplift also, they could have provided Rs. 23,000 for it plus Rs. 25,000 for the Village Panchayat Act. Now, the author of the Village Uplift Scheme is beyond the shores of India. Perhaps a day may come when even the village uplift scheme may be given up. This policy of Government is quite inconsistent and really it is not to the interest of the villagers. I am sorry to see that the Honourable Finance Member is not here. He often says that the honourable members on this side of the House have only lip sympathy for the so-called agriculturists and villagers. Now, have Government shown their real sympathy for the agriculturists and villagers by depriving them of Rs. 25,000? You know, Sir, the local boards and the villagers are anxiously waiting for guidance to work up the Act. What is the arrangement made for that purpose. One of the provisions in the Village Panchayat Act is that training should be given to the villagers in some matters. Another provision is that the people should be given a fair knowledge of sanitation. Have Government made any arrangement for that purpose? Have Government trained any person to impart such knowledge? This will not involve any large amount of expenditure nor a long period for training such a man. Why have not Government spent a pie over it? In fact villagers want guidance as regards sanitation and other purposes. Nothing has been done and this bogey of village uplift has been brought forward now. When the time comes, I hope honourable members will speak out what they have to say openly with regard to the village uplift movement. The answer of Government as I anticipate that there are no rules is no answer. It seems to me that the reason for not spending a single pie out of this amount is that they want that the local bodies should be put into difficulties or that they have no honest intentions as regards the village panchayat. Of course we cannot do anything more than to bemoan the loss. According to your ruling, Sir, we cannot say "Add this much". Government has sufficient power and they will say: "Talk as you like, we shall not do anything". Therefore I say that unless and until Government satisfies the House in regard to their attitude, this cut should be pressed to a division. We have been withdrawing cuts whenever reasonable. We have always said "Yes" for withdrawing a cut motion. But on this motion, I hope the honourable mover will not be inclined to withdraw it unless Government come out with their policy and assure us of support. You see, Sir, that the Government's machinery for making

[Mr. L. R. Gokhale]

rules is very very active and can do things at a moment's notice. We passed the Tobacco Act at about the same time as we passed the Village Panchayats Act. [*Interruption.*] Certainly a good deal earlier. What do we see? The Tobacco Act is enforced and rules printed, people harassed, and revenue recovered. When the question of revenue comes in Government are alert and active. But what about this Act? Government must know that revenues will not be permanent unless the people are satisfied, and in a condition to pay the taxes to carry on the Government. When the rules under the Tobacco Act have been framed and worked, why are not rules under the Village Panchayats Act even drafted? There is no reply coming to that. All this requires some sort of explanation from Government. Otherwise, I would ask the honourable mover of the cut as I have said not to withdraw it. With these remarks, I do support the cut with a greatly distressed mind.

Mr. R. B. EWBANK: Sir, there is one aspect of this question on which I can throw a little light. When the late Honourable Minister, with the approval and support of this House, persuaded Government to make a grant of Rs. 25,000 for panchayats, he had not then made up his mind in what way this money should be used to help panchayats. There was a proposal widely made, which has been repeated by my honourable friend Khan Bahadur Abdul Latif, that this money should be used for grants-in-aid to panchayats. But Rs. 25,000 divided even among the existing 250 panchayats only comes to Rs. 100 per panchayat. If in another year, as one would hope, the number of panchayats goes up to a thousand, either the grants would become negligible or the liability would increase to such an extent that I doubt whether it would be feasible even for the Honourable Minister to persuade Government to make such a large sum available. And for that reason, the late Honourable Minister himself hesitated very much about this plan. He felt that it would be a mistake to start panchayats on a basis of grants-in-aid which very likely might not be continued. I myself have experience in the Co-operative Department of the great danger of starting Co-operative Societies in the years 1903–10 on the basis of grants-in-aid, which led to the growth of mushroom societies which had no vitality in them. As an alternative, the Honourable Minister was thinking of utilising the money either for propaganda or for training staff. With regard to propaganda, the difficulty was the one which the honourable member Mr. Gokhale has indicated. It is easy to say that rules can be produced in no time, but it is not so easy to make those rules. The honourable members will see that in connection with the Weights and Measures Act, about which we have been so keen, it has taken 8 months to draw up those 150 rules and to get them out. In the case of the Village Panchayats Act it only became law on June 12; there are so many subjects left to be regulated by rules that they have become in drafting extremely bulky. It is no good even encouraging the formation of panchayats until we have some rules under which the elections can be held; it is no good going to a village and teaching them all about panchayats, when they cannot hold elections. Those rules have been published for criticism and

[Mr. R. B. Ewbank]

criticisms are beginning to come in, and we hope the rules will be published by the end of March. It is always difficult to foresee what difficulties may arise, and it is essential that these rules should have as wide publicity as possible so that the panchayats may be worked successfully by the public. Even the district local boards have not yet been able to get out any model bye-laws under the appropriate sections. The honourable member Mr. Gokhale knows very well what labour is entailed in preparing municipal bye-laws. I am sure that the honourable member realises that no avoidable delay has taken place in the preparation of these bye-laws. Well, Sir, it was thought that it would be premature until the rules were made, to make money available for propaganda. As for the training of inspectors or teachers, the position is the same. The Local Self-Government Institute has come forward with an offer to Government that they will prepare a manual on the Panchayat Act. But, Sir, until we have the rules ready showing them how to exercise their civil and criminal jurisdiction, which is not easy in a village, since a fairly elaborate code of rules is necessary, until we have the rules ready, it is not possible to prepare a manual, and until we have the manual ready it is not possible to train teachers. We have only had seven months. The honourable House must have patience. The position, therefore, was that before the late Minister died he had, I think, seen and studied carefully the scheme from the Local Self-Government Institute. But that scheme had several defects. One of the proposals was that they wanted a band of trained organisers paid to go round. It is hardly fair for me to repeat what the late Honourable Minister's views were when he is no longer here, but it was a fact that he was very doubtful whether the system of paid organisers could work successfully. I wanted to explain, how it was that up to the time when the present Honourable Minister came into office, Sir Rustom Vakil was not in a position to make any use of the grant that he had obtained from this House.

Mr. L. R. GOKHALE: If the rules are to be ready in March, how do Government propose to get the money for propaganda?

Mr. R. B. EWBANK: I said, Sir, that the election rules would be ready in March.

Mr. L. R. GOKHALE: Where will be the funds to operate the rules? You have not made any provision for that.

The Honourable the PRESIDENT: The question that the honourable member Mr. Gokhale asks is, why is no provision made for the coming year?

Mr. R. B. EWBANK: I am deliberately leaving that point to the Honourable Minister, as that concerns the policy for the future.

Mr. G. S. GANGOLI: May we know that policy, Sir?

The Honourable the PRESIDENT: Does the honourable member wish to speak on the subject?

Mr. G. S. GANGOLI: Yes, Sir.

The Honourable the PRESIDENT: Would he take 5 minutes?

Mr. G. S. GANGOLI: Some time more, Sir.

The Honourable the PRESIDENT: The honourable member may speak.

Mr. G. S. GANGOLI (Kanara District): Sir, our point is about the policy of Government. We are not concerned with the sum provided, whether it is Rs. 25,000 or any other amount. We want to know why the policy of pushing forward the village panchayats scheme was abandoned? Are we seriously to be told that the Government had no machinery to frame the rules? The tobacco Act was a much more difficult Act, and yet the rules under that were framed in no time. We cannot, Sir, really believe that. We think there is something wrong somewhere in the Government machinery; we cannot believe that they could not draft the rules to this Act all these 12 years. [*An Honourable Member:* Twelve years?] Twelve months. I quite appreciate the point of the honourable member the General Secretary so far as civil and criminal jurisdiction is concerned. The framing of rules with regard to that is difficult. But he has forgotten the fact that civil and criminal jurisdiction is to be given only in a few selected villages, and that panchayats without that jurisdiction can be established in a number of villages.

Mr. R. B. EWBANK: Sir, may I interrupt the honourable member for one moment to say that I understand that there are only 17 or 18 rules under the Tobacco Act, whereas there are likely to be well over a hundred under this Act?

Mr. G. S. GANGOLI: When it comes to plain speaking, I must say what occurs to me. I understand that Mr. Dhurandhar was brought into the Secretariat to draft bills and rules, but as he has now been sent back to district headquarters, it shows that Government have now no intention of drafting the rules. I cannot understand how Government with such a huge machinery cannot frame rules, whether they be 100 or 200 in number.

After the introduction of the Montford Reforms, only three measures of public utility have been introduced. One was the prohibition policy. That has now been abandoned. The second was the Primary Education Act. Rather than helping us, it has complicated matters; it has created more troubles than existed before; it has done more harm than good. Thirdly, the Village Panchayats Act. It was a popular measure and much was expected from it. But instead of the big mountain in labour producing the proverbial rat, it has produced a still-born child. As the late popular Minister is out of this world, it will also go out.

Mr. L. R. GOKHALE: How can it go out?

Mr. G. S. GANGOLI: It is for this honourable House to see that it is not allowed to die. I wonder how this Rs. 25,000 could lapse before the year is out. They say the amount has lapsed. How can it? If the Government want it, they can frame the rules in three days and put them in operation. Let them put it in operation at least in one taluka or district, if it cannot be done for the whole presidency. Take the case of the Karachi Municipal Act. We wanted that it should be deferred

[Mr. G. S. Gangoli]

till the separation of Sind, but it was forced on the Council. The rules under the Village Panchayats Act will not be even a hundredth part of that Karachi Act. I must, with all the earnestness at my command, impress on the Minister that he should take to heart the examples of Burma and Nagpur. There, the Ministers are fast losing their reputation, because they have lost touch with the villages. No Minister who is out of touch with the villagers will last long. He is giving the go-by to all the promises held out when the Village Panchayats Act was passed. I am not concerned with the Rs. 25,000. For the last so many days we have been hearing the same cry from this side of the House—that the Village Panchayats Act should not be allowed to die out. Even in the Poona session many questions were tabled. One of the schemes put forward by the Local Self-Government Institute could have been accepted, or the sum of Rs. 25,000 could have been given to the district local boards to start panchayats. No such thing is done. Supposing, as has been stated by the honourable member the General Secretary, some sort of rules are forthcoming by the end of March, there is no provision to work the panchayats. I do not know how the rules will be ready to be worked by the end of March; some time will be required for their notification, and I think another year will be made to pass before they can be worked.

This brings me to the point which has to be stated bluntly. At the time the Village Panchayat Act was on the anvil the Congress movement was strong, Government wanted the village panchayats to work as Government servants as the police could not go to the nooks and corners of every remote village and hence check Civil Disobedience movement, and now that the Congressmen are out of jail and that Civil Disobedience movement is on the wane the Government fear that the Village Panchayats will be captured by Congressmen and that they will thus have an organisation of their own. That is why the Panchayat Act is given the go-by and nothing else. For all these reasons this House should strongly resent the action of Government in this matter.

Mr. PESTANSHAH N. VAKIL: How are we to secure the restoration of this provision?

The Honourable the PRESIDENT: The policy of the Minister in surrendering the provision and also in omitting it for the coming year may be criticised. As there are many more honourable members wishing to speak, the House will now adjourn till 2 o'clock tomorrow.

7 p.m.

The House adjourned accordingly till 2 o'clock on Tuesday, the 6th March 1934.

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Vol. XXXIX—Part XIII

Tuesday, the 6th March 1934.

The Council re-assembled at the Council Hall, Bombay, on Tuesday, the 6th March 1934, at 2 p.m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present:

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr. A. B.
ADVANI, Mr. P. B.
ALLAHBAKSH, Khan Bahadur
AMBEDKAR, Dr. B. R.
AMINUDDIN, Mr. SAIYID
ANGADI, Rao Bahadur S. N.
ASAVALE, Rao Bahadur R. S.
BAKHALE, Mr. R. R.
BANGI, Mr. A. K. J.
BELL, the Honourable Mr. R. D.
BHUTTO, WADERO NABIBAKSH ILLAHIBAKSH
BIJARANI, Khan Bahadur SHER MUHAMMAD KHAN
BIRADAR, SARDAR MAHABOOBALI KHAN
BOLE, Rao Bahadur S. K.
BRANDER, Mr. J. P.
BULLOCKE, Mr. A. GREVILLE
CHIKODI, Mr. P. R.
CHITALE, Rao Bahadur G. K.
CLEE, Mr. C. B. B.
COLLACO, Dr. J. A.
COOPER, the Honourable Khan Bahadur D. B.
COVERNTON, Mr. S. H.
DAVIS, Mr. G.
DESAI, Rao Saheb B. G.
DESAI, Mr. H. R.
DESAI, Mr. S. B.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
EWBANK, Mr. R. B.
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GARRETT, Mr. J. H.
GAZDAR, Mr. MAHOMED HASHIM
GHULAM HUSSAIN, the Honourable Sir
GHULAM HYDER SHAH, Mr.
GHULAM NABI SHAH, Khan Bahadur
GILDER, Dr. M. D.

GOKHALE, Mr. L. R.
GREAVES, Mr. J. B.
HUMPHREY, Mr. JOHN
JAN MAHOMED KHAN, Khan Bahadur
JITEKAR, Mr. HAJI IBRAHIM
JOG, Mr. V. N.
JONES, Major W. ELLIS
KALBHOR, Mr. G. M.
KAMAT, Mr. B. S.
KAMBLI, the Honourable Dewan Bahadur S. T.
KARBHARI, Mr. M. M.
KENNEDY, Mr. T. S.
KULKARNI, Rao Saheb P. D.
LANE, Mr. C. M.
LELY, Mr. W. G.
MACKIE, Mr. A. W. W.
MATCHESWALLA, Mr. G. E.
MAXWELL, Mr. R. M.
MEHERBAKSH, Khan Bahadur S.
MEHTA, Mr. M. H.
MITHA, Mr. MAHOMED SULEMAN CASSUM
MODAK, Rev. R. S.
MODI, Sardar Davar T. K.
MORE, Mr. J. G.
NAIK, Sardar Rao Bahadur B. R.
NAYLE, Rao Bahadur N. E.
OWEN, Mr. A. C.
PARULEKAR, Rao Bahadur L. V.
PATEL, Khan Bahadur A. E.
PATEL, Mr. BHAILAL SARABHAI
PATEL, Mr. C. N.
PATEL, Khan Bahadur VALI BAKSH A.
PATIL, Dewan Bahadur D. R.
PATIL, Mr. N. N.
PATIL, Rao Saheb V. S.
PETIT, Mr. J. B.
PRADHAN, Rao Bahadur G. V.
PRATER, Mr. S. H.
RAHIMTOOLA, Mr. HOOSENALLY M.
RESALDAR, Mr. A. K.
SERVAI, Mr. A. E.
SHAIKH ABDUL AZIZ, Mr.
SHAIKH ABDUL MAJID, Mr.
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SHINDE, Mr. R. B.
SMART, Mr. W. W.
SOLANKI, Dr. P. G.
SURVE, Mr. A. N.
SURVE, Mr. V. A.

SYED MIRAN MAHOMED SHAH
SYED MUNAWAR, Mr.
TOLANI, Mr. S. S.
TURNER, Mr. C. W. A.
VAISHAMPAYAN, Dr. V. G.
VAKIL, Mr. PESTANSHAH N.
VANDEKAR, Rao Bahadur R. V.

DEMANDS FOR GRANTS—(*Discussion resumed*).

The Honourable Sir GHULAM HUSSAIN: Mr. President, we had in this presidency the Village Panchayats Act of 1920 for a number of years, and honourable members know very well that very few panchayats were established under that Act. The main reason why the people did not take advantage of that Act was that that Act did not give sufficient powers and the people wanted wider powers. My late colleague, Sir Rustom Vakil, realised that and introduced his Bill giving the people wider powers and powers of taxation. So, honourable members will see that Government are alive to the necessity of having panchayats. My honourable friend from Sind (whom I do not see here to-day) Syed Miran Mahomed Shah also wants panchayats in Sind, but may I remind him that since 1920 not a single panchayat has been established in the whole province of Sind? I do not find another honourable friend of mine Mr. Tolani. I do not know whether he would have agreed with Syed Miran Mahomed Shah to have panchayats in Sind.

I was told that in my absence, Government were accused of having given up the provision for panchayats. I assure the House that we did not do so intentionally. We knew that this money could not be used for this year, and therefore it was surrendered: and when money is surrendered, it must go to the general revenues. I find, Sir, that there is a great demand on the part of honourable members for panchayats, and we on this side of the House are also alive to the necessity of stirring up a civic spirit among the people by the establishment of village panchayats. As soon as the preliminaries are over and the rules are made, Government will do their best to have panchayats. Honourable members of this House know the procedure under which, even if a provision is not made, we can always move for a supplementary grant, to which I am sure the honourable members will agree. So, honourable members will see that we are as keen on panchayats as they are.

Sardar Rao Bahadur B. R. NAIK (Surat District): Sir, in view of the assurance given by the Honourable the Leader of the House, I have got nothing more to say on this subject, but before I beg leave to withdraw my motion, I cannot help reminding the honourable member the General Secretary that the arguments which he advanced yesterday were not very convincing. He said that the rules were not prepared and therefore Government was not in a position to spend this money. Then again he reminded us that there were already 252 village panchayats in existence under the old Act of 1920. He knows more than anybody else in this

[Sardar Rao Bahadur B. R. Naik]

House that those village panchayats which were in existence under the old Act of 1920, since the new Act was given assent to by His Excellency the Viceroy, were deemed to have been constituted under the provisions of the new Act, and therefore he could have easily given these panchayats even a small portion of the money as a grant even to the extent of Rs. 100. He said if Rs. 25,000 were to be divided by 250, the grant to each would have been only about Rs. 100. It was not, Sir, a question of the amount of money but it was a question of a gesture and intention on the part of Government, the question whether Government were as anxious to give effect to their intention about the Village Panchayats Act as they were when they introduced the Bill to further the progress of village panchayats movement in this presidency. My contention is this that we wanted some gesture on the part of Government. We know very well that in a presidency like Bombay for the promotion and progress of village panchayats a sum of Rs. 25,000 is nothing and that this sum of Rs. 25,000 would not have helped the people to any great extent. Honourable members however, on this side, entertain great misapprehension in their minds that Government are now not anxious and keen to push forward the scheme of the establishment of village panchayats and that they are more favourably inclined towards the village rural uplift scheme recently started by them. That was my object in bringing this forward, and you, Sir, reminded us yesterday that this side of the House has no right to ask for an enhancement of any grant but as the Honourable the Finance Member just now told us, if Government want to spend money on any head which is not provided for in the budget, they can do so and ask for a supplementary grant. As Government have now given us an assurance that they are alive to the importance and the necessity of the establishment of village panchayats in this presidency, we are prepared to sanction any grant for the purpose whenever it is asked. Sir, the reply which was given by the honourable member the Secretary to the General Department to the Local Self-Government Institute, has caused some misapprehension in the minds of honourable members. He says in that reply that Government do not consider the scheme of the Local Self-Government Institute suitable at present for the utilisation of the Rs. 25,000 referred to. The scheme was to be sent by the Local Self-Government Institute to help Government to see how they could spend this amount of Rs. 25,000, and even if Government do not propose to spend the whole amount as suggested by the Local Self-Government Institute, as I said in my opening speech, they could at least spend as much as they think proper. Still there is time and Government can easily spend Rs. 25,000 in the current year. The honourable member the General Secretary has just to send a note to his office and say "Distribute the money among the 250 village panchayats which exist to-day in the presidency" and the money will be spent this afternoon. It is easy, it is not so difficult if only Government want to do it——

The Honourable Sir GHULAM HUSSAIN: If the Council grants the money, we can very easily spend it.

Sardar Rao Bahadur B. R. NAIK: Sir, no object would have been better for spending money than the village panchayats. May I inform the Honourable the Leader of the House that every pie or a rupee that he spends on village panchayats or on the betterment of villages will be well spent? He will not be wasting money there as has been wasted in some other cases by Government.

With these remarks, Sir, I beg leave of the House to withdraw my motion.

Question proposed.

The Honourable Khan Bahadur D. B. COOPER: Sir, I am glad the honourable mover of this cut has asked for leave to withdraw his motion, but in replying to the criticism while withdrawing this cut which he has made, I will just draw his attention to the draft scheme which was submitted by the Local Self-Government Institute in connection with the utilisation of this sum of Rs. 25,000 during the current year. In submitting their proposal, in paragraph 12 they say:

"Our attention will therefore have to be directed first to the weeding out of panchayats which it may not be possible to revive and to render the administration of the remaining panchayats more efficient and popular. Success in this direction will have a very salutary effect on our efforts at establishing new panchayats. Hasty expansion without improving the present panchayats which are, with few exceptions, in a moribund condition, will retard rather than help the building up of a sound system of panchayats in our Presidency."

Further, in paragraph 36 of their note they say:

"It is the considered opinion of some gentlemen that suggestions for giving grants out of this sum of Rs. 25,000 to the existing village panchayats for their current expenses and for financing certain items of work should not be entertained. Such grants, they point out, will not further the work of making village panchayats efficient and popular. Once such a system is started, there will be no end of trouble in the matter of judicious distribution and there will be a lot of heart-burning, which must be avoided at all costs. Besides, a paltry sum of Rs. 100 or so once in a way will not help the village panchayats. It seems that these arguments are quite sound. Direct grants therefore need not be encouraged."

This is the view which has been expressed by the Local Self-Government Institute, and for these reasons the grant during the current year could not be utilised in any other way.

The Honourable the Finance Member has given his assurance to this House that if money is required for the cause of the village panchayats during the next year, it will be provided.

Sardar Rao Bahadur B. R. NAIK: Would the Honourable Minister also give us an assurance to that effect?

The Honourable Khan Bahadur D. B. COOPER: Certainly. As Minister in charge, I give that assurance.

Motion, by leave, withdrawn.

Total Demand put, and agreed to.

46, STATIONERY AND PRINTING.

The Honourable Mr. R. D. BELL: Sir, I beg to make a demand for Rs. 12,65,000, under 46-Stationery and Printing (Partly Reserved and Partly Transferred.)

Question proposed.

Rao Saheb P. D. KULKARNI (Poona District): Sir, I beg to move:

Reduce by Rs. 100 total Voted Demand (Transferred) Rs. 1,60,000.

The total budgeted under this head is Rs. 12,64,000. The amount is not small. It is somewhat more than the actual revenue of one of the great States of this presidency, the Maharana of Dharampur. In 1931-32 Rs. 12,95,672 were spent and in 1932-33 Rs. 11,94,717 in this department, and according to the revised estimate of the current year Rs. 11,93,400 are to be spent, or are earmarked for this department, while for the ensuing year the budgeted amount is Rs. 12,64,000. I do not know why Rs. 71,000 more are taken in the coming year——

The Honourable the PRESIDENT: I cannot follow the honourable member. He has moved a cut of Rs. 100 on the total (Transferred) of Rs. 1,60,000.

Rao Saheb P. D. KULKARNI: Yes, Sir.

The Honourable the PRESIDENT: That is limited to stationery supplied to Transferred Departments. The next cut by the honourable members Rao Bahadur Vandekar and Mr. Gangoli is of a general nature.

Rao Bahadur R. V. VANDEKAR: I am not going to move it.

Rao Saheb P. D. KULKARNI: I shall restrict my remarks to the transferred side of the stationery department.

The annual administration report of this department is not published, and therefore it is very difficult to pass remarks based on exact figures of expenditure on a certain section of their activity. Perhaps they are printing the Administration Reports of the various departments, and they must not have sufficient time or scope at their disposal to print the administration report of their own department.

The Honourable the PRESIDENT: Have they done that before?

The Honourable Mr. R. D. BELL: The report is printed for official use, and I think that, under the new orders, it will be supplied to M. L. C.'s.

Rao Saheb P. D. KULKARNI: From our point of view the report of this Department is never printed.

The Honourable Mr. R. D. BELL: It is printed.

Rao Saheb P. D. KULKARNI: My main point in moving this motion is that the stationery which is supplied, particularly to the transferred departments is not always of Indian make necessarily. It is necessary that, under the existing rules, the department should provide, as far as possible, stationery of Swadeshi make. I know the stores have to be purchased from the Central Stores, and this Government have to place orders in the hands of the Central Stores. Yet, we are at liberty to purchase our own stores, and if the stationery which is required for our purposes is not given to us of Indian Swadeshi make, then it is better that we should purchase it departmentally here, and should not take stationery made in other countries from the Central Store. We know that there is unemployment in the country, and we are a poverty stricken

[Rao Saheb P. D. Kulkarni]

people, and in not purchasing Swadeshi goods for our own purposes here, we are doing an injustice to our presidency and to the money of the taxpayers. I know that there is a rule laid down for the Controller that all articles which are produced in India in the form of raw material or are manufactured in India from material produced in India are to be purchased in preference to articles not manufactured in India or are partly manufactured in India from imported materials, and they should be purchased locally provided that the quality is up to the required standard and the price is reasonable. When there is such a rule laid down here, I do not know why we should look into comparative prices as regards each article. Even if we have to pay a little more price, the Stationery Department must purchase Indian made articles. For instance, I may point out here that this policy has been followed in the Stationery and Printing Department in England also. There was an incident cited in the Legislative Council Debates of Bihar and Orissa. His Majesty the King-Emperor inspected one of the offices in England. There it was brought to his notice that the typewriters used in that department were of American make. Immediately this was made known to His Majesty, an order was issued that though the British made typewriters were costlier than the American typewriters, only the British made typewriters must be purchased in preference to the American typewriters. When this example is laid down before us by His Majesty the King-Emperor, why should we not patronise our own concerns in this country? I am particularly pressing this point when I see here many articles of foreign make. Take for instance the note paper; take for instance the typewriter. There are no typewriters of Indian make. But instead of using the cheaper American typewriters an order was issued that the offices should use only British made typewriters, even though they are costly. I am showing this as an example to show that even though our Indian made articles are a bit costlier we must purchase only Indian made articles. This will benefit the people, the presidency and the country. This note paper, which is for the use of honourable members and about which a circular has been issued, is made in Kent. Like this we see many more articles which are of foreign make. We are here to safeguard the interest of the taxpayers. We purchase stationery worth 10 lakhs every year. Why should we allow this money to go to foreign countries by purchasing foreign made goods leaving our people starving? A paper mill is to be closed for want of sufficient demand from the customers. It is mentioned in Industries Department Report of 1931–32. This Stationery Department purchases paper worth about Rs. 3,22,354. I am giving these figures from the Appropriation of Accounts Report. All other stationery purchased during that year is of Rs. 2,57,452 excluding paper; and Rs. 4,00,000 were spent on other items. Altogether stationery worth Rs. 9,14,238 was purchased during the last year. So much money is going out of the country and our people do not get any advantage thereby. We are scarcely getting one meal a day and we are getting no income from such large investment. Even the few industries we have here are not

[Rao Saheb P. D. Kulkarni]

encouraged and we purchase all our requirements from foreign countries. This is most objectionable. In the Central Provinces and Punjab Councils they take much care to see that the stationery for their use must be of Indian make. I may also point out that in the Central Provinces Council they recently carried a censure motion on a one rupee cut. Looking to their example we also should see, when we spend so many lakhs on this department, that the materials purchased by this Department should necessarily be of Indian make. Comparative prices should not have a place for consideration in this matter.

One more point which I want to emphasise is that while the other provinces are making a move in this direction we should also see our way to move a one rupee cut next year, if we do not find any improvement in the purchasing of stationery by the department concerned. In order to put a stop to this I have moved this motion. With these remarks I move my cut.

Question proposed.

Mr. L. R. GOKHALE: How much of Indian make is purchased and how much of foreign make is purchased? Is there any record as regards especially paper and other articles?

The Honourable Mr. R. D. BELL: Mr. President, I think I might as well disabuse the House at once of any misconception which they may have acquired from the speech of the honourable mover of this cut. There is probably no department of Government which exercises such constant care in the purchase of Indian made articles as the Department of Stationery and Printing. All the indents come up to Government, and come to me personally, and whenever there is a possibility of obtaining Indian made article it is obtained. The question of price is not the deciding factor. There is practically no hesitation in giving 10 per cent. more for the Indian article. [*Hear, hear.*] If the amount is a small one we do not even restrict ourselves to the limit of 10 per cent.; but when it is a large contract the matter is different. There is nothing used in this department which is purchased abroad and which could possibly be obtained in India at anything like a reasonable price. The

2-30 p.m.

honourable member has cited the instance of the note paper provided for members of this Council, but this note paper is an old stock—ten years old—which is being gradually used up.

One honourable member asked for the expenditure by the department on purchases. I cannot give him the total figure for all purchases, but I may say that the total cost of articles purchased in England was Rs. 69,000 in round figures, whereas to the Deccan Paper Mills of Poona alone our bills are over two lakhs of rupees. I have here a list of materials of Indian manufacture which we use. In addition to paper, cloth, and articles of that description, the list includes wax candles, crayons, glue, gum arabic, inks of all kinds, penholders and nibs of all kinds, soap cakes, tags, wax-cloth, sealing wax, and carbon paper for typewriters. Even in the matter of typewriters, till a year ago,

[Mr. R. D. Bell]

Government gave preference to an American firm which imported the parts and assembled them in Calcutta. That preference has for the present been suspended for, in my opinion, good business reasons which I do not wish to give in detail here. I can assure this House that there is no department in which greater care is taken to purchase Indian made articles.

Sir, no other point has arisen, but lest other members might follow the same lines as the mover I thought it desirable to put the facts very clearly before the House at this stage.

Rao Saheb P. D. KULKARNI (Poona District): Sir, I know that many of the articles purchased by the department are of Indian make. But my point was that more than enough attention was being given to economy, and when articles of Indian make cost 10 per cent. more than those of foreign manufacture, then foreign made articles were given preference. I think that even at the cost of economy, in order to encourage our own industries, Government should lay down a hard and fast rule that the Stationery Department should not purchase an article of foreign manufacture if the same article is available in this country. If the material was not available in our country, then there would be justification for purchasing it from a foreign country. But when we have an Indian make even disregarding the ten per cent. rule, the article should be purchased from India. It is with the object of urging that point of view that I moved the cut. But taking into consideration that Government are taking the utmost care to progress in this line, I beg leave of the Honourable House to withdraw my motion.

Motion, by leave, withdrawn.

Mr. G. S. GANGOLI (Kanara District): Sir, I beg to move:

Reduce by Rs. 1,000—46, Stationery and Printing—Other expenditure—Total, Rs. 12,64,000 (B. page 12).

It will be noticed that there is a slight increase in the demand for this year. Last year, the budget estimate was Rs. 13,10,000, but the revised estimate is Rs. 11,93,000. This year, the budget estimate is Rs. 12,64,000. So, Government have not grown wiser by experience. Though the revised estimate is only Rs. 11,93,000, they come to us for a grant of Rs. 12,64,000. The reason given for this increase is surprising. At page 98 of the Blue Book they say:

"A slight increase in the next year's budget is due to the increased provision for customs duty on imported store."

So, in order to avoid the customs duty and the increased cost, it is better to purchase the articles in India.

I am reminded by many honourable members on this side of the House that there is no necessity to maintain the Superintendent, in addition to the Assistant Superintendent and the Manager. Many of us are agreed here that the Manager or the Assistant Superintendent should take the place of the Superintendent, and at any rate it is unnecessary to keep all the posts. That is another point.

[Mr. G. S. Gangoli]

After the general discussion was over, the Honourable the General Member gave us an assurance that Government publications would be supplied to us. He has already taken steps to see that all circulars are supplied to us. With all that, we are not supplied with several of the important publications like the Census Report and the Civil List. The Civil List is the one publication that every member would be glad to possess. But that is denied to us, and I wonder what the reason is. Apart from that, Sir, there are certain Government resolutions and notifications issued, or Press notes issued by the Director of Information, which are sent to registered libraries and newspapers with a circulation of over 1,000 copies. But the Council members are not supplied these. In this connection, I have to cite a case coming within my personal experience: it is very sad indeed. The question of grazing has been agitating the public mind. Questions have been asked on the floor of this House in connection with that subject. Now, certain Government resolutions are issued from time to time on the subject, and in spite of my repeated requests not a single Government Resolution is supplied to me. Some of these Government Resolutions are from time to time issued to registered libraries and to the Press, but not to a member of this Council. At the time the last Governor, Sir Frederick Sykes, left the shores of this country, he was particularly careful to issue some instructions about North Kanara. A Press note was issued and sent to the libraries there, but I waited from day to day in the post office but received no copies of it, although it concerned me and my district. The Director of Information is careful to supply information to other institutions, and even the district co-operative institute, but not to a member of this Council. A member of this Council is not to get information about what goes on in connection with the administration of his district.

I may cite another sad incident. Honourable members of this Council are entitled to send service-unpaid certain communications to Government. It so happened that I once addressed a letter to the Secretary of the Home Department,—I initialled it—but it was returned to me after one month with the remark "refused". The letter was in connection with a grievance which the Honourable the Home Member has redressed, I think.

The Honourable the PRESIDENT: How does that come in?

Mr. G. S. GANGOLI: So far as I can see, this is the only head under which I can deal with that. If I were to say that I sent a letter and it was refused, nobody would believe me. So I have a record to show that it was actually refused.

These, Sir, are small grievances which I hope the Honourable the General Member will be pleased to redress. My only point in submitting this cut motion was that we must be supplied with the Government Resolutions and certain notifications which concern our districts and our activities in the Council and that we must not be left in the dark unnecessarily any longer. With these words, I move the cut.

Question proposed.

Mr. SHAIKH ABDUL AZIZ (Central Division): Sir, unfortunately, the honourable member Mr. Syed Munawar is not present and therefore his cut motion has not come up for discussion. That cut pertains to this Department, and I have to make a few remarks in this connection.

In the Government Central Press there are three branches—Marathi, Gujarati and Urdu. In the Urdu section about 35 or 37 persons are engaged. They are all Mahomedans. If you take the whole department, there are about 700 employees—clerks and others. Out of these 700, only 35 are Mahomedans. Now, in 1933, for the sake of retrenchment, 10 out of these 35 Mahomedans, who were getting fixed monthly salaries, were put on the daily wage system. The reason given by the department was that the work in the Urdu section was not so much as in the other sections and did not justify their maintenance as wholetime servants on monthly pay. A deputation, of which the honourable member Mr. Syed Munawar, Mr. Rahimtoola and myself were members, approached the Honourable the Home Member and explained to him that if the work in the Urdu section was not so much as to justify their retention on monthly pay, they should be given extra work either from the English or any other section but that they should not be reduced to the daily wage system. But it was stated that on account of retrenchment that had to be done. The Honourable Mr. Bell assured us that by this arrangement the persons were not going to lose anything but on the other hand they would get more pay and that they would get regular work from the higher officers. He asked us to wait for six months and if really there was hardship to approach him again. I have now come to know that their condition is very pitiable. They do not get work and in that way they have suffered in their pay. They do not get holidays as do the other members of the staff who are on the monthly pay. So in view of the Honourable the General Member's assurance that their case would be considered after six months, I beg to submit that they should be appointed on their old pay—the monthly pay system—instead of being continued as daily wage earners.

Another point is that 35 out of a total staff of 700 is very small. It is stated that the work in the Urdu section is not heavy, but my information is that there is ample work. But even if there is not much work in the Urdu section, my submission is that work from other sections—English, Gujarati or Marathi should be given to them, because all of them know how to work in the other branches also. So they should not be subjected to this hardship of working on daily wages and their case should be considered sympathetically and equitably. With these remarks, I support the cut.

Dr. P. G. SOLANKI: Sir, I would like to make a few observations on this motion which my honourable friend Mr. Gangoli has moved. He has moved this cut with the object of raising a discussion on the subject of the Stationery and Central Press Department. My honourable friend Mr. Shaikh Abdul Aziz referred to the plight of the Mahomedan employees in the Press. Sir, I expected my honourable friend to take up the cause of the depressed and the backward classes along with that of the Mahomedans when he spoke. If he had done that, I would not

[Dr. P. G. Solanki]

have risen to speak and taken up the time of the House. But as he has not done so, I am obliged to speak a few words, and I would like the Honourable the General Member and the honourable member the General Secretary to listen to those words. I am glad that Mr. Watson is also here. (*An Honourable Member:* "Who is Mr. Watson"?) He is in charge of the Central Press. He is the gentleman who can do much in this direction by means of redressing the grievances of the Mahomedans and the backward and the depressed classes.

As we are told, there are 700 hands working in the Press, out of whom only 35 are Mahomedans. It is said that in the Urdu section there is not much work, but I daresay in the Marathi and the Gujarati sections there must be more work, because in this Presidency there are many Marathi speaking people and also there are many Gujarati merchants and commercial magnates. Naturally, Government should look to the needs of the backward classes among the Gujarati speaking and Marathi speaking people of this city.

There are hundreds and hundreds of young men who have passed their English middle school examination but who have not gone up to the Matriculation owing to their financial difficulties owing to which difficulties they have not been able to pass the matriculation examination. Here is a department where young men who have gone up to the matriculation could be very easily engaged as compositors or as men who could be used and engaged as readers. But to my great dismay and disappointment, I find that many deserving young men from the depressed and the backward classes, though they were sent by me with my personal notes of recommendations, were refused admission on the ground that there was no vacancy for them.

The Honourable Mr. R. D. BELL: No vacancy?

Dr. P. G. SOLANKI: Whenever the question of retrenchment comes, it is the unlucky part of the Mahomedans as well as the backward and the depressed that they come under the pruning knife they being the last to take to education during the last century—they have just begun to take to education and they are just trying to come up to the level of the other advanced communities and they are aspiring to get humble positions in the lower grades of the services—they meet with this handicap because of retrenchment. In every department of Government it is the poor backward and the depressed classes and the Mahomedans who are always cut down when the question of retrenchment comes and always the upper class people, the advanced class people, who happen to be permanent there, who happen to be confirmed there, and who happen to wield influence there, are kept on. I appeal to this honourable House to be just and fair, that they should put down a sort of proportion or percentage according to which the recruitment and confirmation of the Mahomedan and the backward and the depressed classes candidates should be guided—it is very high time that this should be done. I have put in my resolution before this honourable House. I am afraid I may not reach it because we are given only six days this time. That is why I take this

[Dr. P. G. Solanki]

opportunity to speak on that, though it may be a sort of deviation from the subject proper. Sir, unless the percentages are put down and the proportions are distinctly marked, we people shall have to suffer always. We are groping in the dark. The other day in the Poona session of this Council I asked the Honourable the Finance Member whether he himself knew what was the exact proportion and the ratio or percentage laid down by Government for the proper representation of the candidates from among all the communities. He was then unable to tell me anything. I have requested him that he should be prepared to reply to me in the present session in Bombay if I can get an opportunity to move my resolution. Even if I cannot reach my resolution, I request all the Members of Government, particularly the Honourable the Home Member and the Honourable the Finance Member and the honourable member the General Secretary, that they should try and come to the help of these people. You cannot neglect them and you cannot at the same time set aside their claims. There is a lot of unemployment everywhere and if you cut off these aspiring young men from the lower grades of service even, where will they go? Government should either come forward and say that it is not the realm and the region of the backward classes to take to higher education, that those classes should remain where they are or if they mean well with the backward, the depressed and the Mahomedans, they should come to their rescue and help them and give them encouragement by giving them service in all the departments of Government, and particularly in the Government Central Press in Bombay. I am not against the grant. I am not against the demand. I would like to help Government in this matter. I would not like to find fault as other honourable members find fault with the stationery and the paper—I will leave that to my other honourable friends who make it their business to always find fault and criticise—I am always for co-operation with Government, but at the same time I think I am entitled to make a humble suggestion and a humble appeal to the Members on the Government benches to listen to our grievances and to pay attention to them so that they will not neglect these things, so that they will not ignore these things, so that they will not look upon the members of the backward and the depressed classes and the Mahomedans as unimportant members of this House. I have heard many times from the mouths of the most responsible members of this House saying that some important member of this honourable House says this thing and some other important member of this House says that thing. I feel that every member, whether elected or nominated, is an important member and he represents his own constituency or his party, and I do believe that the Government will take note that it is not too late yet and that they should try to remove all the grievances of these people. All this time we were dumb, our mouths were shut up till now but now by the help of Government, by the co-operation of the liberal-minded members of the Hindu community, we people are trying to raise our voice and our voice should not be strangled, it should not be drowned by

[Dr. P. G. Solanki]

Government's indifference and they should not try to ignore the claims of these people.

With these words I do believe and hope that the Government Members will wake up and come to the rescue of the Mahomedan, the backward and the depressed classes and give justice to their cause.

With these words, I oppose the cut.

Mr. G. S. GANGOLI (Kanara District): Sir, I wonder how I can reply to the last speaker, the honourable member Dr. Solanki, because he stated that he is leaving to other honourable members of this House to argue and table cuts and that he himself would co-operate, and for doing so I have given him an opportunity to ventilate his grievances, and I am even prepared to call him not only an important member but one of the most important members of this House; but he concludes by saying that he opposes the cut.

That apart, Sir, this discussion on racial and linguistic basis and other discrimination has put me in a very awkward position, because in Kanara there are certain forms which are all printed not in Kanarese which is the language of the district, but in Marathi. In the Revenue Department especially, we have got to apply for copies of certain documents on quarter anna paper but this form is printed in Marathi. Similar is the case with Customs Department forms. There are several other forms also which are not printed in Kanarese but in Marathi; for instance, survey settlement records, water records, irrigation records etc. In so far as that relates to the particular language prevalent in that district or province, I would request the Honourable the General Member to issue directions that the language of the province be put in force in the places where these forms are to be used.

Sir, the other points I have already urged and so I beg leave of the House to withdraw my motion.

The Honourable Mr. R. D. BELL: Sir, the honourable mover of this cut made a reference in the first place to the non-supply of copies of the Census Report and of the Civil List to the honourable members. When the question of the supply of Government publications to the honourable members first came up, I promised, in response to representations made by the honourable member Rao Bahadur Bole, to consider the question of the supply of the Census Reports. I found that these had never been supplied to the honourable members and that the honourable member Rao Bahadur Bole must have made a mistake in that respect. If he got a free copy, however, at any time, the less he now says about it the better. [*Laughter.*] Nor am I aware that the Civil Lists were ever supplied to the honourable members, and it seems to me——

Sardar Rao Bahadur B. R. NAIK: They were supplied for years.

The Honourable Mr. R. D. BELL: I was not aware that the Civil Lists were supplied. I fancy the matter has been considered by Government. However, I will look up the papers again.

Dr. P. G. SOLANKI: A word of explanation, Sir. I hear the honourable member Rao Bahadur Bole saying that the Census Reports were supplied to all the honourable members of this House once, and even if they were not supplied, may I ask the question whether the members of this honourable House are not entitled even to have the Census Reports when other reports are denied to them?

3 p.m.

The Honourable Mr. R. D. BELL: The Census Report is a very costly production. There are copies in the library which are available for consultation. In any event, these are not matters for which the head of the department of Stationery and Printing is responsible nor is he responsible for the distribution or non-distribution of Press Notes. I was not aware that press notes were ever supplied to the honourable members nor am I convinced that it is necessary to do so. The press notes are issued for the purposes of the press and they appear in the daily newspapers and presumably all honourable members read the daily newspapers and read the press notes there——

Mr. G. S. GANGOLI: Not all honourable members.

Rao Bahadur G. V. PRADHAN: Not those who cannot read newspapers.

The Honourable Mr. R. D. BELL: Government Resolutions are never supplied to institutions or individuals but they are sometimes issued in the form of press notes or in other shapes but never as Government Resolutions.

The rejection of the honourable mover's missive to the Secretariat is again another matter for which the head of the department of Printing and Stationery is not responsible. If he cares to hand it in, inquiries will be made, but it must have been an accident because we—my honourable colleague on my left and I myself—constantly receive such letters for which we have to pay out of our own pockets.

Sir, the two principal questions seem to relate to the employment of Mahomedans and the backward classes. As regards the Mahomedans, the question of Urdu compositors has been raised again. It is quite true that I promised to look into this matter and I am satisfied that the new arrangements are working perfectly well. The position previously was that a number of Urdu compositors—six—were employed for composition in the Urdu characters. There were times when they had very little work to do and there were other times when there was a great rush of work such as the printing of a Bill in Urdu when the staff was insufficient to carry out the work expeditiously. It was decided therefore to have more Urdu knowing compositors and to put them on piece rates, for composition both in Urdu and English.

One honourable member has suggested that they have suffered pecuniarily in that respect, but I have figures which show that that is not so. The figures were worked out for the seven months, March to September, last year, and each of these compositors had an average pay per month a little more, not very much, but a little more than his old

[Mr. R. D. Bell]

fixed pay; and the figures for the last six months ending January have again been taken out, with the same result. It is believed that if they work harder, they could earn even more. In the first month in which this system was introduced, they earned very much more than they ever earned before, or they have earned since. There seems to be no reason, therefore, for interfering with this system which is working perfectly satisfactorily. We have more Urdu compositors, the work is carried out more conveniently, and in times of pressure more rapidly, and they are in no wise losers in the matter of pay. The number of Mahomedan Urdu compositors is now 14.

I may say that as regards recruitment generally, the orders of Government have been observed in all the presses. In the office of the Superintendent of Government Printing and Stationery, Bombay, there have been 125 appointments made in the last 10 years, and of these more than two-thirds were given to members of the Intermediate communities, formerly known as the Backward Classes. In the Government Central Press, Bombay, there have been 310 appointments in the same period, and of these just under two-thirds have gone to the Intermediate Classes, while at Yeravda 60 per cent. of the appointments have gone to the Intermediate Classes. There are at present in the department 8 members of backward communities, formerly known as the Depressed Classes.

Dr. P. G. SOLANKI: Does that mean that these 8 persons belong to the untouchable classes? There is a certain amount of confusion between "untouchable" and "depressed".

The Honourable Mr. R. D. BELL: We cannot go into all the little details of caste and sub-caste. These 8 belong to the classes now described as Backward. The total number of employees in the Press in Bombay is not 700; it is 570. These include altogether 30 Mahomedans; 14 or 15 of them are compositors and the others are distributed through all the sections of the Press. I am perfectly certain that the orders in this matter are adhered to and very carefully observed.

Even in the matter of retrenchment, where retrenchment had to be carried out by no means altogether on caste lines, it was laid down that, where possible, some regard should be had to communal representation. But retrenchment is now rather an old story. I do not think there have been any recent discharges on account of retrenchment. It did so happen that, as the recruitment of the Intermediate Classes is a matter of comparatively recent date and as retrenchment under the orders of Government very properly fell earlier on the junior members in a department and on those who had longer service, it might appear as if retrenchment fell rather hard in some cases on the Intermediate and the Backward Classes. But that result was inherent in the circumstances of the case. I believe myself that honourable members are perfectly satisfied that in this matter Government have paid due regard to the interests of both the Backward and the Intermediate communities.

Mr. G. S. GANGOLI: Some points are left out. One is about the increase of Rs. 63,000 or so in the expenditure, and the other about the superior staff.

The Honourable the PRESIDENT: The honourable member is not going to take a second chance now?

Mr. G. S. GANGOLI: No, Sir. I had referred to them in moving my motion.

The Honourable the PRESIDENT: The honourable member only wants the reply to those points?

Mr. G. S. GANGOLI: Yes, Sir.

The Honourable Mr. R. D. BELL: The budget estimates of course are only estimates. Last year we had the advantage of a fall in prices. The difference this year is comparatively small, and without going through the whole budget in detail, it is not easy to say why the difference which the honourable member has pointed out has occurred. It is not due to any extravagance. The estimates are worked out so far as possible in the light of previous experience, and the honourable member may accept them as having been carefully prepared. I regret I did not catch his second point.

Mr. G. S. GANGOLI: The second point is that all the three posts of Manager, Assistant Manager and Superintendent are not necessary.

The Honourable Mr. R. D. BELL: I am quite satisfied that the staff now has been cut down to what is really essential for efficient administration. That has all been gone through very carefully.

Mr. G. S. GANGOLI: And the language of the province?

Dr. P. G. SOLANKI: Sir, there is one thing which I want to impress on the mind of the Honourable Member.

The Honourable the PRESIDENT: No, no. The honourable member cannot be allowed to make a speech now.

Dr. P. G. SOLANKI: He said that the members are satisfied. Personally, I am not satisfied.

The Honourable the PRESIDENT: Order, order. This is not the time to bring in any fresh matter into the discussion. If, arising out of the reply, there is any point on which the honourable member seeks information, he can ask for it, if the Honourable the General Member is ready to reply.

Dr. P. G. SOLANKI: Exactly so, Sir. It is from the reply that I am just going to request the Honourable the General Member——

The Honourable the PRESIDENT: No, no. Is the honourable member going to ask for any information?

Dr. P. G. SOLANKI: Yes, Sir. In his reply the Honourable the General Member told us that the Government does not take that particular care to note down the castes of the particular communities. Sir, it has been the policy of the Government to lay down——

The Honourable the PRESIDENT: Order, order. What is the information that the honourable member wants?

Dr. P. G. SOLANKI: It is this. When I asked the Honourable the General Member how many of the untouchable classes were taken, he showed his ignorance, and as the matter——

The Honourable Mr. R. D. BELL: I am not ignorant now. The eight persons of the Backward communities who were recruited belonged to the untouchable castes.

Dr. P. G. SOLANKI: I was rather very sorry at that time as the reply of the Honourable Member was not clear. I am glad that he has given his answer now, and I am satisfied.

Mr. G. S. GANGOLI: Sir, I ask for leave of the House to withdraw my motion.

Motion, by leave, withdrawn.

Total Demand put, and agreed to.

The Honourable Sir GHULAM HUSSAIN: Mr. President, I move a demand of Rs. 1,05,000 under 45-A, Commutation of Pensions financed from ordinary revenue (reserved).

Question proposed.

Mr. G. S. GANGOLI (Kanara District): Sir, I beg to move:

Reduce by Rs. 100, total demand of Rs. 1,33,000 under 45-A, Commutation of Pensions financed from ordinary revenue (reserved).

Sir, my point in moving this cut has been once discussed when a demand for a supplementary grant under this head was made in this session, and it is this. A pension, according to me, is a claim earned for all the loyal service rendered while a man is in active service. It is not a claim which is to be preferred because of his long life, but because he has actually been rendering loyal service to the Crown. If that is so, I really fail to understand why, when a request for commutation of a pension is made, a report from the police is necessary. Two things are essential before a pension can be commuted. One is a Civil Surgeon's certificate, and another is a certificate or report from the police. So far as my knowledge goes, persons who have retired from active Government service in India and who have settled in England have got complete freedom and liberty to associate themselves with any political party, either in the interest or against the interest of India as a whole, whose salt they eat. But in India, though a Government servant has put in loyal service, they have to undergo this humiliation, that even the biggest officers should possess a certificate or a report from the police, and therefore they are forced——

The Honourable Sir GHULAM HUSSAIN: What report?

Mr. G. S. GANGOLI: As soon as a pension is to be commuted—the Honourable the Finance Member may or may not be knowing about it—two things are essential; one is a Civil Surgeon's certificate, and the other is a report from the police.

The Honourable Sir GHULAM HUSSAIN: About what?

Mr. G. S. GANGOLI: I do not know that. I only know that a police report is essential before a pension can be commuted,

Sardar Rao Bahadur B. R. NAIK: Yes, this rule was recently introduced.

Mr. G. S. GANGOLI: My point is that when a pension is given, it has been already earned by the person by his loyal service; or, if it is a recurring grant, in that case he is a Government servant. But my information is that a pensioner is not a Government servant, because in one or two talukas where special police were stationed, every Government servant was exempt, but not a pensioner. In that respect he is not a Government servant, and a pension or commutation of a pension is given in recognition of that service which he has already rendered. My point is that when he has honourably retired from service, a police report must not be necessary for purposes of commutation of pension. This is the only grievance I had to ventilate, and so I have proposed this cut.

Question proposed.

The Honourable Sir GHULAM HUSSAIN: Mr. President, the honourable member Mr. Gangoli has referred to two points: one is the report from the police and another is the Civil Surgeon's certificate. Well, Sir, the report from the police is absolutely necessary to see whether the man is loyal or not. Suppose he retires from Government service and——

Mr. G. S. GANGOLI: What is the rule in England?

The Honourable Sir GHULAM HUSSAIN: I do not know what the rule in England is, but in India in every province this is one of the rules.

Mr. G. S. GANGOLI: What about those who have returned to England?

The Honourable Sir GHULAM HUSSAIN: I do not know about them.

Mr. G. S. GANGOLI: But you pay their pensions also?

The Honourable Sir GHULAM HUSSAIN: I do not think they will join any movement of a subversive character against the Government of the day.

So, a report from the police is necessary, so that we may know about the man's loyalty. As regards the Civil Surgeon's certificate, we must also know about the person's health before we commute his pension.

Mr. G. S. GANGOLI: It should be free.

The Honourable Sir GHULAM HUSSAIN: In the absence of a certificate from a Civil Surgeon, you might waste the rate-payers' money. It is for these reasons that these precautions are necessary.

Mr. G. S. GANGOLI (Kanara District): Sir, according to me, the pension which is given is earned for loyal service, and I have been repeatedly saying it. We are paying pensions to Indians and to Europeans who have retired from Government service in India. But in the case of Europeans who have returned to England and settled down there, there is no such rule as to their conduct. They are at times seen

[Mr. G. S. Gangoli]

joining the offensive even against the White Paper policy itself. They are not even prepared to give to Indians that much liberty which the White Paper promises to give us. But in the case of Indians who have honourably retired from service, and who get pensions from the Honourable the Finance Member, before considering any application for commutation of pension, he requires a police certificate for them.

As to the certificate from a Civil Surgeon, nobody in this House has said that the man should be granted commutation without such a certificate. What we request is that the certificate should be free, because the Civil Surgeon is a servant of Government, and it is his business to grant this certificate free. So, I request the Honourable the Finance Member that the Civil Surgeon's certificate may be free, and the pensioners both in England and in India may be brought under the same category.

The Honourable Sir GHULAM HUSSAIN: Sir, the honourable mover of the cut wanted to know whether this rule applies also to those servants who retire and leave India. The same rule applies to them also. He asked why we should have a police report. We require the police report because we want to know about the man's loyalty. He wants to commute his pension and take a lump sum. Suppose his tendency is revolutionary. Are we to give him the sinews of war to enable him to fight against Government?

Mr. G. S. GANGOLI: Has he not already earned it?

The Honourable Sir GHULAM HUSSAIN: He is entitled to pension subject to good conduct. As regards the Civil Surgeon's certificate, I have already explained why that too is necessary.

Mr. G. S. GANGOLI: One information. Is there any single instance in which he has a police report of a servant who has retired and gone out of India?

The Honourable Sir GHULAM HUSSAIN: The information will be available in England and not here.

Question put, and negatived.

The original demand put, and agreed to.

The Honourable Sir GHULAM HUSSAIN: I move a grant of Rs. 90,24,000 under 45, Superannuation Allowances and Pensions.

Question put, and agreed to.

The Honourable Mr. R. D. BELL: Sir, I beg to make a demand for Rs. 3,30,000 under 42, Bombay Development Scheme.

Question proposed.

Major W. ELLIS JONES: Sir, I beg to move:

"That the total demand of Rs. 3,30,000 under 42, Bombay Development Scheme be reduced by Rs. 100."

In moving the cut of Rs. 100 under the head of Bombay Development Department, I want to make it clear at the outset that I do so in order

[Major W. Ellis Jones]

that the Honourable the Finance Member shall have a clean cut expression of the opinion of this House on this tax and to assist him in his discussions with the Bombay Municipality and to emphasise that this House will, whenever it deems it advisable, review any taxation which it may have sanctioned.

In 1928, when I first had the honour to represent the Cotton Trade of the Presidency in this House, I drew the attention of Government to the destructive potentialities of this impost, and the answer given by Government on that occasion was similar to that given in this House a week ago "we are consulting the Bombay Municipality". In 1928, we had more or less a balanced budget and the Government were at that time as sympathetically inclined to remove this duty, as they are to-day, but the Municipality were adamant that they could not carry on without this tax. Sir, I see very little to-day that makes me believe that, unless the greatest pressure is applied, the Municipality will surrender this tax. For that reason I am moving this cut.

In 1928 the Honourable the Finance Member in announcing in the Blue Book a reduction in the estimates of the proceeds from this tax said "that the reduction from the previous figures is due to trade depression". In the current Blue Book, the Finance Member states that the reduction is due to the "disorganisation of the cotton trade". In 1928, the Trade asked for some assurance that the tax would sooner or later be removed before irretrievable damage was done to the Trade. The reply of the Finance Member on that occasion was remarkably similar to the one given again this week by the Finance Member "that Government and the Bombay Municipality are partners in this tax and they must consult the Municipality." On the 23rd February 1928 Sir Chunilal speaking on this question said that "in any case the Bombay Municipality and the Government are both partners, they share in this cess and we have in view of the Tariff Board recommendation written to the Municipality to find out what their views on this matter are." We have the recommendation of the Tariff Board which recommended to Bombay Government reduction of the Town Duty on cotton. In 1934, the Honourable the Finance Member says that the Government must consult the Bombay Municipality. Sir, I fear that unless this House makes it clear that the tax must be entirely abolished it will find that in 1940 the same pleas would be advanced.

When the tax was imposed in 1920, a vastly different state of affairs to that of to-day was existent. Commodity prices were high and the housing conditions of Bombay were deplorable, and there was some justification for asking the agricultural interests of the Presidency, who benefited by the Port and City of Bombay, that they should assist in making the conditions in that city a little brighter and healthier for those upon whom to a great extent the cultivator had to rely for the consumption of his produce. At that time however the cultivators'

[Major W. Ellis Jones]

interests were not overlooked by the representatives of the Trade in Bombay, who always held that the prosperity of the City and the Presidency are one, and anything that militates against the prosperity of the cultivator must militate against that of the city.

Sir Purshotamdas Thakurdas in his opposition to the proposed tax said:

"It is proposed to empower the Corporation to levy a Town Duty of one rupee per bale of cotton that comes to Bombay; in fact, to finance the whole of the scheme, if I may say so, at the expense of the cotton cultivator."

Another millowner Sir Manmohandas Ramji said:

"Of course, as far as the cotton exported from Bombay is concerned, it will be a loss to the cultivator. I am afraid that perhaps this Rs. 2 may act as a means of diverting the trade of Bombay."

On the second reading of that Bill, the Honourable Mr. Upasani said:

"The proposed tax is sure to affect the interests of the people in the mofussil."

To-day two of these gentlemen have restated their objection on these grounds. Even one of the supporters of the measure in 1920, Sir P. C. Sethna has written to me:

"When the tax was imposed I will admit I was one of those who favoured it but circumstances were very different then as compared to what is the case to-day. A duty of Rs. 2 per candy on the then prices of cotton did not make any serious difference but to-day it is just the reverse, and in order to protect themselves it is not surprising that importers of cotton prefer to leave Bombay alone and take to other ports or to land their cotton outside the city at Thana or Mumbra. There is no doubt that this deviation of trade is telling and will tell more on the prosperity of Bombay and it is best to acknowledge one's mistake and do everything in our power to get the impost removed.

Government and the Corporation may no doubt experience difficulty in suggesting any fresh tax to make up for the loss of this town duty but I am sure any other impost that may be levied instead will not do half the harm that the deviation of the cotton trade is doing to this city generally and its after effects are bound to be still greater. I for one now strongly support the removal of this duty."

It is common knowledge that if the cultivator is to get the fullest possible return for his labour in producing his commodities, it is vital that all the charges between him and the consumer shall be reduced to a minimum, particularly is this case in regard to cotton, the price of which is not determined by purely local factors, but by world conditions and a tax such as the Town Duty on cotton must inflict a loss upon him which he can under no circumstances recover. I feel sure that had the representatives of the cultivators given thought to this aspect of the Town Duty, we should have long ago had action taken to remove the same, but I am afraid that as the incidence to each particular cultivator is small, and not at once apparent, it has been overlooked, but when it is realised that according to the figures given by Government only this week in reply to a question asked by the honourable member Mr. Petit that since the imposition of the tax, a sum of nearly 3¾ crores of rupees have been taken, it will be realised the extent of loss the cultivator has sustained. The Town Duty on cotton is a distinct handicap on the grower and the resultant benefits nil. The Bombay Town Duty reduces the width of the markets available to him and, by thus reducing the number of potential buyers, restricts the competition and lowers the prices his commodity should secure.

3-30 p.m.

[Major W. Ellis Jones]

I would ask the representatives of the cultivator not to be led away by threats the effect of the removal of this tax will have on the possible rebates in land revenue assessments. But if this tax is taken away, it will place the cultivator in a position when he will not need to ask for charitable remissions granted very unwillingly by Government.

With reference to the Bombay Municipality, I would make a special plea to their members in the House to support my cut. In order to secure at present five to six lakhs of rupees, is it worthwhile jeopardising the trade of the presidency and the Port? A week ago in order that I might be able to give a personal view of the developments just outside of Bombay, I visited the new port of Mumbra, less than a month ago. This was a wayside station on mud flats about 26 miles from Bombay. Within this month, there has arisen a small port, with 20 piers and over 17,000 bales of cotton are handled there, a remarkable achievement, and the basis of a port which may cause serious loss to the city and Port of Bombay. I am afraid that the city fathers of Bombay are apt to overlook the foundation of the Port of Bombay in its magnificence of to-day, but I would remind them that Bombay started as Mumbra is starting to-day. History teems with similar examples and to-day with competition at a severity almost undreamt of it is their duty to see that no tax, no hindrance, is placed in the way of its development by even its smallest citizen. The insistence upon the retention of the Town Duty in any shape or form by the Corporation will be the death-knell of Bombay. Mumbra with its 17,000 bales threatens its existence and 30,000 more bales are on their way to Mumbra. Thana with 10,000 bales is also ready to cut into the trade of the Port and unless action is taken quickly Trombay will also enter the drive for the trade of Bombay. The example of Mumbra developing into a big port like Bombay is nothing new. The same thing took place in England. Manchester felt its position menaced by Liverpool and the Manchester Ship Canal was built and to-day traffic that would and could go through Liverpool, goes via Manchester.

The Mill interests have drawn attention to the effect of the tax upon the city, and they were reinforced by the Noyce Committee, but the city fathers slept on, with the result that to-day about half of the mills are working and that on a border line, machinery is going upcountry to centres where the city fathers do not look upon the textile industry as the sole means of supporting their extravagances.

The representatives of Labour in this city are well aware of the consequences of perpetuation of the Town Duty. In his plea for the control of rents, one of them argued that the cut that had been made in wages and the unemployment in the city due to rationalisation made it necessary to restrict rents. But I would ask him what will this avail if, by reason of the perpetuation of the town duty, the mills are driven out of the city and his labour is unable to find employment.

I am fully aware that Government are sympathetically considering the removal of this duty, but the time has come when it is no longer

[Major W. Ellis Jones]

a matter of consideration and sympathy, but of action. In my speech at the general discussion of the budget, I asked the Honourable the Finance Member to have the courage of his convictions and remove the tax, but he is diffident of the Corporation. So, I now ask the House to express its opinion, in order that he may no longer fear the remarks of a body which is more interested in the development of its Utopian ideals than in the trade of the port and the presidency.

I have to thank the honourable member for the Karachi Chamber of Commerce for the withdrawal of his opposition to the electric duty, which I know he feels very strongly about, in the interests of the cultivator and the Port of Bombay. The European group in this House will always stand for equity and fair play in all taxation, and it is because they firmly believe in equity and justice that they have urged at all times and in all places that this tax should be removed from the statute book. The case of the agriculturists of the presidency will be placed by the representatives of those interests in this House much more clearly than I can.

With these words, I move the cut.

Mr. J. B. PETIT (Bombay Millowners' Association): Mr. President, I have much pleasure in supporting the cut moved by my honourable friend Major Ellis Jones in order to draw the attention of the Government, not only to the extreme desirability but also to the urgent necessity of removing this tax, which was, as we are all aware, imposed, in the first instance, for the purpose of helping both the Government and the Municipality in erecting workmen's chawls in the city of Bombay, but a substantial portion of which has unfortunately been applied for a purpose other than the one for which it was intended, as was brought out only the other day in reply to one of my questions on the subject. Up to now, Sir, we find that this tax has yielded a total of Rs. 3,68,83,160, of which Rs. 2,08,32,458 have come to the Government and the balance has gone to the Municipality. While the Government, true to their pledge, have devoted Rs. 1,59,65,791 out of their share to housing-schemes, they have, unfortunately, diverted Rs. 48,66,667 for the purpose of wiping out the loss on the Salsette Railway. For this, I think the Government are to blame, because it is not in consonance with the pledge that had been given by them to the public at the time of the debate.

The Honourable Mr. R. D. BELL: Sir, the honourable member is not speaking according to the statute book. Under the statute a sum of 4 lakhs has to be set aside annually for the development of Salsette. Government have no option in the matter. The Act has been passed by this House, and they must observe its provisions.

Mr. J. B. PETIT: I am alluding on purpose not to the Act but to the pledge given by the Government at the time of the debate in the Council when the Act was on the anvil. It was on the strength of the solemn and authoritative pledge, thus given to the effect that the proceeds of the tax would be devoted towards the erection of chawls for the labouring classes, that the cotton trade and the textile industry, which between

[Mr. J. B. Petit]

them are paying this impost, readily agreed to bear the load. If this pledge was not ultimately embodied in the Act, the fault does not certainly lie with the trade and the textile industry that willingly came forward to shoulder the burden in the interests of the labouring classes. But, I am perfectly certain, Sir, that the Council debate of that time will make this abundantly clear. However, Sir, this is only by the way. It does not directly concern the cut under discussion. But the fact remains that this tax, whatever the purpose for which it was imposed, has had the effect of penalising both the cotton trade of Bombay and the local textile industry, with disastrous results. This load combined with the other heavy Bombay charges, is practically driving our cotton trade away from our doors; and has reduced the local textile industry to such a pass that even the Tariff Board when impressed by the unjust incidence of this tax, went out of its way to recommend a refund to the mills of 50 per cent. of the duty on the cotton consumed by the Industry. The Government have been repeatedly requested in this House to give effect to that recommendation, but even at the risk of further crippling the Bombay textile industry, they have invariably pleaded their inability to do so on the ground of financial stringency,—an excuse which is very handy now-a-days and which has of late become quite fashionable with the Government. It is thus, Sir, that both the cotton trade and the textile industry of Bombay, still continue to suffer from the burden of this duty along with that of the other imposts which they have to bear, with the result that the former is fast leaving us and the latter gradually dying out. It is most unfortunate, Sir, that the Government never listen to arguments of this kind and never allow themselves to be influenced even by important considerations of this character, affecting the welfare of the city and the very existence of its staple industry, until their hands are forced, when, sometimes it is too late to reclaim a lost position. This is not the first time that such a thing has happened. It is now-a-days becoming extremely difficult, if not impossible, to induce the Government to get out of their rut and be conscious of their duty to the people. So far as the tax under discussion is concerned, it was practically impossible all these years to move them until the gradual but complete effacement of their cotton trade and industry became apparent. Under such circumstances, one is at a loss as to how to rouse them to a sense of their responsibility. There have been occasions, Sir, on which I have nearly despaired of doing so. Even on such urgent and pressing matters as these, they coolly refer you to questions asked six months ago and their answers, as though they can possibly be a source of consolation to those who are groaning under the weight of these unjust levies and are on the point of extinction. Only the other day, I asked a question drawing their attention once again to the urgent necessity of giving effect to the recommendation of the Tariff Board referred to by me. The only answer I got was the usual stereotyped reference to a reply given at some previous session to a similar question. And this, Sir, has happened at a time when the Bombay textile industry is in a parlous condition and passing through perhaps the most critical stage in its existence! Sir,

[Mr. J. B. Petit]

I have been lately giving some thought to this matter, and considering several plans as to how to awaken the Government to a sense of their responsibility in such matters of urgent importance. A novel idea has struck me as the result of such consideration, which I think, may prove effective, if adopted. In the old Chinese Empire, the royal family physician used to be paid a fixed handsome salary per year but with the proviso that whenever any member of the royal family fell ill, his salary was to be cut, with the result that he was kept constantly alert and alive to a sense of his responsibility to keep the members of the royal family in good health. I think, we ought to resort to some such device to keep our Government in trim. For instance, if we decide—I hope with the consent of my esteemed friend, the Honourable the Finance Member—that he should allow his salary to be deducted by a substantial amount each time he comes forward with a new taxation proposal or asks for its continuance, then I think he will be roused to a sense of his responsibility and will take the earliest possible opportunity of releasing this Presidency of the burden under which it is now groaning and which it cannot bear any longer without breaking down. But, Sir, there is one redeeming feature in this whole chapter, which has given me deep satisfaction and to which I have much pleasure in drawing the attention of this House. It is this: that the force of circumstances has now compelled the Government to accept the justice and equity of a position which they had persistently and deliberately refused even to consider in the past. The law of diminishing returns coupled with the flight of our trade, and the impending elimination of our staple industry, have between them thus at last succeeded in achieving what the force of logic and the power of persuasion had hitherto failed to do. It is indeed very refreshing, Sir, to see the Government change their attitude in this important respect, and come forward to us with the welcome news that they are quite willing to forego this tax in the larger interests of the city and the Presidency, if only the Corporation will do likewise. But, Sir, the Corporation have given their consent only on condition that they are given some other source of income by way of compensation; and suggest the power of taxing the mills as a suitable alternative. In the present condition of the textile industry, they cannot be allowed to further penalise the mills; and I hope the Government will not even look at their proposal. I trust I will not be misunderstood when I say this. I sympathise with the Corporation and admit the justice of their demand for compensation. But they must not turn their eyes to the mills; they must look elsewhere.

Considering all these facts, I think, Sir, the sooner the Government give effect to their intention to abolish the tax under discussion, the better will it be for the city and the Presidency. The facts and figures given by my honourable friend Major Ellis Jones prove beyond doubt that Mumbra is fast developing and taking the place of Bombay so far as the cotton trade is concerned; and that our other trade is shifting farther and farther away either to the Kathiawar ports or to the ports in between Bombay and Kathiawar. If all this is to be arrested and the

[Mr. J. B. Petit]

ruin that is staring the city in the face is to be nipped in the bud, it is necessary to act at once. It is therefore, Sir, that I have very great pleasure in supporting the cut moved by my honourable friend; and I trust that both the Government and the House will accept the proposal before it is too late.

Rao Bahadur R. S. ASAVALE (Bombay City, North): Mr. President, I had no intention of speaking on this cut, but as a reference has been made by the honourable mover of the cut to the city fathers, who he said were sleeping over the matter, I wish to bring to his notice that Government and the representatives of the Corporation are now sitting together to consider this matter. The matter was discussed yesterday and will be finally settled to-day, in the Corporation.

Now, Sir, coming to the abolition of the duty. Personally, I have no objection to the removal of this duty, and that is for two reasons. One reason is that not only the mill industry of the Bombay city is suffering, but also the city is suffering on account of the diversion of the cotton trade to the States, and as a consequence most of the dock labourers and the mill labourers are without job. If as a result of the abolition of the duty, the mill industry prospers, I am quite sure the labouring classes also will prosper and the citizens of Bombay also will get some relief. But, Sir, it will be very difficult for the Corporation to meet their normal expenditure without the proceeds of this duty or an amount equivalent to the loss sustained. I believe on Wednesday last there was a conference between Government and the representatives of the Corporation, and those two suggestions were made to get over the Corporation's difficulty. I am certain the Corporation will not take any objection to the removal of the duty, but they will have to ask some help from Government. Unless Government come to their help it will be very difficult for the Corporation to fill the gap created by the removal of the duty. The Corporation is not in a position to raise further taxes, because they have already recently increased the general tax by one per cent. Moreover, there is trade depression, and the valuation of properties has gone down and many properties are lying partially vacant. Trade in the City is going down day by day, business is slack, and the people have no work and cannot even afford to stay in the city. Hence less revenue to the Corporation. I would therefore request Government to ask the Government of India to give either new sources of income to the Bombay Corporation or give the Bombay Government a subsidy from which they can pay over some grant to the Corporation equivalent to the money the Corporation would lose by abolishing the cotton duty. I am sure the Government of Bombay will get some subsidy from the Government of India, owing to the agitation of the people of Bombay. Only the other day, we passed a resolution in this House stating that the Government of India should come to the help of Bombay Government. When that subsidy is got, the Bombay Government should hand over to the Bombay Corporation an amount equivalent to the loss sustained by

[Rao Bahadur R. S. Asavale]

the Corporation by the abolition of the duty, that is to say, at least 7 or 8 lakhs of rupees, the sum provided in the budget of the Corporation. Unless that loss is made up in some way, it will be very difficult for the Corporation to give their consent to forego the revenue from the town duty on cotton. The people of the city cannot be taxed more, because they are not able to bear any more taxation. I would therefore request Government that they will be pleased to give to the Corporation an alternative source of revenue which would enable it to recoup the loss to be suffered by it through either the suspension or abolition of the Cotton duty.

With these few remarks I support the cut.

Mr. MAHOMED SULEMAN CASSUM MITHA : Sir, I rise to support the cut moved by my honourable friend Major Ellis Jones. Sir, the question of the town duty on cotton has been discussed for the last fortnight in Bombay, in the Council as well as in a conference called by His Excellency the Governor. Sir, the House is aware that this duty was levied in the year 1920, and in 1922–23, it fetched a revenue of about 38·00. In the year 1931–32 it went down to Rs. 17,20,000. From these figures the House can see that the trade has been diverted either to the Kathiawar ports or to other stations outside Bombay.

Sir, much has been said about the Corporation regarding this duty. I would like to read from the report submitted by the Municipal Commissioner regarding this duty to the Corporation which was placed before the meeting on the 31st August 1933. The Commissioner states thus :

"It may be argued that a duty of Re. 1 per bale is so small in proportion to the value of a bale of cotton as to make scarcely any difference to the purchaser. Cotton, however, is a commodity which is dealt with in bulk. Even a small difference in price, therefore, makes a large difference in the aggregate and determines which way the trade in it will flow."

The Commissioner goes on to say in paragraph 8 :

"The consequences of this diversion of trade from Bombay are too apparent to require marration. The loss of customs duty to the Indian Exchequer has to be made up by retaining the other taxation at its present high level involving not only a serious handicap to trade but hardship to all classes. The loss of revenue and the reduced activities of the Bombay port are of more immediate concern to the city, as not only has the deficit in revenue to be made up by increased port charges leading to a further diversion of trade, but the reduced activities of the port directly affect municipal revenue through empty godowns, fewer vehicles engaged in the transport of cotton, etc. The effect of the depression in the trade is felt more widely by almost every class of citizens in Bombay, viz., merchants, brokers, bankers, owners of conveyances, insurance companies, etc. If this loss, direct as well as indirect, is weighed in the balance with the revenue from the proposed duty, it is obvious that the levy of the duty would result in more harm than good to the City."

From these remarks of the Municipal Commissioner, the House can very well judge the attitude of the Municipal Corporation towards this duty. Sir, the Corporation is prepared to remove this duty, but as they have to balance their budget, they ask from the Government some other source of taxation to recoup the loss which they will have to face in

[Mr. Mahomed Suleman Cassum Mitha]

removing this duty. It is for the Government to come forward and help the Corporation in removing this duty.

Sir, the cotton trade has been diverted to other ports and it has been suggested by some honourable members that this duty does not affect the agriculturists, because the merchants have to pay it. Sir, this duty does affect the agriculturists. It is paid from the pockets of the agriculturists, because whenever a merchant buys cotton upcountry, he calculates Rs. 2 as the town duty and deducts it from the purchase price and pays the balance to the agriculturists. The Honourable the Finance Member may say that it does not affect the agriculturists, but I do maintain, Sir, that the agriculturist pays this duty and not the merchant. By the diversion of the trade to other ports where there are no organisations, the agriculturists stand to lose, because they cannot obtain the best price for their produce. For the last few years trade has been diverted to all small ports and stations in the Bombay Presidency and outside. Indian merchants who deal in cotton are unable to compete with big European offices, as the latter have all the facilities of finance, of storage, etc., in other ports than Bombay. Moreover, there are no banking facilities available in many ports. So, the agriculturists stand to lose through the absence of the necessary competition. If this tax and the Port Trust Railway charges amounting to Rs. 3-8-0 per khandi are not removed, the cotton merchants gain by exporting the cotton through Kathiawar and other ports. I hope, Sir, that the Government of Bombay will now take action in the matter without any further delay, as this question has been pending for a very long time, and will give some tax to the Corporation in order to recoup this loss.

The Honourable Sir GHULAM HUSSAIN: What tax will the honourable member suggest?

Mr. MAHOMED SULEMAN CASSUM MITHA: Sir, that is for the Corporation to suggest and for the Honourable the Finance Member and the Corporation to fix up. [*An Honourable Member:* "Entertainment tax, stamp duty, etc."]

Many sources of taxation have been suggested by the Corporation, but the Government have turned them all down. A passenger tax was promised to the Corporation when the Improvement Trust was amalgamated with the Corporation, but it was turned down subsequently. Whenever a proposal to abolish any taxation is brought forward in this House, the argument put forward by the Honourable the Finance Member is: "How are we to balance the Budget?" The same argument is advanced today by the Corporation, and that argument is fair and just. They have also to balance their budget and the Government ought to help them by giving them taxation which they demand in order to balance their budget.

The Honourable Sir GHULAM HUSSAIN: Do I understand that the Corporation's support to the abolition of this duty is qualified? Is it the case that unless they get fresh sources of taxation they will not favour the abolition of this duty?

Mr. MAHOMED SULEMAN CASSUM MITHA: Suppose even if the Corporation is not going to favour the abolition of the cotton town duty, and suppose they fail in their duty, is this House going to sit quiet and allow them to do as they like? On many occasions taxation proposals or laws which were suggested by the Corporation have been turned down by this House, and this House has always come forward to face its duty and do things which they consider right. Sir, Government always bring forward the plea that the Corporation is not in favour of this or that whenever it suits them, but when they want to do a certain thing and when the Corporation is opposed to it, they will manage to get it through in this House.

4 p.m.

As far as the town duty question is concerned, I am sure even the Government is one with us in thinking that it has diverted the trade and it should be abolished. Even the claim of the Corporation that they have to forego a duty of Rs. 10 lakhs by abolishing the town duty is not a fair claim. Once the Corporation derived a revenue of Rs. 16,23,000 in the year 1922–23. Now in the year 1931–32 it has come down to Rs. 9,83,000, and I say that they will never realise the revenue expected in the current budget, because cotton will not come to Bombay City if they do not abolish the town duty and reduce the Port Trust charges and railway charges. The merchants have definitely decided to remove the trade from the city of Bombay to other ports if the Government does not come forward and help them by reducing the charges to compete with other ports. By not abolishing the town duty, the Government will suffer, not only the Bombay Government, but the Government of India. It is, therefore, the duty of the Bombay Government to press on the Central Government the necessity of giving them some amount, as they have given to the Bengal Government, in return for the abolition of this duty, because by doing this they will prevent the diversion of the trade and the Government of India will stand to gain more than the Bombay Government. With these words, Sir, I support the cut motion moved by my honourable friend Major Ellis Jones.

Sardar Rao Bahadur B. R. NAIK (Surat District): Sir, I am glad that one honourable member from the European group, and another honourable member a wealthy merchant of Bombay and a third honourable member representing the Millowners' Association of Bombay have thought it fit now to come to the rescue of the growers of cotton of the whole of India, because their trade is suffering being diverted somewhere else and they are feeling the pinch of depression. Sir, at the time when Bombay's trade was prospering, none of them, so far as I know, cared to remember the grower, nor did they in any way take up the cause of the growers. After all, when the calamity comes, all the sections unite. Therefore, now the growers, the cotton trade and the millowners of Bombay have all united on this question of the abolition of this tax. I know that the honourable members who preceded me brought in the growers for their own convenience. I also admit that the city of Bombay is not contributing to the provincial exchequer as it ought to do, but at the same time I support the cut because this mighty Government have all along neglected the

[Sardar Rao Bahadur B. R. Naik]

interests of the growers due to the pressure of Bombay city for its improvement.

There is no doubt about the fact that this tax falls on the producer. It is a very simple maxim that whenever any tax is imposed on the produce of the country—call it town duty, excise duty or by whatever name you like—it ultimately falls either on the producer or on the consumer. But, Sir, in this case, the prices of cotton are governed by the prices ruling in other parts of the world, such as America and therefore if a bale of cotton has to pay a duty of one or two rupees as town duty, another rupee or two as the Port Trust charge and some other municipal duty in Bombay, the cotton delivered in Bombay becomes that much dearer so that foreign cotton can compete with Indian Cotton and can be sold at a lower parity; to that extent the grower suffers as he receives so much less. The mills in Bombay also suffer. We all know that the middleman will never be out of his pocket. Either it will fall on the consumer or on the producer and in this case as the market is not governed by the prices prevailing in India but it is governed by the prices prevailing in other parts of the world, the growers get less prices and are sufferers to that extent. Even if consumers suffer, the growers are the largest consumers of mill-made cloth. I am very much surprised, Sir, that Government or rather the Honourable the Leader of the House, who is a Member of this Government for the last twelve years, has allowed to tax the growers of this presidency—I know some portion of the cotton comes from outside the presidency—but out of 3¾ crores of rupees, collected during the last twelve years, if he were to take only the land revenue of the Bombay Presidency, it is surcharged to the extent of 7½ per cent. After giving a deduction for the cotton coming into Bombay from outside the Bombay presidency, the average comes to about 10 to 12 lakhs, but even if you allow that, there is a bare surcharge of 5 per cent. on land revenue of this Presidency every year by this tax on the growers——

The Honourable Sir GHULAM HUSSAIN: Do I understand that the agriculturists will benefit by many crores if this is abolished? Will the honourable member give me some idea?

Sardar Rao Bahadur B. R. NAIK: I am talking of the past, that by collecting 3¾ crores of rupees during last twelve years you have levied a surcharge of 5 per cent. on your land revenue every year.

The Honourable Sir GHULAM HUSSAIN: What will be the effect on the market? Can you give us some idea?

Sardar Rao Bahadur B. R. NAIK: I have not tried to work out the figures but you can take the average. If you take the average of these 30 lakhs a year, and if the trade which is already being diverted to Bhavnagar, Kathiawar ports, Surat and so on, comes back to Bombay by the abolition of this duty, it will save about 30 lakhs a year to the merchants and growers.

The Honourable Sir GHULAM HUSSAIN: A year?

Sardar Rao Bahadur B. R. NAIK: Out of this more than one-third legitimately belongs to the growers outside the Bombay Presidency, still about 15 to 18 lakhs a year will be a saving both to the growers and traders of Bombay Presidency. My contention is, therefore, that the whole of this tax and also the Port Trust charges—which I am not referring to here, but I am also against the overhead top-heavy charges on cotton in Bombay—affect the growers. My complaint is this, that this Government have played into the hands of the capitalists of Bombay for improving Bombay at the cost of the growers till now. There is no doubt about that. In order to improve the roads of Bombay city, in order to build up high utopian ideas, such as the Salsette Development, the Back Bay Scheme, in order to benefit the Bombay city, this Government have played into the hands of the capitalists of Bombay and their experts up till now. My honourable friend Mr. Mitha now comes forward in the interests of the growers because he knows very well that the support of growers will be very useful in getting the cut motion carried. I know some of the merchants opposed this Town duty when the Bill was introduced in the Council for its levy.

Mr. MAHOMED SULEMAN CASSUM MITHA: How does the honourable member say that? I do not care a two-pence if the town duty is increased to Rs. 10 a bale.

Sardar Rao Bahadur B. R. NAIK: My honourable friend and colleague, Major Ellis Jones, also is now coming to the help of the growers because all these honourable friends feel the pinch. That is my argument. They have now raised these questions. As a matter of fact I raised this question four years ago but they never came to the help of the growers who were being harmed, because then the trade was in a prosperous condition. That is what I say. I support the cut wholeheartedly. This is not so much objectionable a tax as the tobacco tax from the growers point of view which we were discussing yesterday though this also falls either on the consumer or on the producer, but the tobacco tax which we were discussing yesterday, may I remind the Honourable the Leader of the House, falls on one and the same person, as the consumer and the grower both being one and the same person, and therefore it principally falls on the grower; therefore, I say this may be not so bad a tax as the tobacco tax which falls entirely on the grower, but this also affects the grower to a great extent and therefore I support the cut and I wish that this tax will be abolished at a very early date.

Sir, my honourable friend on my right Rao Bahadur Asavale says the Bombay Municipality is not in a position to lose a portion of the tax unless some proceeds from some other taxes are given to the municipality. I do not know whether the Legislative Council is to be dictated to by any municipality or any other concern. However powerful an institution the Bombay Municipality may be, it gets money from any tax by the sanction of this House and if this House decides that a particular tax must cease, I think, the argument or the opposition of the municipality should not prevail over that of this House. For the information of the honourable members I may tell them that there is no doubt

[Sardar Rao Bahadur B. R. Naik]

that so far as cotton is concerned, the tax generally falls on the grower, because I say big merchants like my honourable friend opposite (Mr. Mitha) and other honourable friends also sitting opposite to me will not be out of pocket, as they are not doing business for the sake of charity, and therefore the burden falls ultimately on the grower. When this question was brought up several years ago we were not so strongly supported by those honourable members who have now brought forward this motion before this House. I say there should be no hesitation in the mind of any honourable member who represents the growers about this tax and that everyone should support this cut.

My honourable friend Mr. Petit also spoke at great length about the plight of the mill industry of Bombay. When Mr. Lalji Naranji was in this House as a representative of the Indian Merchants' Chamber, I had talks with him on this particular tax. He said the growers were not losing anything by this tax but that it was the citizens or traders like him who were going to lose. I am very glad that his successor in this House—if I may call my honourable friend Mr. Petit so—now says that it is the growers who suffer by this tax and that therefore it should be abolished.

With these words, I support the cut.

Mr. V. N. JOG (Dharwar District): Sir, I heartily support this cut without any qualifications, as it primarily affects the interests of the agriculturists because the middlemen or the merchants will always see that their pockets are not in any way affected and therefore the whole burden will be thrown on the agriculturists and their possible loss will be made up in that way. I want to emphasize the point raised by my honourable friend Sardar Rao Bahadur Naik that if the other side of the House, namely, the European group and the Bombay merchants, had joined us in the years past, we would not have seen the burden of taxation growing and growing on the agriculturists. We have seen how, when this House was putting up a strenuous fight against the Stamp Act and the Court-fees Act, these honourable friends of ours did not come to our help, but as soon as the electricity surcharge was placed on them and the tolls were levied, they have begun to feel the pinch and they now think that they should put up a strong opposition and that we should be on their side. Without minding their indifference towards us on this side of the House, we are inclined to support them, but they should remember, whenever this side of the House speaks for the mofussil and the agriculturists, this occasion and see that they come to our help. With these words, I heartily support this cut without any qualification. Whether the Bombay Corporation is willing to remove this burden with the proviso that new sources of taxation are given to them or whether they are not willing to remove it, this House is not going to comply with any such condition that may be laid down by the Bombay Municipality, because if this tax is removed they shall have to find other means to cut down their expenditure.

Rao Bahadur R. S. ASAVALE: It is in the hands of the Council.

Mr. V. N. JOG: May be. If they want, they may have other sources of revenue or cut down their heavy expenditure in other matters, but we, this House, are not going to abide by that condition, and at any rate we are determined on this side of the House to see that the tax goes. With these words, I support the cut.

Mr. MAHOMED HASHIM GAZDAR (Karachi City): Sir, I rise heartily to support the cut, but I do it for two reasons because it helps the poorest of our people by increasing the sales of cotton which are now held up, and provided of course the Bombay middlemen do not again try to make a profit out of this removal of the cotton duty, our agricultural brethren will benefit, and if trade revives in Bombay, the mill workers will get work, and this is an important consideration because the labourers are actually now starving for want of work. If this cotton duty is not removed at a very early date, I am afraid most of the trade of Bombay will get diverted. Today the cotton trade is being diverted. It is not that it is going all to Kathiawar ports but even it is going to Mumbra and Diva railway sidings and now it is possible to unload the cotton outside the Bombay municipal limits and from there to send it direct to the sea because at Mumbra and Diva railway sidings two sets of creeks and wharves for boats are in operation and these facilities are on the increase outside Bombay.

Sir, as regards the opposition of the Bombay municipality, I think that body is taking the most unwise course in opposing the removal of this cotton duty, because if Bombay trade suffers and labourers go out of work and the trade and the business of the middlemen suffers, how is the Bombay Municipality going to support itself? This is something like killing the goose that lays the golden eggs. Whatever the Bombay Corporation might think, I heartily support this cut and request Government to remove this cotton duty as soon as possible.

Dr. P. G. SOLANKI: Sir, I rise to support this cut not from the point of the consideration that the Bombay city is passing through a state of great depression and that the labourers and the millhands are starving and about 60,000 are unemployed nor from the point of view of the agriculturists but, Sir, because it is high time that the Government should see their own mistake and try to come to the help of the Corporation and the muncipality by way of giving them the taxes which were levied and for which promises were given to the Bombay Corporation that they would hand over those taxes to the Bombay Municipality for education and for housing accommodation for the labouring classes.

The Honourable Sir GHULAM HUSSAIN: No such promise was made.

Dr. P. G. SOLANKI: The entertainments duty was meant to be spent towards education and this tax——

The Honourable Sir GHULAM HUSSAIN: Where is that promise? When was it given and where? Can the honourable member quote his authority for making that statement?

Dr. P. G. SOLANKI: Of course, there is never a document prepared as between the Government and the members of this House, but the word of Government is the word of honour and it is as good as pledge.

The Honourable Sir GHULAM HUSSAIN: Was the honourable member present at any such conference, or is he making a random remark?

Dr. P. G. SOLANKI: It is not a random remark. There have been discussions in this honourable House and I have read the reports, and from them I can infer what I said and I would request the Honourable the Finance Member to enlighten us when he gets up to reply. But, Sir, if these taxes, or the entertainment tax for the matter of that, is handed over to the Bombay Municipality, I think the Bombay Municipal Corporation would be only too willing and prompt to cancel their claim for the portion of the duty which they are getting from the cotton cess. They are on the horns of a dilemma. They themselves are faced with a deficit budget. I do admit that the municipal executives have not seen their way to cut down their top-heavy expenses. Sir, though the Municipal Commissioner has submitted his report, he has shown his inability to touch the highly paid officers in the municipal service. That has been the constant complaint and the constant grievance of the members of the Corporation that these high paid officers are not touched. Yet the Municipal Commissioner and some of the members of the Corporation were well inclined towards these highly paid officers, and they always supported those officers, and they say that these big officers cannot be brought under the axe of retrenchment or the pruning knife. If that could have been done, it would have been of help to the Corporation, and it would have helped to ease the situation of the Corporation.

Sir, I am of opinion that this cotton duty should be abolished, and the municipality also should give up their claim to a portion of it. I am sure that if this question is taken up promptly by the Government and the municipality, the trade of the city will improve, not of course cent. per cent., but to some extent, and that will give relief to the labouring classes and the growers of cotton. I do not want to take up any more of the time of the House, and with these few remarks, I support the cut.

Mr. B. S. KAMAT: Sir, there is one aspect of this question, on behalf of the general taxpayer, which I think it my duty to place before the Government of Bombay. If the trade of Bombay is being diverted, we are agreed that the solution has to be found by the Government of Bombay, but in seeking a solution, if they find that, either to recoup the Bombay Corporation or to recoup themselves, it is necessary for them to levy further taxation on the general taxpayer, it is our duty at the present moment to tell them that it is not fair and equitable that this side of the House should grant any more taxation to the Government of Bombay. I am not going into the controversy as to whether this tax falls on the grower, or the middleman, or the Bombay Corporation, or any other interest. But supposing they had to make up these 20 lakhs or whatever the amount may be, and if in the course of negotiation between the Corporation and Government they find that they have to find somehow

[Mr. B. S. Kamat]

or other 20 lakhs or more, and if they come forward before this House with fresh taxation proposals. I think we shall be entitled to say to them "no", and that for various reasons. I said the other day, while we were discussing the budget proposals of the Government of India, how that Government has been unjust towards this presidency. In addition to the local taxation which we have given to the Government of Bombay recently, the Government of India will take from this presidency a very large amount in the shape of the matches duty and also in the shape of the sugar excise duty, 3 crores in the case of the matches duty and 140 lakhs in the case of the sugar excise duty, making a total of no less than Rs. 4,40,00,000, which the Government of India will gather, a considerable portion of which will fall on Bombay but out of which this presidency will get nothing, so far as we can read the budget proposals today. A large part of that taxation is going to fall on this presidency, and we are entitled to expect a slice out of that Rs. 4,40,00,000 from the Government of India, in order that the Government of Bombay may give relief either to the Corporation or to themselves. If, in the course of negotiations, they find that the Government of India is unwilling or unable to give them anything, that is no reason why we should very softly or tamely hand over to the Government of Bombay the money requisite for making up the revenue of the Bombay Corporation. I think we on this side of the House would be perfectly entitled to take up the attitude that we shall grant no more taxation of any kind to the Government of Bombay. I am making this point perfectly clear, so that the Government of Bombay may be in a position to say what is the mood of the House when they speak either to the Bombay Municipal Corporation or to the Government of India. The only solution which the Government of Bombay could find for their difficulties today is to insist upon the Government of India to give something for the Bombay Presidency. But in any case there shall be no more taxation from us. We have been disappointed at the result of granting more taxation in the last few years. It has not paid us. The more we give, the more badly the Government of India treat us.

Mr. A. N. SURVE (Bombay City North): Sir, I rise to support the motion that is being discussed just now. Here, Sir, we have to consider as to how best we can find a solution of this difficulty. Now, our trade is being diverted in two ways. First of all there are the Kathiawar ports and another factor which has developed very recently is the opening of Mumbra station for transport of cotton.

As regards the Kathiawar ports, the Government of India are in treaty arrangements with those States, and of course we cannot touch the States but we can, with all the emphasis at our command, bring this to the notice of the Government of India, that on account of there being some sort of treaty arrangement, the port of Bombay is suffering. Now, if the port of Bombay is suffering, how many agencies or bodies are suffering with it? First of all, there is the Port Trust. The Port Trust has actually sunk crores and crores of rupees for developing the port. Next,

[Mr. A. N. Surve]

there is the Bombay Municipal Corporation. They are also in a way losers—take for instance the present cotton cess. Then the mill industry is suffering, and as a consequence of the mill industry suffering, the labourers are suffering. Therefore, on account of these loopholes, especially the competition from the Kathiawar States ports, the Government of India must see their way to it that we do not suffer for any act of omission on their part. I think this is a fair way in which we can place our case before them and ask them to give us justice.

Then, let us consider the case of Mumbra station, which is now open for cotton traffic. The G.I.P. Railway is a State railway, and in order to safeguard the earnings of that railway, that railway is now providing facilities at Mumbra for handling the cotton traffic. There also the Government of India is looking to its own revenue at our cost. For that reason also we have a very strong case to say that on account of some acts of omission or commission on their part, the Bombay presidency as a whole is suffering. Several interests are suffering, and on that account it is the duty of the Government of India, in fairness and justice, to come to our assistance. It is for us and for our Government to place our grievances before the Government of India on these lines. I do not say that our Government have not done it. They may have done it, but if they have not, perhaps they will see that our case is placed in this light before the Government of India.

Then, Sir, coming to the justice or injustice of doing away with this cotton cess, one must bear in mind that whatever the members from the mofussil may say, the Bombay people have borne the brunt of additional taxation. All money which is raised out of additional taxation has come from the ports of the cities, and especially of Bombay alone, and if the revenue from this additional taxation has come through the cities, especially Bombay city, and has gone to give additional facilities to the mofussil, then I say that the mofussil members have absolutely no right to refuse to come to our assistance. This is a fair case that I am placing before the House.

The House adjourned for tea till 5 p.m.

(*The House re-assembled after tea at* 5 *p.m.*)

Mr. A. N. SURVE: We have been given notice that the mofussil members will never concede to subject themselves to any taxation to make up this loss. In this connection I should like to bring to the notice of this honourable House certain considerations which deserve our close attention. First of all, it is well known that the Improvement Trust was incurring great loss and Government had to make it up. Till very recently it was a separate department. Now, the Municipal Corporation has taken upon itself the burden. What it has suffered in doing so must be borne in mind. First of all, it has subjected itself to an additional taxation of 1 per cent. in the general taxation. It has the Tobacco Duty which this House knows has been quadrupled. In this way nearly ten lakhs of rupees are being recovered from the citizens of Bombay.

[Mr. A. N. Surve]

Then, Sir, there is a further consideration. Some years ago a tax on the transfer of property was introduced in this House. Till last year, that transfer duty was a separate Act by itself. Now, it has been incorporated in the Finance Act, though it was a separate entity before. My point is that if really property is transferred from one person to another, the additional duty, over and above the general stamp duty, should have gone to the Municipal Corporation. The Government in their eagerness to increase their own revenue have practically deprived the Corporation of this source of income. In this way living in Bombay has become very difficult. If the mofussil members will say that they will not subject themselves to taxation——

The Honourable the PRESIDENT: May I point out to the honourable member that he is raising side issues in a matter which is more simple than that? The question before the House is the motion for a cut under that particular head. I would advise the honourable member to limit his remarks to the motion before the House. I do not know how to stop him from going to the various avenues he wants to go into. He should limit his remarks to the motion before the House.

Mr. A. N. SURVE: I was trying to answer the point raised by the previous speakers, as this is an important subject, but I bow to your ruling.

The next point for our consideration is this. I have thrown out a suggestion that we should make it clear that Government should come to our aid. In that case I would like to request the Government of Bombay to take a long view of the matter. Short-sighted policy must be done away with. I may be mistaken and I do not know whether they have any strong grounds. If they say that the trade of Bombay has been diverted the Government of India will come down upon them and ask: "Did you not recommend the terminal tax?" It was only in September last that the Honourable Minister for Local Self-Government openly stated in the House that he had recommended that a terminal tax should be introduced; and that he was going to send the papers for the sanction of the Government of India. Here everybody knows that the terminal tax would divert the trade. Further, it would just amount to diverting the trade and at the same time Government are doing something to divert the trade. I would request the Government of Bombay to give up the habit of looking to the immediate future and look to the ultimate consequences of the policy they are pursuing. The policy they have been pursuing so far is not sound. It is high time that, unless they take stock of all their doings and correct their wrong ways, the presidency is not going to prosper. With these remarks I support the cut that has been moved in this House.

Dr. M. K. DIXIT (Surat District): Sir, I have given notice of a cut of similar nature but have left it to the representative of the Cotton Trade to move it, I just giving the support to it myself. Sir, the present state of affairs is the result of the short-sighted and suicidal policy adopted about 14 years ago by this House at the instance of Government.

The Honourable Sir GHULAM HUSSAIN: Both are responsible.

Dr. M. K. DIXIT: The Honourable Leader of the House says both are responsible. Very often the Government are to blame for leading the honourable members on this side of the House astray. Our strength on this side to oppose Government is poor. It is a misfortune that the Council is so constituted that it is guided by the opposite benches of Government. This suicidal policy has resulted in this that members who would not care for the agriculturists for the last 13 or 14 years have now come forward in the name of agriculturists to remove this duty which is against the interests of the farmers. When members on this side plead for agriculturists they always turn a deaf ear and would not support members on this side. Now, in the name of the agriculturists they want that this Town Duty should go. This Town Duty as has been pointed out falls to a great extent on the agriculturists, that is, the producers of cotton. But the mover of the cut and the honourable members who have supported him really speaking ought to have come forward long before this to remove this Cotton Duty altogether. The fact is that this Town Duty has given a pinch to the members, the mover of the cut and other members who supported him, sitting on that side, namely, the representative of the Cotton Trade, some cotton merchants and the representative of the Millowners. It is only when the trade has been diverted and they themselves felt the pinch they have come forward to remove this. This diversion of trade is not due to Town Duty only, but it is due to other causes also, such as the heavy overhead charges of the Port Trust, the railway freight and so many other things. All these causes have contributed to the diversion of the trade from Bombay to Kathiawar and other ports. The agriculturists of course will not be affected much by this diversion of trade except indirectly that they will not get the benefit of an open market which they have in Bombay. So, when there is a good open market, the agriculturists get better prices and therefore one would like to see that the Town Duty is removed and the burden on the agriculturists is also lightened to that extent.

I have nothing further to add to what has fallen from the previous speakers but in support I will submit that the abolition of the Town Duty is in the interest of the growers of cotton and that they should not be saddled with any fresh taxation to meet the deficit that will be caused by the removal of this duty. When I support this cut I frankly state on the floor of the House that the Honourable the Finance Member will see his way to help the members of the Corporation to meet their deficit from somewhere else and not from a fresh taxation on the agriculturists. With these words, I support the cut.

Mr. R. R. BAKHALE: Sir, in rising to support the cut now under discussion, I want to make it absolutely clear that the removal of the Town Duty is not going in any way to help the textile industry to revive, because I am firmly convinced that unless the textile industry and its working are altered almost out of recognition, there is no hope for that industry to revive, so far as Bombay City is concerned. My reason for

[Mr. R. R. Bakhale]

supporting this cut, Sir, is mainly and chiefly that the object with which the Town Duty was levied is not carried out. Only the other day, a question was put by my honourable friend Mr. Petit to Government with regard to the Town Duty in this city, and there were a number of supplementary questions and answers, and during the course of that proceeding the Honourable the Finance Member said that there was no pledge on the part of Government to the effect that the proceeds of the Town Duty would be spent on constructing working class tenements and similar purposes. Well, Sir, I was sorry to find that my honourable friend Mr. J. B. Petit did not quote a proper authority on that occasion.

The Honourable Sir GHULAM HUSSAIN: Well, Sir, the Act is the best authority; the Act clearly shows for what purpose the duty is levied. We are not deviating from the provisions of the Act.

Mr. R. R. BAKHALE: If, Sir, the Act is the only thing on which we can go, there is no necessity for having a statement of objects and reasons to Bills or any speeches on the introduction of those Bills.

The Honourable Sir GHULAM HUSSAIN: If the provisions of the Bill were contrary to the statement of objects and reasons, I do not see how the legislature could have passed the Bill.

Mr. R. R. BAKHALE: The statement of objects and reasons and the speeches made at the time of the introduction of Bills may not have any legal authority, but it cannot be denied that so far as Government spokesmen are concerned, there is the moral authority, which always goes a great way so far as the public is concerned. And it is from that point of view that I am looking at the question of the Town Duty. It was, Sir, on the 3rd August 1920, that Lord Lloyd, who was then the Governor of Bombay, himself introduced a Bill—in itself an unusual procedure—and he said that in view of the urgency of the matter and the importance of the case, he had taken the unusual course of introducing the Bill himself. On that day, namely, the 3rd August 1920, my honourable friends Sir Ghulam Hussain and Mr. B. S. Kamat were present at the meeting. And what did Lord Lloyd say in moving the first reading of the Bill?

The Honourable Mr. R. D. BELL: Sir, is it relevant to this discussion to quote statements which were made either when introducing the Bill or at any time during the discussion of the Bill? The guiding line for Government is now given by the sections of the Act. If any portion of the proceeds which comes to Government were diverted to suburban development it was done under pressure from the House and with the acquiescence of the House. It is quite impossible now for Government to go behind the statute which is passed by the House. How the discussion went on during the passage of the Bill is entirely immaterial. It is quite impossible for Government to carry out anybody's pledges after the Bill has been passed into law.

Mr. R. R. BAKHALE: Well, Sir, the pledges given at the time of the introduction of Bills and during the discussion of Bills are meant for the future and not for the past and the public are entitled to give an enormous

[Mr. R. R. Bakhale]

amount of respect to the pledges, particularly when they come from Government benches and more particularly when they come from the head of the presidency. I fully recognise, Sir, that it is a long time since this Bill was introduced in this House; I also recognise that it may be difficult or even inconvenient for Government to carry out the pledges given in those days——

The Honourable Mr. R. D. BELL: It is illegal.

Mr. R. R. BAKHALE: I do not know that. But my point, Sir, is that if it is impossible or difficult for Government to carry out the pledges given on any particular occasion, it is the duty of Government to come before this House and honestly place before the House the difficulties they have. If they do that, the House will certainly appreciate the Government's difficulties and try to meet them to any extent that is possible.

Well, Sir, coming back to the Bill, I was just going to say——

The Honourable the PRESIDENT: The point has been raised as to what is relevant to the present motion. The motion does not open up a wide range of subjects to be discussed, but only a small matter. So the honourable members will be saving the time of the House if they merely state their arguments without going into the details of what happened 14 years ago.

Mr. R. R. BAKHALE: My point is this. I am supporting this cut with regard to the town duty on the ground that the object with which the duty was levied is not achieved. I think I am entitled to quote, in support of that argument, one or two extracts from the speeches that were made on the occasion of the passage of the Bill imposing the duty. I am not going into the details; I am simply referring to facts. In introducing that Bill, Sir, Lord Lloyd described the housing conditions in Bombay and then said:

"Its main objects are, firstly, to secure funds with which to carry out the scheme for the provision of improved dwellings for the working classes, and, secondly, to secure funds for the assistance of the Bombay Municipality."

Then, he referred to the Development Committee that had been appointed, and quoted a small sentence from the report of that committee, namely:

"If the existing resources of these bodies, together with such assistance as Government may be able to spare, are not sufficient for this purpose, then further taxation should be imposed in such a way as to fall mainly on the employers whose co-operation may most suitably be obtained in this form."

Then, Lord Lloyd said that it was in pursuance of the recommendation of the committee that the Bill was being introduced. And, lastly, dealing with the proceeds of this tax, he said:

"Assuming that the annual maximum yield of the duty of one rupee would amount to Rs. 28,00,000, it is proposed to assign to the municipality the amounts levied on cotton consumed within its limits or 3/7ths and appropriate the remainder, or 4/7ths, partly for the financing of the housing scheme, the details of which have been placed before you, and partly for other development purposes which will be explained hereafter."

These quotations make it absolutely clear that this duty was meant primarily for housing the working classes.

The Honourable Sir GHULAM HUSSAIN: I might correct the honourable member, Sir. He has suppressed the words "other development purposes". "Other development purposes" includes suburban development purposes. Then, how are Government acting contrary to their pledge?

Mr. R. R. BAKHALE: I read a complete sentence; I did not omit anything.

The Honourable Sir GHULAM HUSSAIN: Then, how does he say that Government have not carried out their pledge?

Mr. R. R. BAKHALE: And still my charge is that Government are not carrying out the obligations to discharge which the town duty is levied. It is for that reason that I strongly support the cut.

Mr. W. G. LELY (Bombay Chamber of Commerce): Sir, I only wish to say in two words that my honourable colleague Mr. Greaves and I wish to associate ourselves with the cut that has been moved by the honourable member, Major Ellis Jones, and to make it clear that the reason for our doing so is purely the anxiety felt by the Chamber which we represent to see that the cotton duty is removed. I will not pretend that our motive is other than it really is. We find that this duty among other hindrances is acting as a serious obstacle to the trade of the City of Bombay, and we contend that restoration cannot come until those obstacles are removed.

Dr. J. A. COLLACO (Bombay City, South): Sir, I entirely agree that the cotton cess should be entirely abolished. Otherwise, Sir, it will abolish itself. If you do not abolish the cotton cess the cotton cess will abolish itself. [*Laughter.*] No artificial respiration is possible; complete and radical treatment is necessary. I quite understand that the financial effect of its abolition will be very serious not only on this Government, but also on another body, the Municipal Corporation of Bombay. Sir, I take the hint you have given to the honourable member Mr. Surve, and I shall not enter into the finances of the Bombay Municipal Corporation. I only request the Government to help that body themselves or put their case to the Imperial Government and safeguard their finances.

The Honourable Sir GHULAM HUSSAIN: Mr. President, I have heard the whole debate with great interest. First of all, I want to disabuse the mind of the honourable House of any impression that may have been left by the speech of my honourable friend opposite (Mr. Bakhale) that Government do not carry out their pledges. The very speech of Lord Lloyd, which he read out, clearly shows that when this duty was imposed, it was for two objects, the housing scheme and the development scheme, the development of the suburban areas. And the whole Act is based on that. This statement of mine is corroborated by the provisions of the Act. I trust that honourable members will see that there is no pledge that Government are not carrying out; Government are sticking to their pledges.

[Sir Ghulam Hussain]

Might I remind the honourable House that the position of the Government of Bombay is not an enviable one? What have we been hearing in this House? If ever there has been unanimity in this House, it is on this occasion. The representatives of the commercial community, the representative of the Millowners, the representatives of the agriculturists, the representatives of labour—in fact the representatives of all interests in this House—have said that the one thing they want above all is the abolition of this duty. But, Sir, when we come to the ways and means, how are we to replace these 20 lakhs? (*An Honourable Member*: "Ten lakhs.") That is the Bombay Corporation's share. My honourable friend opposite (Rao Bahadur Asavale), who is a municipal corporator, says that Government should find a way out. My honourable friend Mr. Kamat gave us a warning that, if we abolish this duty and come again before the House with proposals for new taxation, we won't receive any support. This is the sorry plight of the Government of Bombay. Everybody wants us to do away with this duty and reimburse the Corporation, but nobody suggests how we should make good our own loss. (*An Honourable Member*: "Government of India.") I am sure the Government of India will hear of this debate. We have been doing our best with the Government of India. I have every sympathy with the various interests. The commercial interests remind us of the prosperity of Bombay, which means more revenue from income tax, more revenue from railway receipts, more revenue from customs, and all these go to augment the treasury of the Government of India, and we get absolutely nothing out of this. And the prosperity of Bombay will directly benefit the Corporation of Bombay much more than the Government of Bombay. Although we stand to lose, as the commercial community of Bombay is going to benefit by this, we will do our best in regard to this cotton town duty.

5-30 p.m.

The honourable member the representative of the Millowners' Association also stressed the fact that the prosperity of the mill industry greatly depends on the abolition of this duty. We like our millowners also to prosper in the city of Bombay. I was very much pleased to hear the representative of agriculturists say that if we abolish this duty the agriculturists will benefit to the extent of about 20 to 25 lakhs. That was the figure given by the representative of the agriculturists, who is himself a great dealer in and grower of cotton. I understand the railways are also prepared to reduce their freight, and the Port Trust are also going to reduce their rates. That means that agriculturists will benefit to the extent of 15 to 20 lakhs from this source also. In all, then, agriculturists are going to benefit to the extent of about 40 to 45 lakhs. That is a very great thing. It means that the agriculturists will save at least Rs. 2 assessment per acre. [*Interruption.*] The honourable member the representative of the agriculturists is now turning round. [*Interruption.*] I wish agriculture every prosperity. Let it prosper by this means even if we suffer in our revenue.

[Sir Ghulam Hussain]

I am glad to hear that labour will also benefit, because there will be more work for labourers consequent on the prosperity of the textile industry. Now, when every interest is going to benefit by the abolition of this duty, I do not think the Government of Bombay will be so callous as to ignore the requests of the honourable members. Honourable members already know that we are negotiating with the Corporation, and the Corporation will have heard of this debate. It requires legislation. We will seriously consider this question from the point of view of all the benefit that will go to labour, to the agriculturists, to the commercial community and to the mill industry.

Major W. ELLIS JONES: Sir, there is only one point that I wish to make because a remark has been made that the trade interests do not have sufficient regard to the interests of the agriculturists; this was also stated by my honourable friend Sardar Bhimbhai Naik. It is not many months since he attended a meeting where the negotiations were carried on by the trade on the basis of the agriculturists' interests being considered first, and it is on record that the trade insisted that these interests were paramount, and the honourable member would find that the trade interests have always considered the town duty from the point of view of the agriculturists. They opposed it in 1920 from the point of view of the agriculturists and have questioned it right through from the same point of view. The diversion of trade began in 1926 by reason of the enhancement of the Port Trust charges and it is developing. Government has always been sympathetic on this point. The only difficulty we have is from the Corporation. I mentioned earlier in my speech that the Corporation are carried away more by their ideals than by practical facts.

The honourable member Rao Bahadur Asavale argued the point from the point of view of labour. I would tell him that unless the cotton duty is removed very quickly from Bombay, the small traders and the labouring classes will be hit very much harder than they are at present, and it is on the ground of the general benefit to the Presidency as a whole that I move this cut.

The Honourable Mr. R. D. BELL: Sir, the principles underlying this motion have now been fully discussed, and I do not propose to say a single word more in regard to them. The rest is a matter of tactics. Whether the honourable mover of this motion can be induced to ask for leave to withdraw it or whether he is going to press it, the position is this. Honourable members are perfectly well aware of the sympathy of Government in the matter of the abolition—whether it is in whole or in part. I am referring to the part which is now taken by the Municipality. Honourable members are perfectly well aware of the attitude and sympathy of Government in respect to that proposal. Government have approached the Municipality and asked for their opinion as to the precise action to be taken. The Municipality are discussing the matter this afternoon. If this motion is carried, it cannot be taken as any reflection on the attitude of Government so far.

[Mr. R. D. Bell]

I understand that the honourable mover and those who support him are satisfied with the attitude of Government. If it is carried, it can only be in the nature of an intimation, even a threat, to the Municipality. I think the proper course to follow on this occasion is to leave a clear atmosphere to the Municipality for the discussion of Government's proposal to them this afternoon.

Nothing can be effected without legislation, and the House can realise that in all probability they will have the opportunity of discussing the matter further, perhaps even during this session. Well, Sir, that will be the proper occasion on which to discuss the exact measures to be taken in respect to this town duty. I cannot see that any good will be done if the honourable mover carries his motion to a division and succeeds in carrying it, but it seems to me to be just possible that he will prejudice his own case in the hall of the Municipal Corporation this evening.

Question (Major Jones' motion) put, and agreed to.

The Honourable the PRESIDENT: The demand is affected by the success of the motion that was placed before the House. The demand is now for the grant of Rs. 3,29,900 under 42-Bombay Development Scheme—Reserved.

Question put, and agreed to.

The Honourable Khan Bahadur D. B. COOPER: Sir, I beg leave to make a demand for Rs. 1,20,53,000 under 41, Civil Works (Partly Reserved and Partly Transferred).

Question proposed.

Mr. J. B. GREAVES (Bombay Chamber of Commerce): Sir, I beg to move:

"Reduce by Rs. 100—Provision for repairs—Road Development—Rs. 50,000 (C. E. p. 274).

I do this in order to raise a general discussion on the question of tolls. I desire to discuss the burden that tolls place on the agriculturists of this province. Tolls to pay for or repair new short feeder roads built by local bodies are, I think, unobjectionable. Tolls on roads that run parallel with railways are comparatively unobjectionable, in that an alternative method of transport is available. But tolls on main roads, which are the only means of ingress or egress of agricultural produce from important tracts of land are most objectionable and most injurious to the prosperity of very large areas.

The average distance that agricultural produce has to be brought to the nearest rail head in this province must be something like 40 miles. A toll every ten miles means that 4 tolls are paid on every cart or lorry load. In many areas there are often two tolls in two or three miles. I know of one case in which there were 4 tolls in 25 miles.

Sir, Government auction the right to collect tolls to the highest bidder. No official figures exist showing what the contractors collect. No figures are available as to what classes pay the tolls. A contractor of my

[Mr. J. B. Greaves]

acquaintance pays Rs. 21,000 and collects Rs. 35,000. He tells me that 90 per cent. of the amount which he collects, i.e. Rs. 31,000, is collected from the agriculturists directly on their carts and animals, and indirectly from the buses on which they travel or the lorries they pay for. So, the Government get Rs. 21,000, while the agriculturists pay Rs. 31,000. I would ask Government to pick out three different tolls on this class of road, run these tolls themselves and keep careful statistics of the amounts collected :

(1) on agriculturists' livestock,
(2) on pack animals,
(3) on bullock carts,
(4) on lorries carrying forest, agricultural produce, or materials that the agriculturist needs,
(5) on buses with a percentage estimate of the agriculturists travelling in these buses,

and to table the results before this House, so that the House may be aware of the incidence of this tax on the agriculturist. I would also ask, Sir, that Government take immediate steps to re-arrange, move or abolish tolls situated within ten miles of each other.

One further point that I think Government should immediately attend to without seriously affecting their revenue is to abolish tolls on pack animals. The Katkaris inhabiting the Ghats barter firewood for fish. They used to make use of pack animals to carry their wood to the fishing villages. I believe that because of the incidence of tolls on pack animals, they now use women to carry the wood. I cannot imagine this House would like the idea of imposing this class of tax.

My honourable friend Mr. Jog in raising the discussion appealed to this side of the House to take an interest in the agriculturists. I think, Sir, the moving of this cut indicates very clearly the interest of this side of the House in the agriculturists.

Question proposed.

Mr. J. B. PETIT (Bombay Millowners' Association): Sir, I beg to support the cut moved by my honourable friend, the representative of the Bombay Chamber of Commerce, Mr. Greaves. I entirely agree with him in thinking that the tolls are an obsolete and ante-diluvian form of taxation, absolutely inconsistent with the spirit of the age in which we are living. I am as convinced as he is that they should never have been levied on our roads for the several very cogent reasons which he has advanced with such lucidity, all of which I heartily endorse. So intense is the opposition of the public to these tolls and so widespread is the indignation aroused by them, that I am exceedingly happy to be able to support this cut, specially having regard to the fact that about six months ago, in reply to a question which I had tabled, the honourable the Minister in charge told the House that the Government were not aware of any strong public feeling on the matter. While answering a supplementary question, they had however to admit that they knew that there was some feeling in the city of Bombay against these tolls. I hope that by now

[Mr. J. B. Petit]

the very strong feeling that exists in the public mind on the matter, has been brought home to the Government in very clear and forcible terms and that they will take immediate measures, if not altogether to abolish all the tolls which have been imposed in such hot haste, at least to so adjust them with the other imposts which vehicular traffic has already to bear, as to lighten the burden now entailed thereby on all sections of the public, and with particular severity upon the agricultural classes of the Presidency. It is only when the intensity of the load that these tolls impose upon the agricultural classes and the difficulties they create in the way of the present scanty transport facilities of the Presidency are correctly gauged and exactly understood, that it will be possible to realise the utter iniquity of the cess and the hasty character of the decision to which the Government came last year without paying adequate attention to the numerous important issues involved therein, merely because the Thomas Committee had recommended it. As is well-known, every one of the recommendations of the Thomas Committee, whether big or small, good or bad, was submitted by the Government to the closest scrutiny and examination before acceptance. A number of them, even of a very simple nature, are still under the most careful investigation of the Government, as was brought out only the other day. Although involving a recurring annual revenue of nearly 8 lakhs of rupees and so closely connected with the transport facilities of the whole Presidency, this is perhaps the only important recommendation that the Government, for reasons best known to themselves, accepted without any thought or consideration on the very morrow of the publication of the report of the Thomas Committee. When they did so, I am sure they did not realise what they were bargaining for; nor even the harm that their action was likely to cause. Now, however, that the strong public feeling on the matter and the harmful effects of the tolls on the Presidency have been brought to the notice of the Government, I hope they will abolish them at the earliest possible moment; or failing that, at least to so adjust them with the other taxes, now existing, as to lighten their incidence on the people as much as possible. With these words, Sir, I have very great pleasure in supporting this motion for the cut moved by my honourable friend Mr. Greaves for the purpose of drawing the attention of the Government to this matter.

Rao Bahadur R. S. ASAVALE (Bombay City, North): Sir, I have every sympathy with the honourable mover of this cut and I partly join with him in abolishing the toll tax. I do not however agree with him that the toll tax should be abolished wholesale because, Sir, the Government as well as the district local boards and municipalities do require money to spend for the repairs of the roads under their control. The honourable mover of this cut has stated that toll should be abolished in the interests of the agriculturists. I am in full agreement with him in that respect. Sir, the agriculturists who bring their materials for sale to the towns near their village should be exempted just as under the Tobacco Tax the producers of the tobacco who are agriculturists are

[Rao Bahadur R. S. Asavale]

exempted. Similarly, I say that the growers of grains and other materials, who bring their goods for sale in the towns should also be exempted. But those people who buy the goods from the producers—either merchants or middlemen, and who carry such goods for trade purposes, should be taxed in any way Government choose to tax. I quite realise that though the tax would fall indirectly on the agriculturists, it would not be to such an extent as it would fall by way of direct toll. At the same time I am not quite sure that even if the toll is removed, the agriculturists will be able to derive much benefit as the prices of all agricultural products have gone down but there will be some relief at least. Even if they are exempted from payment of toll no other tax should be imposed upon them to make up the revenue. I would rather recommend to levy such tax as petrol tax or some such other tax which would only fall upon the middlemen or the merchants. I hope that Government will see their way that the agriculturists are under the Act exempted from these toll duties when they bring their goods from their villages to towns in bullock carts or on the back of animals.

Rao Bahadur S. N. ANGADI (Belgaum District): Sir, the question of abolishing tolls is one which has got to be considered very seriously by Government. Of course, if Government want to do away with the tolls, I have no objection to that being done by them, because after all this is a matter of revenue and if Government think that they can afford to forego a certain amount of revenue in order to go to the help of commercial interests in Bombay city, I cannot very well raise any objection to that action of theirs. I know, Sir, that this question was discussed threadbare on the 4th of October in a conference convened by the late lamented Sir Rustom Vakil and there it was considered whether the whole system of tolls should not be abolished and whether in their place we should not go in for something like a compound tax. I do not know whether this matter is completely known to this House. It has its own implications. I have gone into the matter and I find that if really Government want to go in for a compound tax which they can levy on owners of motor cars and owners of bullock carts, that would be a great deal more than what we have been paying. I know where the shoe pinches. Because it is found that the commercial interests who have to send out their agents all over the country throughout the year have got to pay large sums by way of tolls, these commercial interests desire to distribute these large amounts of tolls over the heads of the poor mofussil people who have none to sympathise with them. This is a very serious matter. If Government themselves abolish the tolls, there need not be any objection to that course, as I have already stated, but, if it is in order to achieve the object which certain honourable members here have in view viz. the imposition of some sort of a compound tax, then I will be justified in warning this side of the House to be very careful not to fall a victim to this kind of trap.

Sir, the question whether the tolls of the local boards should also be abolished was under consideration, but I know the local boards have got

[Rao Bahadur S. N. Angadi]

to be separated from that question. Government must decide that question only as far as it relates to themselves and leave the question of abolishing tolls to the district local boards concerned. Sir, what I say is that no hasty step should be taken in the matter because it was pointed out by my honourable friend Mr. Petit that there is a good deal of public feeling which has been aroused. I do not know what he means by the word "public"; probably he means some section of the public in the city of Bombay, it all depends on what he means by it, but as far as the mofussil is concerned, which is certainly the real public, I must tell him that the overwhelming portion of the public is entirely opposed to this kind of alternative proposal. But if my honourable friend Mr. Petit has in view the abolition of the provincial tolls which have been recently imposed by Government in the interest of revenue, and if Government is really agreeable to his view, then I would certainly have entire sympathy with that view, but if behind all this there is something which is going to cut the throats of the mofussil people, I would seriously oppose it.

With these remarks, I resume my seat.

Mr. MAHOMED HASHIM GAZDAR (Karachi City): Sir, I rise to support this cut but not for the reasons mentioned by the mover of the cut. Government has budgeted an income of Rs. 16,30,000 from this tax and I think we cannot afford to lose this revenue——

Sardar Rao Bahadur B. R. NAIK: How would it be 16 lakhs?

Mr. MAHOMED HASHIM GAZDAR: It is a very good amount and we cannot afford to lose it. I quite appreciate the difficulties and the burden that falls on conveying agricultural products and I think it would be a very easy matter if those bullock carts, which are carrying agricultural produce, are exempted, but I oppose any move for removing these tolls because those people who use roads must pay for their upkeep and maintenance. We found in Karachi that the district local board had a length of four miles of road which required Rs. 10,000 every year for its repairs but the local board being poor could not afford it. Most of the traffic that passed over it was mainly for pleasure drives and so we were compelled to impose the tolls. But, Sir, I have got to support the motion in order to draw the attention of the Honourable Minister to the very bad condition of communications in Sind. If you refer to page 30 you will find that out of 27 lakhs allotted for communications Sind gets only about 5 per cent. of that. Then if you turn to page 7, you find that out of only 8 lakhs of rupees allotted for maintaining district local board roads, only Rs. 1,73,000 is budgeted for Sind. Now, Sir, the condition of roads in Sind is already very bad. We have got over 10,000 miles of roads to be maintained by local bodies. This grant will work at a rate of Rs. 15 a mile. I want to ask Government whether it is possible for any district local board to maintain its communications specially to the requirements of the present-day traffic because now everywhere motor cars and buses are required to go and the amount available for maintaining these roads is only Rs. 15 per mile per year.

[Mr. Mahomed Hashim Gazdar]

Another thing is that Government have been spending lakhs and lakhs of rupees for building one or two bridges on the Bombay-Agra road or this road and that road, but in the district of Karachi, in spite of agitation, we find that two talukas are cut off from each other by one canal. We have been asking for two bridges, which would cost hardly Rs. 10,000 each. We have now the talukas of Mirpur Sakro and Ghorabari which are cut off from each other by the Baghar canal. The canal passes in a circulating manner, and it cuts off the talukas completely. It is a very big canal and it is very difficult and even small boats are not available for crossing, and from Sakro to Kotri Allahrakhioshah and from Sakro to Garho it is impossible for any vehicular traffic to pass in days of inundation. So, I would request Government to allot some money for building two bridges between these two talukas.

6 p.m.

Mr. JOHN HUMPHREY (Karachi Chamber of Commerce): Sir, there have been so many questions asked on this question of tolls and the subject has been raised to such an extent in this House that I am sure Government are extremely sorry that they ever put the tolls on, and I hope the form of expressing regret will be by abolishing them. I fully realise that Government cannot possibly afford to lose this revenue, and my recommendation is that it should be compounded in some form as early as possible. I am in entire agreement with my honourable friend Mr. Greaves regarding the handicap it is to agriculture, and I support him accordingly. But my purpose in rising on this occasion is not so much to speak on this question of tolls, as I think that has already been spoken about sufficiently and the sense of this House has been very fully expressed. I asked a question the other day regarding the development of roads. I asked whether Government had prepared schemes for the development of further roads in this Presidency, and the answer to that was that schemes were being prepared and surveys were being held. As a supplementary question I asked what was the intention of Government regarding the development of those schemes, and regarding the raising of money to pave the way for bringing into effect those schemes, and the answer to that question by the Honourable the Finance Member was:

"As I am concerned with the supplementary question rather than the Honourable the Minister, I will reply to it. Looking to our financial position at present, we are not going to borrow."

Well, Sir, what is the good of preparing schemes, if they are not going to borrow to carry the schemes out? The purpose of my question was this. At the Road and Rail Conference which was held last December, the Finance Member of the Central Government offered to lend to the Provincial Governments money at a very reasonable rate, in order to encourage the development of road building and to finance such schemes prepared by Provincial Governments. Now we are told by our Finance Member that Government have no intention of borrowing, and he definitely said in answer to a subsequent question that they do not intend to borrow at present. My contention is that money is so cheap

[Mr. John Humphrey]

at the present moment, the cost of construction is also so cheap, the means of construction are so easy, and there is so much unemployment that this is the time for developing and building roads, and I do think that this Government should take full advantage of the offer made by the Finance Member of the Central Government and borrow for the purpose of constructing further roads.

The Honourable Sir GHULAM HUSSAIN: Mr. President, I had no mind to speak on this motion, but I feel I must say a few words in reply to the honourable member who spoke last. When the honourable member put his supplementary question whether for road development we proposed to borrow, my reply was that at present we do not intend to do so. Because of our financial position, we do not intend to borrow. In that we are carrying out the mandate of this honourable House. They have been telling us that we have borrowed too much already, and we should not borrow any more.

Now, Sir, when I am on my legs, I might say a few words about tolls. If my honourable friends who are against tolls read the provisions of the Government of India Act, they will find that the Act gives the local bodies tolls as one of their sources of revenue, and in the enactments that we have passed here, the Local Boards Act and the Municipal Acts, there is a provision authorising these local bodies to levy tolls. If, further, my honourable friends who are against tolls scrutinise the provisions of the Government of India Act, they will see what sources of revenue have been given to the local bodies. There is the land cess, then tolls; then, in the districts, a tax on servants—and in the districts you will find mostly servants and very few masters. We could have asked the local bodies to abolish tolls, and we would have gone to that extent. But in this world he who shouts the loudest is heard the most. I was surprised to hear what my honourable friend the member for the Mill-owners' Association (Mr. Petit) and other members had to say, as if we have for the first time in the history of British rule in India levied tolls now. They quite forget that these tolls were being levied for many, many years past. It is not a new tax; it is as old as the hills; and nobody then thought of the poor agriculturists. And now I see that the reimposition of these tolls on a few roads has aroused the sympathy of the rich motorists of Bombay for the poor agriculturists. Otherwise, these tolls were there all along, and on all the roads. Nobody thought of the poor agriculturists, nor of the tolls then. It is a tax which affects me also, and I consider it a nuisance. But when we asked the motor companies to suggest some other way by which we would be able to abolish the tolls on the local board roads, on municipal roads and on provincial roads, they put forward a scheme. That scheme was discussed at a conference, and the opinion of most of the members was that the people of Bombay wanted to shift their burden on to the shoulders of the mofussil people. So the scheme was rejected by them.

The other point is that it is not a question of tolls on provincial roads alone. Suppose we were to abolish them, what would be the position

[Sir Ghulam Hussain]

of the local boards and municipalities ? It involves an amount of 30 to 40 lakhs and more. If the House gives me fresh taxation to the extent of 40 to 50 lakhs, so that we may reimburse ourselves for the loss of provincial revenue and give liberal grants to the local bodies also to enable them to abolish the tolls, then we will have no objection. But under the present circumstances, honourable members will agree with me that it is difficult to abolish the tolls altogether. But we will take into consideration the criticism we have heard, and try to mitigate the inconvenience involved.

Mr. SHAIKH ABDUL AZIZ (Central Division): About the toll tax, Sir, it has been stated by the honourable mover that the major part of it falls upon the agriculturist, at least two-thirds of it falls upon the agriculturist. But, Sir, my own experience about my district is quite different. Those who have taken toll contracts know perfectly well that their income comes mostly from motor vehicles, and a small portion of it from the bullock carts. The villagers generally use bullock carts, and income from bullock carts, at least in my district, I can say, is not much. Most of the income comes from motor vehicles. Therefore, to say that the major portion of the tax falls upon the agriculturist, in my consideration, is not correct. Another point is that when the bullock carts have to drive from one place to another, there is a concession for them. Supposing a motor has to pay tolls four times when it goes from one place to another, in one district by provincial road in one day the bullock cart has to pay it only once. The rule is that a bullock cart which is loaded is exempted from paying a toll tax more than once in 24 hours. But motor vehicles are not so exempted.

Rao Bahadur G. V. PRADHAN: That is not correct.

Mr. SHAIKH ABDUL AZIZ: The rules published in West Khandesh are of the purport which I have given to this House. The rule is that if a loaded bullock cart goes from one place to another, they have to pay 2 annas per loaded bullock cart once in 24 hours on provincial road in one district in one day.

Rao Bahadur G. V. PRADHAN: At the same *naka* ?

Mr. SHAIKH ABDUL AZIZ: No, Sir. They have not to pay at any other *naka*.

Sardar Rao Bahadur B. R. NAIK: How can that be ?

Mr. SHAIKH ABDUL AZIZ: Of course, experience differs. But what I have placed before this honourable House is the practice in West Khandesh. About that a complaint was also made to the Government, that it should not be so, but Government have stated that it is for the agriculturist, and it is better that he should be taxed only once. This being the case in our district, I have to say that this tax, at least the major part of it, does not fall upon the agriculturist. It falls practically on the middle class persons, or those who are commercial people. So, if it is said that this tax falls mostly on the agriculturists, I differ from that view.

Sardar Rao Bahadur B. R. NAIK (Surat District): Sir, I had no mind to take part in this discussion. But I am surprised to hear from the honourable member who preceded me that in his district there is a rule that if a loaded cart pays 2 annas toll it can travel any number of miles without paying any further toll. If there is such a rule I strongly protest against this iniquitous treatment. The rule is that at every ten miles there is a toll bar and a loaded cart should pay the toll. If as he says there is such a concession in the West Khandesh district, it must have been given by the Secretary, Public Works Department, or the Finance Member. But it is surprising to me. The rule is that for every 10 miles, whether it is a bullock cart, or a donkey cart or a buffalo cart, it must pay the toll on the provincial roads.

Again like the last mover of the cut the honourable member Major Ellis Jones, thanks to the automobile industry that has been introduced in this country, the honourable member sitting opposite has come to the rescue of the agriculturists. They have taken up this question not for the sake of the agriculturists as such but for the sake of the motor trade and in that the agriculturists also stand to gain.

But there is another matter to which I now refer. The Honourable the Finance Member is not in his seat. If the toll was not an obnoxious tax why was it abolished by Government and why should the local boards have been reimbursed when the tolls were abolished? I think it was during his regime as Minister of Local Self-Government the tolls were abolished by Government, not only on provincial roads but also on local board roads. On account of the abolition of tolls on local board roads, Government had to reimburse the local boards. The Honourable Minister himself was the president of a district local board and he knows that the tolls are not liked by the people. The tolls indirectly fall on the agriculturists. There is no doubt about that. So far as loaded carts are concerned, whether they contain grains, vegetables or cotton, the tolls will have to be paid. Any tax on a produce must fall either on the consumer or the producer.

I was invited as a member to the conference referred to by the honourable member Rao Bahadur Angadi. As I was engaged in Simla I could not attend that conference. I do not know what happened in the conference. I remember the Honourable Minister said the other day that the matter was under the consideration of Government. I do not know whether any decision was arrived at at that conference. But I am sure the Honourable Minister will enlighten us on this point. But one thing is certain that this tax is not liked by the agriculturists for a long time. The European members do not like it for the sake of their own motor trade and for other trade also. But I think if this tax is abolished, some means must be found to compensate for this loss. The Honourable the Finance Member said that Government would have to reimburse the local bodies to the tune of 40 lakhs. But he did not say how many local boards are deriving income from tolls. Yesterday when I said 15 lakhs will be saved by the abolition of town duty he said 50 lakhs. All the local boards do not get a total income of more than 6 lakhs. Even if the tolls on local board roads are abolished, not more

[Sardar Rao Bahadur B. R. Naik]

than 6 lakhs will be necessary for compensating the local boards, because all the district local boards have not yet imposed tolls.

The Honourable Khan Bahadur D. B. COOPER: What about the municipalities?

Sardar Rao Bahadur B. R. NAIK: You mean the tolls? I do not think you are including municipalities also.

The Honourable Khan Bahadur D. B. COOPER: The conference which was held in Poona was concerned with the municipal, local board and provincial roads.

Sardar Rao Bahadur B. R. NAIK: I am talking about the district local board roads. I do not know about the municipalities. Any way I want to press this point for the consideration of the Honourable Minister. The other day he said that the matter was under the consideration of Government and that Government had come to the conclusion that this tax should be substituted by some other taxation. His Excellency also in his address to the Council stated that this tax had been greatly agitated by the public and that Government were considering this matter. I will resume my seat with the request to the Honourable Minister that as this tax has been also agitated by the agriculturists they must be relieved of this tax—of course I do not agree with my honourable friend Mr. Greaves that this tax should be abolished to give assistance to the motor trade, on the contrary I feel that motor car owners like yourself, Sir, and myself should be charged more.

Mr. C. M. LANE: I did not expect that the subject of tolls would come up for discussion under this head——

The Honourable the PRESIDENT: I have myself been under some difficulty in that respect. I thought no one was going to refer to that. The honourable member (Sardar Rao Bahadur B. R. Naik) started it. The Secretary points out that this cut raising the discussion on tolls ought not to have come under that particular sub-head——

Sardar Rao Bahadur B. R. NAIK: I knew it. But you allowed it.

The Honourable the PRESIDENT: Nobody raised any objection. It has now been pointed out to me that the discussion on tolls should have been raised on a cut motion under Road Repairs for which a provision of Rs. 39,12,000 has been made. The cut motion has been tabled against Rs. 50,000 for Road Development. The Council Office could not guide the honourable member because it could not be found where this particular item could be traced. Perhaps the Secretary can enlighten the House on the subject and say whether there are any tolls on roads coming under this head. If there are any, discussion of tolls on this cut will not be out of order.

Mr. C. M. LANE: The position as far as this particular amount of Rs. 50,000 is concerned is, it refers to provision for repairs to communication works that have been financed as original works from petrol fund. On these roads there are tolls. So, I have no objection to the discussion on this head.

[Mr. C. M. Lane]

I think a great part of this debate has been forestalled by the speech of the Honourable Minister on the general discussion of the Budget. I think it is recognised, I personally as a motorist am quite prepared to admit, that tolls as a form of taxation are not popular. But, as has been stated, Government cannot forgo the revenue. We have had very constructive proposals from the honourable mover of the cut. I may inform him—I am glad to do so—that his suggestions have been partly forestalled under orders which will take effect from 1st April. The tolls have been brought to a uniform tariff with application all over the presidency. Instructions have been issued to Collectors to verify the situation of tolls so as to remove any overlapping within short distances such as is complained of. Then, the toll on pack animals laden with articles has been removed.

I think it would be a matter of considerable difficulty to find out whether the incidence of this tax falls mainly on the cultivators or non-cultivators. The honourable mover suggested that we should take a census on some particular road. I am afraid it would be useless to take a census of this nature. He wants us to stop every cart and every bus and interrogate each passenger and examine his credentials as to whether he is an agricultural person or not. I do not think we could undertake to do that.

The honourable member Mr. Petit said that there was a strong public feeling against this taxation. That may be the case but at the same time it must also be recognised that there is also strong public feeling against the substitution of any form of compounded taxation which must inevitably be continued until Government are in more prosperous circumstances when it may be hoped that tolls will disappear as a form of taxation.

The honourable member Rao Bahadur Angadi referred to the conference that was held in Poona and said that at that conference Government sounded public opinion. That conference was undoubtedly against the substitution for tolls of compounded taxation covering all other local taxes such as wheel tax, etc. Government are considering the proposal but I cannot say what form of substitution, if any, for this taxation will be decided upon.

The honourable member Mr. Gazdar gave us some extraordinarily incorrect information. He said that there are 12,000 miles of road maintained by the district local boards and it was impossible to maintain roads at the rate of Rs. 15 per mile. If you go and see some of the roads——

Mr. MAHOMED HASHIM GAZDAR: I was referring to the local board roads, and the grant of 8 lakhs provided for local board roads.

6-30 p.m.

Mr. C. M. LANE: I am also referring to the local board roads some of which I have tried but failed to discover.

Sardar Rao Bahadur B. R. NAIK: Whose fault is it? Government do not give us any grants.

Mr. C. M. LANE: The honourable member then went on to say that we were spending lakhs of rupees on new bridges in the Presidency, particularly on the Bombay-Agra Road. I think this House is aware that we quite recently spent nearly seven and a quarter lakhs of rupees in providing road facilities in connection with the Kotri Bridge in Sind. That is one of the only two places in Sind, the other place being Sukkur. But for the fact that tolls have come into the question, I would not have referred to this. At Sukkur there is a railway bridge on which the railway levy tolls. Below the railway bridge there is the Lloyd Barrage with Road Bridge on which no tolls are as yet raised. Naturally the time must shortly come when tolls must be levied on this bridge, and my honourable friend to my right has already started his campaign of objection to it.

The honourable member Mr. Gazdar said that there is a canal, the Baghar Canal, in the Karachi district, which is not bridged. It is not bridged; there is actually only one masonry bridge, and that is a regulator on construction of which I was concerned. It was finished in 1925-26. I may mention for the information of the House that the Baghar Canal is an old branch of the Indus which carries, or rather used to carry, before provision of the regulator, a discharge of nearly 21,000 cusecs.

The honourable member Mr. Gazdar said that it could be bridged at a cost of Rs. 10,000. I would not undertake to provide one bridge across it for five times that figure.

The honourable member Mr. Humphrey referred to a question and the answer which has been given to him as regards road schemes to be financed from loan funds. I think there is some misunderstanding about that. The Honourable the Finance Member with the Government of India at a conference held in Simla (Road Rail Conference) suggested that the provincial Governments should examine the question of financing essential road works from loans and that conference laid down certain criteria which would be required to be fulfilled to justify those particular works being financed from loan funds for which the Government of India would arrange. But the Government of India would first have to be satisfied that those criteria were fulfilled. We are engaged on compiling a statement of such works, and we will in due course put them before the Government of India.

The honourable member Mr. Shaikh Abdul Aziz referred to what was to me a most extraordinary thing. I did not know that a bullock cart can use the roads all the 24 hours of the day and be liable to pay only 2 annas to go anywhere in the district.

Mr. SHAIKH ABDUL AZIZ: Did not the contractors complain?

Mr. C. M. LANE: No such complaint has reached me. I do not see why anybody should complain about it?

Mr. SHAIKH ABDUL AZIZ: The contractors themselves.

Mr. C. M. LANE: The only complaint I had was, I think, from a contractor in this particular district, who said that bullock carts circumvented toll bars by diversion off the roads.

I do not think I need say anything more. I do not think any other technical matters affecting me were raised.

Mr. P. R. CHIKODI (Belgaum District): Sir, I only want to make a few observations. The imposition of tolls is a very bad thing and nobody likes it. But if Government decide to abolish the levy of tolls, it should be done only on two conditions, first, tolls should be abolished on the local board roads as well as on provincial roads, and secondly,—and that is the most important condition,—the local boards should be reimbursed for the loss of revenue caused by the abolition of tolls. We should not make an invidious distinction between the administration of local board roads and that of provincial roads. If the tolls on provincial roads are abolished and the tolls on local board roads are retained, it is most likely that the agriculturists will be hit very hard. Sir, it is equally necessary that the local boards should be reimbursed for the loss of revenue caused by the removal of their tolls. (*An Honourable Member:* From what source?) I am coming to that. Government get their share from the petrol tax, and they can reimburse the local boards from that. The local boards have not been deriving any benefit out of the petrol tax fund. If the tolls are to be abolished, it should be clearly understood that the interests of the local boards of the presidency have to be safeguarded. It should not be supposed that because this House is in favour of the abolition of tolls, Government can do away with the tolls on local board roads, without reimbursing the local boards for their loss in revenue. Government must remember that they have got an obligation to reimburse the local boards, as was done previously some years ago when tolls were altogether removed and Government gave the local boards an amount equal to the revenue which the local boards were deriving from that source. If Government want to abolish the tolls, they should do so only on two conditions: that no toll should be levied throughout the whole of the presidency, either on local board roads or on provincial roads, and, so far as local boards are concerned, Government should find money from the petrol fund to fully compensate the local boards for the loss in revenue.

There is another thing which I wish to bring to the notice of Government. There are too many tolls in a small distance on some roads in the presidency. I will give only one example. From Belgaum to Dharwar, it is only a distance of 48 miles, and there are three tolls and a municipal toll—in all four tolls. A man has to pay for a cart two rupees in all. This is a very serious grievance. On account of this levy, people are obliged to go by the railway rather than in their own cars. This is indirectly helping the railway companies which profit by the discouragement offered to motor traffic by the levy of tolls.

Dr. M. K. DIXIT: It will save your motor car.

Mr. P. R. CHIKODI: Whatever it may be, it is a discouragement to motor traffic. Even within 10 miles from Dharwar, I think there is

[Mr. P. R. Chikodi]

a toll bar. That is another kind of great hardship. Therefore the practice of levying many tolls within a short distance should also be considered and avoided as far as possible.

Sardar Rao Bahadur B. R. NAIK: The honourable member says there are three tolls within 48 miles. I say there are three tolls within ten miles from Surat to Sachin.

Mr. P. R. CHIKODI: Three tolls and one municipal toll in addition—in all four.

Sardar Rao Bahadur B. R. NAIK: There are three toll bars within ten miles. I support your demand.

Khan Bahadur ALLAHBAKSH (Sukkur District): Sir, I could not understand the intention of the honourable mover of the cut, when he said that tolls should be abolished. The district local boards would be quite prepared to abolish the tolls, provided as my honourable friend Mr. Chikodi has pointed out, Government would make up the loss to the local boards. Without that it would be very difficult for the local boards to carry out even the ordinary repairs to their roads. Government have been reducing the maintenance grants year by year. The local boards get some income from these tolls and it is with that income that they are able to carry out the small repairs to these roads. Therefore, Sir, I think it would not be advisable at this stage to abolish the tolls unless it is agreed by Government that they will make up the loss to the district local boards by way of grants.

Another thing is, Sir, whether the burden of the tax falls on the agriculturists or on the purchasers is a matter of doubt. On a good road in my district, for a distance of 25 miles, the hire for a cart comes to about Rs. 2, but if the road is bad, we have to pay 50 per cent. more—that is instead of Rs. 2, we have to pay Rs. 3. Taking the road from Shikarpur to Jacobabad, the hire is Rs. 3. If the road is bad, we will have to pay Rs. 4-8-0. So, it would not be in the interest of the agriculturists to abolish this tax, unless Government come forward to make up the loss to the district local board.

The condition of the roads, as pointed out by the honourable member Mr. Gazdar, is really very bad. [*An Honourable Member*: "Which roads, provincial roads or district local board roads?"] My honourable friend from Karachi says that there are good Public Works Department roads in Sind. One road which was metalled cost about 6 lakhs, but that road has deteriorated for want of funds. Government does not even provide enough money for the repair of that road. If this goes on for another three years, you will find that roads will deteriorate to such an extent that all the 6 lakhs spent will be wasted. If Government had spent one lakh more in coal-tarring it, they could have saved this 6 lakhs. Even now it is not too late. It is much better to spend 2 lakhs more now than allow 6 lakhs to go to waste. Therefore, I would draw the attention of the Honourable Minister to this Sukkur-Shikarpur road, so that the six lakhs invested by the taxpayer on this road may not go to waste.

Mr. G. S. GANGOLI (Kanara District): Sir, if the House decides unanimously to abolish the tolls and even if Government accept that proposition, we will not be improving our position as regards the development of roads. The position is, roads are not properly developed. The question of road development is not as simple as it appears to be. It was discussed on the 4th October at a meeting of the Road Conference. At that time the proceedings were understood to be confidential, but recently Government have come to the conclusion that they should be published and they have published it last week. They have supplied the members with copies of those proceedings. Coming to the question of tolls, there are four sorts of tolls; one is provincial or Public Works Department toll, the second is local board toll, the third is municipal octroi or municipal toll, and again toll on animals, carts, and lastly ferry tolls. [*Interruption*].

The Honourable the PRESIDENT: Will the honourable member proceed?

Mr. G. S. GANGOLI: These are the various sorts of tolls. The question was discussed at the Poona Tolls Conference. One of the suggestions was that so far as the bullock carts and animals are concerned tolls should be abolished. It was also suggested that tolls on ferries should be abolished, because it was the duty of Government to bridge the ferries on the main P. W. D. roads. I have an instance where within a distance of 9 or 10 miles, there are two municipal tolls, one ferry toll and another toll. With all that the width of the road at several places is only ten feet. It is between two main towns on the sea-coast. On both sides of the road there are falls much below the level of the road and several accidents happen, and nearly four or five persons die every year. The length of the road is only 10 miles, and the surface is so very bad—it is a P. W. D. road and a main trunk road—that even the officers of Government—the Collector, Engineer, and other officers—who have visited that part have reported very strongly against its condition. Well, this is the one question in Kanara on which the officials and non-officials are united, and yet no action is taken. [*Interruption.*] Such is the Government. I shall reply to you, if you want a reply. Even if we abolish these tolls, we are none the better, because the roads are still neglected there, and roads have to be taken care of.

The entire question of roads or road development is in its infancy and there are several improvements which may be introduced. One is a terminal tax; another is a wheel tax and the third alternative is to give a monopoly to particular individual owners of motor buses over a certain part of a road so that they themselves may keep the roads in order. These are suggestions which are worth an experiment. I am sorry the Poona conference was not pushed forward. If we were more serious or if Government had considered the matter more seriously, the situation could have been remedied one way or the other. Mere complaints on the floor of this House will not bring us nearer the goal. Anyway, roads have got to be improved. We, who represent the agriculturists, press upon the Government the necessity of removing tolls on agricultural produce,

[Mr. G. S. Gangoli]

cattle, etc., because if they have to pay tolls on so many things, there will not be anything left to pay land revenue with. I would seriously request Government to state what steps they propose to take in regard to the development of roads and the provision of more roads. Roads were constructed when motor traffic was not even dreamt of, but owing to the present heavy motor traffic, the roads are getting out of repair. One of the proposals was that there should be a tax in proportion to the use of the road, that is, heavy traffic should pay more, and light cars should not be charged much. This question also requires to be considered.

Then, again, there is the petrol tax. When we wanted some source to augment our resources and improve our roads, they imposed the petrol tax and the Government of India gave us only 2 annas out of 8 annas. Then we said we wanted some more money. They enhanced the tax by two annas more and gave us 4 annas and kept 6 annas to themselves. When we agitated further and said "at least let us have half," they raised it to 12 annas and gave us five annas and kept 7 annas for themselves. These are all matters which require the serious consideration of Government, and Government will be well advised to take serious action on the subject. So long as the roads are not developed, so long as new roads are not constructed, so long as the roads are not improved, the mere abolition of the tolls will lead us no further.

Mr. BHAILAL SARABHAI PATEL (Ahmedabad District): Sir, on the point of tolls, there is one difficulty and it is this: whether the tolls are taken for the future development of roads or whether they are taken for the use of a tolerably good road which is already there. In Ahmedabad for instance, the distance between Sanand and Viramgaon is about 27 miles, and at two ends, that is to say, three or four miles of one side of Viramgaon and three or four miles of one side of Sanand, there is something like a road. The rest of it is as good as the old country track and yet, somehow or other, a toll *naka* is placed at a position which is, to say the least, about 6 miles from either end of anything like a road. That is a road, of course, which in olden days might have been part of some provincial project, but this project was never completed. The choice of that spot does indicate, if anybody has seen it, how this Act relating to tolls is administered. The Act, Sir, which is of 1875, does prohibit anything like more than one toll *naka* within a certain distance—very likely 10 miles—but now, because everybody has financial troubles there is something like a race between the Government and the local authorities, and because there are different names to the different sections of the roads within that prohibited distance of 10 miles, in actual administration we find two local authorities—it may be the local board, it may be the municipality or it may be the Government—who each have one toll of its own within that distance. Whether this is justified by the spirit of the Act I cannot say. I do not think that is the spirit of the Act. There is, Sir, a race between the authorities who are there to protect the people and to look to the convenience of the people, but they are doing it in the wrong way. Whether this tax goes or does not go, these are points which ought to be considered in practical

[Mr. Bhailal Sarabhai Patel]

administration—I mean the spacing of the tolls. I hope Government will lose no time in removing this grievance.

Mr. V. N. JOG: On a point of order, Sir. This amount of Rs. 50,000 has been sanctioned for repairs. This cut relates to that amount. This amount is only on provincial roads. Now, while referring to the removal of the tolls, several members said that the tolls should be removed from the local board roads. Some other members said that they should be removed from municipal roads. What we are concerned with now is this item of Rs. 50,000 which is proposed to be spent only on provincial roads, not the municipal or local board roads, because those are different items altogether.

An Honourable MEMBER: This amount is from the petrol tax.

The Honourable the PRESIDENT: Order, order. The question is whether tolls within municipal or local board limits can be referred to in this discussion. As far as I could follow the discussion, honourable members have brought up the question of the tolls put up by the local bodies as an argument to show how pressing the tolls are, all put together. In the last speech the honourable member (Mr. Bhailal Patel) pointed out that there was a sort of race between the local authorities with the result that there were so many tolls at one place. The subject matter, of course, is provincial roads, but the instances of other roads were simply brought up as arguments.

Khan Bahadur ABDUL LATIF HAJI HAJRAT KHAN (Poona and Sholapur Cities): Sir, I am opposed to this tax, but the difficulty is this. This amount, I think, has been provided out of the petrol tax. As this amount is not given to the local authorities, the point arises whether Government is going to give some grant to the local bodies. If not, then the local bodies should not be forced to abolish this tax.

So far as I can see, if they are going to abolish tolls on provincial roads, they have also to decide whether they are going to amend the Local Boards Act. If you abolish the tolls on the provincial roads but not on the local board roads, then the agriculturists will suffer to a great extent. Another difficulty will be the distribution of the funds to the local authorities. Now the district local board income from tolls has greatly increased—I think I can speak of District Local Board, Sholapur; formerly it was Rs. 14,000 and now it is about Rs. 24,000. So, if the Government give an assurance that they would give to the Local Bodies their present income of toll tax as grant we have no objection. Otherwise, we have objection to the proposal.

SYED MIRAN MAHOMED SHAH (Hyderabad District): Sir, I wish to offer a few remarks with regard to the feelings of my constituents on the question of tolls. I have got experience myself as President of the District Local Board of Hyderabad. In that capacity I thought that those who used the roads must necessarily contribute towards the funds which are required for the maintenance of those roads. But my constituents asked me "Where are the roads for which you are going to tax us?"

[Syed Miran Mahomed Shah]

I could not answer that question, because our roads are not such as to give convenience to the agriculturists. Naturally, the question arises whether we are justified in imposing this tax upon them.

Now, the objection from the agriculturists to this particular tax is more from the point of view of inconvenience and annoyance than from the point of view of financial burden that it imposes upon their income. Of course the broader shoulders can bear it. But they also ask the same question—whether the roads are in such a condition that it would justify our imposing tolls on them. It is necessary that these roads should first be put in order by means of, say, raising a capital fund or by raising a loan for this particular purpose. Till you do that, I do not think Government or the local bodies will be justified in imposing this sort of tax which causes all sorts of hardship to the people.

I am really against the imposition of any toll on carts and animals. They are mostly used by the agriculturists in the mofussil. Also, until the roads are put in order, they should be exempted from this tax.

The Honourable Sir GHULAM HUSSAIN: May I interrupt the honourable member to ask him how many tolls on provincial roads there are in his district?

The Honourable the PRESIDENT: That is what I just wanted to ask—whether there is any provincial road within the area of the local board. Honourable members must understand that they can refer to local board roads merely by way of argument. For instance, I think the honourable member Mr. Chikodi said that if tolls are to be abolished on the provincial roads, they should be abolished on the local board roads also. All these are arguments. But I presume that the honourable member is referring to tolls on some provincial road which runs through his district or through a part of his district.

SYED MIRAN MAHOMED SHAH: There are no Provincial roads in my district on which tolls are recovered. I was simply pointing out by way of analogy the difficulties of the agriculturists so far as tolls are concerned and I was opposing the tolls on principle.

The Honourable the PRESIDENT: I thought the honourable member started by saying that he was placing the grievances of his constituents before this House.

SYED MIRAN MAHOMED SHAH: Yes, the grievances of my constituents so far as the tolls imposed by the district local board are concerned. I was narrating my own experience.

The Honourable the PRESIDENT: That is beyond the question before the House.

SYED MIRAN MAHOMED SHAH: That is not a specific grievance. I was quoting it by way of analogy as to what has been my experience of tolls. I had imposed tolls in my district for the first time and I had to face strong opposition and I myself recommended to Government next year that tolls should be abolished. I am only giving an illustration.

[Syed Miran Mahomed Shah]

I quite realise that I cannot refer to the abolition of tolls in the local board areas, but I am just pointing out what hardship the people are put to and what are the feelings of the general public in regard to the imposition of tolls—

The Honourable Sir GHULAM HUSSAIN: May I again interrupt the honourable member, Sir? There are no tolls—either on local board roads or on provincial roads—in Hyderabad District.

SYED MIRAN MAHOMED SHAH: There is a toll in my district.

The Honourable the PRESIDENT: The honourable member generally endorses the opinion that has been expressed here on that subject?

SYED MIRAN MAHOMED SHAH: Yes, for the abolition of tolls.

The Honourable the PRESIDENT: On the provincial roads.

SYED MIRAN MAHOMED SHAH: Yes, on the provincial roads, and further I would recommend that the local authorities should also be advised to abolish the tolls.

7 p.m.

The Honourable the PRESIDENT: The honourable member has nothing further to say?

SYED MIRAN MAHOMED SHAH: No, Sir.

It being 5 *minutes past* 7 *p.m., the House adjourned till* 2 *o'clock on Wednesday, the* 7*th March* 1934.

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Wednesday, the 7th March 1934.

The Council re-assembled at the Council Hall, Bombay, on Wednesday, the 7th March 1934, at 2 p.m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present :

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr. A. B.
ADVANI, Mr. P. B.
ALLAHBAKSH, Khan Bahadur
AMINUDDIN, Mr. SAIYID
ANGADI, Rao Bahadur S. N.
ASAVALE, Rao Bahadur R. S.
BAKHALE, Mr. R. R.
BANGI, Mr. A. K. J.
BELL, the Honourable Mr. R. D.
BIJARANI, Khan Bahadur SHER MUHAMMAD KHAN
BIRADAR, Sardar MAHABOOBALI KHAN
BOLE, Rao Bahadur S. K.
BRANDER, Mr. J. P.
BULLOCKE, Mr. A. GREVILLE
BURNS, Dr. W.
CHIKODI, Mr. P. R.
CLEE, Mr. C. B. B.
COLLACO, Dr. J. A.
COOPER, the Honourable Khan Bahadur D. B.
COVERNTON, Mr. S. H.
DESAI, Rao Saheb B. G.
DESAI, Mr. H. R.
DESAI, Mr. S. B.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
D'SOUZA, Dr. J. ALBAN
EWBANK, Mr. R. B.
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GARRETT, Mr. J. H.
GAZDAR, Mr. MAHOMED HASHIM
GHULAM HUSSAIN, the Honourable Sir
GHULAM HYDER SHAH, Mr.
GHULAM NABI SHAH, Khan Bahadur
GILDER, Dr. M. D.
GOKHALE, Mr. L. R.
GREAVES, Mr. J. B.
JAN MAHOMED KHAN, Khan Bahadur

JITEKAR, Mr. HAJI IBRAHIM
JOG, Mr. V. N.
JONES, Major W. ELLIS
KALBHOR, Mr. G. M.
KAMAT, Mr. B. S.
KAMBLI, the Honourable Dewan Bahadur S. T.
KARBHARI, Mr. M. M.
KULKARNI, Rao Saheb P. D.
LANE, Mr. C. M.
LELY, Mr. W. G.
MATCHESWALLA, Mr. G. E.
MAXWELL, Mr. R. M.
MEHERBAKSH, Khan Bahadur S.
MEHTA, Mr. M. H.
MITHA, Mr. MAHOMED SULEMAN CASSUM
MODAK, Rev. R. S.
MODI, Sardar Davar T. K.
MORE, Mr. J. G.
NAIK, Sardar Rao Bahadur B. R.
NAVLE, Rao Bahadur N. E.
OWEN, Mr. A. C.
PARULEKAR, Rao Bahadur L. V.
PATEL, Khan Bahadur A. E.
PATEL, Mr. BHAILAL SARABHAI
PATEL, Mr. C. N.
PATEL, Khan Bahadur VALI BAKSH A.
PATIL, Dewan Bahadur D. R.
PATIL, Mr. N. N.
PATIL, Rao Saheb V. S.
PETIT, Mr. J. B.
PRADHAN, Rao Bahadur G. V.
PRATER, Mr. S. H.
RAHIMTOOLA, Mr. HOOSENALLY M.
RESALDAR, Mr. A. K.
ROOSE, Mr. F. O. J.
SERVAI, Mr. A. E.
SHAIKH ABDUL AZIZ, Mr.
SHAIKH ABDUL MAJID, Mr.
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SHINDE, Mr. R. B.
SMART, Mr. W. W.
SOLANKI, Dr. P. G.
SURVE, Mr. A. N.
SURVE, Mr. V. A.
SYED MIRAN MAHOMED SHAH
SYED MUNAWAR, Mr.
TOLANI, Mr. S. S.
TURNER, Mr. C. W. A.
VAISHAMPAYAN, Dr. V. G.

VAKIL, Mr. PESTANSHAH N.
VANDEKAR, Rao Bahadur R. V.
WADKE, Mr. B. P.

NEW MEMBERS SWORN.

Dr. W. Burns and Mr. F. O. J. Roose made the prescribed oath of allegiance to His Majesty the King-Emperor, and took their seats in the Council.

SHOLAPUR MILL STRIKES SITUATION.

Dr. V. G. VAISHAMPAYAN (Sholapur City): Sir, before the regular business of the day is taken up, I should like to ask a question regarding the Sholapur mill strike situation. In the *Times of India* of 5th March, we find a report under the heading "Sholapur Workers in free fight. More than one hundred casualties." I did not specially ask this question on the 5th, because the Honourable the Home Member may not have been then in possession of the information. But he must have now got the information, and I think it will be in the interest of this House to enlighten us in the matter.

The Honourable Mr. R. D. BELL: No, Sir. I have no information other than that in the newspaper.

Dr. V. G. VAISHAMPAYAN: May I point it out here that I was present in Sholapur on the day and there were only 3 casualties, and not more? It is a misleading, false and malicious report that has been printed by the *Times of India*.

The Honourable Mr. R. D. BELL: I think I ought to say that if there had been a serious disturbance, the District Magistrate would have reported the matter to Government.

DEMANDS FOR GRANTS.

Tolls.

Question again proposed: "Reduce by Rs. 100 Provision for repairs—Road Development—Rs. 50,000."

Mr. SHAIKH ABDUL MAJID (Karachi District): Sir, I wish to make a few observations in regard to the cut that was moved yesterday by my honourable friend Mr. Greaves, under 41-Civil Works—Road Development. He has very rightly observed that the methods employed for the collection of tolls require to be modified and that the tolls on animals and bullock carts on provincial roads should be abolished in the interest of the agricultural community.

The second point which deserves careful consideration at the hands of the Government is that, while Government get a fixed amount for the collection of tolls from the contractors, the people naturally pay more than what is received by Government. The private agency employed for the collection of tolls makes huge profits, nearly of 50 per cent., and Government perhaps do not possess the necessary information on this point. I believe Government are considering the question of tolls, and to replace them by a consolidated tax, which should be uniform in character and equally applicable to the roads controlled by Government

[Mr. Shaik Abdul Majid]

and the local bodies. The problem is of economic importance to the people and should be solved in a manner so as to improve the economic condition of the people.

The lack of good roads in Sind is responsible to a very great extent for the comparatively low prices of the agricultural produce in Sind. The centres of trade and business being far away from the areas which are under cultivation, and there being no good roads for the transport of the agricultural produce, the prices at which the produce is sold by the agriculturists are naturally less than the market rates. Moreover, with the development of new areas under the Lloyd Barrage and Canals, the question of improving the roads in Sind has already come to the forefront, but I believe the Bombay Government are shirking the responsibility of taking the necessary loans to tackle the problem in a satisfactory manner. I do confess, Sir, that all necessary estimates have been made for the construction of new roads in Sind. But my grievance is that in practice very little has been done. We do not get our due share even from the funds earmarked for the construction and maintenance of the provincial roads and also of the roads under the control of the local bodies. The Presidency proper can boast of 9,000 miles of metalled roads, out of which nearly 6,000 miles are maintained by the Public Works Department and 3,000 miles by the local bodies. As against this, we have got 145 miles of metalled roads in Sind, out of which about 90 miles are maintained by the Public Works Department. It is true that we possess several hundred miles of bund roads maintained by the Public Works Department but those roads are not open to the public, and if anybody, howsoever respectable he may be, ventures to set his foot upon any of these bund roads, he must come to grief. The honourable members from Sind have already stated the miserly contribution——

The Honourable Sir GHULAM HUSSAIN: May I draw the attention of the honourable member to the fact that M.L.Cs are allowed on the bund roads?

Mr. SHAIKH ABDUL MAJID: Yes, Sir. Even those M.L.Cs who want to avail themselves of the facility afforded to them must necessarily take the permit of the Executive Engineer, and without doing that even they must come to grief. Honourable members from Sind have already stated the miserly contribution of Government towards the provincial and local board roads in Sind. The neglect of an agricultural province in the important matter of development of roads must always stand as a slur upon the attitude of Government towards my province. The feelings of the people in my province on this subject are very bitter and strong. Good roads, particularly in Sind, mean prosperity and advance of civilisation. If our condition is wretched both economically and educationally, Government is responsible for the backwardness of my province. I claim in the name of justice that there is still time for Government to compensate it for the past neglect and niggardly treatment. The roads in the presidency proper have developed

[Mr. Shaikh Abdul Majid]

to an appreciable extent and I do not grudge even further development but I claim that a due share of the grants for this purpose should be given to Sind. It is not impossible for Government to give us 1,000 miles of metalled roads before we are separated from Bombay.

The honourable member, the Secretary to the Public Works Department, was correct to a certain extent when he questioned the statement of my honourable friend from Karachi that he was not aware of any roads in Sind. He meant thereby that the metalled roads were not in existence in Sind and therefore the reference made by my honourable friend from Karachi to the existence of nearly 12,000 miles of road controlled by the district local boards was not considered to be to roads in the truest sense by the honourable member the Secretary. Anyhow the district local boards have to control and keep in good working order about 10,000 miles of roads under their charge. It is not wholly correct to say that there are no roads under the control of the local boards in Sind, as was stated by the honourable member the Secretary to the Public Works Department.

Another point which my honourable friend from Karachi wanted to impress upon Government was that in the Karachi district some of the talukas are isolated on account of a particular canal which is called Bagar canal and that a bridge over that canal was necessary. But the honourable member the Secretary gave his opinion that the canal was a very large one resembling a river having a discharge of 21,000 cusecs. But from the official reports I find that the discharge of that canal is only 7,600 cusecs. The steel bridges which have been constructed within the Barrage zone have not cost Government more than Rs. 10,000 each. Some such bridge will do in the Karachi district. With these words I support the cut under discussion.

Khan Bahadur GHULAM NABI SHAH (Thar Parkar District) (Addressed the House in Urdu): Sir, I support the cut moved by my honourable friend. In Sind which is mainly an agricultural province there are no roads worth mentioning. From Karachi to Hyderabad, from Hyderabad to Mirpurkhas, and from Mirpurkhas to Umar Kote and Umar Kote to Chor there is a provincial road. Even though it is a provincial road, one cannot easily travel in a motor car. From Karachi to Hyderabad, from Hyderabad to Mirpurkhas, from Hyderabad to Sukkur, the roads are intersected by canals and therefore a through travel on these roads is not possible. When that is the plight in Sind, Government are constructing a big bridge on the Bombay-Agra road. I request the Honourable the General Member that a substantial grant should be given to Sind for the improvement of its communications. It is not easy to go from one district to another. My submission is that the condition of Sind roads is not as good as the condition of Bombay roads. The Honourable Minister should give attention also to Sind. Our cry is that we are not given enough grants from the petrol fund. We want that our cities, Karachi, Hyderabad, Mirpurkhas, Umar Kote, Chor, Sukkur and Shikarpur should be linked by good metal roads, and ultimately, we should have a good road from Karachi to Lahore in the

[Khan Bahadur Ghulam Nabi Shah]

Punjab. I hope the Honourable the General Member will support this demand.

Mr. M. H. MEHTA (Panch Mahals District): Sir, I rise to support this cut. It is not correct to say that the agriculturists do not suffer on account of the tolls. Very often the agriculturists bring their produce from the fields to the towns, which are the business centres, in their own carts, and they have to pay heavy tolls. In those cases where the taluka is very big, the agriculturists have to pay two or three tolls before they can get the produce to the town. Therefore, the tolls do work hardship on the agriculturists. Again, in a district like Panch Mahals, where the cattle are of poor breed, they have to take their produce in carts yoked by many pairs of bullocks and thus they have to pay higher toll charges. It is necessary, therefore, that this obnoxious tax should be done away with as early as possible.

I would like, Sir, to be enlightened on certain points so far as the tolls are concerned. I want to know whether it is the policy of Government to levy tolls only on pucca metalled roads or it is their policy to levy tolls also on kutcha roads in which only mere earthwork has been done and no metal has been put for years together. To put tolls on these roads will be like putting tolls on cart tracks.

The other difficulty I have to put before the House is this. In certain municipalities, the provincial roads pass through the municipal area, and the municipalities place tolls on those provincial roads. I wish to know whether it is allowable for the municipalities to place tolls on those provincial roads. The Municipality has not to spend a pie on the road; the road is maintained from the funds of the Public Works Department; and yet the municipality levies tolls. There are certain roads in my district which pass through towns. The Public Works Department road, linking one city to another, has to pass through some towns, and when cars and buses have to pass through those towns they have to pay municipal tolls. Therefore, I would like to know whether by the mere fact that the provincial roads pass through their towns the municipalities are entitled to levy tolls on cars and buses passing through those roads.

The Honourable Khan Bahadur D. B. COOPER: Orders have already been issued to municipalities not to charge tolls on provincial roads passing through the municipal limits.

Mr. M. H. MEHTA: The third point I would like to place before the House is about the Indian States. Many cars and buses come to business centres in British India from the Indian States, passing through our provincial roads. At present, they have to pay tolls on our provincial roads. But if tolls are abolished, what will be the position? At present the States give monopolies for the plying of buses and cars within their areas. These monopolists will be allowed to use our roads, now for the payment of one or two tolls, but in future for no payment at all. But people living in British India are not allowed to ply cars and buses in State territories. The State monopolists earn a good deal of money

[Mr. M. H. Mehta]

and they charge the public very heavy fares. I will give one instance in Kaira District. There is a road between Shevali and Balasinor. It is a road of ten miles, nine miles of which is maintained by the Bombay Public Works Department, and only one mile by the Balasinor State. The Balasinor State gives a monopoly for the plying of cars and buses in the road within its limit and takes nearly Rs. 6,000 a year for it, while the British Government gets nothing. The monopolist is allowed to ply free in nine miles of British road, but people in British India who have got British licenses are not allowed to go even that one mile in Balasinor territory, because no licence is issued to them by that State. I think there ought to be some reciprocity in the future. If the licence holders of British India are not allowed to ply in the State territories, why should the licence holders of States be allowed to ply in the British territory ?

There is one other thing. If, Sir, tolls on local board roads are abolished as suggested by some honourable members, it will work great hardship on poor district local boards, because in the district local board areas feeder roads are constructed, and it is very difficult for poor district local boards to maintain those feeder roads from the poor grant that they receive from Government. It will therefore be a great hardship to them if the tolls are abolished without giving them some special grants.

Saying this, I support the cut.

Mr. R. R. BAKHALE : Sir, I move the closure.

Mr. PESTANSHAH N. VAKIL : Sir, I am not going to make a speech. At the rate at which we are going it is in the highest degree improbable that we shall ever reach " 5, Land Revenue ". I understood my friends to say that they were keen to discuss that subject, and the Honourable the Revenue and Finance Member agreed to give a certain day——

An Honourable MEMBER : Two days.

Mr. PESTANSHAH N. VAKIL : May I know which day he will give us ?

The Honourable Sir GHULAM HUSSAIN : One day. We are entirely in the hands of the Council. If they do not go on speedily, it is their own fault. I promised that I would give them one day. If they want it this week, I can give it to them.

Mr. PESTANSHAH N. VAKIL : The first cut relating to that demand is numbered " 309 ". Do you think we shall ever reach it ?

The Honourable Sir GHULAM HUSSAIN : It is not the fault of Government, if honourable members exhaust all the 12 days on other demands.

Mr. PESTANSHAH N. VAKIL : Which is the day that you will be pleased to assign ?

Sardar Rao Bahadur B. R. NAIK : Sir, we are allowed two days for discussing each grant. Therefore, we want two days for Land Revenue.

The Honourable Sir GHULAM HUSSAIN: We will give them next Wednesday for that purpose.

2-30 p.m.

Sardar Rao Bahadur B. R. NAIK: Again I respectfully submit that if at all Land Revenue is allowed to be discussed, two days should be given. The understanding, as far as we remember was that the Honourable the Leader of the House would allow this House to discuss Land Revenue, and if Land Revenue is allowed to be discussed, two days should be given.

The Honourable Sir GHULAM HUSSAIN: "A day". Those were the words I used.

The Honourable the PRESIDENT: There is a difficulty which the Honourable the Revenue Member may help the House to solve. According to law, the discussion under each main head can go on for not more than two days. Now, when Land Revenue comes under discussion, it must be understood——

The Honourable Sir GHULAM HUSSAIN: Not at all; if they do not utilise their time properly, it is their fault. Let them finish all the other items, and then they can have two days for Land Revenue. They cannot have it both ways. They cannot indulge in long discussions on every item and still have two days for Land Revenue.

The Honourable the PRESIDENT: It becomes a point of procedure and the law applying to it.

The Honourable Sir GHULAM HUSSAIN: Even in the previous years, Sir, when they asked for it, they were given a day. In my speech also, I said that it would be "a day". You, Sir, asked me whether we would allow two days, but I said "a day".

The Honourable the PRESIDENT: The point is this: "Not more than two days shall be allotted by the Governor for the discussion of any one demand". The question is whether the usual course would apply to this demand or not. That is all.

The Honourable Sir GHULAM HUSSAIN: If they finish the other demands, then they can have two days. We will be only too happy to let them have those days.

Mr. PESTANSHAH N. VAKIL: Is not Wednesday the last day for demands?

The Honourable Sir GHULAM HUSSAIN: I will give you Tuesday, if you like.

Sardar Rao Bahadur B. R. NAIK: My submission is that the Honourable the Leader of the House is not giving this one day as a day of grace. It is a day out of the 12 days allotted for the discussion of demands. Therefore, I think we are entitled under the rules to ask for two days for Land Revenue.

The Honourable Sir GHULAM HUSSAIN: If they want two days, let them finish the other demands.

Honourable MEMBERS: What is the suggestion?

The Honourable the PRESIDENT: The Honourable the Leader of the House says that if the House is willing to take up Land Revenue on the last two days, he will allow them to discuss Land Revenue for two days, but if they wish to have those two days somewhere before the 12 days are over, then he is not willing to accede to their request, but will only give one day. The alternative is to take up the last two days out of the 12 days allotted.

The Honourable Sir GHULAM HUSSAIN: I may make it clear that they must finish the other demands. Otherwise they might want more time to discuss those demands.

Rao Bahadur G. V. PRADHAN: That is not a concession. If we finish all other demands within ten days, then automatically we get as of right the last two days for the discussion of Land Revenue. There is no concession in that.

The Honourable Sir GHULAM HUSSAIN: I am prepared to give Tuesday and Wednesday, provided they finish the other demands.

Sardar Rao Bahadur B. R. NAIK: Why should Government be so anxious that we should finish the other demands before we take up Land Revenue?

The Honourable Sir GHULAM HUSSAIN: Because we have other business to attend to.

Sardar Rao Bahadur B. R. NAIK: I do not know what difference it makes to Government. If one day is curtailed in the case of Land Revenue, then we will discuss something else. If one more day is given for Land Revenue, we will discuss Land Revenue. So, where is the difference?

The Honourable Sir GHULAM HUSSAIN: There is a clear understanding in that case that you finish the other work and take Tuesday and Wednesday for Land Revenue.

Mr. L. R. GOKHALE: I do not quite understand the position. We are to have Land Revenue as the last item during this session. I take it that when we begin, we can go on with it for two days—on the 11th and 12th day. So those two days may be left for the discussion of Land Revenue. Up to the 10th day we can go on discussing as many demands as we possibly can. As long as we can have the 11th and 12th day reserved for Land Revenue, we can go on with as many demands as we like up to the 10th day. If we finish Land Revenue in one day, we can utilise the remaining day for the remaining demands, if any.

The Honourable Sir GHULAM HUSSAIN: They have 10 days. Let them finish all their demands.

Mr. PESTANSHAH N. VAKIL: If we can do so, so much the better for us.

The Honourable the PRESIDENT: What the honourable member Mr. Gokhale says is this. The House will be going on with the cuts for 10 days, and on the 10th day, they stop. They are not entitled to go on with the further motions. Then on the 11th day the Honourable

[The President]

the Revenue Member will give them an opportunity to begin discussion on Land Revenue. If they finish the discussion in one day, then on the 12th day, the remaining motions will be taken up.

The Honourable Sir GHULAM HUSSAIN: We have no objection to that course.

Mr. R. R. BAKHALE: Sir, I move the closure.

The Honourable the PRESIDENT: I accept it. The honourable the mover.

Mr. J. B. GREAVES (Bombay Chamber of Commerce): Sir, in replying to this debate, first of all I must make it clear to the House that we made no proposal for the abolition of tolls this year. We quite clearly realise that to do so at this juncture would imperil the finances of the province to an extent that they cannot stand. Further, we realise that tolls on short feeder roads are necessary in order to pay for the upkeep or the building of such roads. Again, we do not think there is much objection to tolls on roads which run parallel to railways. Our objection is to tolls on roads which are the only means of serving important agricultural districts.

Having made these points clear, I will now deal with what we did suggest. My honourable friend the Secretary, Public Works Department, said that it was not possible for Government to run three tolls on the class of road that I have indicated, because it would be difficult for Government to open all the packages of merchandise on bullock carts and ascertain which of the packages contained agricultural produce. Agricultural produce, Sir, is not wrapped up in packages, and it is perfectly easy to ascertain whether a cart is carrying *kapas* or grain or firewood. Those are the problems in which this House is interested, so far as this question of tolls is concerned.

Further, with regard to the pack animals, it is perfectly easy to see what is being carried on the backs of pack animals. If the contents are not immediately obvious, they can say that they contain "non-agricultural produce."

The next point I suggested was about an estimate being made of the number of agriculturists who travel on buses on such roads and the amount of tolls collected by the toll contractors from such buses. This, I admit, would be difficult, but if the total amount collected from buses on the class of road I have in mind, is tabled before this House, I think the House will agree that 90 per cent. of the passengers are in fact agriculturists.

Having dealt with these points, to make it clear to the House that what we are concerned with is the agriculturist, I will deal with the remarks of several of my honourable friends who asked what was the object of the Chamber in raising this point. Our object is the same as that which induced us to raise the question of the cotton cess—anything that checks the free transport of agricultural produce in this presidency is a direct bar to the prosperity of the province. The prosperity of this presidency depends on the agriculturist, the prosperity of the

[Mr. J. B. Greaves]

industrialists depends on the agriculturist, the prosperity of the merchants depends on the agriculturist.

There are two other small points which I made, one of which has been dealt with by Government and that was that I suggested that all tolls situated within ten miles of each other should be rearranged so that they were in future more than ten miles apart. I trust that Government will give this their very careful consideration and see that this is in fact done.

I see, Sir, this morning that a toll has been auctioned in North Salsette which is less than three miles from the tolls situated on the Ghodbunder Road. An agriculturist in the North Salsette villages of Gorai and Bhaynder who wishes to bring his produce to Borivli has to pass through these two tolls. I mention this to give an indication that this point will require very careful attention.

My last point does not concern the Chamber, but it concerns humanity in general and it is, that I wish Government to refuse to inflict tolls on pack animals. The Kankarias carry their wood down to the coast to exchange it for fish. The effect of putting tolls on pack animals is to turn their women into pack animals. My honourable friend the Secretary, Public Works Department, replied stating that tolls have been abolished on unladen pack animals. The practice is to levy a toll on a laden pack animal and this means that old women have to perform this work. That is no concern of the Chamber but it concerns us as human beings and it is a point which should find sympathy in this House.

With these words, I resume my seat.

The Honourable Khan Bahadur D. B. COOPER: Sir, I am very pleased to hear the last speaker, the mover of this motion. I thought in the beginning that he was entirely against the policy of the establishment of the tolls which have been established in this presidency during the past 70 years or so. The tolls are imposed in this presidency from the year 1875. Up till now, that is, till the time they were reimposed during the last two or three years, there were no severe complaints or practically no complaints about these tolls on the provincial roads. The people in this presidency always considered that tolls were necessary for the maintenance of the roads and Government were legitimately entitled to collect them. When the finances of this presidency were good, Government themselves came forward—the Honourable the Leader of the House was at that time the Minister in charge of Local Self-Government and he himself came forward in order that he might help the real needy agriculturist of this presidency and abolished several tolls on the provincial roads. He went still further and compensated the district local boards for having tolls on their roads also abolished, but the present financial position of Government is such that it is absolutely necessary for Government to levy tolls on their roads just as the local bodies think that it is necessary for them to levy tolls on their roads to make good their finances.

I have heard nearly 15 to 20 speakers since yesterday and I find that the principle of levying tolls has not been objected to by anybody except

[Khan Bahadur D. B. Cooper]

my honourable friend Mr. Petit. The principle is accepted, but there are certain grievances which the honourable members have tried to make out and there is some meaning in some of the grievances which they have made out and I may assure them that the Government are paying full consideration to the hardship that is experienced in certain matters.

Having dealt with the principle of the levy of tolls, I will now deal with certain grievances which have been made by certain honourable members. First of all, I will deal with the question which has been dealt with by my honourable friend Mr. Gazdar who said that Sind is very badly treated and sufficient provision is not made in the budget for repair works of the roads in Sind. The Civil Estimates under 41 deal with roads, but I may bring to the notice of the honourable member that over and above the provision which is made in the Civil Estimates, under 47-E, there is a separate provision of 4 lakhs made for Sind. This is under Miscellaneous Reserved, Petty Establishments, page 292. W.B. This is the amount for "Guarantee to the Railway Board against loss in working Sind Left Bank Feeder Railways, 4 *lakhs annually*." Sir, no other part of the presidency is given this concession. I do not see why Sind should make a grievance. [*An Honourable Member*: "That is with regard to railways."] But a railway, Sir, is a means of communication. It is not possible to have roads like the Bombay-Agra Road in Sind.

Sir, his another grievance is that Sind is not fairly treated as far as the petrol tax is concerned. I am now coming to that. The following works in Sind have been or are being financed from the petrol tax fund receipts during its existence. There have been 7 works which have already been completed or are in progress or will shortly be completed, the total value of which works cost Government, Rs. 17,32,000.

An Honourable MEMBER: In how many years?

The Honourable Khan Bahadur D. B. COOPER: During the period during which the petrol tax has been in existence i.e., for four years past, I think. In addition to the above, a sum of Rs. 4,00,000 will be spent as soon as the loan of Rs. 16,00,000 taken from the petrol tax fund during the year 1931-32 for repairs to ordinary communications is repaid. The total share for Sind will thus amount to Rs. 21,32,000 or a little more than one-fourth of the total receipts, about 80 lakhs expected from the petrol tax fund during its existing period. Thus Sind is already getting a fair share, the remaining amount being utilised in each of the three other Commissioners' Divisions namely, the Northern Division, the Central Division and the Southern Division. On the understanding that the petrol tax period will be extended beyond its present period, a provision of Rs. 1,98,000 has been made for 1934-35 for the following works in Sind.

An Honourable MEMBER: What is the total figure?

The Honourable Khan Bahadur D. B. COOPER: It is Rs. 3,60,000.

The provision of funds for a budget year depends upon the capacity of the officers to spend during that year. It will be seen that even for

[Khan Bahadur D. B. Cooper]

the future Sind has been well treated in the matter of allotment from the petrol tax fund.

The total amount received to end of 1932-33 from the petrol tax fund is Rs. 58,07,000, against which an expenditure of Rs. 46,89,000 has been incurred during that period, as I shall just indicate. Presidency proper, 19,74,000; Sind, Rs. 11,15,000. The amount diverted to repair during 1931-32 in the Presidency proper amounted to Rs. 16,00,000; thus making a total of Rs. 46,89,000. No amount is earmarked for Sind or for any Division in the Presidency proper. Allotments are made according to requirements and fairness of distribution.

One important point to be noted is that the term "road development account" means the petrol tax fund and nothing else. That is the phraseology used by the Government of India. The amount of Rs. 50,000 proposed for 1934-35 for repairs and road development, on which this cut is moved, is intended for repairs to such of the provincial roads as have been constructed or improved from the petrol tax fund. The tolls are levied on roads in the Presidency proper, for repairs of which the major portion of the above provision of Rs. 50,000 has been made.

Now, Sir, as regards the question of borrowing money from the Government of India for development of roads, a resolution was passed at the Road-Rail Conference held in April last, and is engaging the attention of the Provincial as well as the Central Government.

As regards giving money to district local boards from the petrol tax fund, which was suggested by my honourable friend Mr. Chikodi, who is one of the members of the Road Board, it should be noted that the existing rules do not permit of such a course, which, I think, he is fully aware of.

Mr. P. R. CHIKODI: I was not aware of it.

The Honourable Khan Bahadur D. B. COOPER: Now, with reference to the suggestion that animals should be exempted from the payment of tolls, it may be stated that ever since the imposition of tolls, from 1875, animals have always been charged; even sheep, goat, ass, mule, donkey, or whatever other animal it may be, they have been all charged, and there has never been a grievance brought forward by any Chamber of Commerce or by the Millowners' Association or any other Association, for exempting these cattle and animals. But this much may be said to the credit of Government that although up till now all these animals were being charged, now as per uniform schedule of rates recently approved by Government, which is to be given effect to at the auctioning of tolls for the financial year 1934-35, the buffalo, bullock, horse, pony, mule (pack or ridden), laden, are to be charged tolls at half an anna per animal. I am not sure whether originally the charge was half an anna or one anna, but as far as my memory goes, it was one anna, and it is proposed to reduce the charge to half an anna. Similarly, all cows, buffaloes, sheep and goats are exempted from payment from the year 1934-35. In the schedule of animals, only elephants and camels, which

[Khan Bahadur D. B. Cooper.]

have been mentioned in the original schedule, are still retained, because there is a certain amount of destruction caused to the roadside trees by these animals, and in view of that there will be the toll tax on these two kinds of animals. But of course, these two animals are now out of sight in the Presidency on the provincial roads.

Mr. PESTANSHAH N. VAKIL: Unpacked camels and elephants are to be charged?

The Honourable Khan Bahadur D. B. COOPER: Camels, packed or unpacked, 2 annas.

Similarly, sheep, goat, pig or other animals not specified in the schedule of uniform rates are to be exempt from tolls. In the case of sheep, goat or pig driven in flocks or herds, it has been decided to levy a toll of half an anna per every 5 animals on the Sykes Bridge only and at other places they are to be exempted.

Regarding the suggestion to exempt agriculturists from the payment of tolls, it may be stated that they are exempted as will be seen from the following exemption printed in the toll lease form.

Mr. J. B. GREAVES: What are the charges for donkeys packed?

The Honourable Khan Bahadur D. B. COOPER: When laden half an anna. That was the charge, but they have been eliminated from the schedule for 1934-35. [*Interruption.*]

The Honourable the PRESIDENT: Order, order.

The Honourable Khan Bahadur D. B. COOPER: To come to the exemptions for agriculturists in the case of cultivators, wood-cutters, grass-cutters and the like, who have daily or constantly to pass the toll on their way to their occupation, the precise term of exemption is left to the discretion of the Collector. Cultivators' carts, carrying manure from their fields and the produce of their fields from their fields and their agricultural implements are exempted from payment of toll. Sir, this is the schedule which has been in existence from the time of the imposition of tolls.

An Honourable MEMBER: What about marketing?

The Honourable Khan Bahadur D. B. COOPER: That becomes a commercial concern, and they must pay the tolls.

As regards the suggestion that if tolls are to be abolished, the district local boards should be reimbursed, it may be stated that this was the idea in view when certain proposals were framed for the levy of a tax on vehicles by abolishing tolls on provincial roads and district local board roads, and also by abolishing all other forms of provincial and local taxation. They were discussed at a conference held by Government on the 4th October 1933. The view of the district local boards was that the tolls should remain as they are and that their powers in the matter should not be interfered with by Government. Government therefore propose to leave out the district local boards, and they are considering the question of levying a tax on motor vehicles on provincial roads only in lieu of tolls.

[Khan Bahadur D. B. Cooper]

As regards the complaint that there are too many toll nakas on roads, it may be stated that Government are already considering the question as to what old tolls would have to be abolished if tolls were established, so far as is possible at distances apart of not less than 10 miles and not greater than 15 miles on all provincial roads. Orders have already been recently issued to all Commissioners and Collectors in the Presidency proper to take steps to ensure that in no case is a sub-toll bar allowed to operate within 10 miles of any toll bar other than that with which it is connected, and that tolls should in no case be charged on the same vehicle at a toll and again at a sub-toll within 10 miles of each other. These officers have also been informed that, since it is virtually impossible for a motor vehicle to avoid a toll bar by taking a detour off the road, there is no justification for any charge to be levied on motor vehicles at sub or check tolls, and that they should be exempted from such charge.

Now, there is one point which I want to make clear to my honourable friend the mover of this cut. He seems to be very keen to know as to what is the commodity conveyed across the toll nakas by the bullock carts and pack animals. As far as I know, I may inform him that the toll contractors are required to write daily accounts, and in writing up their daily accounts they have got to give the details of the number of animals that pass the naka, the number of carts which pass the naka, and as far as my personal information goes, I think they are required to write, if the carts were full, the contents of, or the commodity conveyed by, the cart.

Mr. J. B. GREAVES: Would Government be prepared to table this information?

The Honourable Khan Bahadur D. B. COOPER: I will see what I can do to help to supply that information.

However, in view of the fact that the honourable member is not personally against the imposition of the tolls, I hope that he will withdraw the motion that he has moved.

Mr. J. B. GREAVES: Sir, I ask for leave of the House to withdraw my motion.

3 p.m.

Motion, by leave, withdrawn.

Rao Saheb P. D. KULKARNI (Poona District): Sir, I beg to move:

"Reduce by Rs. 100—Deccan Irrigation Circle—Total Voted Demand—Rs. 6,46,500."

Sir, again I have to narrate a tale of woe and suffering of an oppressed class from my district, particularly those from the irrigated area. Certainly, if the facilities that are afforded cannot be taken advantage of, it must be said that it is a tyranny of fate. There is the Lloyd Dam at Bhatghar holding 24,000 millions of cubic feet of water, the highest masonry dam in the world, at our disposal. There is no want of money even for investment on the crops. There is the Provincial Co-operative Credit Bank, which is providing the necessary funds to the irrigators. In addition to that, for the service of the irrigators there is the Revenue Commissioner, the Deputy Director of Agriculture and other closely

[Rao Saheb P. D. Kulkarni]

connected officers of the Government. In spite of all this retinue of officers the irrigator's fate is seen to have been doomed. Approximately there is the debt on the lands of about 35 to 40 lakhs of rupees in that part of the Taluka. Their lands are mortgaged and most of them have passed into the hands of the banks or the sowcars or the co-operative societies. That is the fate. Taking into consideration all the circumstances I am reminded of a Sanskrit verse, which says :—

"इन्दिरा भगिनी यस्य भगवान् भगिनीपतिः ।
इन्दुर्बन्धुः पिता सिन्धुः शङ्खस्तत्राऽपि भिक्षुकः ॥"

which means :—

"The Goddess of Wealth is his sister and God of Fortune is his brother-in-law, the moon is his brother and this ocean—the precious store of many valuables—is his father, yet the poor conchshell is to live the life of a beggar!"

In spite of the fact that they have all these strong resources at their disposal, the irrigators are to beg and live from hand to mouth, their lands passing into other hands, such as societies, banks and so on. That is the tale of woe and tyranny. Why is this? The angle of vision is different, and want of sympathy is one of the chief reasons. There is no co-operation between the Agricultural Department and the Irrigation Department; there is somewhat difference of opinion between the revenue authorities and the irrigation authorities. All that has resulted in adding to the trouble of the irrigators. The high-handed policy, the disregard to the grievances of the irrigators, the enforcement of *pot pat* seedling rules, bunding rules, the block system rules, the water charges and the insistence of taking water during the rainy season and winter season during the time of nights when there is no scarcity of water in Bhatgar Dam and the tanks is all the outcome of want of sympathy of the Government servants towards the irrigators. I may point out one instance of high-handedness in regard to the recovery of the *pot pat* seedling penalty. They have taken the whole land on lease and if any inch of land remains uncultivated, they have to pay a fine in a way.

There is another unjustifiable thing done to augment the revenue of Government. The measurement of the blocks is always made now and then for the convenience of the Government officials and the poor irrigators are charged for that revision.

Another thing which I have already stated is this. They have to toil the whole day in their fields. When their turn comes to take water during nights, they have to face the difficulty and even though they do not get sufficient water they have to pay the charges. If there is any wastage of water on account of the unintentional waste due to the darkness of the night, the poor irrigator is to suffer for the fault of the darkness and to pay for the loss. This is the sympathetic treatment given to the irrigators! There are innumerable hundreds of difficulties and I do not wish to occupy the time of the House in narrating them.

[Rao Saheb P. D. Kulkarni]

Though these grievances are placed before Government they are not properly heard. They always show dilatoriness in the disposal of cases placed before them. This increases the difficulties of the irrigators. To get over this difficulty of dilatoriness, the Royal Commission on Agriculture recommended an advisory committee for ventilating the grievances of the irrigators. That recommendation was made in 1928. I will quote a few lines from the abridged report of the Commission.

"In order that the cultivators for the furtherance of whose interests the Irrigation Department exists, should have a more direct avenue of approach to the responsible officers of the department and to Government, we would suggest the creation in those provinces in which irrigation is of importance, of an organisation on the analogy of the local railway advisory committees composed of representatives of the Irrigation, Revenue and Agricultural Departments with a majority of non-official members who should, if possible, be cultivators. The main duty of this advisory committee would be to deal with complaints from cultivators or associations of cultivators in regard to irrigation matters."

This recommendation was made in 1928. For over two years Government enjoyed sound sleep. On repeated requests and resolutions of the Irrigators' Conference Government accepted the recommendation in 1931 and issued rules about the formation of the Committee. Then after 12 months, in 1932 nominations came in. After another 12 months, there was no meeting. Actually one of the members asked for a meeting. As if there was no grievance, he was told that there was no work for the meeting, even if it was convened. If there is no justice there will be no grievance and there will be no use even in convening hundreds of such meetings. The fate of the irrigator is sealed by these dilatory methods. I am not describing the discontent of the irrigators out of my imagination. There is a strong documentary evidence to show that the grievances are real and it is an admitted fact published in the Government reports. I am describing them as they are there. Here is the honourable member Mr. Kamat. In his Report of the Deccan Canals Financial Improvement Committee, 1932, it is given in the following clear words :—

"Wherever we have gone we have heard from the Bagayatdars long tales of woe: for good or bad reasons they are thoroughly discontented. In these days of democratic advance it is not possible to expect any good result without their contentment and good will. Thus even at the sacrifice of efficiency and stringent administrative control it is worth buying up their contentment."

I shall quote another passage from the same report to show that I am not graphically describing their tale of woe from my imagination. On page 60, it is said :—

"Complaints were made by practically every cultivator who was interviewed that the water charges are excessive and should be reduced and that the irrigation rules, particularly those in connection with the block system and bunding, are too complicated and irksome. It was outside the purpose of my inquiry to go into the merits and demerits of these assertions. But in view of the unanimity with which the complaints were made by almost all the cultivators interviewed, attention is being drawn to them here."

Still orders were issued that the rate of water to sugarcane should be increased to Rs. 65, but it was not enforced because it could not be enforced. The rate is Rs. 45 at present. When the rate of gul was Rs. 8 or Rs. 9 some 10 or 28 years ago, the water rate was Rs. 25. Now, though the price of gul has come to that of 1905 the same charges of

[Rao Saheb P. D. Kulkarni]

water have been trebled. How is it possible for the cultivator to get any profit and how is it possible for Government to get increased revenue if that is the nature of the treatment given to the irrigators? It is not even possible for the irrigator to defray the water charges out of their profits. Under these circumstances, I think the grievances of the irrigators must be considered by Government in a sympathetic way. There is no use in shutting our mouths by specious arguments by the other side. The revenue is decreasing day by day. There is not one per cent. income by way of interest. The agriculturists are for the said reasons quite discontented. Ten crores of rupees are going to dogs. Why? Because of the unsympathetic treatment given by Government and the consequent discontent of the irrigators. Sir, no facilities at all are given to the cultivators. If their grievances were redressed and if all due facilities were given to them, the irrigators would take advantage and the protective works would not be destructive works but real protective works. There are so many assurances given but the assurances were never kept up. Here they are published on record in black and white. Oppressive methods were used in the recovery of the dues. The Honourable the Home Member passed the order and it was kept by the Commissioner with him or might have been sent to the Collector; but before it reached the prant officer and the mamlatdar most of the revenue had been recovered. There were many complaints about the coercive measures used in recovery in spite of the orders to the contrary by the Government. What is the use of these facilities given with much liberality, if in practice they cannot be used? The people are making complaints and protests, and I have to ask questions in the Council. But no real remedy is forthcoming. That is why there is decrease in the revenue, and there is loss both to Government and to the irrigators. It is in order to ventilate these grievances that I am placing this motion before the House for their due consideration.

Question proposed.

Rao Bahadur N. E. NAVLE (Ahmednagar District): Sir, I too join in the ventilation of the grievances of the Deccan irrigators which my honourable friend Rao Saheb Kulkarni has just narrated before the House in his own graphic manner. The most important of these grievances is the high water rate which is being charged, Rs. 45 per acre for sugarcane and other rates for other crops. I must say, Sir, that the rate of Rs. 45 per acre is really a hardship as far as sugarcane plantation is concerned. When *gul* is selling in the market at a rate of Rs. 10 or Rs. 11, is it possible,—I seriously ask Government—is it possible for the irrigator to manage his cultivation economically if he has to pay such a high rate as Rs. 45 per acre? Lakhs of rupees have been invested by the Saswad Malis in the Deccan irrigation canals, everybody knows it, and Government know it only too well, and it is now impossible for them even to meet their expenses. They have waited in deputation several times on the Member in charge of Irrigation and they have put before him practical facts and figures in order to support their schedule of grievances, but to no purpose as far as the reduction of the present

[Rao Bahadur N. E. Navle]

rate of Rs. 45 per acre is concerned. Then, Sir, they have held in the last two or three years several conferences, in Poona, Baramati and other places, to no purpose. I find, Sir, that several members have tabled a resolution for the adoption of a sliding scale of rates for sugarcane from the year 1930-31. My honourable friend Rao Bahadur Asavale is one of them. I do not think that we shall reach Rao Bahadur Asavale's resolution during this session. It will be really unfortunate if we are not able to reach that resolution. Therefore, Sir, the only opportunity that is left to the members of this House to ventilate grievances about irrigation matters is this. Therefore, Sir, I do request Government to consider seriously this proposition. One of Government's arguments against the reduction of the water rate is that if the rate is reduced, sugarcane plantation will increase in the Deccan and prices of *gul* will go down further. If there is increased plantation of sugarcane, no doubt the price of *gul* will go down in the market. Everybody will have to admit that. But then what is the remedy? The Saswad Mali is the person who enabled Government to run their Deccan canals successfully. Government know that. He is the person who has bought the water of the Deccan canals. If he is driven out of this profession, namely sugarcane plantation, then he will naturally take to other business. And I do not think that the ordinary Maratha cultivator under the Deccan canal areas will be as enterprising as the Saswad Mali in the matter of plantation of sugarcane. It is the Saswad Malis who have set an example to the rest of the cultivators and proved that sugarcane and other cultivation can be successfully carried on in the Deccan canal area. If these expert agriculturists were once driven out of their profession—purchasing canal water and irrigating lands to grow sugarcane—then I do not think there will be other enterprising agriculturists like them to come forward and take water from the Deccan canals and plant sugarcane or any other crop. Sir, this is a very serious question. Government's attention has been directed to this matter, but the grievances have remained unredressed.

They have also been bitterly complaining from time to time that Government's rules are creating unnecessary difficulties in the way of irrigators. There are various complicated rules which are creating real difficulties in the way of the irrigators. I am not going to enter into the details of all of them. I will mention only the bund rules. One argument that Government is using against the relaxation of the rules is that the lands will get waterlogged and the owners of the lands will be put to loss and not the Saswad Mali who is after all a lessee for six or seven years and will go, after that period is over, to some new area with a virgin soil. That is the argument used from time to time on the side of Government. But I say that the owners know their interests. If the land is in danger of getting waterlogged, the owner will know that, and he will take care to construct drainage or take some other measure to avoid the danger. The owners and Saswad Malis are making a joint protest against the bund rules, and I think Government should be sympathetic enough to see that the bund rules are either amended or altogether abolished.

[Rao Bahadur N. E. Navle]

After all, the canals are for the agriculturists. Of course, Government must get a fair return for the large amount of ten crores of rupees that they have spent over these canals. I know the return is very meagre at present. But Government must remember that the Deccan canals are a famine protective measure, there must be sympathetic treatment meted out to the agriculturists if they can show that the rules create serious difficulties in their way. I think, Sir, that they deserve sympathetic treatment at the hands of Government. The bund rules must be amended or abolished. The present water rate of Rs. 45 per acre when *gul* is being sold at Rs. 10 or Rs. 11 per palla is too high, and I think they deserve some sympathetic treatment for which they are praying. The sliding scale for water rate seems to be appropriate remedy. The water rate must be adjustable to the price of *gul* in the market. I hope Government would give their serious attention to this matter. With these words, I support the cut.

Mr. W. W. SMART: Sir, we have heard from the mover of this motion that owing to the reduction in the price of *gul* the cultivator of sugarcane is now unable to pay the water rate which is at present imposed. The present water rate is Rs. 45 per acre, plus some other charges which bring it to Rs. 57-8-0. It is not correct that Government have not met the cultivator in any way, as is alleged by the speakers. A conference was held in the last rains, at which I was chairman, and a very great concession has been given to sugarcane growers. They used to have to pay this Rs. 57-8-0 per acre for growing cane for 12 months and for any month above 12 months for which the cane remained in the ground they had to pay a rate of Rs. 15 per acre. What they call the main crop cane is planted about February one year and it is generally in the ground till the end of March in the following year, and it was necessary for them to pay in addition to the Rs. 57-8-0 generally on the average another Rs. 30. Growers of what they call *adsali* cane, which is planted in June and is in the ground for 18 months, had to pay Rs. 90 extra, at the rate of Rs. 15 a month for six months. A concession has been given to *adsali* cane growers by which that Rs. 90 is now being remitted; they have not to pay it. That is a concession which is a very real concession and it is estimated to cost Government a very large sum of money.

3 p.m.

Everyone knows in this House that the Deccan canals imposed a very large capital cost on Government, and that owing to the backwardness of the Deccan cultivators in taking water from those canals the general taxpayer is mulcted. The honourable member Rao Bahadur Navle referred to the Saswad Malis and he alleged that if the Saswad Mali was driven away from the canals by these high rates, it would be very difficult to replace him. Sir, I have had personal experience of the Saswad Mali; I was on special duty on the canals in the Deccan in the year 1914-15; and the damage which the Saswad Malis did to the land on the canals at that time was very extensive. They took up land from the occupant, which was quite unsuitable for cane, it was high land and the soil was shallow—and they put an enormous amount of water on to the soil. In addition to impoverishing the land which they

[Mr. W. W. Smart]

cultivated they endangered a large area of land surrounding it, because the water they put on the land percolated to the sub-soil and water-logged not the land of the occupant from whom the Saswad Malis had rented it but damaged the lands of other owners who were getting no benefit from the canal at all. And I may remind the members that when I was on those canals, the occupants of the Deccan had not lifted a finger or paid a pie towards those canals and yet they were getting as much as Rs. 60 rent per acre from those Saswad Malis. Government had spent enormous sums of money on those canals but got nothing from the occupant at all out of that Rs. 60 per acre.

Now, another point which I would like to refer to is the question of the fall in the price of *gul*. They say it fell to Rs. 8 per palla. It is perfectly true that it did fall to Rs. 8 for a few days—I do not think more than a month—but it rose to Rs. 12 and again to Rs. 15 and I believe it has again come down to Rs. 12½. But these rises and falls are by no means permanent, and on an average the rate will certainly be Rs. 12, if not more. And you have to take into consideration the fact that when the price of *gul* was Rs. 25, the cost of cultivation was Rs. 650 per acre. The cost of cultivation has now dropped to Rs. 400 per acre; and the drop in the cost of cultivation is exceedingly large compared with what the water-rate is.

Then, again, reference has been made by the mover of this motion to the complaints made to Government about the recovery of arrears. Well, I made enquiries into this question everywhere and I found that several irrigators had not paid the arrears for the last five or six years. It is all very well to say that the prices of *gul* have gone down now and people find it difficult to pay the arrears, but I ask the honourable members of this House, why did not the persons pay when the price of *gul* was about Rs. 20 or Rs. 25? I admit that it was largely due to the faulty system by which irrigation arrears were demanded and recovered in the past. I do not blame these defaulters altogether; it was largely the fault of Government who did not make them pay then, but they were certainly in a position to pay the arrears then. What have Government done now? They have made very valuable concessions. They issued orders that only one-third or one-fourth (as the Collector may decide) of the past arrears should be recovered in addition to the current dues. We are not recovering all the past arrears in one lump. We are giving three or four years to these defaulters,—many of whom are wilful defaulters,—to pay up their arrears.

The honourable member Rao Bahadur Navle referred to the bund rules and the trouble and expense which they involve and his argument was: what does it matter to the Government on what conditions the owner of the land rents it to the Saswad mali: the owner is the best judge to decide as to whether his land is going to be damaged or not, if no bund rules are applied to it. My personal experience since 1914-15 has been that it is not only the occupant or tenant in the land which is irrigated for sugarcane who suffers the damage, but the unfortunate people who have land round about on a lower level. These bund rules were laid

[Mr. W. W. Smart]

down by Government in order to protect these unfortunate people. We know perfectly well what is going on now. The Saswad mali round Kopergaon is leaving that part of the canals,—often going off and leaving the wretched occupant to pay his dues to Government,—and is starting cultivation again of other land with virgin soil and an unlimited supply of water on the Nira Right Bank Canal. The Saswad mali has no right to ask Government to revise or abolish the bund rules. He simply takes up a piece of land, makes all he can and in five or six years goes somewhere else and he does not care what happens to the land after he leaves it.

To sum up: first of all, Government have taken steps to give considerable relief in the recovery of arrears. Secondly, at a sacrifice of irrigation revenue, they have done away with the rule that cane kept in the ground for over 12 months should pay Rs. 15 per acre for every month exceeding 12 and they are also in the Nasik district giving very big reductions and remissions for the damage which has been done by frost.

Mr. C. M. LANE: Sir, the honourable member the Commissioner of the Central Division has dealt with most of the issues raised, and I have little more to add. Complaints have been made about the rules. As I said when a similar cut was moved last year, or the year before last, it was recognised that these rules had become somewhat complicated and some of them were difficult of interpretation. I gave an undertaking that their revision would be taken in hand and they would be simplified. The rules, the Deccan Canal Rules, have been completely revised and are now in process of being edited and will shortly be published.

One other point that I would like to make is that in connection with the water rate it has been stated that the rate of Rs. 45 per acre is harsh. Well, Sir, that rate of Rs. 45 per acre is only about 10 per cent. of the present cost of production of the crop and I may say that when that rate was fixed Government more or less assumed as a general rule, an outturn of 33 tons of cane per acre. I think probably most of the members on the other side of the House know that recently the Maharashtra Chamber of Commerce widely advertised a prize to the first cultivator who produces 100 tons per acre, and that is likely to be attained very soon. That man who is producing 100 tons per acre is only charged Rs. 45. The water rate cannot by any stretch of the imagination be described as harsh.

With regard to the eulogy of the Saswad mali, if I had not been preceded by the honourable member the Commissioner, I would have said exactly the same thing as the honourable member said. The Saswad mali is a very fine cultivator, but he is an adventurer. He takes all the good he can out of the soil and moves on and tries to find other virgin lands to cultivate somewhere else. He is not the type of cultivator that we welcome on our canals. I do not think there is any other point.

Mr. L. R. GOKHALE (Poona City): Sir, I have only one point to make with regard to this cut, particularly as regards the charges for irrigation. The question as to why the arrears were allowed to pile up is not of so much importance. Whether the Government was slack

[Mr. L. R. Gokhale]

in recovering the dues from year to year, or whether the people were not able to pay or whether they did not pay is rather beside the question.

At present jaggery is being sold at about Rs. 12 per palla. A cultivator requires more money to produce a palla of jaggery now. In the irrigated areas it is not possible to produce jaggery for less than Rs. 16 or Rs. 17 per palla. If that is so, how is the Government going to help the irrigators? That is the question. The rate of Rs. 45 per acre was fixed when the price of jaggery was about Rs. 25 per palla and more. Now that rate has gone down. In addition to the charges for current years, there are the arrears. How is the irrigator to meet them? That is what is wanted to be told by this House from the Irrigation authorities. There are two ways of doing it. One is to suspend the recoveries of the arrears as far as possible. Another is to give some remission. I do not think it is possible for the Government now to recover any of the arrears of the last five years *plus* the current charges this year. That is the condition of many of the irrigators' tenants. They do really say that they are not able to pay that high rate. If that is so, how is Government going to give relief to them? It will be seen that the misery of the cultivators in the bagayat districts of the Deccan is added to by the sugar tax which is proposed to be levied by the Finance Member of the Government of India. They started making sugarcane last year. They added the sugar pan in addition to their crushing mill and they have been making some money during the last 8 or 10 months. But now, if the sugar duty is imposed, it is certain that they will not be able to meet the charges and the sugar industry is sure to suffer.

Mr. W. W. SMART: May I interrupt the honourable member to say that the people he is referring to will not come under the Act because it is not a factory?

Mr. L. R. GOKHALE: Suppose there is one crushing mill with one pan for making sugar. If that is run by power and if the total number of hands engaged is more than 20, it is a factory and that sugar factory will be charged.

Mr. W. W. SMART: I have asked the Director of Agriculture as to whether any of these are likely to come under the Factory Act. He says it is extremely improbable that any of them will, possibly there may be one, but that is very doubtful.

Mr. L. R. GOKHALE: I am glad to have the information. I thought that if there are crushers using power and if to these crushers is added a pan for making sugar and if the total number of hands working in the two institutions is more than 20, then it will be a factory under the Factory Act. If the information of the Director is accurate, then it will materially help the irrigators. If there are two owners one owning the crushing plant and the other owning the sugar pan, then alone the duty can be illegal. Otherwise it will have to be paid, and instead of the man crushing sugarcane, the liabilities will crush the man. That is the difficulty.

[Mr. L. R. Gokhale]

Under these circumstances, I ask the Government whether they have considered the question if at all the sugar duty is likely to be applied to those people. The sliding scale was suggested for this very purpose, in order that the agriculturists might be able to pay the charges. The proposal was to have a sliding scale—sliding according to the yield of the fields. The arrears were to be paid by the tenants on the same scale. Suppose the price of jaggery rises in one year. The rates prevailing in the market in the Deccan have brought misery to the sugarcane producer and there will be extra production of cane for sugar making. People have already gone into that business having in view the sugar manufacture and they have planted extra sugarcane. The result will be there will be more jaggery available for the market and the rates will go down. Under these circumstances have the Government decided upon their policy of recovering arrears? No doubt the argument will be advanced that because the irrigator was slow in paying the arrears when he could, now the arrears will be collected from him by any means whatsoever. Sir, I do not want to go into the question of the misuse of the water. No doubt the quality of the land is materially decreased by the misuse of the water supplied to the irrigators, but have the irrigation authorities done anything to regulate the supply of water looking to the land and the necessity of particular places? When the time came, the man was allowed to have as much water as he liked, but the supply was not regulated, with the result that at times the whole field was full of water and the man could not even see the bunds or the division marks. There was so much water wasted. Did the irrigation authorities do anything to instruct the irrigators in the art of minimising the supply of water, in the art of economising its use? That really is the fault of both the parties. I know many of these landlords think that having as much water as they can get is going to benefit their lands. That is the general impression with these men. I do not know that the irrigation authorities have taken any steps to control that misuse of water and to prevent the lands getting water-logged. In many places the lands have become quite useless now due to this water-logging. Water-logging makes land saltish and whitish in colour and that land becomes useless not only for sugarcane crop but even for ordinary crops. That is the result of the misuse of water by the irrigation department. I bring this to the notice of this House. Is the irrigator to be allowed to leave the land and run away to other new areas on the Nira Canal or is he to be confined to the old areas and to be made to pay the arrears by a sliding scale? I thought the two officers most concerned would give us an idea as to this particular proposal having regard to the condition of the agriculturist, specially the bagayatdar agriculturist who plants sugarcane. It will be seen that there are other rates for other agriculturists, crops for eight months, crops for four months. For the four-monthly crop the rate is different, for the eight-monthly crop the rate is different and for sugarcane the rate is different. Sir, considering the present condition of the bazaar, even the rates for the four-monthly and perennial crops are rather high and ought in my humble opinion to be reduced. It is not only the sugarcane

[Mr. L. R. Gokhale]

bagayat crop that is to be protected but all these bagayat crops. I know the plantain cultivator and the fruit-cultivator are both suffering on account of the depression of prices in the Bombay market. The garden fruit-trade which at one time yielded Rs. 400 per acre now yields only Rs. 150. Such are the conditions of the market at the present time. How is that cultivator to pay the charges of the Irrigation Department? All these questions I hope will be very sympathetically considered when the Government enforces its rules about the arrears and also about the present rates of irrigation. With these remarks, I support the cut only to have an occasion for discussing the present difficulties of the agriculturists.

Rao Saheb P. D. KULKARNI (Poona District): Sir, it is told that Government do come to the help of the bagayatdars by reducing the scale of water charges. What is the use of these scales fixed on mathematical calculations? Government should come up to the expected mark up to which the bagayatdars can pay. They must come up to the paying capacity of the bagayatdars. Mere mathematical calculations are not going to be of any use and will not help Government to realise the revenue. It is further said that crores of rupees have been spent and something must be realised and that therefore in that proportion the water rates must be fixed. Sir, I hear two different voices here. One voice says that these are famine protective works and that therefore we should not expect any large revenue from these works, while on the other hand the other voice says that we must earn something by way of a return on the crores of rupees sunk in these irrigation works. Government's first consideration should I think be the welfare of the irrigators and the revenue to be derived from these works should be a secondary consideration with Government. They should look to the situation of the bagayatdars and the question of revenue must be a secondary matter with them. But what do we find? We find that the bagayatdar has, after meeting all Government dues, no *gul* left which he can sell in the market. The Sasvad Malis are really experts in their business and if you do not try to improve their condition, there will not be the revenue which you now get. They are driven by poverty to the other side not because of any other attraction but because of the economic depression and also because they are unsuccessful with Government. It is told that the rate of water has been lowered because the cost of cultivation has also decreased. This is true, but where is the money with the cultivator? For the last 12 years we have not been able to save a single pie on account of the depression. The wages are not coming down in proportion to the decrease in prices of the agricultural produce. We have to pay 8 annas to a coolie just as we paid 8 annas to him four years back. The labour charges cannot be saved. The honourable member the Revenue Commissioner of the Central Division mentioned the rates of *gul* increased to Rs. 14, 15 and so on. What is the use of this temporary increase? We have to spend so much in the same manner as we used to spend before but we do not realise the produce to that extent and

[Rao Saheb P. D. Kulkarni]

therefore it is no use telling us that the expenditure has somewhat come down and that therefore it should be easy for us to pay the irrigation revenue.

As regards the reply to what my honourable friend Rao Bahadur Navle said, I say there is considerable difference of opinion between theory and practice. From the experience of the Malis, from my own experience and from the experience of the honourable member Rao Bahadur Navle himself, I think I can safely say that there is always considerable difference in calculations based on theory and practice. The honourable member the Revenue Commissioner of the Central Division has explained theories and theories but I submit theories will be of no use. I am sure that, if after retirement from service he settles down as an irrigator in the Deccan and tries to grow sugarcane, he will know what the position of the irrigators is and if he does that, I am sure all the grievances of the irrigators will be soon wiped out. I hope my reply will be considered very sympathetically by the persons who wield power at present namely the representatives of the public in this House.

The Honourable Mr. R. D. BELL: Sir, the main charge made by the honourable mover and the other speakers has been that Government and the officers of the Irrigation Department have shown a lack of sympathy and understanding of the position of the bagayatdars, especially the cultivators of sugarcane. Now, Sir, there have been very special efforts made, as the honourable member Mr. Smart has said, in the last few years to get the point of view of the cultivators thoroughly understood and, as far as could be, embodied in the revised rules, and as the honourable member Mr. Lane has said, these rules are now ready for publication. I press the point that it is necessary to have rules. I noticed that in the discussion in connection with the fees for tobacco licences there was a demand from honourable members that the rules should be published and that the friendly way of the Excise Department in conducting the issue of these licences should be embodied in rules. Unquestionably, when the rules are published, they must be observed; it is no use having rules unless they are observed.

Sir, the honourable mover of the cut said that the cultivators were very harshly treated in the matter of water distribution. Anyone who is acquainted with the practical administration of water distribution knows what it means. The honourable member Mr. Gokhale grumbled that the Irrigation Department did not keep an observation officer at each outlet to see that the cultivator did not use too much water and thereby ruin his land. Ever since I came out to India, I have heard the sermon preached by the officers of the Irrigation Department to the cultivators, "Don't use too much water. It will ruin your land." But when the water is Government water the cultivator seems unable to resist the temptation of using just as much as he can possibly get. It is a very different thing, of course, when it is water from their own *pats*, then it goes very much further than when it is Government water.

[Mr. R. D. Bell]

This is all I have to say on the question of rules in meeting the objections of the cultivators to the practical difficulties that have been experienced in the past in putting these rules into operation. But, as regards the bund rules, I would add this that in the case of water-logging, prevention is certainly very much better than cure. We have had experience now, beginning with the water-logged lands on the Nira Left Bank Canal, which shows that once we allow lands to be water-logged, it becomes both a difficult and an expensive operation to restore them to their original condition. At least in Baramati, the responsibility for the water-logging lies chiefly at the door of the friends of the honourable member, the Deputy President, viz. the Saswad Malis. They were experienced cultivators of sugarcane in the Purandhar taluka, and when these canals were first opened, they, as enterprising men, went down to the new areas, took lands on long leases from the cultivators who were ignorant of sugarcane cultivation, made their money and left the lands ruined. The honourable member the Deputy President called for our sympathy and pity for the Saswad Malis. He said they had invested lakhs in sugarcane cultivation. Where did they get the lakhs to invest? First of all, by ruining the lands down in the Baramati direction. Later, with the opening of new canals in the Ahmednagar district, they, as enterprising men, went there. Therefore, warned by experience in the past, it is very necessary that these bund rules should be strictly observed and water-logging prevented, and not cured after the event.

There has been a reference made to the possibility of a sliding scale instead of a fixed rate for water supply. Now, Sir, if water were the only variable element in the cost of cultivation there might be something to be said for that, but we all know that water is a comparatively small element in the cost of cultivation and that all the other factors also vary. If a sliding scale were devised, it would inevitably happen, I think, that when the price of *gul* went up it would press inequitably on the cultivators, and that when the price of *gul* went down, we should soon be at a figure where Government will have to pay something to the cultivators for taking water under this arrangement.

The real difficulty of course at the present time is an economic one. There are large arrears of irrigation dues on all the major canals in the Deccan. As the honourable member Mr. Smart said, Government cannot free themselves entirely of responsibility for these arrears, because the arrangements between the Irrigation Department and the Revenue Department were certainly susceptible of improvement. Then again, when the slump first came in 1930 and the second slump in 1931, it was not possible for Government to press the cultivators for the immediate payment of their land revenue dues. Their cultivation had been incurred at the old figure of costs and the prices for their produce were at a lower level. But after taking all these facts into consideration, I should like to point out to the House that there is one class of sugarcane cultivators who deserve more sympathy than those who are in arrears, and they are those who, despite bad times, have paid their dues year after year and are not in arrears. We have cultivators in a few cases

[Mr. R. D. Bell]

who have actually paid no irrigation dues since 1925-26—a state of affairs which, I think, reflects as adversely on the administration as on the cultivators. But the time has come, when those who have no arrears are now asking Government "What are you going to do for us? We have paid our revenue dues year by year. Why should you now show sympathy for those who have not done so?" That is the reason why, so far as Government are concerned, every effort will be made to collect the arrears. They will give the cultivators time to pay up, as the honourable member Mr. Smart has explained, but every effort will be made to recover the arrears. Whatever concessions are given, will be given so that all will benefit, those who have paid as well as those who have not paid. That is the reason why the concessions which were announced this year took the form of a partial remission of current charges, so that all will benefit equally.

I think there are other parts of the presidency which would be only too glad to have the system of irrigation which the Deccan has, even though they are less liable to famine than the Deccan. We heard demands under the head "55" both from Gujarat and from the Southern Division that something should be done to bestow protective works on them. I think on the whole there can be no doubt that even in these hard times the canals in the Deccan are operating for the prosperity of the countryside. But as regards arrears I wish to make that point clear, that there is going to be no favouritism shown to those who have not paid in the past. All will be dealt with equally and with equal justice.

Rao Saheb P. D. KULKARNI: Sir, in view of the sympathetic reply given by the Honourable the General Member, I beg leave of the House to withdraw the motion.

Motion, by leave, withdrawn.

The Honourable the PRESIDENT: Before the honourable member Mr. Gazdar moves his motion, I should like to point out to him that he is about to propose to reduce a grant of Rs. 27,41,000 by a sum of Rs. 19,70,000. It is a very substantial sum, and I might let him know that he has to justify as to how he arrives at that figure.

Mr. MAHOMED HASHIM GAZDAR (Karachi City): I shall justify it, Sir; I have calculated it. I move:

"Reduce by Rs. 19,70,000, P.W.D. Irrigation Establishment of Sind, total voted demand Rs. 27,41,300, under 41, Civil Works."

Sir, before you reminded me of this fact, one of the honourable members of this House who usually studies budget figures with keen interest and who has taken a great interest in the past on the question of the establishment of the Public Works Department questioned me about the advisability of reducing such a large sum, and expressed that perhaps it may not be possible to carry on the administration with the balance of Rs. 7·41 lakhs if the cut was passed. Sir, I would invite the attention of this House to page 33 of the Civil Works Estimate. It will be seen there that the total demand for Sind establishment is Rs. 34,53,200,

[Mr. Mahomed Hashim Gazdar]

out of which Rs. 7,11,900 are non-votable. Sir, if the cut is accepted by this House, the balance still left will amount to Rs. 14·83 lakhs, which will be ample and sufficient provision for the efficient administration of this department. It will be an earnest attempt on my part to show to this House, by the help of facts, figures and the standard hitherto followed in Sind, that a provision of Rs. 15 lakhs could be considered an ample one for the amount and nature of the work to be done under the Barrage conditions. In the pre-Barrage conditions, the expenditure varied between 11 lakhs and 14 lakhs a year. Whereas the volume of work required of the Public Works Department staff has remained the same, the facilities for inspection and scientific regulation of water have considerably developed the capacity of an officer for performing his duties with comparative ease and comfort, and I should think the Public Works Department staff on the old level should be able to do a little increased work under the new conditions.

Sir, let me at the outset offer my thanks to the Honourable Mr. R. D. Bell, the Home and General Member, for the assurances given to this House the other day in his reply, winding up the debate on the cut motion of the honourable member Sardar Rao Bahadur Bhimbhai Naik, on the demand for grant under 55, Construction of Irrigation Works. He admitted that the affairs of the Public Works Department in Sind needed closer attention than he had been able to give hitherto on account of his other heavy work of the Home Department. He further assured the House that he would try to effect economies after a careful investigation of the points which were raised in the debate. Sir, I consider this very satisfactory, as the Honourable the Home and General Member is accustomed to saying little and doing much. In view of what has been stated by him, I would not have proposed this motion, but there is a wide and urgent demand for further emphasis on the immediate reduction of a large part of the Public Works Department staff in Sind, which is considered very excessive and extravagant.

While forming our conclusions, it would, I think, be in the fitness of things if we do not necessarily get frightened by the threats of the heads of the department concerned. They will tell us that any reduction in the present order of things would have disastrous results on the efficiency of the irrigation administration in Sind. Sir, that is but natural for them, because they cannot be expected to commit suicide by recommending their own removal. Sir, this House should be bold and courageous. If this honourable House is convinced,—and I shall try to do so—then it shall be its moral duty, nay, foremost anxiety to set up an administrative machinery for the Public Works Department in Sind which may serve to the rest of the presidency, even to the rest of India, as a model for economy, simplicity and efficient working.

Sir, before proceeding further, I would like to submit to the Government Benches, and especially to the Secretary to Government, Public Works Department, that if they find that any figures quoted in support of my arguments are incorrect, I shall be glad if they get up and ask me to quote chapter and verse for the source of my information. Sir,

[Mr. Mahomed Hashim Gazdar]

I have great personal regard and respect for the honourable member Mr. C. M. Lane, as he is a distinguished senior engineer in my profession. But I am constrained to remark that, while he accused me yesterday of giving incorrect figures, I drew all my information and inspiration from the reports published by the Public Works Department Secretariat, and I would be pleased to state the source of my information for every figure or statement made on the floor of this House. But, Sir, it will be an unnecessary infliction. The subject itself is technical, full of figures and facts, and too dry for the majority of the members of this House. It will be unwise, therefore, to make it worse by reference to publications and their pages. I am conscious of the responsibility attaching to the statements made, and I assure you, Sir, that I am always very careful about them. But this is a digression.

Reverting now to the subject matter under discussion, I compare the existing Public Works Department staff in Sind to the war time organisation of the Military Department. All that establishment might have been perhaps—I say perhaps—necessary when construction operations were in full swing, but when all the works are practically complete and the system has been working for the full two years, it is high time that the disbandment of the emergency contingent of staff, created by extraordinary circumstances, took place at once. We should now return to the peace time strength. There are five Superintending Engineers. Let us call them war veterans who were abruptly promoted to this high position carrying large emoluments from comparatively junior ranks and should now retire after enjoying this position for the last 11 years; or let us say, after fighting terrible battles in the desert, in desolate Sind I think they deserve rest.

Let us recall Sir Arnold Musto——

The Honourable the PRESIDENT: May I interrupt the honourable member? The honourable member need not look at his watch. There is no time-limit. I will give him as much time as he likes. I presume he will show how he arrives at that huge figure of Rs. 19,70,000 at the conclusion of his speech. If he could show now how that figure is made up, the House will be able to follow his arguments much better than waiting for what is coming.

Sardar Rao Bahadur B. R. NAIK: He is only prefacing his remarks.

Dr. V. G. VAISHAMPAYAN: He is coming to it gradually.

Mr. V. N. JOG: He cannot include the All-India Services.

Honourable MEMBERS: You go on.

Mr. MAHOMED HASHIM GAZDAR: I shall bear your advice in mind and as I go on point out how I arrived at Rs. 19,70,000.

Let us recall Sir Arnold Musto, the designer of the scheme, and creator of the great Barrage, to duty. In the pre-Barrage days we had only two Superintending Engineers. Now we have five. Let us have only two now——

The Honourable Sir GHULAM HUSSAIN: May I draw the honourable member's attention? It is not votable.

The Honourable the PRESIDENT: Non-votable items are also included.

The Honourable Sir GHULAM HUSSAIN: He cannot move a cut.

Honourable MEMBERS: He can discuss.

The Honourable the PRESIDENT: There are a few difficulties in his way. He can move a cut on non-votable items, but it will not operate so as to reduce the amount. If he has these figures also in view and has arrived at that figure, it is a different matter.

The Honourable Mr. R. D. BELL: His cut is on voted items.

The Honourable the PRESIDENT: It is abundantly clear that his cut relates to Rs. 27,41,300. That is a fact. The votable items only must make up Rs. 19,70,000. That is why I drew his attention to it in the beginning.

Mr. MAHOMED HASHIM GAZDAR: I am giving just arguments and illustrations to show how excessive the establishment is that we have got. Then, I will show the figures.

Sir, I am quite confident that with two Superintending Engineers as we had in pre-Barrage days the whole show would be managed very efficiently as hitherto.

Sir, before I proceed further I would like to acquaint this House about the irrigation limits in Sind. Here is a map of Sind which from the Northern boundary Kashmore to the southern boundary Keti Bunder was divided into 11 divisions and two circles. One Superintending Engineer was able to go from Kashmore, the northern boundary, to Keti Bunder, the southern boundary in good old days. European officers with their families used to travel on camels and supervise the whole of Sind from Kashmore to Keti Bunder. The irrigation limits that are shown here remain the same. The Barrage is not going to take one inch of extra land which was not covered by the old irrigation limits. The new Barrage canals are not going to regions where the old canals did not go. This map shows the whole area under irrigation in Sind from Kashmore to Keti Bunder. I shall take the House over the irrigation districts of the pre-Barrage divisions. We had 11 divisions: Bigari, Shikarpur, Ghar, Western Nara and Karachi canals on the Indus Right Bank Circle. They were under the supervision of one Superintending Engineer. The remaining Nasrat, Hyderabad, Eastern Nara, North Jamrao, South Jamrao and Fuleli were on the Indus Left Bank Circle. I think it is clear to the House that only 11 executive engineers were necessary to look after the Irrigation Area in Sind. In fact every portion of Sind excepting Thar Parkar, a desert, was travelled over and looked after by 11 executive engineers. On the eastern side there are sandy hills. It has no irrigation. We have got four talukas, namely, Mithi, Chachro, Diplo and Nagar Parkar. All these places have got buildings. There are mamlatdars, or Mukhtiarkars living in these talukas. The Executive Engineer, Eastern Nara, looked after these buildings and travelled over 250 miles of area. On the

[Mr. Mahomed Hashim Gazdar]

western side there is the Khirtar hill and the executive engineer, Western Nara, supervised the construction of buildings in that hilly portion. Practically the whole area of Sind was reached and quite efficiently supervised by the 11 executive engineers and 2 Superintending Engineers. Now, we have got 5 Superintending Engineers and 28 canal engineers.

The Honourable the PRESIDENT: The honourable member may continue after tea.

The House adjourned for tea till 5 p.m.

(*The House re-assembled after tea at 5 p.m.*)

Notice taken that 25 members were not present; House counted; and 25 members being present——

Mr. MAHOMED HASHIM GAZDAR: Let me, Sir, state here, for the advantage of the House, the main functions of the executive engineer. The main functions of the executive engineer are: First, maintenance of canals. That means he must go over the main canals at least once a year and see that the banks and regulators and masonry bridges are in order and whatever repairs are required are carried out properly. Secondly, the regulation of water. That means he should watch the water that is being distributed to all zamindars and see that none gets more than he deserves or no one is deprived of his share. In old pre-Barrage Sind—I showed you the map—the total area under command, that is the area that could be irrigated if we had water enough and the soil were good all through, was 1,37 lakhs of acres. Out of those 1,37 lakhs of acres, we had under command some uncultivable lands, and for some other lands we had no water; so, we were able to irrigate only about 35 lakhs of acres every year. Now, out of this 35 lakhs of acres we had about 20 lakhs of acres within the Barrage zone. The Barrage zone occupies about two-thirds portion of the irrigated area of Sind, and in that area we used to cultivate about 20 lakhs of acres annually. For this area we had a certain length of canals which had to be looked after properly by the executive engineers and a certain amount of water had to be distributed. Now, I want to tell this House that we had to distribute one lakh cusecs of water in pre-Barrage days and to look after about 7,591 miles of canals. We had eleven executive engineers and they were under 2 superintending engineers, and on the top of them all, in command, was the Chief Engineer. The annual cost of this staff, as I said before, was 11 lakhs of rupees. Each superintending engineer was able to look after half of the work involved in Sind from Kashmore to Keti Bunder. The means of transport in those days was only camel. The honourable member Mr. Lane was a superintending engineer in Sind for four or five years; he used to tour on camel back or horse back; and he will bear me out when I say that the area to be covered in pre-Barrage days was the same as has to be covered in post-Barrage days. Whatever supervision was required in those days he did it very efficiently. Now, Government have three superintending engineers in place of one.

[Mr. Mahomed Hashim Gazdar]

Sir, the average amount of work that was apportioned to each executive engineer was 12·5 lakhs of acres commanded area. He had to look after 3·5 lakhs of acres of annual irrigation, and on the top of that he had on the average—I am now giving only the average; the individual figures are much more; I will give them later on—on the average to look after 9,100 cusecs of water distribution, and this when we had neither a main canal from any regulator on the Indus such as Barrage at Sukkur nor any moduled water-courses. Still in those hot days in Sind, which were compared to hell, in those days, he was able to look after 9,100 cusecs of water distribution, and on the average he was looking after about 700 miles of canal. You have to remember that he had to carry on his tours of supervision on camel back.

Sir, I think it would be better if I show the Barrage area superimposed on our old irrigation limits. [*Spreading out a map.*] The coloured area here shows the Barrage area and the non-Barrage area; at the top we have got two divisions, Begari Canals and Shikarpur Canals, which are not affected by the construction of the Barrage. In lower Sind we have got the Karachi Canals which are also not affected by the Barrage and Fuleli Canals of which a portion is affected by the Barrage. The Barrage area is about two-thirds of Sind. I shall show this by exact figures. Then in this map, red lines are shown; they represent new Barrage canals; and the blue lines represent old canals. If honourable members of this House will kindly study this map, they will find that within the irrigation limits, in this shaded area, in every inch there are traces of old canals. They are canals which have been remodelled to suit Barrage conditions or have been scrapped to make room for new canals. But the most important point that I want to mention here is that no new colony has been created by the construction of the Barrage. It is the old area that we are irrigating by bringing better and more secured supply, and as we have more water we irrigate more land.

Sir, I would like to indicate here four important points which are essential to remember for a proper consideration of the problem under discussion, and those are the only points which should determine the strength of the staff.

Firstly, Sir, the irrigation limit. The boundaries of irrigation on this map exactly coincide with those of old canals. That means, no new area has been brought under the Barrage scheme. It will be observed that the old canals served the same area and reached the same limits. This point will be best driven home when I say that out of a total of 72·76 lakhs of acres in the Barrage area, only 15 lakhs of acres were unoccupied —they were Government waste—and the rest, Sir, namely, 58 lakhs of acres were occupied lands. Further, I would like to emphasize that no large portion of Government land is situated in any one particular place but these 15 lakhs and odd acres are spread throughout the two-thirds portion of cultivated Sind. That is, this area is very much fragmented—100 acres in some place, 500 acres in another place and so on. This essential difference between the resettlement of Sind and the colonisation of the canal areas in the Punjab is of great importance to us. Whereas

[Mr. Mahomed Hashim Gazdar]

in Sind the new canals are to irrigate an already settled country, in the Punjab for the most part the irrigable areas were at the outset a desert. The cardinal feature of the situation to remember is the marked absence of large areas of hitherto uncultivated waste in Sind. As there is no extension of irrigation limits, there is no increase in inspection work. Sir, it is clear from this map that the area under the command of irrigation channels, both in Barrage and non-Barrage zones, has been unaffected, and that it is at present the same as it was in pre-Barrage days. About one-half of this area under command is non-Barrage. The new Barrage canals traverse the same country and reach the same limits as the old canals in the Barrage zone. The length of the canals has only increased from 7,500 miles to 9,400 miles. Therefore, the work involved in maintenance is practically the same. The maximum discharge of the canals in Barrage zone has in fact decreased from about 56,000 to 46,000 cusecs. Under the pre-Barrage conditions, the canals taking off from the Indus between Sukkur and Hyderabad had a carrying capacity of 56,000 cusecs. Now, there are five canals taking off above the Barrage at Sukkur, serving both sides of the country between Sukkur and Hyderabad, but their maximum capacity is only 46,000 cusecs. Sir, in pre-Barrage days there were no motor roads, nor were automobiles available for inspection purposes. One had to do one's work by touring on camel back. In pre-Barrage days there were no automatic or completely controlled modules for distribution of water to the fields. This is a very important point. In the Irrigation Department it was very difficult for an Executive Engineer to have sleep during the summer months when kharif supply was being distributed, because it involved unexpected visits to the various sections of canals, regulators for control and decision as to how much water should be let in, how much water should be supplied to the zamindars and so on. Some rich and powerful zamindar would breach the canal banks and admit more water to his land. The Executive Engineer would get telephonic messages. The message-bearer would come and say this thing has happened here and that thing has happened there. And in the hot months he had to reach all those points on camel back. Now, Sir, under present conditions one Executive Engineer could cover a hundred miles in two or three hours and come back without being tired. Not only that, but he is never called upon to do anything in connection with the interference of the water supply, because he has simply to send a telephonic message: "Admit so much water, not one ounce more, in the main canal". All the water courses are moduled. Masonry structures are built which nobody can interfere with and these modules will never allow one cusec or even a fraction of a cusec more or less to any zamindar. It is not very easy to break them or interfere with them in any way. Under these circumstances, all the worries of the Executive Engineers have disappeared.

Another very great difficulty for the Engineers in those days was to see that they got the water to all the canals in their charge from the Indus. It happened very often that the heads of the canals were absolutely

[Mr. Mahomed Hashim Gazdar]

foresaken by the Indus. Due to the vagaries of the river, it changes its course from minute to minute, from second to second, from month to month, with the result that if we had no main stream coming into the canal heads, the canal would not get any supply at all. So to keep these canal heads constantly supplied with water was another very great anxiety, and I know from my Karachi Canal District experience, that the head reach of the Baghar canal, which used to be a portion of the Indus and which had a very nice head regulator and its head reach up to the Indus and brought water, used to get frequently silted up. I think in the last two or three years they have spent two or three lakhs in having one head this year and another in another year. This kind of difficulty has absolutely disappeared with the construction of the Barrage. The Engineers can sleep away with no anxiety. They know that so much water will be let in by the staff at Sukkur, and the canal heads are fixed and will remain at the same place. They cannot go anywhere.

Sir, I think this speaks volumes about the difference in the nature of work that was involved in the pre-Barrage days and that involved in the post-Barrage days. These factors must increase the individual capacity of an officer to work. In spite of all these facts, namely, the volume of work, area of touring, increased facilities for inspection, care-free regulation of water, etc., the number of officers has been more than doubled, whereas it should have decreased. In view of this, it is incumbent upon Government to prove to the satisfaction of this honourable House something very extraordinary to the contrary in the nature and volume of work under the Barrage conditions to justify the existing strength of the staff.

Sir, I can claim, with modesty, some knowledge of the irrigation conditions of the whole of Sind as I have had opportunities of working and of being associated with the Public Works Department as an engineer from Kashmore to Keti Bunder and I have been through all the districts in Sind. I consider it my duty to lay before this House my views about the strength of the staff necessary to efficiently look after irrigation works in Sind. It is then left to this honourable House to do what it considers proper. Sir, I will say:

حافظ وظیفهٔ تو دعا گفتن است بس
در بند آن مباش کہ نشنید یا شنید

My duty is to point out the situation. It is not for me to bother about its acceptance or rejection. My business should be to keep on inviting the attention of the House to the affairs in the Public Works Department and leave the rest to the wisdom of the House and of Government.

I request honourable members kindly to bear patiently with me, as the subject is a technical one; its vocabulary full of discharges, duties, and cusecs is unintelligible and it is full of dry facts and figures.

Before proceeding further, I should like to state before this House the kharif and rabi areas of cultivation achieved during the 15 years

[Mr. Mahomed Hashim Gazdar]

from 1915–16 to 1930–31. Much is being made that after the construction of the Barrage the irrigation will be increased by about 30 lakhs of acres. I want to show that if a bullock cart can carry 10 maunds in one day for 10 miles, it should be able to carry the same weight the same distance the next day. If the engineers under those trying summer conditions could cultivate 30 to 35 lakhs acres in the kharif season, they should not find it difficult to do so during the winter months when Sind is visited by all people from all parts of India for pleasure and shooting. Therefore there should be no credit taken for doing a little increased rabi area. The question is: how much extra work is involved under the Barrage conditions in one season? I will just give some figures here which will give you some idea of the work. I have taken them from the books of that period. In 1915–16 the kharif area done was 2,338,822 acres and rabi area was 1,039,023 acres—total 3,377,845 acres. Similarly, in 1916–17 the figures were respectively 2,769,086, 1,050,788 and total 3,819,874. I want this House to remember as far back as in 1916–17 we cultivated 38 lakhs of acres. In 1919–20 we had 2,523,667 kharif, 958,599 rabi and total 3,482,266. In 1930–31 we had 2,567,751 kharif, 1,145,135 rabi and total 3,712,837. From these figures, it is clear that in the pre-Barrage days in the whole of Sind as much as 3,819,874 acres were irrigated in one year. The maximum kharif cultivation has been 2,770,644 acres and the maximum rabi 1,151,302 acres. All this work was done by 11 Executive Engineers only. I shall show you, now, Sir, the extent of work comprised in each division. Let us first take the Begari canals. It had a commanded area of 1,447,000 acres, an irrigable area of 582,000 acres, maximum discharge of 12,693 cusecs and a length of canals of 701 miles. One Executive Engineer was in charge of this, and as it is not in the Barrage zone, he is still able to distribute this amount of water. Now, under Barrage conditions, the maximum discharge in 1942 is expected to be 46,457 cusecs. I will now take the Karachi Canals. The Executive Engineer is able to distribute and properly look after 21,834 cusecs of water. Why, then, for 46,000 cusecs should you have 28 Executive Engineers? Take the Ghar Canals—commanded area 752,000 acres, irrigable area 340,000 acres and maximum discharge 11,549 cusecs. Shikarpur canals—commanded area is 677,000 acres, irrigable area 254,000 acres, maximum discharge 10,898 cusecs, miles of canals 618. It is no use wearying the House with these figures. But I want to point out that in Fuleli Canals we had 1,263 miles of canals which were properly supervised by one Executive Engineer. The total figures for the whole of Sind are as follows: Commanded area 11,450,000; irrigable area 3,648,000; maximum discharge 100,876 cusecs and length of canals 7,591 miles. These figures show what the capacity of one Executive Engineer in the pre-Barrage days was. I wish to enquire whether his capacity has been impaired, that we now require 3 officers for the work that was done by one officer formerly. Efficiency must perforce develop on account of the facilities already mentioned by me. One-third of the area of Sind still remains outside the Barrage influence, namely, the area covered by the Begari

[Mr. Mahomed Hashim Gazdar]

Canals Division, Shikarpur Canals Division and Fuleli and Karachi Canals Divisions.

Now, let us compare these factors governing duties of Executive Engineers throughout Sind in pre-Barrage days and post-Barrage days. Sir, in the pre-Barrage days, as I have said, our maximum kharif cultivation was 2,770,644 acres; and under Barrage conditions, not to-day, but in 1962, it is forecasted [*Interruption*]—there is too much disturbance, Sir,—30 years hence we shall be able to do 21·95 lakhs acres in kharif in the Barrage Zone. In the non-Barrage area of course we will have 7·54 lakhs acres, thus making a total of 29·49 lakhs for the whole of Sind. That is the forecast for 1962, as against 27·70 lakhs that we used to do in the pre-Barrage days. That means, the increase in the kharif cultivation is forecasted to be only 2 lakhs after 30 years, when we will be able to sell our lands and all the canals are fully developed. [*An Honourable Member:* "What is the figure to-day?"] Twenty-seven lakhs. In rabi, as I pointed out, we have been able to do 11·51 lakhs and under Barrage conditions, we will do about 31·83 lakhs in the Barrage Zone only. That also depends upon full development taking place as forecasted till 1962. Our total cultivation for the whole of Sind under the post-Barrage conditions is expected to be 36·28 lakhs.

Now, Sir, we have been able to do 28 lakhs acres kharif in the pre-Barrage days, without regulation of water, unmoduled water-courses and without motorable roads and all the other facilities that are available to-day. And we, after 30 years will be able to do only 29 lakhs or 30 lakhs—an increase of 2 lakhs. That is for kharif cultivation. Again in rabi cultivation we expect to do 36·28 lakhs acres. Now, Sir, what is the increase of cultivated area over maximum kharif done till date? It is about 25 per cent. which will be achieved after 30 years.

Under these conditions, are we justified in increasing our number of officers three times today in anticipation of results in coming 30 years? The work involved in non-barrage area is one-half of the barrage area and is being done by four executive engineers. In non-barrage area they are having kharif cultivation and rabi cultivation, etc. That work is being done under post-barrage conditions by four executive engineers who are managing about 53,743 cusecs in whole of Sind and 21,834 cusecs of water in Karachi Canals and about 12,183 in Fuleli. Then again about 3,216 miles of canals in the non-barrage area are being looked after by four executive engineers who have nothing to do with the barrage area——

5-30 p.m.

Mr. C. M. LANE: On a point of information? May I ask the honourable member who are the three executive engineers?

Mr. MAHOMED HASHIM GAZDAR: Karachi Canals, Begari Canals and Shikarpur Canals.

Mr. C. M. LANE: There is also the Fuleli Canals making in all four divisions.

Mr. MAHOMED HASHIM GAZDAR: That makes four executive engineers. The proportion will be changed from one-third to a little

[Mr. Mahomed Hashim Gazdar]

more or it will remain the same. At that rate, if four executive engineers are doing more than one-half of the work, at that proportion we should have only eight executive engineers to do the rest of the work in the barrage area because the work involved is absolutely proportional in every way.

Now, Sir, this much about the executive engineers. Let us come to the duties performed by Superintending Engineers. I was pulled up and told that in my cut I should not include the non-votable items. Sir, I consider these officers untouchables as I call the executive engineers and the superintending engineers who cannot be touched. So, in my cut I have proposed a reduction of all their staff which is votable so that the officers themselves can sit in their arm-chairs and do nothing and thus effectively force hands of Government for reduction. It is a fact at present that they have got very little work to do. The following description of duties to be performed by superintending engineers, which I have got from an authoritative source will be interesting to the honourable members——

Mr. J. B. PETIT : What is the source ?

Mr. MAHOMED HASHIM GAZDAR : The letter of a friend which I have received about the attitude of the Chief Engineer in Sind. (*a*) The first duty is to sanction schemes put up by executive engineers. After the completion of the barrage, I do not think we will have any schemes of any importance to be sanctioned by the superintending engineers. (*b*) The second duty is to know his staff down to overseers. It will be more convenient for the superintending engineer to know his staff if he has got less staff. (*c*) He has to distribute budget grants, (*d*) to advise in the postings of assistant engineers, (*e*) to prepare administrative reports, (*f*) to assist the chief engineer, (*g*) to watch over the distribution of water from the executive engineers' reports and lastly (*h*) to hear appeals against the decisions of the executive engineers. These functions used to be very efficiently done by two superintending engineers for the whole of Sind. The work under barrage conditions is the same, i.e., few new schemes, same touring area, same length of the canals, same or less water to be distributed, better roads and so on and the same number of officers ought to suffice. That is, the expenditure should be about Rs. 14,00,000 and not Rs. 35,00,000. Otherwise, it means throwing away of good Rs. 20 lakhs in maintaining unnecessary and superfluous staff. It has been pointed out to Government twice or thrice before that the Public Works Department in Sind is being used as a dumping ground for all surplus staff from the presidency. It will be seen that there are no points which must be in favour of all these. It may then be enquired why should have Government increased the staff from 11 executive engineers to 28 divisions ? The biggest bogey that is trotted out before this honourable House is that now we shall have perennial irrigation. I want to explain what that phrase means. It means cultivation during kharif and cultivation during rabi, nothing more, nothing less. It may be argued by Government that under

[Mr. Mahomed Hashim Gazdar]

barrage conditions things have changed. Pray, tell us what are those changes? It is said that there is now perennial irrigation. What is perennial irrigation? It means that there shall henceforth be cultivation of land in both seasons, the kharif and the rabi. But can anyone say that we have not been doing both kharif and rabi cultivation in Sind all these years? The figures I have just quoted amply prove it. We were doing 20 lakhs kharif and 12 lakhs rabi. It is said that there will be more kharif and more rabi cultivation under barrage conditions. Let us examine these figures. In 1942, i.e., 10 years hence, the Public Works Department will be able to cultivate about 18 lakhs kharif and 18 lakhs rabi or 36 lakhs in the barrage area. I am not sure of the proportion of kharif to rabi but I am absolutely sure of the forecast of the total. In pre-barrage days, in barrage area there was 15 lakhs acres cultivation in kharif. That is the increase in acreage per season will be only 3 lakhs in 10 years.

Then it is said that when all lands are sold and irrigation has fully developed after 30 years, i.e., in 1962, the cultivation shall be 21 lakhs acres kharif and 32 lakhs acres rabi. That is, the maximum cultivation in any one single season will be 32 acres rabi in barrage area after 30 years. Add to this the anticipated rabi in non-barrage area—which will be cypher in Lower Sind on account of working of barrage and only a little in Begari Canals, the figure for maximum cultivation may be taken as 35 lakhs acres in 1962!

Sir, I ask this question in all seriousness whether 300 per cent. increase of staff can be justified 30 years in advance for a supposed anticipated increase of 25 per cent. in cultivation? I have shown that we have been doing 28 lakhs acres of kharif in one season. Therefore the increase will be only 25 per cent. during a period of 30 years, but the present increase per seasonal work is inappreciable.

Another point that may be advanced in favour of increased staff is additional revenue work thrown on the executive engineers. This is certainly a new or an additional work for the P.W.D. in Sind. But to do it one need not have to multiply executive engineers. At best each executive engineer may be given an extra personal assistant as in the Punjab Irrigation Department. I have had some experience of the Punjab Irrigation Works where every executive engineer is given one revenue assistant to look after the revenue work and there they have no tapedars or supervising tapedars that we have in Sind. Of course, the revenue officers in Sind will never agree to remove all these tapedars and supervising tapedars because they are the only people through whom officers manage to get *rasai*.

I hope, Sir, I have shown sufficiently that as there is no increase of work or change in nature of it, under barrage conditions, as compared with those of pre-barrage conditions, and as each officer should be able to turn out more work on account of perfect automatic control over water courses and great facilities provided by canals, motorable roads and motor cars for inspection purposes, constructed at great cost to the tax-payer, there is no necessity for any extra staff over the pre-barrage

[Mr. Mahomed Hashim Gazdar]

strength. I therefore suggest that we should have only one chief engineer, two superintending engineers, 11 executive engineers for irrigation, 1 executive engineer as personal assistant to the chief engineer, 1 executive engineer for research and development and 1 executive engineer for gauging the river Indus. In addition to the above there will be one temporary division for drainage work. Therefore, three posts of superintending engineers and 13 executive engineers should be abolished.

Now let us turn to the special revenue staff. All these years, we had a very senior and competent revenue officer with necessary staff to arrange for sale of lands and perform many other duties in connection with the project. A lot of lands have been sold already and only about 8 lakhs of acres now remain to be sold. It will take about 20 to 30 years to sell them. All other work connected with the revenue officer has been practically completed. It is therefore urgent that the revenue office of the Lloyd Barrage should be immediately closed, thus saving 3½ lakhs of rupees a year. This work should be done by the Collectors of the district, as was done in pre-barrage days, under the able guidance of the Commissioner in Sind who is the most senior revenue officer in Sind. He may have to be given one personal assistant for this work. At any rate, the present acting revenue officer is as good as any collector of a district and there is no meaning in spending 3½ lakhs of rupees a year in maintaining this staff separately.

I beg to submit to this honourable House and to the Government that they should ponder over the suggestions put forth by me and do their duty fearlessly by the tax-payers, because it means a saving of 20 lakhs of rupees a year. But I shall sound a note of warning against consulting the officers in Sind. They will not commit suicide and recommend their own removal. It is but natural. I very much regret to state that the more we cry, the more we agitate for reduction of unbearable, purposeless extravagance, the engineering officers in Sind increase their demand for more officers, better salaries, and more allowances for serving in Sind. We have had a good experience of this attitude for the last six years after the publication of Sir M. Visveswaraya's Report which recommended a decrease of barrage staff and specially recently in the conduct of business before the Sind Administrative Committee :—

مریض عشق پر رحمت خدا کی
مرض بڑھتا گیا جوں جوں دوا کی

The burden of this Urdu phrase is "God bless the tax-payer. The more he asks for lessening of this burden, the more, unfortunately, it results in actual addition to it." The Chief Engineer made some suggestions before the Sind Administrative Committee and those suggestions are sure to strike us dumb. I very much regret to say that the Chief Engineer in Sind has forfeited our confidence after submission of his proposals to the Sind Administrative Committee, an ample proof of which will be found from the few instances I am quoting here. He wants a new Government House to be built for the Governor with very

[Mr. Mahomed Hashim Gazdar]

lavish accommodation, a new civil secretariat, a new public works department secretariat, a new building for the legislative council, more divisions in the public works department to create more posts of executive engineers, a full-fledged electrical engineer, a full-time architect for consultation, an enhanced scale of salaries for first and second class officers, and enhanced Sind allowance. Then he wants Sind allowance to be enhanced, which even the Thomas Committee has recommended should go. He wants that these allowances should be advanced and should be made non-votable. Well, Sir, in these days of financial stringency and in view of the extravagant staff already employed in Sind——

Mr. C. M. LANE: On a point of information. May I ask the honourable member how he got access to this information? I understand he is quoting the recommendations made by the Chief Engineer in Sind to the Sind Administrative Committee, which have not yet been published.

Mr. MAHOMED HASHIM GAZDAR: I assure this honourable House that it is very correct information; and we had it as common talk in Karachi, because there were so many members of the committee, the press correspondents and so on. I do not want to divulge from whom I got the information, but I have got a typed copy here of the sum and substance of his recommendations from a very reliable source. [*Laughter.*]

Mr. SHAIKH ABDUL MAJID: My honourable friend referred to the evidence given by the Chief Engineer before the Sind Administrative Committee. It is so very easy for Government to enquire and substantiate whether that was his evidence or not.

Mr. PESTANSHAH N. VAKIL: It is not released for publication yet. That is the point.

Mr. MAHOMED HASHIM GAZDAR: Reports were appearing daily in the newspapers.

Therefore, I submit he is not a fit person to be consulted.

I hope I have made out a sufficiently strong case for drastic reduction. It is now for this honourable House to do its duty by the tax-payer. Sir, with these remarks, I strongly commend to this House to support this cut motion. [*Applause.*]

The Honourable the PRESIDENT: After that able speech, I am afraid I would be throwing cold water over it, if I again remind the honourable member that I have got technical difficulties to get over. I might draw the attention of all honourable members once again to the fact—the old honourable members know it—that rules have been laid down as regards cuts, and each cut has a significance of its own. A substantial cut means something definite. A general cut, say from Rs. 100 to Rs. 1,000, has its own significance; it raises a general discussion. And below that, a cut of one rupee or some such small sum is a censure cut, and that has its significance. But if a hundred-rupee cut is interpreted as a censure

[The President]

cut, or a cut of Rs. 19,00,000 or Rs. 19,000 is interpreted as a cut for a general discussion, the whole procedure laid down would be upset. A convention has been established, and that is why I asked the honourable member to justify how he arrived at that figure. He ended by saying that he meant that if he cut off the establishment under the control of these officers, whom he called as "untouchables," his object would be served. He has tabled a motion for reducing Rs. 19,70,000, and if I add up the expenditure on establishment, roughly, it comes to 16 lakhs. So even there he does not justify his cut; the expenditure on establishment does not come to Rs. 19,70,000. The honourable member has, therefore, only raised a general discussion, particularly as regards the non-voted item. A general discussion is permitted and can be raised, and non-votable items can be criticised as a matter of discussion, but if there is such a large cut proposed, as I said before, it must be justified. But here is a cut moved which is not clearly understandable under the procedure that we have been following in this House from the very birth of the reformed Council. However, I shall put the motion as it stands for what it is worth.

Question proposed.

Mr. J. B. PETIT: Is it open to one to move an amendment to this motion to reduce the demand to Rs. 16 lakhs?

The Honourable the PRESIDENT: No.

Mr. MAHOMED HASHIM GAZDAR: I can give figures to show how I have arrived at the figure.

The Honourable the PRESIDENT: The honourable member took a long time over his speech. Can he justify how he arrives at the amount of Rs. 19,70,000 from the voted part of the demand?

Mr. MAHOMED HASHIM GAZDAR: Yes, Sir; from the votable items. On page 32, we have got under Superintending Engineers Rs. 1,84,000.

An Honourable MEMBER: He may prove it in his reply.

Mr. MAHOMED HASHIM GAZDAR: Yes, Sir. I shall do so in my reply.

The Honourable Sir GHULAM HUSSAIN: Sir, we have listened to the very interesting, and, I might say, illuminating, speech of the honourable mover of the cut with great attention. He is, Sir, speaking in the capacity, I might say, of an expert. I am a layman, but I was associated with all these experts for a number of years. Now, Sir, the honourable member has moved a cut of 19 lakhs and some thousands, perhaps not realising that it was an absurd cut. But he himself perhaps realises now that he only wanted to raise a general discussion, to criticise the department, and to bring to the notice of Government all the defects of the department. I am still sure that he is not serious about his cut, but that he wanted to criticise the portion of the Public Works Department relating to the establishments.

[Sir Ghulam Hussain]

In the first place, the honourable member says, what is the good of the Sukkur Barrage? Kharif is the same, rabi is the same. What is a perennial canal? But he forgot one important factor, that the Barrage will give Sind an assured supply of water, and that was the main object for which these crores of rupees have been spent. Formerly the poor cultivator did not know his position. He did not know how much land he should prepare for cultivation, because he did not know whether he would be able to get a sufficient supply of water for the land he was preparing for cultivation.

Then the honourable member made another point about a department of which I am in charge—about tapedars. Honourable members will see that a very large area of land has come under cultivation under the Sukkur Barrage, and yet the number of tapedars has not been increased, because we are having the work done partly by the canal assistants.

Then the honourable member referred to the Revenue Officer. I may assure him that we are considering that question. The appointment of that officer has been sanctioned up to 1935.

Then the honourable member complained about the excessive establishments, and one of the facts that he put forward was that the establishment is the same now as it was at the time of the construction or when the construction was nearly over. We are alive to the need of reducing establishment, and every endeavour is made to reduce it. I would refer honourable members to the figures of 1930-31. In that year in Sind, the total cost of establishment was Rs. 52,14,000; in 1931-32, it was Rs. 49,40,000; and this year, it is Rs. 29,57,000 for the "touchables" and Rs. 7,15,000 for "untouchables"; that comes to Rs. 36,00,000 odd. For the next year, the provision is about Rs. 34,00,000, which means a reduction of 2 lakhs over the current year's provision. So, honourable members will see that every endeavour is made to reduce the establishment from year to year.

Now, honourable members have heard one expert. We had our experts too. We appointed an independent Reorganisation Committee to whose recommendations my honourable friend Mr. Petit attaches the greatest weight.

Mr. MAHOMED HASHIM GAZDAR: On a point of information. Did the Thomas Committee consider the question of the Public Works Department establishments in Sind? I think it did not.

The Honourable Sir GHULAM HUSSAIN: But who were the members of the committee? There was Mr. Harris, who was once the Consulting Engineer to the Government of India for Irrigation. Now, I will read out a portion from the Thomas Committee's report. It says:

"We also questioned Sir Charlton Harrison closely on the subject of the number of superintending and executive engineers which it is proposed to retain. Here again he was emphatically of the opinion that this number is the minimum with which development can proceed and pointed out that the charges which will be in operation in Sind during the development period are considerably larger than those which the Punjab regard as giving full-time employment even when the initial difficulties have been surmounted and irrigation is fully established. He considered that in five years' time it might be possible to reduce the number of circles by one, by amalgamating the Northern and Western Sind circles, and the number of divisions by one, by amalgamating the

[Sir Ghulam Hussain]

North Western and Warah divisions, although he believed that such amalgamation would involve loss of efficiency, and possibly loss of revenue. In view of this opinion and of the statistics adduced, we are unable to recommend any immediate reduction, but we consider that the position should be carefully reviewed in three years' time, and any reductions then found to be possible effected."

Mr. V. N. JOG: When was that?

The Honourable Sir GHULAM HUSSAIN: I have quoted from the Thomas Committee's report. This is the second year. The third year is coming. But, Sir, we have gone even beyond the recommendations of the committee. We started at the top, and we did away with the Joint Chief Engineer.

Mr. J. B. PETIT: What is the number of the paragraph of the Thomas Committee's report which the honourable member read out? The printed report definitely says that the committee did not want to consider Sind, because it was going to be separated.

The Honourable Sir GHULAM HUSSAIN: So, Sir, honourable members will see that the figures of 1930-31 were 52 lakhs, and that we are only providing about 34 lakhs for the next year for both voted and non-voted. There is thus a great reduction in the establishment. Then, again this very establishment, the cost of which is 27 lakhs voted and 7 lakhs non-voted, will carry on the construction work which is not yet complete, and we propose to spend on construction next year Rs. 48,13,000. So, honourable members will see that Government are doing their best to reduce the establishment in Sind from time to time. Even the present budget will show that there is a reduction in the next year. This establishment is to carry on the construction work of Rs. 48,13,000 also. I think the honourable mover of the cut wanted only to bring his grievances to the notice of the House. I am sure that after my Honourable Colleague gives his reply he will withdraw the motion.

6 p.m.

Mr. C. M. LANE: Sir, the honourable member, the representative of the Karachi City Mahomedan Urban Constituency, is living up to the reputation of that constituency in this House and the example of his predecessor for many years during budget debate in providing criticism in regard to the activities of the Public Works Department establishment and expenditure on the Barrage and irrigation generally in Sind. The present honourable member for that constituency has been pleased to be facetious and, as the Honourable Leader of the House has said, does not presumably expect that he should be taken quite seriously.

He made one or two flattering comments on myself—I understand,—I was otherwise engaged at the time but I am informed that he described me as one of those good old Irrigation Engineers who used to go about many miles daily on camels. I may say that I would never get into a camel if I could possibly avoid it. I certainly did a good deal of getting about on horse back and my successors are, I hope, doing it still. The honourable member, I noted, compared the irrigation officers in Sind to beasts of burden. He is perfectly correct in having done so—as he did by his analogy of the laborious plodding bullock cart.

[Mr. C. M. Lane]

Then, he said that there was no difference between the work required to be done on inundation canals and the perennial canals, because while there is only kharif cultivation in one case there is both kharif and rabi cultivation in the same area in the other. Actually there is a tremendous difference between the two. In the case of inundation irrigation, the Executive Engineer had a certain quantity of water to deal with during the kharif period only up to the outlet of the karia, or the zamindar's watercourse. Now, Sir, the Executive Engineer is responsible for control of water all the year round past the karia head and on to the actual fields of the zamindar. He has to see that it gets into the field to ensure proper distribution and prevent waste. On rice cultivation in Sind they have a strange custom of disposing of what they call "*khoso pani*," or the warm water. This water is run off the field which may sometimes be kept flooded to a depth of 15 to 18 inches. We cannot afford of course to supply water on this scale and distribution of water is now very carefully controlled. The greater part of the Executive Engineer's work is to see to distribution and to see that water gets to the zamindar who is entitled to have it.

As regards the increased number of the circles, the honourable member said that the area under cultivation remains the same and therefore no additional circles whatsoever are necessary. In that connection he mentioned the desert part of the Thar Parkar District. I may say that although there are a few buildings which have to be inspected by the Executive Engineer there the great part of this area is uncultivable desert. There is however a large area of new land come under cultivation on the Khirtar Canal right down to the virgin area of the Johi 'Pat'. It is all absolutely new land which no Executive Engineer had to go over before except perhaps when he wanted to go to the Gaj Nai to catch mahseer. Otherwise he would not have seen it. As regards the area cultivated, in a previous discussion I have given honourable members detailed figures showing what has been the increase in the Barrage area. I told the House that even this year we will have, according to the latest figures, over three million acres irrigated in the Barrage area alone. The area irrigated in the whole of Sind last year was 3,865,741. The average of the three previous years was 3,558,114. So, there has been an increase already of more than three lakhs acres in the irrigated area in Sind.

As regards the necessity for our establishment to deal with the duties which now fall upon them, this has been fully explained and repeated several times. Sir Charlton Harrison, on the 27th February 1932, in a long speech dealt with this and gave honourable members comparative figures in regard to the area controlled and the quantity of water distributed in the several charges of Superintending Engineers, Executive Engineers and so forth in the Punjab and the United Provinces and in Sind under our new regime. I would also in this connection, if I may, quote from the despatch of the Government of India to the Secretary of State when forwarding the Sukkur Barrage Project for sanction.

[Mr. C. M. Lane].

This despatch is dated December 1920 and in paragraph 24, the Government of India say:

"The local Government have in their letter No. D. 638, dated the 12th October 1920 (copy enclosed), requested that an addition of 15 superior posts may be made to the cadre of the Indian Service of Engineers in the Presidency. These posts are distributed as follows:—

Chief Engineer	1
Superintending Engineers	2
Executive Engineers	12

We consider that these proposals are extremely moderate and there can be no doubt whatever that, as the scheme develops, it will be found necessary to make further additions to the cadre."

If the Government of India with their knowledge of perennial irrigation in the Punjab and elsewhere give this opinion, I do not think the honourable member is competent to say otherwise. The Honourable Leader of the House has given information as to the reduction which is being made in the establishment; and I have paid particular attention to this. I absolutely deny the accusation of the honourable member from Karachi City that Sind is a dumping ground for superfluous material. He, of all people, should be aware that we are getting rid of superfluous material in Sind and I may say that we are making reductions as far as we can, compatible with retention of essential staff.

Mr. J. B. PETIT (Bombay Millowners' Association): Mr. President, although at one time I looked askance at the honourable member's motion for the cut under discussion, I confess that I have listened to his admirable speech with very great attention and interest, and if I may say so, also with a certain amount of conviction, to which I have been driven by the force of his arguments and the formidable array of facts and figures which he has placed before the House. Under ordinary circumstances, Sir, when an honourable member seriously moves a cut which amounts to nearly 70 per cent. of the total demand, the House is naturally inclined to hesitate and to ask for more detailed figures and undisputed data in justification of the proposed reduction, in order to enable it to come to a correct decision on the question. That such should be the attitude of the House in all matters of importance and particularly those relating to the grant of large sums of money, is not only absolutely necessary but also perfectly in keeping with the policy of caution which should always be the guiding principle of all deliberative and legislative bodies. But the observance of such a practice becomes all the more imperative when the subject under discussion is a matter of an exceedingly important and yet technical character as happens to be the case in the present instance, involving the fate of a large and highly-paid staff and the expenditure of a fifth of a crore of Rupees. It is accordingly most difficult for members of this honourable House, who like me are not acquainted with the subject, and who, unlike the honourable the mover of the cut, have no personal knowledge of the numerous technical details thereof, to come to a definite conclusion as to what the correct attitude of the House on the matter should be. It was therefore, Sir, that I turned with very great pleasure indeed to the honourable the Leader of the House and the honourable the Secretary to the Public Works

[Mr. J. B. Petit]

Department when they rose to give an explanation on behalf of the Government and to refute the very serious charges levelled against them by the honourable the mover of the cut. But, I cannot help saying, Sir, that we have received absolutely no enlightenment from either of these sources. So far as the speech of the honourable the Leader is concerned, I am sorry to have to say that it did not give much guidance to the House. He merely spoke in general terms and concluded by saying that the Government were making very serious attempts at retrenchment. But, the figures he gave in support of his statement were irrelevant and unconvincing, having regard to the fact that they did not take into account the large reductions which had already taken place and which would in any case have naturally occurred in the ordinary course of events, owing to the completion of various sections of the project. His explanation is therefore no answer to the specific and definite charge of reckless extravagance which the honourable the mover of the cut has deliberately laid at the doors of the Government. The laboured explanation of the honourable the Secretary to the Public Works Department, was equally unconvincing. In fact, it has left the House in very considerable doubt as to the justification and utility of the present extravagant policy of the Government. He wound up by saying that a particular Despatch of the Government of India, bearing a certain date, repudiated the contention of the honourable the mover of the cut, and that it was consequently not competent for him to raise the question again in the form that he had done, which should therefore be turned down by the House. This is the sum-total of his remarks. But I hope he will pardon me for saying that when he made such a statement, he practically gave away the case of the Government. It was tantamount to a confession of failure and of the inability of his Department to rebut the charge. I hope both the honourable the Leader of the House and the honourable the Secretary to the Public Works Department will pardon me for saying that we in this House require something more tangible than merely uncorroborated official figures and the *ex cathedra* contents of a Despatch of the Government of India to refute the grave charges that the mover of the cut has definitely levelled against the Government. He has produced before us a mass of very valuable evidence, supported by numerous facts and figures, which has considerably impressed the members, and which, unless it is contradicted to the satisfaction of the House, is bound to carry conviction to all those who have kept an open mind on the question. I have kept such an open mind; and I am not ashamed to confess that, among other serious charges, the honourable the mover of the cut, has, to my mind, succeeded in proving that the superior engineering staff employed in Sind is not only on an exceedingly extravagant scale, ranging between something like 30 and 70 per cent. more than absolutely necessary, but also on a scale which may be required and found necessary only 30 years hence. To these and similar other charges, there is practically no satisfactory reply or explanation from the Government. They have not denied the accuracy of the figures quoted by the honourable the mover; and as

[Mr. J. B. Petit]

far as I have been able to follow the debate, not a single statement of importance based by him on those figures has been successfully contradicted. If such a course had been possible, the Government with all the available statistics at their disposal would certainly have adopted it and converted the House to their point of view. That they have not done so, is a sure proof of the accuracy and justification of the position taken up by the honourable the mover.

In view of all these circumstances, I do not think that the Government can possibly blame this House for being impressed by the facts and figures marshalled by the honourable the mover of the cut, which have enabled him to make out a very good case against them. I feel bound to add, Sir, that for similar reasons, I for one, am inclined to support the cut moved by the honourable member.

In any other case of equal importance, I would have hesitated to adopt such a definite attitude even with such a mass of convincing evidence as the honourable the mover has placed before us. But, Sir, so far as extravagance is concerned, the Government in this country,—whether central or provincial—stand on an entirely different footing. They are a class all by themselves. They are past masters in the art of wasting money and particularly so when powerful vested interests are concerned. Sir, I frankly confess therefore that whenever a *prima facie* case of waste of money and extravagance is made out against this or any other Government in India, provincial or central, I for one would be prepared to believe it, in the absence of very strong and convincing proof to the contrary. I am not at all ashamed to say that. I know the conditions of life in this country too well to be deceived by mere platitudes and formal denials. I have not been in public life all these years for nothing. From the evidence that he has placed before us, I make bold to say that I feel convinced that there is a good deal of truth in the charge that he has levelled against the Government. Sir, the rule of the road in Paris, is that when the driver of a vehicle is hauled up for causing an accident, the onus of proving his innocence lies on the person to whom the accident is caused and not on the driver, the assumption being that the driver is usually blameless unless the contrary is proved. In view of their usual habit of extravagance in every department of the administration in this country, this is the rule that in my opinion ought to be applied not only to the central but to every provincial Government in India. Whenever a charge of extravagance, properly substantiated with facts and figures, is made against them, the onus of proving the contrary must rest on their shoulders. However exaggerated and extravagant at first sight it might appear to be, it would be found that in nine cases out of ten it was in a very large measure justified. We must not forget that in this country in every department of the Government—whether central or provincial—there is not only extravagance, but extravagance on the most lavish and extraordinary scale. This is as true of Bombay as of any other Government in India. Our counter measures and our cuts, if they are to be effective, must also therefore be extravagant and on a scale commensurate with theirs. [*Laughter.*] The Government

[Mr. J. B. Petit]

must accordingly pardon us if we feel inclined to support the cut moved by our honourable friend, the member for Karachi City, Mr. Gazdar. I think he has made out an exceedingly good case, and I for one would be quite ready to support him.

Mr. P. R. CHIKODI (Belgaum District): Sir, I join the honourable member Mr. Petit in all that he has stated. A very convincing case has been presented to us by the honourable mover of the cut, and it was most disappointing to find that Government did not make out a stronger case to justify the withdrawal of the cut motion. Every now and then we have been told that Government have been reducing their establishment charges. But I ask them in all seriousness, is there no more room for retrenchment; what is the minimum that is required; has that minimum been fixed, and, if so, what is it? I wish to show to the House how the revenue of the presidency is affected by the extremely large establishment that is being maintained in Sind. The gross irrigation revenue in Sind for the year 1932–33 is put down as Rs. 71,95,000, and the revenue estimated for the next year, namely, 1934–35, has been shown as Rs. 84,44,000; that is to say, the increase in the revenue that is expected is Rs. 12,49,000. Now, Sir, if we look down a little below and compare the figures of working expenses for the years 1932–33 and 1934–35, we see the difference and that difference is simply staggering. The working expenses for the year 1932–33 have been shown as Rs. 46,79,000, while for the next year the estimate is Rs. 64,61,000. The difference is Rs. 17,82,000. That is to say, the increase in the working expenses is Rs. 17,82,000, while the increase in revenue is only Rs. 12,49,000. The additional burden upon the tax payer is Rs. 5,33,000. Therefore it is up to this House to insist on Government giving an explanation of the estimated increase in the establishment charges. If Government do not give any explanation, but simply try to thrust upon us whatever they have in mind, then, Sir, in defence of self-respect this House ought to refuse the grant.

Now, a very large cut has been proposed. That is true; and the honourable mover of the cut has made it clear that he wants to reduce all the votable items. He has not done it without knowledge; he has done it purposely; he wants to take out every rupee that is votable under that head,—he has only left out the non-votable items,—in order to make the working of the Department impossible. That, as the honourable member Mr. Petit put it, is extravagant. But if extravagant demands are made, extravagant cuts are bound to be moved. Government ought to open their mind and tell us what a reasonable establishment would be and whether they would try to have it. If they do that, then we may accept their explanation and assurance and even accede to their request. Otherwise, I think the House would be well advised to come to a division on this cut.

Dr. M. K. DIXIT (Surat District): Sir, we on this side of the House are thankful to our honourable friend from Karachi (Mr. Gazdar) for the valuable information he has given us regarding Sind in pre-Barrage

[Dr. M. K. Dixit]

time and Sind in post-Barrage time. It is, Sir, really surprising that a big cut of 19 lakhs from a demand of an amount of 27 lakhs has been proposed by the honourable mover of the cut. But when he made his speech, I think he made out a very good case for the big reduction of 19 lakhs from the budget estimate of 27 lakhs. Of course, if this cut is carried, I am afraid it will be impossible for the Sind Barrage area to work, because, after all, when you make a cut certain officers have got to be removed and arrangements have to be made for distributing the work of those officers who will be removed. He has brought a proposal to remove two-thirds of the present staff. Supposing, for argument's sake, we are able to carry this cut and two-thirds of the staff is reduced, a very long time will be required for distribution of the work of the officers that will be removed. All the same, the way in which he has put his case—the facts and figures which he has produced before the House—the amount of work which executive engineers in pre-Barrage days used to do as compared with what they are doing now—make his case very convincing. If the Honourable the Leader of the House wants time for reduction of these officers, if he is so minded, we may give him a year or two. But the case made out is so convincing that unless the Leader of the House promises to reduce the staff in the very near future, I am afraid this side of the House will vote for the cut. The Honourable the Leader of the House told us that Government were doing their best and reducing the staff. I have not got the exact figures which he quoted, but I think he said that from 54 lakhs they have been able to come down to 34 lakhs during these three or four years, and even now the work of reduction was going on. But when we hear the figures given by the honourable mover of this cut, we find that Government are moving very very slowly indeed. They ought to be more quick in reducing the staff, as suggested by the honourable mover.

Further, Sir, the Honourable the Leader of the House told us that the object of undertaking this huge Lloyd Barrage scheme was only to assure water-supply to the present zamindars or to the present cultivated area. My own impression is that the primary object of the Lloyd Barrage was to bring more land under cultivation, and that the assurance of water-supply to the existing cultivated area was only secondary. Now, if land was cultivated to the extent of 35 or 36 lakhs of acres in pre-Barrage days, I do not think we are going very much further when in 1962 only 3 or 4 lakhs more acres will be brought under cultivation.

We are very much thankful to the honourable mover for having brought all these figures before our eyes. We shall keep our eyes open every time, and in case we are not able to carry this cut now, every year we shall see that this establishment is reduced to the level proposed by the honourable mover.

While discussing the general cut, we may be able to discuss other points, but on this cut I do not think I shall take any more time of the House.

Mr. R. R. BAKHALE: Sir, while the sympathies of some of us on this side of the House are entirely with the mover of this cut, we find it

[Mr. R. R. Bakhale]

extremely difficult to cast our vote in favour of this cut. The reasons, Sir, are obvious. I am convinced that he has made out a very strong case for investigation. There is no doubt about it. It was a pleasure and a privilege to listen to one of those speeches in this House which are considered as very good speeches. But, Sir, we want to consider the effect that is likely to be produced if this cut is carried. The honourable mover of the cut has made it clear that he wants to wipe out all the votable expenditure, because he cannot touch the "untouchables." The position is perfectly clear. But what is going to be the result? The result will be one of these two things. Either all those persons coming under the votable head, petty officials, clerks, typists, chaprasis, will be retrenched and there will be more unemployment among those classes of the people; or, if that is not done—I recognise the position will not come to that, but that is one of the contingencies which we have got to consider—the other alternative is that the Governor may restore the whole grant with the result that our people will continue to be employed along with the so-called "untouchables." What will we have gained? The honourable member Mr. Gazdar drew pointed attention to the extravagance in that particular establishment. Most of us, I believe, are absolutely satisfied so far as his case is concerned. What we want, Sir, is this, that Government must make a thorough investigation and must try to find out whether there is extravagance or not. If that is the real object of the honourable mover of this cut, I am afraid that object is not likely to be achieved by passing this cut. Therefore those of us who take this view have been put on the horns of a dilemma. But we have to take some risk in the matter. If Government will give us an assurance that they will make a thorough investigation into the excesses and all the other difficulties and all the problems that the honourable member Mr. Gazdar placed before this honourable House this evening, I for one am prepared to vote against the cut. If, on the other hand, no such assurance will come forth from Government, I am prepared to take the risk—and remain neutral in my seat. [*Laughter*].

6·30 p.m.

Khan Bahadur GHULAM NABI SHAH (Thar and Parkar District): (Addressed the House in Urdu): Sir, I rise to support the motion of my honourable friend Mr. Gazdar for a drastic reduction in the irrigation establishments in Sind Public Works Department. I live in a district where Jamrao Canal was first boomed as a perennial canal and very heavy establishments were maintained on it with the result that the whole work became unproductive though at the outset it promised to be highly remunerative. Sir, the Lloyd Barrage Scheme when first introduced it appeared handsome and profitable. Now when cost of works has increased, programme of completion is delayed and maintenance expenditure is increased, the financial prospects of it even being a profitable business concern appear to be remote. I am of opinion that when most of the irrigation works are now complete, the establishment can be easily reduced. I think three Superintending Engineers will quite suffice for usual inspection work instead of 5. It will be quite easy

[Khan Bahadur Ghulam Nabi Shah]

to combine Northern and Southern Jamrao divisions into one under one Executive Engineer. Similarly sub-divisions could be reduced by such combinations. I am sorry to see that Government is maintaining four Sub-Divisional officers in Mithrao under Barrage conditions where there used to be only one. I therefore think that the staff can be reduced by half. I submit, Sir, if immediate steps are not taken to reduce this staff now, Sind can never bear it and it will sooner or later be necessary to appoint committees. But, Sir, then it will be too late. Good prospects of the project will be marred. With these remarks I support the cut motion.

Rao Bahadur S. N. ANGADI (Belgaum District): Mr. President, I have kept my mind open on this question and am still waiting for the reply of the Honourable the General Member. I had no mind to participate in the discussion, but the history of the staff which was given by the honourable mover of the cut was very interesting. He pointed out that in the pre-Barrage days the staff was very much less than the staff as it exists to-day. He further said that so far as the work of the Executive Engineer was concerned, the distance covered by him to-day is the same, the discharge of water is almost the same, and so on and still he finds that the staff has increased by nearly 300 per cent. He conceded one point in favour of Government. He admitted that the revenue work had increased considerably. But he suggested that so far as the revenue work was concerned, it could very easily be managed by giving a personal assistant to the Executive Engineer and that there was no justification in engaging as much as three times the staff in the pre-Barrage days. He also pointed out that if there was going to be any increase in cultivation at all, it was to be after 30 years or so, because the cultivation in pre-Barrage days as regards the kharif crop was about 27 or 28 lakhs and it would be something like 30 lakhs after 30 years.

Now, all this is surprising. Is it necessary to engage 300 per cent. more staff? After all, Sir, as was pointed out by my honourable friend Mr. Petit, it is a very highly technical subject and unless we are given sufficient light to guide us, it is very difficult to say one way or the other. It is not that I am afraid of the bogey of unemployment. If really the extra staff is unnecessary, there is no reason why the tax-payers' money should be thrown away like this. Even now, I feel an honest doubt that Government could not really have employed so much extra staff for the same work. However, the case as it was put before us by the honourable mover of the cut looked very convincing and I at least listened to his speech with great attention, and as was pointed out by several honourable members, the specific charges which were made by him were not replied to by the Honourable the Leader of the House. Of course the Honourable the Leader of the House pointed out that year after year there has been a substantial reduction in the staff. In fact, he told us that from 50 lakhs it has come down to something like 34 lakhs—a reduction of 16 lakhs. But the history as given by the honourable mover is very different. If that history is to be believed, it means that

[Rao Bahadur S. N. Angadi]

there is extraordinarily heavy staff which must be reduced considerably. I do not know what the reply is going to be. I sincerely hope that the staff maintained there is not so extravagant. It cannot be, because I am unable to believe that Government would maintain such an extravagant staff, if the conditions are the same; there must be some justification for maintaining the staff. It is quite possible that there may be an extra staff of one or two Assistant Engineers. But I cannot say that where only 11 or 12 engineers ought to be employed, the Government would go to the length of employing 28 Executive Engineers. So, I think there is something extraordinary for which I hope a proper explanation will be forthcoming. In the meanwhile, I keep my mind open.

Mr. G. S. GANGOLI (Kanara District): Sir, if the honourable member who spoke last were convinced that the case made out by the honourable mover was correct, I have no hesitation in saying that he would whole-heartedly support the cut. So also, Sir, if the Honourable the General Member were convinced that the staff is really extravagant, he would equally whole-heartedly accept the cut and make the necessary reduction in the staff. But, be it said to his credit, he (Rao Bahadur Angadi) has an open mind.

It is our misfortune that at a time when retrenchment was necessary, at a time when overhauling was essential somewhere else, retrenchment has been effected in the front Government Benches. The result is that whenever a question is raised, they have the right to say they are unable to go carefully into the matter, because retrenchment has been effected in their number. So, by reason of two Honourable Members of Government and one Honourable Minister being retrenched, we have to suffer so much. I wish that they were in their places in full force if only to go into the question of retrenchment in the unnecessary staff.

It has always been a puzzle to this side of the House how this province happens to be so extravagant, so top-heavy in its administration as compared with any other province in India. This is not a solitary instance of extravagance. I have tabled another cut motion to retrench the Chief Conservator of Forests, and failing that, to retrench the entire staff, and failing that, there is the one-rupee cut. That is another department which we cannot reach. That is another instance of extravagance, and if opportunity is given to me, I will make out a stronger case than the honourable mover has done to-day. The mentality of the administration is the same in every department. Why is it that we are spending such a small amount for the nation-building departments? Why is it that we are taxed to such an extent? Really, the responsibility lies very heavily on the Honourable the Leader of the House, with his personal experience, with his representative character, with his capacity and with his magnetism. Year after year he has forced upon us additional taxation one after another and has shown to the Government of India that of all the Councils in India, this is the weakest Council and that we can submit to any money Bill and we can always balance our budget in spite of the Government of India's step-motherly treatment

[Mr. G. S. Gangoli]

towards our province. Really, the Honourable the Leader of the House has a great responsibility. It is for him to rise to the occasion and with a bold hand take steps to retrench all this unnecessary staff in all the departments of Government. I am earnest in what I am saying and trust that if the Honourable the General Member and the Honourable the Finance Member can be convinced that there is so much wastage in the various departments under their control, they will be bold enough to retrench the unnecessary staff. With these words, I support the cut.

Mr. PESTANSHAH N. VAKIL (Ahmedabad City): Sir, in the first place, I confess to a feeling of incompetence to pronounce any opinion on a subject which bristles with so many technicalities. But I associate myself with the honourable members who have preceded me in paying my tribute to the honourable mover of the cut for the very interesting speech to which he has treated this honourable House. But when I say this I should not be understood to mean that he has left any feeling of conviction in my mind. If this were a meeting like the one held on the Chowpatty Sands or on the Tilak Maidan or Shaukat Maidan, then probably all that was required of us was to cry "hurrah" and disperse. But this is a meeting of responsible people and we are entitled in all humility to ask the honourable mover to give us time not merely to question the accuracy of the figures that he has hurled at our heads, but to scrutinize them a little more carefully. In matters of this kind, I submit, the best procedure would be for Government to ask for time, for, Sir, such a formidable array of figures has been hurled at the heads of the front bench occupants that I feel that Government officers cannot in fairness be expected on the spur of the moment to be in a position to answer the challenge of those figures. The honourable mover has had ample time at his disposal, he knew what he had come here for; he came here with a prepared, a highly entertaining and interesting speech, and I again congratulate him on the trouble he has taken on its preparation. He has made out a plausible case. I may even go further and say that the impression left on the minds of many honourable members on this side of the House is that the Public Works Department of Sind is run on very extravagant lines, that extravagance and wastefulness are running riot there and that the Honourable Member in charge of the department is meanwhile enjoying the sleep of Morpheus, doing nothing to stop the waste. If that impression exists in the minds of some of the occupants of these benches, Government Members themselves are partly responsible, because, Sir, the speeches that we heard a few minutes ago did not to my mind appear to attempt to meet the arguments of the honourable member point by point. The fallacy lies here. In the first place two or three very intelligent honourable members are sitting on my left. One of them is my honourable friend Sardar Rao Bahadur Bhimbhai Naik. We all know how very keen he is on figures. He is curiously under the impression that the total addition of mileage in canals is practically nil. If my honourable friend chooses to address this House, he will perhaps tell you that the impression left on his mind

[Mr. Pestanshah N. Vakil]

is that the barrage has not created any new or additional work for the Public Works Department to look after and that the total mileage of canals practically remains the same as in pre-barrage days. I do not think, Sir, that that could really be the case. The officers of Government should have enlightened the House on several technical matters and this is one of them. I understood the honourable mover to say that roughly the area covered by the barrage is the same as it was before it was constructed. I think I am also right in understanding him that several canals have been widened, remodelled and rearranged. But then some members have been left under the impression that no new canals have been constructed at all. I am surprised that no new canals should have been constructed.

Mr. SHAIKH ABDUL MAJID: Who is the honourable member or who are the honourable members who are under that impression?

Mr. PESTANSHAH N. VAKIL: Then, Sir, an illustration of the peculiar mentality of some honourable members is furnished by the speech of my honourable friend Mr. Petit. No stick is too bad to beat the Government with. Because a member charges Government with extravagance, according to Mr. Petit that is a proposition which must be immediately accepted.

Mr. J. B. PETIT: I never said anything of the kind. The honourable member is absolutely wrong.

Mr. PESTANSHAH N. VAKIL: The ordinary rule is that onus probably lies on the shoulders of one who makes the assertion. Here is topsy-turvydom with a vengeance. You charge Government with an offence and you want the Government to prove that they are not in the wrong. That is hardly fair. I mean criticism to be fair should be based on facts, not on fiction nor on fancy.

Mr. J. B. PETIT: I repeat that I never said anything like what is attributed to me. The honourable member is entirely misrepresenting me. He is trying to be wiser than he really is.

Mr. PESTANSHAH N. VAKIL: I mean to say, Sir, that according to the honourable member Mr. Petit whenever a charge of extravagance is brought against the Government, he for one is prepared to accept it, and he gave the illustration of the rule of the road in France, and yet he has to say that he has not been correctly represented.

Mr. J. B. PETIT: I must object to the honourable member's statement. What I said was that the onus of proving the contrary lay on the shoulders of the Government. That makes a world of difference. If the honourable member cannot understand it, I am unable to help him.

Mr. PESTANSHAH N. VAKIL: Is not that the reverse of the ordinary rule? To repeat, the burden of proof lies on the man who makes the assertion and brings forward the charge. At this rate, every passer-by is at liberty to level a charge against us and it is for us to prove our

[Mr. Pestanshah N. Vakil]

innocence. If the honourable member entertains such sentiments, I wish him joy of them.

Mr. J. B. PETIT: Thank you very much.

Mr. PESTANSHAH N. VAKIL: Then the honourable mover measured the work of the engineers by the cusecs of water distributed. This is purely a technical matter and I should not wish to join issue with him here. Is the work of the engineer to be measured by the cusecs of water which he doles out? The Government experts could have thrown some light on this point. I for one am not prepared to say that this is a correct standard of his work, or an incorrect standard either. The honourable mover merely made a statement that the cusecs of water distributed in pre-barrage days was so much and that in the post-barrage days it was so much, as if the amount of work which an executive engineer goes through consists in doling out so many cusecs of water and nothing more.

Rao Bahadur G. V. PRADHAN: What remedies do you propose?

Mr. PESTANSHAH N. VAKIL: I do not know. That is exactly the gravamen of my complaint. He left an impression on the minds of some honourable members including myself that the barrage had created absolutely no extra work for the Public Works Department. This point should particularly have been made clear by the Government spokesmen, namely, whether or not any extra work had been created for the department by the construction of the barrage.

Then, Sir, the main question is: Has the honourable mover proved his case for the cut? He says that instead of 11 executive engineers there are now 28.

Honourable MEMBERS: 39.

Mr. PESTANSHAH N. VAKIL: The mover said 28 and not 39 and he still maintains it. So the boot is on the other leg now. 28 executive engineers, i.e., 17 extra executive engineers; and instead of 2 superintending engineers there are now 5. The real point at issue is whether the amount of Rs. 19,70,000 is made up of the salaries of these 17 extra executive engineers and three superintending engineers. That is the whole thing in a nutshell. Here again there is one more point to be considered. The point is whether it is the votable sum out of the whole Rs. 19,70,000 which constitutes the salaries of these supernumerary officers i.e., 17 executive engineers and 3 superintending engineers.

Rao Bahadur G. V. PRADHAN: He never said so.

Mr. PESTANSHAH N. VAKIL: He has got to prove it; otherwise he has absolutely no claim to the honourable members' votes and they will be simply voting on grounds other than those of justice and fairness. That is exactly what he has got to prove, that Rs. 19,70,000 is the amount of salary paid to the extra staff and that the sum is votable. Has he proved it? I hold no brief for Government. I mean to say I am not putting forward the Government side. When, Sir, you yourself drew

[Mr. Pestanshah N. Vakil]

his attention to this aspect of the case he showed his inability to prove the main thing, that was the crux of the question, and unless he does that we are not prepared to vote for him. At any rate I conclude by saying that he has made out a case for investigation and Government will be well advised in going deeply into the matter of these salaries and establishment. Sir, this is a question on which I have spoken at very great length in one of my budget speeches. This particular establishment may be bloated for aught I know. But I repeat, Sir, that the best that can be said for his interesting speech is that he has made out a case for a thorough investigation.

Mr. SHAIKH ABDUL MAJID : I understand that the honourable member withdraws his remark that it was not a speech from the Tilak Maidan or from the Shaukat Maidan.

Mr. MAHOMED HASHIM GAZDAR : I too must take objection to that remark of the honourable member Mr. Vakil.

It being 58 *minutes past* 6 *p.m., the House adjourned till* 2 *o'clock on Thursday, the* 8*th March* 1934.

MO-I Bk Hb 163—5

BOMBAY : PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Thursday, the 8th March 1934.

The Council re-assembled at the Council Hall, Bombay, on Thursday, the 8th March 1934, at 2 p.m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present :

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr. A. B.
ADVANI, Mr. P. B.
AMINUDDIN, Mr. SAIYID
ANGADI, Rao Bahadur S. N.
ASAVALE, Rao Bahadur R. S.
BAKHALE, Mr. R. R.
BANGI, Mr. A. K. J.
BELL, the Honourable Mr. R. D.
BIJARANI, Khan Bahadur SHER MUHAMMAD KHAN
BIRADAR, Sardar MAHABOOBALI KHAN
BOLE, Rao Bahadur S. K.
BULLOCKE, Mr. A. GREVILLE
BURNS, Dr. W.
CHIKODI, Mr. P. R.
CHITALE, Rao Bahadur G. K.
CLEE, Mr. C. B. B.
COLLACO, Dr. J. A.
COOPER, the Honourable Khan Bahadur D. B.
COVERNTON, Mr. S. H.
DABHOLKAR, Major A. Y.
DESAI, Rao Saheb B. G.
DESAI, Mr. H. R.
DESAI, Mr. S. B.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
D'SOUZA, Dr. J. ALBAN
EWBANK, Mr. R. B.
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GARRETT, Mr. J. H.
GAZDAR, Mr. MAHOMED HASHIM
GHULAM HUSSAIN, the Honourable Sir
GHULAM HYDER SHAH, Mr.
GHULAM NABI SHAH, Khan Bahadur
GILDER, Dr. M. D.
GOKHALE, Mr. L. R.
GREAVES, Mr. J. B.
HUMPHREY, Mr. JOHN
JAN MAHOMED KHAN, Khan Bahadur

JITEKAR, Mr. HAJI IBRAHIM
JOG, Mr. V. N.
JONES, Major W. ELLIS
KALBHOR, Mr. G. M.
KAMAT, Mr. B. S.
KAMBLI, the Honourable Dewan Bahadur S. T.
KARBHARI, Mr. M. M.
KENNEDY, Mr. T. S.
KULKARNI, Rao Saheb P. D.
LANE, Mr. C. M.
LELY, Mr. W. G.
MATCHESWALLA, Mr. G. E.
MAXWELL, Mr. R. M.
MEHERBAKSH, Khan Bahadur S.
MITHA, Mr. MAHOMED SULEMAN CASSUM
MODAK, Rev. R. S.
MODI, Sardar Davar T. K.
MORE, Mr. J. G.
NAIK, Sardar Rao Bahadur B. R.
NAMDEORAO BUDHAJIRAO, Mr.
NAVLE, Rao Bahadur N. E.
Owen, Mr. A. C.
PARULEKAR, Rao Bahadur L. V.
PATEL, Khan Bahadur A. E.
PATEL, Mr. BHAILAL SARABHAI
PATEL, Mr. C. N.
PATEL, Khan Bahadur VALI BAKSH A.
PATIL, Dewan Bahadur D. R.
PATIL, Mr. N. N.
PATIL, Rao Saheb V. S.
PETIT, Mr. J. B.
PRADHAN, Rao Bahadur G. V.
PRATER, Mr. S. H.
RAHIMTOOLA, Mr. HOOSENALLY M.
RESALDAR, Mr. A. K.
ROOSE, Mr. F. O. J.
SERVAI, Mr. A. E.
SHAIKH ABDUL AZIZ, Mr.
SHAIKH ABDUL MAJID, Mr.
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SHINDE, Mr. R. B.
SMART, Mr. W. W.
SOLANKI, Dr. P. G.
SURVE, Mr. A. N.
SURVE, Mr. V. A.
SYED MIRAN MAHOMED SHAH
SYED MUNAWAR, Mr.
TOLANI, Mr. S. S.
TURNER, Mr. C. W. A.
VAISHAMPAYAN, Dr. V. G.

VAKIL, Mr. PESTANSHAH N.
VANDEKAR, Rao Bahadur R. V.
WADKE, Mr. B. P.

NEW MEMBER SWORN.

Major A. Y. DABHOLKAR, I.M.S., made the prescribed affirmation of allegiance to His Majesty the King-Emperor, and took his seat in the Council.

CEREBRO-SPINAL MENINGITIS.

Sardar Rao Bahadur B. R. NAIK (Surat District): Before we commence the business, I want one information from the Honourable Minister for Local Self-Government. There is now a disease known as Cerebro-Spinal Meningitis prevalent in Ahmedabad. I learn that it is a contagious disease. There is a great scare in Gujarat. I do not know about Bombay. If the Honourable Minister has got any information in regard to it, the House will be very glad to know it.

The Honourable Khan Bahadur D. B. COOPER: The information at the disposal of Government so far received is this:

First five cases of this disease in the Presidency proper were reported at Ahmedabad in the week ending 9th December 1933. The earliest cases were detected in the Civil Hospital. The Director of Public Health, who was at Ahmedabad at this time on his way to Sind, visited the Civil Hospital and discussed the measures to be taken, with the Civil Surgeon, the Assistant Director of Public Health, Northern Reg. District and the Medical Officer of Health, Ahmedabad Municipality. The Medical Officer of Health gave wide publicity to the measures to be adopted by means of leaflets, and disinfected the premises where cases had occurred. Arrangements were also made to treat the patients in hospitals.

There was a lull in the outbreak for the next four weeks and about the middle of February the disease appeared to increase steadily. On 24th February, the Director of Public Health visited Ahmedabad City Civil Hospital and Vadilal Sarabhai Municipal Hospital in company of the Assistant Director of Public Health and the Medical Officer of Health. There were on that morning 27 cases in the Municipal Hospital and 2 in Civil Hospital. Preventive and precautionary measures and facilities for treatment of patients were discussed with the Civil Surgeon and the staff of the Municipal Hospital. Arrangements made for treatment of patients were very good but it was feared that much more accommodation would be required and the Superintendent of the Municipal Hospital was considering the question of closing the out-patient department and turning it into wards for such patients. The suggestion was approved by the Director of Public Health. It was further decided to advise the Municipality to take action on the lines which are known to check spread of infection. Thus the authorities were requested to close schools at once and then Cinema and other places of entertainment if the disease showed an upward trend. They were also requested to

[Khan Bahadur D. B. Cooper]

make the disease notifiable and induce people to remove patients to hospital as early as possible. Segregation of contacts was found to be a difficult problem owing to the large number but it is proposed to have the contacts examined bacteriologically and treat those who prove to be carriers.

The Assistant Director of Public Health, Northern Registration District, has been instructed to return to Ahmedabad from West Khandesh where he has been touring and render all possible help to the authorities, and attention of the Collector of Ahmedabad and other Collectors is drawn to Cerebro-spinal fever rules of 1921 for adoption wherever possible.

This is all the information at the disposal of Government at the present moment.

Mr. PESTANSHAH N. VAKIL : Is it a fact that there is a shortage of serum ? Injection of serum, we are told, is the most effective method of treatment.

The Honourable Khan Bahadur D. B. COOPER : There is no shortage of serum, so far as I know.

Mr. R. R. BAKHALE : May I know whether Bombay has suffered from this disease ?

Mr. R. B. EWBANK : Two attacks and two deaths in the week ending 24th February and since then I am told the number has risen to 10.

SYED MIRAN MAHOMED SHAH : May I know whether the Honourable the Revenue Member has received any information from the Commissioner in Sind regarding the revision of land revenue which the Honourable Member has promised ?

DEMANDS FOR GRANTS—(*Discussion resumed*).

Sardar Rao Bahadur B. R. NAIK (Surat District) : Sir, I want to make only one or two observations on the motion under discussion. It will be admitted, Sir, as has been admitted by the Honourable the Leader of the House, that the mover of the cut is not a layman but an expert in the line. It will be equally admitted that Government have also got their experts and Government are incurring the expenditure on the advice of their experts. Sir, I am a layman and therefore I cannot speak on technical matters, but one thing has impressed me, as it has other honourable members on this side of the House, and that is that the honourable mover of the cut has made out a strong case. He made out a strong *prima facie* case, and it was up to Government more particularly the expert of Government, namely, the Secretary of the *Public Works Department*, to refute the allegations, strong allegations, in his reply. Sir, the impression created in our minds by the allegations levelled against Government of extravagant expenditure in connection with the Public Works Department in Sind, has been strengthened by the replies made by the Government benches, by the Honourable the Leader and the honourable member, the Secretary of the P. W. D.

[Sardar Rao Bahadur B. R. Naik]

What was their reply, Sir? The Honourable the Leader of the House stated that Government were reducing their expenditure, and they had reduced it from 52 lakhs to 34 lakhs in four years. Sir, that is no reply. The honourable mover of the cut has given out figures after figures—during a speech which lasted one and a half hours, half the time was taken up in giving figures—and not a single figure has been challenged by the Government benches. The honourable member the Secretary of the Public Works Department, in his reply, said that when he was an executive engineer in Sind he never rode a camel, but he rode on horse back.

Mr. C. M. LANE: I said, Sir, I would not ride a camel if I could ride a horse.

Sardar Rao Bahadur B. R. NAIK: The camel and the horse were there in his reply, but he did not try to reply to the salient points raised by the honourable mover of the cut. I myself am not an expert in the line, but the honourable mover is and he said that in the Barrage zone the supply of water at present is 46,000 cusecs. For this supply 14 engineers are at present employed. In the non-Barrage zone, if you take Fuleli Canal, it gives a supply of 8,490 cusecs and there is only one engineer; in Begari Canal which supplies 12,693 cusecs, there is only one engineer; and in Shikarpur Canal, with a supply 10,898 cusecs, there is only one engineer. Now if 12,000 cusecs can be managed by one engineer, a laymanlike myself cannot understand why 14 engineers are necessary for the supply of 46,000 cusecs. There may be reasons for it perhaps, but I say very emphatically that the Honourable the Leader of the House, who is in the know on this subject much more than anybody on this side of the House, and more particularly the Secretary of the Public Works Department, have failed to answer the question. Therefore in the absence of strong reasons offered in defence of this expenditure, this side of the House is quite right in taking it for granted that the expenditure incurred on the Public Works Department in Sind is, if not extravagant, certainly careless. Sir, yesterday, my honourable friend Mr. Vakil mentioned my name in his speech and stated that I entertained some doubt about the increase of mileage of canals in Sind. Well, Sir, in pre-Barrage days the mileage was 7,500; in post-Barrage days, now, it is 8,400—an increase of 900 miles, only 10 per cent. If, Sir, 7,500 miles of canals, as pointed out by the honourable mover, was managed by 11 engineers, is it justifiable that 8,400 miles of canals should have 28 engineers? Yesterday, there was some confusion about the number of engineers. When I said 39 engineers, I included the assistant executive engineers also. Please see page 32 of Civil Works Budget Estimate (Public Works Department). There the executive engineers and assistant executive engineers are taken together, and their number is 39. I do not see much difference between the executive engineer and the assistant executive engineer. Of course the executive engineers gets a little more pay, but the assistant executive engineer is in the same grade and will be promoted to the rank of executive engineer within a few years. There

[Sardar Rao Bahadur B. R. Naik]

is no separate head provided for them; the next head is "assistant engineers, temporary engineers and apprentices numbering 101. But we are told of these 39 only 28 are executive engineers, the rest being assistant executive engineers.

Mr. C. M. LANE: On a point of information. May I inform the honourable member that five of the assistant engineers mentioned in that column are attached to the Superintending Engineers' offices? They are not in charge of divisions; they have nothing to do with the executive charge of the canals at all.

Sardar Rao Bahadur B. R. NAIK: Thank you for the information. But even taking all these factors into consideration, cannot the Barrage area be managed by, say, half a dozen engineers, and cannot Government reduce eight engineers from the Barrage zone? If Government go about the task in all seriousness, they will be able to reduce it to this number without any inconvenience.

Sir, as I said in the beginning, I am a layman. If a layman alone had proposed this cut, Government's reply would have been that the mover of the cut did not understand the subject and did not know the intricacies of the problem. But here is a man who was in the engineering line and who knows the ins and outs of the department. Therefore, Sir, yesterday, I had a joke with one of my I.C.S. friends, and I told him that a rule should be passed by which one of the civil servants in the cadre of the Bombay Presidency could retire voluntarily or have his services dispensed with by Government and then get elected by the people to sit on the popular side in this Council, so that we might get inside information of what is going on in the departments. If my honourable friend Mr. Gazdar were not here, we would never have known what is going on in Sind. He comes from the same province and he understands the subject. For nearly one and a half hours he has reviewed certain matters which certainly deserve the consideration not only of Government but also of everybody in this House. As I said, there is no consolation because the amount has been reduced from 52 lakhs to 34 lakhs. If only 20 lakhs are required, there is no reason why 34 lakhs should be spent. The mover of the cut has made out a case, and it is now for Government to repudiate the serious charges levelled against them.

Dr. J. ALBAN D'SOUZA (Bombay City, South): Mr. President, I venture to base my claim for participation in this debate on a huge cut in the activities of a department of Government, hundreds of miles away from the City, as a mere member of this honourable House, on the ground of a policy, the adoption of which has certainly been conducive in times past towards a peaceful and harmonious collaboration in the service of the various and vital interests of this great Presidency. Sir, I refer to the never unwelcome policy and principle of give and take, a policy that has stood the test of difficult times, difficult circumstances and difficult situations and has oft-times prevented impasses that might have to the great detriment of more or less large sections of the masses of the Presidency clogged the wheels of the machinery of Government.

[Dr. J. Alban D'Souza]

Sir, in the carefully studied case he has put up, the honourable mover of this motion—my honourable friend Mr. Gazdar—it will be admitted, has chosen to "take" quite a lot from Government—no less than, big reduction indeed, Rs. 19,70,000 from a total demand of Rs. 27,41,300. It must be admitted that it is a very large "take" indeed. I would, in the interests of peaceful and harmonious collaboration which this honourable House will have to bear constantly before its mind's eye in view of the coming portentous events, earnestly appeal to my honourable friend the mover to prevent, even if it is necessary at the cost of some personal sacrifice, the clogging of an important department of Government by making the best possible effort towards balancing the "take" by accepting the "give" as offered to him by the Honourable the Finance Member. It is possible, as my honourable friend Mr. Pestanshah Vakil said, that the Honourable the Finance Member, in offering this "give" to him, most probably on account of insufficiency of time, has not been able to elaborate it in a suitable manner. But the House must remember that there is a good deal of substance in what has been offered by the Honourable the Finance Member. The Honourable the Finance Member has given us to understand distinctly that the construction work of the Lloyd Barrage has not yet been completed. This, I think, must be admitted. Secondly, he has given us an idea that Government is steadily pursuing the policy of reducing the staff as circumstances will permit. According to the figures given by the Honourable the Finance Member, in 1930-31 the expenditure on this department was 52·14 lakhs and in 1934-35 it has been cut down to 34 lakhs. That means a reduction of 18 lakhs, which must be considered as something appreciable.

Sir, with regard to the eloquent speech of my honourable friend Mr. Petit, what I feel is that the amplitude of confessions he has made and the frequency of pardons he has asked for, during the course of his brilliant speech, clearly indicate that my honourable friend Mr. Petit is very likely sitting on the fence with a mind which will not only topple down to the welcome policy I have suggested but in doing so will carry the mind of the honourable the mover of the cut along with it.

The debate on this subject has been interesting. It has been equally long. I therefore feel that I will not be justified in prolonging it further. Fully confident that the dart of conciliation I have attempted to shoot in the interests of peaceful and harmonious collaboration, will find its mark both in regard to the honourable the mover and his supporters I resume my seat.

Mr. J. HUMPHREY (Karachi Chamber of Commerce): I do not think, Sir, that there is anyone in this House who has urged retrenchment and organisation to the extent that I have. I have been relentless in my criticism of Government in respect of this and it would not surprise me to learn that they have frequently regarded me as a thorn in their side. But, at the same time, I do think there does come a time when there are certain items where one has to call a halt and where one has to think whether it is wise to talk about retrenchment or even

[Mr. J. Humphrey]

reorganisation. I think in the case of the Lloyd Barrage there must be no interference with Government. One has to leave work of that nature to experts and they must be given a free hand to see that it is carried out to the best advantage in every way.

Sir, I feel that I have every justification for regarding myself as Sindhi when I speak on matters relating to Sind. I went to Sind 37 years ago. I was actually there for 29 years and since I left I have been representing a Sind Constituency in this Council. So I feel that I can talk with a certain amount of knowledge and feeling regarding Sind. For instance, I remember the present Secretary to Government in the Public Works Department (Mr. Lane) arriving in Sind on his first appointment. I knew him right throughout his service there, which was practically continuous until he came to Bombay. He was trusted by Sind and to my mind there is no reason whatever for that trust to be discontinued. His Department is in charge of the Lloyd Barrage and as the Head of that Department I am sure he would not let the Barrage or Sind suffer in any way. In other words, Government can trust him and Sind can trust him never to let either of them down in any way. I feel that that is the way we have to regard expenditure on the Barrage. Those in charge must be trusted, so that when the work is finally completed Sind can feel that the best possible results have been achieved. Any interference might easily result in disaster. Even when I went to Karachi, the future of Sind was linked up with the building of the barrage. I grew up there thinking and talking of the Barrage and I helped very largely to the fulfilment of the scheme being carried out. While I am not prepared to agree to unnecessary extravagance, at the same time I am an advocate of whatever money is necessary to complete the scheme so that best results—and only the best results—are obtained, that money should be spent. The Barrage affords a unique opportunity to achieve wonderful results. It is there to bring vast areas of virgin soil under cultivation and the opportunity of getting the best results from that soil is unsurpassed. And that opportunity must not be lost. But the masterpiece is not yet complete. There is a great deal of work yet to be done in developing the canals and the land which they will eventually irrigate. Many of those canals are not yet completed and others are still in course of construction. I feel, therefore, that there must be no interference on any account with the expenditure on that work and at the same time we must support Government in carrying through this enormous scheme to a successful conclusion.

I am sure that the honourable member has done this House a service up to a certain point in moving this cut. It has enabled the whole project to be discussed and given the Sindhis an opportunity of expressing their views, though I think in many ways they have been wrong. It is quite possible that out of this debate there have been many suggestions which may be of value to Government and, should that be the case, I am perfectly certain that Government will not fail to take cognisance of such points.

Mr. SHAIKH ABDUL MAJID: Will you point out in what cases we have been wrong?

Mr. J. HUMPHREY: I think the cut is wrong in the first place and I would urge the honourable mover to withdraw it.

Mr. T. S. KENNEDY (European, Bombay City): Sir, I agree with the honourable member Mr. Humphrey from Karachi that this motion has raised a very interesting discussion. My honourable friend Mr. Petit has appealed to the Government benches to explain the true significance of the figures under Establishments. This seems to me reasonable and I have no doubt that an explanation by Government will put matters in their true perspective. One honourable member has drawn comparisons between the Circles and Divisions, that is to say, the charges under Superintending Engineers and Executive Engineers respectively, drawing his comparisons with the other provinces of India. Now, Sir, I have actually carried out contracts for the mechanical equipment of irrigation works in every province in British India and some of the Native States with the single exception of, I think, Bihar and Orissa, and I cannot support the honourable member's suggestion that the divisions in Sind are smaller and involve less work than the divisions in other provinces. Admittedly, in my experience Executive Engineers, say in the U. P. complain that their divisions are very uch bigger than, say, the divisions in the Punjab, but after all, that is just a natural cause. Be that as it may, I shall look forward to a statement which will support my own impression that in Sind, and particularly considering the means of transport—by that I mean communications—the divisions really involve more onerous duties than in other provinces with which the comparison is made. Sir, surely the criterion ought to be the businessman's criterion. I refer of course to the businessman's delight, his profit and loss account. In other words, we ought to criticise the return on the expenditure involved. Most of the criticisms so far have been directed against one side of the account only, in other words, is the cost justified? Can Government show that the expenditure on these establishments shows a reasonable return? In other words, what is the percentage of expenditure—by which I mean the salaries which have been so hotly attacked—to the revenue collected? Is the increase in revenue material? If Government give us such percentages or assurances, I am sure they will completely satisfy the House. That, in my opinion, is the only attitude in which to view this whole controversy. I find very great difficulty, like other businessmen do, in understanding Government accounts. That is why I suggest something in the nature of a profit and loss account.

2-30 p.m.

I have also a very serious complaint to make against the P. W. D. Officials, particularly the senior officials. Honourable members will recall how His Royal Highness the Prince of Wales has keen instrumental in inventing a household catchphrase namely, "It pays to advertise". The Sukkur Barrage is probably the single exception of all the works carried out by the P. W. D., which has been voiced all over the world.

[Mr. T. S. Kennedy]

Probably this has been due to the original controversies as to the actual advisability of the site, coupled with a certain amount of dispute about provincial water rights and so on, but the fact of the matter remains that much more might be done in the way of advertising. The Sukkur Barrage is thus an exception, and I hope it is not a digression for me to ask how many of the honourable members of this House realise that though in Irrigation circles the Assaun Dam is the catchword to every Consulting Engineer, to every Hydraulic Engineer, all over the world; yet, as the crow flies, within 90 miles of Bombay there are three works all of which exceed the masonry cubic content of the Assaun Dam. I only give this as an illustration. If this honourable House sanctions an expenditure of money which is spent on a particular job, I think an explanation of what is being done and what return is made for that expenditure seems to me reasonable. Otherwise, Sir, I strongly oppose this cut.

SYED MIRAN MAHOMED SHAH (Hyderabad District): Sir, I rise to support the cut moved by my honourable friend Mr. Gazdar. As a Sindhi, as a representative of Sindhis and of agriculturists of Sind it is but natural on my part that I must feel more responsible and more anxious for the efficient administration and management of this huge project than the rest of the House who represent the Presidency proper——

Sardar Rao Bahadur B. R. NAIK: Including your friend behind?

SYED MIRAN MAHOMED SHAH: I quite realise the claims of the honourable member who spoke before me, I mean Mr. Humphrey. He is as good a Sindhi as I am, but I am afraid he has not had the experience of an agriculturist nor has he had to share any burdens that the zamindar has to share in future until 60 years hence. Now, Sir, it is undeniable that the success of the Barrage depends upon the prosperity of the zamindar in Sind and the prosperity of the zamindar depends upon the efficient and economical working of this project. They are interdependent and intertwined, inseparable, so that it has to be looked at from the point of view of the man who has to pay the piper, who has to bear the brunt, not from the point of view of the man who is a bird of passage, who comes to render service and flies away to the higher regions never to be seen hereafter except on a marble tablet. What are the feelings of the agriculturist who has to bear this burden? He is watching as to how Government is spending each pie to enhance his indebtedness and his burden. It is precisely on that account that we are anxious and watchful and it is a matter of great gratification that the honourable members from the presidency have shown a remarkable interest in the management of this project realising their responsibility as sureties for the huge debt and its discharge until this suretyship is shifted from the shoulders of the Bombay Government to those of the Government of India after the separation of Sind. But, Sir, as the present situation is, certainly the presidency is responsible for the discharge of this huge debt, Rs. 25,25,00,000 beginning from end of the year 1935. Now, Sir, let us see whether the fears of the agriculturist and his sureties, the representatives of the Presidency, are really justified.

[Syed Miran Mahomed Shah]

The debt on the project accumulated up to 1935, along with the capital cost and the interest taken together amounts, as I just said, to Rs. 25,25,00,000. But that is not the only limit of the liability. There are other liabilities also which Government have to incur in order to make the project consistent with the original estimates and to put it into efficient working order. That is to say, they have to spend on the projects for Lower Sind to the extent of 113 lakhs, on the projects concerning Upper Sind to the extent of 125 lakhs, and on water courses and rectangulation to the tune of 156 lakhs. That brings us to the total of 394 lakhs, which is the total aggregate liability, in addition to the cost of the Barrage itself. Further, roads and communications will require, if not 4 crores as forecasted, at least 2 crores of rupees. That brings us to the grand total of 6 crores of rupees, which expenditure Government have still to incur in order to see the maturity of this project. So that, Sir, this is the heavy burden to be discharged, and precisely on that account our fears are justified and *bona fide* and we should not be blamed if we urge time and on upon Government for severe retrenchment and utmost economy. I am not prepared to be so optimistic as my honourable friend Mr. Humphrey as to leave this matter to the experts alone. I am responsible for the due discharge of the duty. I am the owner and proprietor of the house that I live in. As a layman, as a builder, of course it is my duty to cut my coat according to my cloth. Supposing I am going to construct a new house and I employ the services of an expert engineer. I would certainly submit to all his advice concerning construction according to the estimates. But if he were bold enough to tender advice to me that a refrigerator is as indispensable as a staircase, or that a radio is as indispensable to maintain the grace of the house as an upper storey, then certainly I would not submit to any such kind of advice. I have got sense enough to know whether or not particular things are necessary and others are not. I would cut my coat according to my cloth. So far as the establishment for the maintenance of my house is concerned, after my house has been erected properly, then it is for me to decide how many servants I require to polish my brass or to clean my furniture. It is not for the expert to dictate to me what establishment is to be maintained for the polishing of the brass contained in my house. That is for me to decide. We being in that position, certainly have to cry halt if Government becomes extravagant. The honourable member Mr. Gazdar, to whom we can certainly give the credit owing to the vast and varied experience behind his back a capability and expert knowledge which nobody can doubt and which Government never doubt, has so very eminently and so very ably expounded the position to the honourable House yesterday that it is not necessary for me to quote those figures. Sir, I would take caution from the words which fell from the lips of the gentleman who was once the Finance Secretary of this Government, Mr. Wiles, when on the floor of this House he declared "Statistics are dangerous" and I therefore do not feel courageous enough to enter the labyrinth of

[Syed Miran Mahomed Shah]

statistics. But as a layman, which layman's knowledge even the Honourable the Finance Member claimed, not going beyond that, I would say that this much we can understand from the exposition of the case by the honourable member representing Karachi (Mr. Gazdar) that the area under the command of these canals has not increased, and that the increase in the mileage has also not been considerable. It may be that after 30 years there might be an increase of 25 per cent., but that does not justify the maintenance of a battalion of officers, by increasing it from 11 to 28 for the same area.

Further, from a comparison of figures of cultivation also we are able to see that the cultivation is going to be compartmental. Formerly, the main crop was kharif. Now, it is to be divided; there will be both kharif and rabi, and there will thus be two full-fledged seasons. It is possible that in the past the Executive Engineer had to look after a small area of rabi land and now he has to look after an increased area of rabi land, but we have to look to the total area that he had to look to in the past and that he has to look after now, and the increase, I would say, in the figure is hardly 25 per cent. Formerly, my honourable friend has already stated, it was 28 lakhs kharif and 11 lakhs rabi; that brings us to 39 lakhs of acres of culturable area. Now it will be 20 lakhs kharif and 31 lakhs rabi; that brings us to the total of 51 lakhs of acres of irrigated area, because out of the 75 lakhs of acres under command only 52 lakhs of acres are culturable, according to the figures given by Government themselves. So that 20 lakhs of acres being kharif and 31 lakhs of acres being rabi, it brings us to the total of 51 lakhs of acres, and that will be at the end of 30 years according to the programme. So that, Sir, formerly there were 11 executive engineers to look after 39 lakhs of acres. Now the contention of my honourable friend Mr. Gazdar the expert is, why should there be 28 engineers for 51 lakhs of acres when the increase is about 25 per cent. only. I think he has completely proved his case. It is not that he is referring to the regions of the past history only. There are certain divisions still in existence which are being run on the modern lines, and the discharges, the mileage and the acreage remaining the same as under the old system. Four executive engineers still continue to manage those areas, I mean the Shikarpur canals area, the Begari canal division, the Fuleli canal division and the Karachi canals divisions. I represent Fuleli here. I know Mr. Menesse, who is the executive engineer. He is a very capable man, and nobody can doubt his abilities. The problems of Fuleli have been agitated on the floor of this House time and on and my honourable friends will know how complicated that question must be. Now, that executive engineer, with a discharge of 11,000 cusecs at the head of Fuleli is managing all right. If that is so, why should an executive engineer within the Barrage not be able to manage 10,000 cusecs at least? It is not that there are not going to be modules on the Fuleli, that there are not going to be regulators on the Fuleli. My honourable friend the Secretary, Public Works Department, pointed out the difference between the old and the new executive engineers. Formerly the executive engineers, he said, were responsible only to see

[Syed Miran Mahomed Shah]

that the proper quantity of water gets into the canals, but they were not responsible to see that the water course of the zamindar carried the water to his field. That makes a huge difference according to him. It makes a difference as to length also, when the executive engineer has to see the tail of the water course of the zamindar and also whether he gets a discharge in his field or not. I quite realise that. There is some truth in that contention. I would not deny that under the present circumstances, as long as we are at the preliminary stage it may be necessary to maintain an increased percentage of officers. That is why, I pointed out the other day, that the volume of work has increased so much, that executive engineers of some Divisions keep busy from morning till evening. I might be taken at my word, because in my budget speech I said that the zamindars are thronging the doors of the executive engineers from morning till evening. This state of affairs does exist. It is on account of the mess that has been created by the executive engineers themselves. It is on account of the ill-design and crude construction of the water courses from the contour line maps instead of taking the levels on the fields. It is the fault of the engineers. Have Government called upon the engineers to explain their mistake in having followed the contour line map? I protested against this action of the engineers to the Public Works Department but they gave all sorts of arguments and refused to admit the mistake. Much to my relief the Honourable the General Member admitted that they were constructed according to the contour line maps. This is a mistake of a capital character for which the Irrigation Department has not been taken to task. How can we thus submit our destinies in the hands of the experts as advised by my compatriot the honourable member Mr. Humphrey? There is a further reason which the honourable member Mr. Gazdar has cursorily pointed out. He asked, who will commit suicide? On whose advice Government act in regard to retrenchment? Can the Chief Engineer without the least hesitation and anxiety in his mind make a recommendation that the three Superintending Engineers under him should be retrenched? He has to sit in conference with the Superintending Engineers and seek their advice. How can he write against them? The Reorganisation Committee has strongly recommended the abolition of a permanent board of this character. They do not see the necessity for such a board. On page 241, they say;

"As regards the headquarter establishment in Sind, the chief, joint chief and superintending engineers have their headquarters in Karachi and are housed under one roof. We are further informed that frequent meetings are held for the discussion of subjects of common interest. We do not consider that there is any need for a regularly constituted board in Sind, but we feel that greater economy and efficiency would be obtained were the various offices amalgamated into a single headquarter office, and we recommend that this should be done, and the staff thereby rendered surplus retrenched."

I suppose that this recommendation of the Reorganisation Committee has not been accepted by Government. The Honourable the Leader of the House referred us to the Reorganisation Committee recommendations.

[Syed Miran Mahomed Shah]

The honourable member Mr. Petit quoted from it. I will also quote from the same report and not from anywhere else. They say:

"The appointment of a joint chief engineer, in charge of three circles yet subordinate to the chief engineer in Sind, has no parallel elsewhere in India."

They say that it is unparalleled in India but it exists in Sind.

Mr. J. HUMPHREY: Read on.

SYED MIRAN MAHOMED SHAH: Yes.

"We discussed the justification for it with Sir Charlton Harrison, the chief engineer in Sind, and he expressed the firm conviction that, for the next eighteen months while construction is being finished and the transition from inundation to perennial irrigation is in progress, the work which must come to the chief engineer is definitely more than one officer can possibly deal with. To abolish the post of joint chief engineer at the moment would, he considered, lead to a complete breakdown of control."

An Honourable MEMBER: Read further on.

SYED MIRAN MAHOMED SHAH: I will read the whole paragraph for the satisfaction of the honourable member the Secretary. I am not afraid of a single line of it:

"Having regard to the magnitude of the financial issues dependent upon the efficient development of the barrage project we are not prepared to challenge this view; we recommend that provision for a joint chief engineer should be made in the budget for 1933-34 but that the post should be abolished at the end of February 1934 at latest."

What was abolished? Sir Charlton Harrison, the then Chief Engineer, emphasised before the Reorganisation Committee that he would not hold himself responsible for 25 crores of rupees if the post of the joint chief engineer was abolished. He said that the whole structure would tumble down if that post was abolished. Now, an expert is like a charmer or like a magician, so that with his magic wand he can carry before him anything. For this huge sum of 24 crores who was going to be responsible? Not Mr. Thomas, not Mr. Harris and not Mr. Kaula. Owing to these threats of Sir Charlton Harrison they said "Let it go". Owing to the pressure brought upon by this House, Government was obliged to retrench the post even earlier than was anticipated by Sir Charlton Harrison. However, Sir, they still smelt something which required a thorough investigation after three years. It is three years since the Barrage has been in full working order but no inquiry has been held yet. But it is a matter for gratification to receive a gesture from the Honourable the General Member that he himself was thinking to launch upon overhauling the whole machinery. I am sure he will act on that as early as possible. But our duty here is to point out to this honourable House who are equally responsible as Government for the efficient management of the Barrage, so that they may arrive at the right conclusion. That is why I have quoted the passage from the Reorganisation Committee Report.

Now, I will deal with some of the objections raised by my honourable friend the Secretary to the Public Works Department; and then I will go on to other matters. I do not think that the Honourable Leader of the House put forward any argument directly in answer to the points

[Syed Miran Mahomed Shah]

raised by the honourable mover of the cut except showing that Government are carrying on retrenchment. I quite agree with the figures quoted by him, which is quite a huge amount from 56 lakhs to 43 lakhs. From the commencement of the construction down to its completion there must naturally be gradual retrenchment in expenditure. Government have done it. But our contention is that there is still room for retrenchment; and that Government should still further probe into the matter and investigate the matter and economise further. The honourable member the Secretary, P. W. D., dwelt upon the enlarged duties of the executive engineers in the Barrage zone inasmuch as he has to look after the watercourses also. I have already pointed out that the work of the engineers was augmented by their own mistake which they are now gradually setting right. Some of the watercourses have been put into working order and the others will be put into working order shortly. So, there is no necessity of maintaining such a big establishment everywhere. I hope that they will be able to rectify the mistakes in the course of the current year and then the whole establishment may be put on proper lines as suggested by us.

3 p.m.

My honourable friend the Secretary to the Public Works Department insinuated at the action of the zamindars in wasting water. The zamindars have been carrying this system for centuries together. Of course the members of the civilised British Government have come down to teach them the modern methods of cultivation and irrigation. We have yet to learn those methods from them but it will take time. We do not contend that the system is a sound one and that the water should be wasted. But in rice cultivation on our side, owing to the peculiar nature of the soil, the fields require two or three washings. The land here is saltish and unless there are two or three waterings in order to wash the alkali the plant cannot flourish. One has to look to the outturn also and not merely to the area of cultivation. It should also be a matter for consideration whether the zamindar has benefited from the irrigated land or not. [*Interruption.*] The wastage also is penalised. This question was raised before the Honourable the General Member the other day by the representatives of the Thar Parkar deputation. The honourable member the Secretary contended that the mover of the cut was not right in arguing that no new region has been added on to the Barrage zone. The honourable member the Secretary very rightly pointed out that the Khirthar is an addition that has come under irrigation since the Barrage from the mountains of Baluchistan, which has not seen a drop of water before——

Mr. C. M. LANE: I never mentioned any mountain being irrigated anywhere.

SYED MIRAN MAHOMED SHAH: I am sorry I mentioned the mountain. But the foot of the mountain is as good as the top of the mountain. It is a hill—the top, slope and the bottom. I shall speak of the bottom. I may point out to the House that Khirthar is a mountain

[Syed Miran Mahomed Shah]

which runs along the north-west boundary of Sind, but it is within the boundary of Baluchistan. One of the talukas of Baluchistan, namely Nasirabad which is contiguous to the talukas in Sind is irrigated by the Khirthar Branch. We are requesting the Government of India to add this taluka to Sind. I hope I am not divulging a secret if I say so? What is the cost of the Khirthar when compared with the other canals costing 24 crores of rupees? It costs 56 lakhs only, while the rest of the canals cost over 24 crores including interest. So that Nasirabad addition is a very small area as compared to the other Barrage zone, and the working expenses are to be paid to us, for the Khirthar branch by the Government of India and for the Khairpur branch by the Khairpur State. So, we have nothing to do with that; we are not responsible except for the management, and we are paid for that.

My honourable friend the Secretary of the Public Works Department made a comparison of the size of Sind divisions with the divisions in the U. P. and the Punjab, and contended—he was supported in this contention by the honourable member Mr. Kennedy—and contended that the Punjab had smaller sized divisions under executive engineers than Sind, the Sind engineers were crying hoarse that the divisions were larger and unmanageable. I say interested people will always cry like that, but disinterested people have to decide looking to the amount of work that each officer has to perform. Why compare with other provinces, when we have instances and examples in the same province? We are not aware of the conditions of the soil in other provinces. The other day, the Honourable the Leader of the House put a question to one of the zamindars of the Punjab as regards the outturns in the Punjab. He replied: "There is no question of waterlogging in the Punjab; we have been cultivating the lands every year for the past 20 years under the new conditions, and yet the outturn is very high." But that is not the case in Sind. You have to leave the land fallow every third or fourth year if you want to prevent waterlogging. It is very soft soil. The nature of the soil has also to be taken into consideration, and also climatic conditions, communications and various other factors, before we can arrive at the right amount of work that a particular officer can perform. Therefore, we cannot decide this by comparison with U. P., C. P. or the Punjab; we have to decide according to the circumstances obtaining in our own land. The honourable mover has by his figures conclusively proved that there is large room for retrenchment even to the extent of 50 per cent. He has proved that if there is any increase of work, it is not more than 25 per cent. Working out a 25 per cent. increase, you may add 4 engineers to the 11 engineers, and make the total 15 engineers. There were two superintending engineers before; add one more. But increase of 50 per cent. in establishment as against an increase of 25 per cent. in work is not justified at all. We are prepared to concede a reasonable increase, but not an excessive increase, which cannot be justified by the circumstances.

I think I have now completely answered all the arguments of my honourable friend, the Secretary of the P. W. D., except one. "Oh,

[Syed Miran Mahomed Shah]

look here," he says, "the Government of India, who advance the loans to us, have sanctioned the project. We have included all these officers in that project." I think Mr. Harris was not the Consulting Engineer of the Government of India when they sanctioned this project. Otherwise, he would not have sanctioned that establishment. He had never come across a case in India in which a Joint Chief Engineer was placed subordinate to the Chief Engineer. That is what he says as a member of the Reorganisation Committee, and he is an expert in P. W. D. matters. I think the Government of India did not consult people like him when they sanctioned this project. Again, when the Government of India conveyed their sanction, the project was not complete; it was only on paper. How could the Government of India have given a considered opinion? Only the Government of Bombay are fit to give that opinion, because they have to shoulder the burden. Therefore, we should not base any opinion on what the Government of India said at the time of giving sanction to the project. This Government have already made retrenchment on those estimates and still intend to retrench. Then, why stick to the opinion of Government of India?

I am not going to refer to the camping ground and all sorts of those things. My honourable friend Mr. Vakil, I think on account of some misunderstanding of the intentions of my honourable friend the mover of the cut, expressed something which was not quite tasteful and palatable to the honourable mover of the cut. But I assure him that his (the mover's) speech was not fit for the Tilak Maidan; it was a speech fit for this place, where we expect people to digest hard facts and figures, although my honourable friend, who is an intelligent member of this Council and an educated man, could not swallow them. It was a speech fit to be delivered on the floor of a duly constituted House of this nature. Yet, I think, the impression has been created in the honourable member Mr. Vakil's mind even that Government have been extravagant in the maintenance of the establishment of the Public Works Department, and we are quite satisfied if that impression has been created in his mind. It is unfortunate that the motion has not been happily worded; otherwise, I am sure the honourable member Mr. Vakil would have given his vote for it, because he is an intelligent man who has always keenly supported cuts and motions that really deserve support.

Now, my honourable friend Mr. Humphrey just pointed out that some canals are yet in the course of construction. I might point out to him, though it may be rather presumptuous on my part to contribute anything to his knowledge of Sind—he himself has been there for a considerable number of years—I might point out to him that there is no construction of any canal in progress at present. All the canals have been constructed, and it is only the small water-courses that remain; even they have been constructed, but they are to be adjusted.

Mr. C. M. LANE: Sir, may I correct the honourable member? He is entirely wrong; there is a considerable amount of canal construction still in progress.

SYED MIRAN MAHOMED SHAH: Will the honourable member point out those canals which are still in the process of construction?

Mr. C. M. LANE: I may tell him for his information—I thought he knew it already—the Nasir Branch is not completed; the Johi Branch has not been completed; the Dhamrao Branch is not completed; the banks of the Khirtar Branch have not been completed. I have not got all the details at present, but if the honourable member comes to me I can give him at any time.

SYED MIRAN MAHOMED SHAH: I thank the honourable member the Secretary of the Public Works Department for the information given to me. But I assure the House that all the major works have been completed. [*Laughter.*] There remains only the construction of water-courses and also some distributaries. They have also to rectify many of their mistakes—mistakes of capital nature. The other day a regulator which cost about 28 lakhs of rupees cracked and tumbled down and the Barrage was closed for a number of days to the detriment of the zamindars, in order to reconstruct that regulator. There have been canal breaches, but these are in the ordinary course of things. My contention is that the construction of major works has been completed and there are only minor works remaining. They cannot justify such heavy establishment for the construction of these minor works.

The Honourable the PRESIDENT: I hope the honourable member has finished.

SYED MIRAN MAHOMED SHAH: I have almost finished. I am going to wind up.

The Honourable the PRESIDENT: I may point out to the honourable member that the discussion of this grant should end at 5-40 p.m. There are five other cuts to be moved after this cut. Honourable members can understand that it would not be possible to move those cuts unless the discussion on this cut is ended soon.

Mr. MAHOMED HASHIM GAZDAR: They will not be moved.

The Honourable the PRESIDENT: From every side of the House praises have been showered on the honourable mover of this cut. He has taken an hour and a half, I think, in placing the case before the House, and I think there is very little that could be added in his support. However, honourable members may follow their own course, but there are five more cuts to be gone through.

SYED MIRAN MAHOMED SHAH: Sir, I do not think there is any apprehension of those other cuts being moved.

The Honourable the PRESIDENT: Apprehension?

SYED MIRAN MAHOMED SHAH: Yes, apprehension. I assure you there is no apprehension, because most of our arguments have been exhausted on this major cut which is really a very important one, and you have very kindly allowed us a general discussion on this cut. I will

[Syed Miran Mahomed Shah]

not take much time. I was going to conclude by saying that Government should not attribute any motives to us. We have no motives; we are doing it purely from the public point of view in order to urge economy. I hope Government will pursue the policy of retrenchment in this department which they have already begun.

Before I resume my seat, I will only just refer to one thing in connection with the superintending engineers. There has been a demand from the public of Sind that the headquarters of the superintending engineers should be shifted from Karachi to their respective circles. For instance, the Superintending Engineer of the Northern Circle should be stationed at Sukkur. There are many bungalows there where he can be housed. Another should be shifted to Mirpurkhas or Hyderabad, where also accommodation is available. And one can be stationed at Karachi. This will facilitate the disposal of correspondence which is now being delayed on account of the stationing of all these officers at Karachi.

Mr. C. M. LANE: May I ask, Sir, if the honourable member is supporting retention in the case of the five superintending engineers?

SYED MIRAN MAHOMED SHAH: I have stated that only three superintending engineers should be maintained and the other two should be retrenched. One should be stationed at Karachi, one at Hyderabad and one at Sukkur. I do not say that all the superintending engineers should be retrenched. The cut of the honourable mover does not touch the superintending engineers. With these words, I wholeheartedly support the cut.

The Honourable the PRESIDENT: The honourable mover.

Mr. SHAIKH ABDUL MAJID: May I say just a few words on this discussion, Sir?

The Honourable the PRESIDENT: Is the honourable member going to take more than five minutes?

Mr. SHAIKH ABDUL MAJID: Yes, about five or ten minutes.

Sir, I had an occasion to speak on the same subject in the layman's phraseology and impress upon the Government the necessity of effecting retrenchment in the P. W. D. establishment up to 50 per cent. But as I was a layman I could not marshall facts and figures in the way that my honourable friend from Karachi City has done in support of my contention.

There are only one or two points which I will have to emphasise while expressing myself on this cut. One point is that the total cultivation in the pre-Barrage period amounted to between 35 lakhs and 39 lakhs acres, while in the post-Barrage period the total cultivation throughout the province comes to about 36 lakhs acres during the last year. Now, Sir, from this the honourable House can understand whether there was any justification for having maintained for such a long time so many Executive Engineers and their assistants for the work which was being efficiently managed by one Chief Engineer, two Superintending Engineers and about a dozen Executive Engineers. The exact number of officers at present, as was pointed out by the honourable member Rao Bahadur

[Mr. Shaikh Abdul Majid]

Naik, is 39 Executive Engineers, because Assistant Engineers are as good as Executive Engineers. You will get an idea of their status by comparing the Assistant Collectors in the Revenue Department with the Deputy Collectors. The same is the difference between an Assistant Engineer and an Executive Engineer. Their total number is 39. Apart from that, there are 73 officers of the Bombay Service of Engineers working as temporary Assistant Engineers, and nearly 373 overseers. They belong to the Bombay Subordinate Service of Engineers. In addition to them we have got 7 head clerks in the Superintending Engineer's office, 27 head clerks in the divisions and 30 accountants, and the total of the clerical staff comes to about 304. Besides them, there are 25 store-keepers, 32 draftsmen, 32 assistant draftsmen and 52 canal assistants. Apart from them, there is an army of other employees. I do not understand why this costly establishment which has been maintained ever since the construction of the Barrage is still continued. There is no need to maintain that establishment now, since the project has been practically completed and there is no justification for continuing them any longer. We must revert to the pre-Barrage establishment.

Another pertinent point which was made out by the honourable mover was that in that very province of Sind, an Executive Engineer in the four divisions in the non-Barrage zone could distribute water and maintain canals which have a capacity varying from 8,000 to 21,000 cusecs of water. It is therefore a mystery why for the distribution of 46,000 cusecs nearly 24 executive engineers should be employed within the Barrage zone, while there are only 4 in the non-Barrage zone. I do confess there has been some technical error in putting forward this cut. Our object is neither to embarrass Government nor this honourable House and the sentiments and feelings that have been expressed by the majority of the honourable members of this House will serve as a sufficient encouragement to us to bring many more similar questions before them, and I have every hope that the Honourable the General Member understands that our only object is that drastic retrenchment compatible with the maintenance of efficiency in the P. W. D. in Sind should be effected at an early date. He has already given us an assurance in this very session on more than one occasion, and we hope that he will in right earnest devote his attention to this question. What I am afraid of is simply this, that if the men on the spot, as they are generally called, are taken into consultation and too much reliance is placed upon them, then Government will have to face so many obstacles in carrying out this policy of retrenchment. If anybody is responsible for maintaining such a topheavy establishment in Sind, it is to a very great extent the men on the spot who feel themselves more powerful than the Government themselves, so much so that when there was a proposal for the appointment of the Joint Chief Engineer, the proposal was carried at the point of the pistol and under a threat that the whole Barrage project would go to ruin if the Joint Chief Engineer was not appointed. That proposal, Sir, according to the Thomas Committee's report, is unparalleled

[Mr. Shaikh Abdul Majid]

in the irrigation history of the whole of India. In no other province were there two Chief Engineers at any time. But, Sir, our local officials have acquired so much strength that they can enforce their will under threats, and we naturally fear that unless an independent and impartial inquiry is instituted and investigation is undertaken, no good will result if it is entrusted to the local officials. Government can appoint a committee of experts—as they have done many a time when schemes of retrenchment have come before this honourable House. In this particular case what is required is a courageous policy and I hope the whole honourable House will support the Honourable the General Member if he takes courage in both hands and tackles the problem to his everlasting credit and to our everlasting gratitude.

3-30 p.m.

Mr. MAHOMED HASHIM GAZDAR (Karachi City): Sir, I shall first clear the point raised by you that such a large cut of Rs. 19,70,000 was not technically in order, because it would, if passed, make the machinery of Government unworkable and you, Sir, therefore inferred that my intention was to raise a general debate on the cost of establishment. It was very good of you, Sir, to have raised the point, and I fully realise the difficulty which many honourable members, though fully supporting my motion, also felt and they probably thought that it might come in the way of casting their votes if a division was called for. I wish to assure you and this honourable House that it was neither an error nor any trick on my part. I tabled this deliberately. My honest conviction is that after the completion of the Barrage works the P. W. D. in Sind can be efficiently worked with the balance of Rs. 15 lakhs left. When I considered this point and I was encountered with insurmountable difficulty of meeting both my convictions and the technical rules and the conventions of this honourable House, it was a question of deciding upon something of a substantial slice to force the hands of Government to put its house in order or being satisfied with a mere token cut of Rs. 100 or Rs. 1,000 and with the general assurance, which might never have been fulfilled, that Government might be pleased to administer to this honourable House as an opiate dose.

Sir, as I have already stated, I strongly feel that the department can be efficiently worked with Rs. 15 lakhs instead of Rs. 35 lakhs. It is evident from the interest evinced and the support given by this honourable House that non-official members of all parties are agreed that the pruning knife is necessary and the saving effected is badly needed to relieve the burden in other directions. I am very thankful to the House for having realised the importance of this question and also for the solid support they have given me for the benefit of the taxpayers. I believe, Sir, this House has certain privileges which they must enjoy. One of the privileges is to refuse to vote funds for works which are not being carried out according to the wishes of the public and of the House. If there is a strong demand for the reduction of this extravagant staff and if Government refuse to listen to the prayers of the people, the only course left open to this honourable House, I submit, is to exercise its right

[Mr. Mahomed Hashim Gazdar]

and effectively force the hands of Government to adjust things according to the wishes of the people. And the limit of patience of the taxpayers is reached. It is, therefore, Sir, that I have proposed this cut of 19 lakhs out of a total voted demand of 27 lakhs because of our not being able under the circumstances to touch the untouchable provisions, and I submit that this honourable House should exercise its right to stop once for all all extravagance. I am aware that if this cut is passed the working of the department will become impossible, because even if Government want to cut down the expenses as desired by this honourable House, they will require time to disband the staff. They will need time for giving notices and granting other privileges. But I am also sure that this can be done by a certificate from His Excellency the Governor for restoring the cut.

I say, Sir, to the honourable House and the Government benches that if Government is disposed to make any statement that they will investigate and explore all the avenues for reducing the expenditure compatible with efficiency on this head and acquaint this honourable House within a reasonable time about their conclusions and actions, I am, on my part, absolutely willing to withdraw the motion, but, Sir, if no such assurance is given to this House, then I would like to divide it.

Now, Sir, I wish to refer to the remarks made by the Honourable the Finance Member. He was pleased to say that they were reducing expenditure on staff from year to year, and in support he quoted certain figures. I would like to refer this honourable House to the Administration Report, Public Works Department, Bombay Presidency, page 37. You will find there in column 13 that the establishments of course have been decreasing from about 69 lakhs to 61·9 lakhs in 1932, and next to 40·30 lakhs ; but, Sir, this is due to the reduction of works due to the gradual completion of works on the barrage project, but if we refer to the percentages of expenditure, we find they are from 22 to 25 per cent. Again, Sir, if we refer to page 8 of Civil Estimates, Irrigation, 1934–35, we find that there is a provision of 45·59 lakhs made for works and 22·70 lakhs for the establishments. That means Government is spending this year 50 per cent. on establishments. Again, Sir, if we refer to page 4, 55-Irrigation (1934–35), which is financed from Capital Funds, we find that against 63·79 lakhs proposed for works, Rs. 17·60 lakhs are proposed for establishments. That means the cost of establishment is 28 per cent. If we take the average figure of the cost of establishment we find it is 38 per cent. Now, Sir, I would like to point out paragraph 42 of the report on the Lloyd Barrage Canals Project by Sir M. Visveswaraya and Nawab Ali Nawaz Jung Bahadur. There it is shown that in the year 1928–29 the expenditure was 34 per cent. and they say that in the fifth year of the Sutlej Valley Project Construction Works—the honourable member the P. W. D. Secretary was pleased to tell us that we should follow the Punjab example—the establishment on the Sutlej Valley Project carried out by the Punjab Government was only 13 per cent. In spite of these observations of the experts in 1929, our

[Mr. Mahomed Hashim Gazdar]

Government proposes, even today, to spend about 38 per cent. This is the progress we have made in reduction of establishments. I do not think any business concern will spend fifty per cent. on establishments. This shows, I regret to say, that there is no serious attempt on the part of Government to cut down the expenditure. Further, the Honourable the Finance Member referred to the recommendations of the Thomas Reorganisation Committee and said that they did not recommend any reduction in the engineering staff. I would like to point out to the Honourable the Finance Member and to this honourable House that he himself observed that it was not safe to rely on experts. Now, Sir, if you read paragraph 439 you will find that the Committee was completely in the hands of Sir Charlton Harrison and everywhere they say that they were told this by Sir Charlton, that they were told that by Sir Charlton, that they were told by Sir Charlton that if Government did not do so the revenue would go down and that this, that and the other departments would suffer, and so on and so on. In spite of that wholesale submission to the opinions of Sir Charlton Harrison, at the end paragraph they say that an enquiry must be held to find out what amount of staff could be reduced after 3 years, that is in 1934–35. I think the Honourable the General Member and the Honourable the Finance Member are aware that the experts of Government have always gone wide of their advice and now——

The Honourable Sir GHULAM HUSSAIN: The honourable member himself was an expert of Government once.

Mr. MAHOMED HASHIM GAZDAR: I do not mind that interruption, Sir. The Thomas Committee made certain recommendations for the reduction of Sind allowances, for restricting them only to people who belong to very cold climate countries and for restricting them only to the four summer months of the year. I would like to know from Government whether they have adopted that recommendation.

Sir, I will now come to the observations of the honourable member the Secretary to the Public Works Department. He completely failed to meet my arguments. If the Executive Engineer of the Fuleli Canal can do a certain amount of work, why should the P. W. D. Executive Engineer, who is adjacent to him, i.e., in the barrage zone, do only one-third of the work? It was his duty to explain to this honourable House what were the functions of the Executive Engineers in general and also to point out the differences between the duties to be performed by Executive Engineers employed in the barrage zone and in the non-barrage area, but he did not do so. He said that the barrage canals supply a regulated amount. I am very thankful to him because he has brought forward an argument which is very valuable to me, because if these canals do give a regulated supply and take off the burdens and the worries experienced by the executive engineers in the non-barrage area, it reinforces my argument and demand for larger charges in the barrage area. The honourable member the P. W. D. Secretary further said that the barrage area has been extended towards the north for

[Mr. Mahomed Hashim Gazdar]

irrigation by Khirtar Branch, but what proportion does that new area bear to the total commanded area of nearly 75 lakhs of acres? Sir, the honourable member Mr. Lane said that irrigation under barrage for the first working year had increased by 10 lakhs acres in one year. I would refer the honourable member to page 490 of the Reviews of Administration and he will find there that the total cultivation in the whole of Sind in that year was 34 lakhs acres against 38 lakhs that we have been doing. This shows that there has been no increase but actual decrease in the barrage conditions. Now, Sir, let us consider only the barrage area. The kharif cultivation in the barrage area in that year, if you read page 485, was only 13 lakhs while the kharif cultivation in that area was 15 lakhs during the pre-barrage days. Sir, the honourable member Mr. Lane further referred to the Punjab and the U. P. I do not see the necessity for going so far to learn a bad example. Why not follow the good example near at hand furnished by Sind itself? If we follow the example of the Punjab in one department, why not follow it in every other department, for, expenditure per head of population is the largest in the whole of India? He also referred to the Government of India advice about the staff. Sir, the Government of India recommended, while sanctioning the project, that the Bombay Government should employ only one chief engineer, two superintending engineers and nine executive engineers for construction purposes.

Mr. C. M. LANE: On a point of information, Sir. They were all additional. There was already a chief engineer.

Mr. MAHOMED HASHIM GAZDAR: Actually what happened was that they appointed one chief and five superintending engineers and about 18 executive engineers for construction work. I wish therefore to suggest to the Honourable Members in charge of the Finance and General Departments to dispense with the advice of such experts because that advice has proved so far very wrong, and to use their valuable experience in reducing the surplus staff as they have reduced even two members of their Cabinet and one minister and one chief engineer in Sind in spite of threats by Sir Charlton Harrison that efficiency of management will badly suffer and the revenues will go down and all prospects for making the project a paying concern disappear.

Sir, I again thank the honourable members of this House but I would like to make a few remarks about the honourable member Mr. Pestanshah Vakil. Frankly, Sir, I must admit that I was not only astonished but also considerably amused to hear him regaling the House with such stuff as he thought fit to pour out in such abundance. I have no doubt in my mind that when he made his amusing speech and adopted a high tone of superiority that characterised his entire speech, he was posing for effect and making a bid for the smiles and cheers of the official side of the House. His speech was irrelevant from end to end and was no answer at all to the facts and figures I placed before the House. It was merely an attempt, as the honourable member Mr. Petit very aptly put it, to show himself off. Apparently, Sir, he had no conception of the subject upon which he presumed to lecture to us at such great length. I am

[Mr. Mahomed Hashim Gazdar]

almost certain that he had neither grasped nor understood the significance of the figures that I quoted. Otherwise, he would not have delivered such a speech. In this exhilarating game, he even went to the length of being offensive by alluding to my speech as being worthy of the Azad Maidan or the Chowpatty Sands. I do not mind telling him that I consider these remarks of his both offensive and impertinent.

The Honourable the PRESIDENT: The honourable member has retaliated in no less strong terms.

Mr. MAHOMED HASHIM GAZDAR: With these remarks, Sir, I conclude my speech and would like to hear what the Government have to say.

The Honourable Mr. R. D. BELL: Sir, I am a little reluctant to add any to the mass of figures which have been placed before us during the course of this discussion. The subject of establishment charges in Sind and, in particular, under the Sukkur Barrage Scheme was dealt with by me shortly in the course of the general debate on the budget and again a little more fully in the discussion under the head "55". It seems to me that there has been a good deal of misapprehension created by the comparison of things which are not comparable and a good many of the comparisons between the pre-barrage and the post-barrage conditions seem to me to be misleading. One argument that was referred to more than once was based on the number of cusecs with which an Executive Engineer is competent to deal. Now, in Upper Sind at the present time there is one Executive Engineer—the Executive Engineer in charge of the Begari Canals—who deals with a discharge of 13,000 or 15,000 cusecs. On that basis, we ought to be able to run the whole barrage canals with three Executive Engineers. I think that is sufficient to indicate to honourable members that there is something entirely false in these comparisons which are based solely on cusecs. Indeed, Sir, I was a little surprised that no one went the length of suggesting that because the mighty Indus went down to the sea, with something between half a million and a million cusecs, without the aid of any executive engineers at all, therefore we might dispense with the engineering staff entirely on the Sukkur Barrage. But my point is that many of the figures which have been compared in the course of this discussion are not really comparable. There is nothing surprising in the size of the staff which is now working in connection with the Barrage scheme. It was foreseen and forecasted when the scheme was submitted by the Government of Bombay to the Government of India and the Secretary of State. The figures were given by Mr. Lane, namely, 1 additional Chief Engineer, 2 additional Superintending Engineers, and 12 additional Executive Engineers. One honourable member suggested that these figures were swallowed whole by the Government of India, because they were not in a position to check them. I might say, Sir, that the Government of India at that time had a very capable and well-known Consulting Engineer, Sir Thomas Ward, and it is mentioned in the despatch of the Government of India to the Secretary of State that he had dealt with the whole subject himself, and what they wrote to the Secretary of State was done after

[Mr. R. D. Bell]

considering his advice. Also, in referring to this proposed addition to the cadre of the Public Works Department staff in Sind, the Government of India mentioned that they had no doubt that in course of time it would be necessary to have even greater additions than those which I have just specified. I hesitate, therefore, to give any figures, except perhaps of the increase which is going to take place in the cultivated area. I omit the mileage in canals, because I think that is also a misleading figure.

In the Barrage zone, the cultivation, pre-barrage, was 18·30 lakhs of acres. The increase in that area ultimately will be 33¼ lakhs of acres. The total area will thus be very nearly three times as much as it was before the Barrage was opened. Now, Sir, some of the honourable members from Sind have either conveniently short memories or they were speaking with their tongues in their cheeks, because it is only two years ago that this very subject was discussed on the floor of this House at very great length and with the benefit of Sir Charlton's experience; and I am not going beyond some of the figures which he then gave to justify the proposals which he had submitted to Government. The nearest comparisons that are possible seem to be those with the United Provinces and the Punjab. Sir Charlton Harrison's figures at that time were as follows :—

For a Superintending Engineer he said that the anticipated annual irrigated area which would be in his circle was 1,330,000 acres. This is in the Barrage area. I need not trouble the House with the exact figures for the United Provinces and the Punjab. They will find them in the discussion of 1932. But Sir Charlton Harrison's proposal, which is being followed in practice, for the charge of a Superintending Engineer meant that a Superintending Engineer in Sind ultimately would have 33 per cent. greater area than he now has in the Punjab and 50 per cent. greater area than he now has in the United Provinces. Similarly, for an Executive Engineer, the annual area irrigated in his charge will be ultimately 332,000 acres, which is 20 per cent. higher than in the Punjab and 66 per cent. higher than in the United Provinces. Now, these are comparable items—irrigated land in the Punjab, Sind and the United Provinces; and I think that if you consider these figures at least the Bombay Government have established a *prima facie* case for the establishments which they are meantime employing in the Sukkur Barrage.

As for the accusations which we heard, that the Executive Engineers were idling away their time, I would refer again to the remark made by the honourable member Syed Miran Mahomed Shah, that the Executive Engineers were busy from morning till evening with little problems in connection with water-courses. But he said that there is nothing to do now, the major works are finished, and there are only little things to do. Well, it is a very apt illustration that it is the finishing up of a job, the doing of the little things which requires a great deal of detailed attention. It is much simpler perhaps to irrigate mountains than to adjust water-courses. Then I also told the House in the course of the discussion under

[Mr. R. D. Bell]

head "55" that the Executive Engineers themselves had mentioned to me in casual conversation in Sind that they had found their correspondence had increased enormously, roughly doubled. One of them told me that he really did not know what to do when he sat down at his office table.

Now, the main point of this proposed cut seems to be to obtain a promise that there will be an investigation into the establishment charges in Sind, in particular those on the Sukkur Barrage. I think, Sir, I went a great deal further, and on sounder lines I hope, during the previous discussion when I stated that what was wanted was continual, close supervision of all the operations in connection with the Lloyd Barrage scheme. Anything like a special investigation into the establishment charges such as one honourable member at least suggested, a committee of experts, is in my opinion entirely premature. It would be out of date within 12 to 18 months. The Thomas Committee, for which the honourable member Mr. Petit has so much respect, suggested that these establishment charges should be reviewed after three years. Little more than a year has elapsed since they made that remark. But the general position is this, that first of all the construction programme of the Sukkur Barrage is nearing completion. I mentioned the other day that there was still, according to the second recapitulation statement, 2 crores of money to be expended after the end of next financial year. Sir, in the first place it is necessary to revise the last recapitulation statement and see where we now stand, and the Chief Engineer has that work in hand at the present moment.

But there can be no doubt that, as an engineering work, this is the first engineering scheme in the world, without any exception or without any qualification. It is a monument to the Public Works Department in India, which we hope will endure for all time. But it does not end as an engineering work. We have to see that this scheme is now run on business lines. First of all, it has got to be put on a sound financial basis. I admitted the other day that, except for the proceeds from the sales of lands, we were not yet making any contribution from revenues to the interest charges. The first thing to be done is to get the scheme put on a sound financial basis. After that it is a question of sound management, and when it comes to sound management establishment charges are merely one aspect of the whole problem. One honourable member said that he wanted to know what were going to be the minimum establishment charges and when we were going to reach them. That does not seem to me to be the problem at all. What I want to know is, what is going to be the maximum net increase in revenue from the scheme? That involves not only a careful review of the position as regards gross revenue but also the whole of the problem of working expenses. It is not a matter for a single special investigation at this particular moment. It is a question of serious study and control for the next ten years. That is what I told the House in the first two discussions I was giving attention to. I think, Sir, that the House will

4 p.m.

[Mr. R. D. Bell]

probably agree that that is the right outlook to take of this stage in the scheme.

Sir, if we take the motion literally as it is framed, I am quite certain that every honourable member is convinced that a cut of 19 lakhs of rupees is entirely out of the question. But in case any one has the idea in his head of doing something theatrical,—because it was said that even if the Council makes this gesture His Excellency will restore the cut—let me remind the House that in over 13 years the House has never imposed that responsibility on the Governor of having to restore any cut, and I hope honourable members will keep the idea of a gesture which involves the intervention of the Governor out of their heads altogether. I only ask that this subject be considered on its merits. I am sure that every one here is just as anxious as we are on this side of the House to make a signal success of this scheme. I may assure you that it will receive just the same cautious attention in my hands as it has received in the past. May I remind the House that these establishments were sanctioned during the time when my honourable colleague was in charge of the portfolio? I have yet to find the man who is less ready to pass schemes for increased P. W. D. establishments than the Leader of the House. This must be some guarantee to honourable members. There is no extravagance in the present establishment, whatever the figure may appear to be. These establishment charges have received careful scrutiny in the past and will continue to receive that careful scrutiny.

Question put, and negatived.

Mr. P. R. CHIKODI (Belgaum District): Sir, I move:

"Reduce by Rs. 100—Total Demand Voted—Rs. 84,98,000 (C.E. page 274)."

This grant includes amongst others, the amount intended to be given to the local bodies for the maintenance of local boards as grant-in-aid; and that amount is being reduced from year to year. In the year 1927–28 the figure was Rs. 21,16,000; the next year it was Rs. 19,47,000; in 1930–31 it was Rs. 16,53,000; in the next year it was Rs. 11,18,000; then it was cut down to Rs. 8,39,000; then it was Rs. 8,36,000 and this year it is Rs. 8,36,900. All the figures except the last are for previous years. I have taken the actuals for the sake of comparison. So, the amount of 21 lakhs has been cut down to Rs. 8,36,900, that means, it has been reduced by nearly 60 per cent. If Government were to cut down the grants to this extent, how is it possible for the local boards to maintain their roads? If we look to the position of Government, I know they have also reduced their expenditure on repairs and on works. But they have not reduced the cost of the establishment. It has remained as it is all these years since 1927–28. That cannot be denied as I shall show by figures. The actuals for the year 1927–28 were Rs. 21,15,642. But this year they are Rs. 21,56,500. A reference to page 4 will bear out this. You will find there Rs. 16,54,700 voted and Rs. 5,01,800 non-voted. The total comes to Rs. 21,56,500. It will be seen that they have not reduced their establishment charges at all. Government themselves

[Mr. P. R. Chikodi]

admit that the establishment charges are heavy. There may be some justification for keeping a very large establishment in Sind on account of the working of the Barrage which is a new thing. But, Sir, I ask seriously whether it is necessary that the same establishment, which was justified on account of works outlay some 6 or 7 years ago, should be entertained in the presidency, when the expenditure on the works has gone down to a very large extent. If you refer to page 43 of the Civil Works Budget Estimate, you will find that the expenditure on establishment has increased from Rs. 20,14,640 in 1922–23 to Rs. 23,74,603 in 1932–33. The percentage of the establishment charges on works outlay has gone from 20·79 to 39·79. When the percentage was only 25 or thereabout it was regarded as very high and the Finance Department appointed an officer, Mr. Shah, a special officer, to investigate into this question of establishment charges. He has reported very clearly that the establishment charges as it stood then were very heavy. When the establishment charge of 25 per cent. were considered to be very heavy, then what would they say of the percentages of to-day? Government even on their own showing cannot say that these are reasonable or light charges—39·79 per cent. In the foot-note Government admit that the charges are very heavy. The last two sentences of that note read as follows:—

"The increase in the rate per cent. in the Roads and Buildings Branch is mainly due to decrease in outlay on 'works' and 'repairs'. Establishment charges cannot be reduced in the same ratio in which expenditure on works is reduced."

There I do not agree with the principle expressed in the last sentence. Because of the fact that Government have not got the necessary amount, they are cutting down the expenditure of construction of buildings, construction of roads and also the expenditure on their maintenance. But at the same time they want to keep up the same establishment. That is not a reasonable policy which can be supported. It may not be possible to lay down a minimum in Sind but in the Presidency the Government have laid down a certain standard unit for the Roads and Building Branch as regards the establishment charges. I want to know from Government whether they have calculated the establishment charges on the basis of the standard unit. If they do so, I am quite sure that the existing establishment will be considered superfluous.

Further, Sir, there is a considerable room for reduction in the establishment charges, on account of the further reason that extensive powers are now delegated to the executive engineers. To-day an executive engineer has much more power than the superintending engineer of the previous years, that is to say, the years before the year 1929. The Public Works Department Manual has been revised and according to that the executive engineer possesses the power of giving technical sanction to estimates up to Rs. 10,000 while he had nil before. In the matter of deviation of provision for contingencies to new items he has got power up to Rs. 2,500 while he had power only up to Rs. 500. Similarly in the matter of giving sanction to contracts, the executive

[Mr. P. R. Chikodi]

engineer can give contracts of sanctioned works up to Rs. 15,000 while he had that power only up to Rs. 2,000. I am simply quoting a few of these powers in order to show that the executive engineer of to-day has got more powers than the superintending engineers before 1929. If that is so, cannot Government enlarge their sub-divisions and divisions and cut down everywhere the establishment? I know the instance of the Irrigation, Research and Development Circle will be cited which has been abolished. That may be shown as a big thing. But it only means a re-arrangement of the whole thing. The reduction is urged for the sake of economy, but there has been a saving of only a few thousand rupees, because the whole establishment charges have been shifted on to another division. The Deccan Irrigation Circle costs more to-day, than when the Irrigation, Development and Research Circle was maintained. It is only a re-arrangement. That is not exactly what is wanted. If it was urged that that Circle should be reduced it was for the sake of economy. That has not been done. All the expenditure on the establishment has been shifted or added to the Deccan Irrigation Circle. That kind of retrenchment is not wanted. Actual reduction can be effected by doing away with the temporary establishment, if any, and by not filling up vacancies in the permanent staff. It is not intended that the present permanent staff should be sent away all at once. Such a thing will cause hardship and steps for gradual reduction should be adopted. An effort should be made year after year to cut down expenditure in this way. That is not being done. I therefore urge that a policy of gradual reduction should be pursued by Government.

Then, Sir, I do not understand why Government have been including the expenditure on "Communications, Road Development" under this head. Road Development has its own funds; it is an entity by itself; any amount taken from that fund is considered as an advance or loan to this Government. The amount provided for the current year is Rs. 15,70,000, and for repairs Rs. 50,000, making a total of Rs. 16,20,000. And the establishment charges in connection with this expenditure on works is being charged to the ordinary revenue. Why should that be? The Road Development Fund should be treated as an independent head by itself, and percentage charges should be recovered from that head just as the Government are doing in the case of any expenditure for the Military or for the Government of India. If establishment charges are charged to that fund, there will be a saving of nearly Rs. 3,70,000 and the ordinary revenues will be benefited to that extent in the current year. And this amount may be given to the local boards, if it is taken to the credit of the ordinary revenues. But this establishment charge is now borne on the ordinary revenues, causing loss to that extent to other interests.

I do not wish to take any more time of the House, because there are other motions of cuts. But I have briefly touched on the points which I wanted to urge, namely, that no reduction should be made in the grants to local boards. In fact, the grants should be increased, but I cannot

[Mr. P. R. Chikodi]

propose any increase. But I wish to draw the attention of Government to the serious handicap under which local boards have been placed by the cutting down of their grants. Secondly, establishment charges should be brought down. And thirdly, the Road Development Fund should be treated as a separate entity and establishment charges should be recovered from that fund.

With these words, I move the cut.

Question proposed.

Mr. G. S. GANGOLI (Kanara District): Sir, I had also tabled a cut to the demand, but I do not think it will be reached to-day or in this session. The point is rightly put by the honourable member who spoke last. What is the use of maintaining a dispensary, doctor and servants, if there is no medicine? Government say that they have no funds to provide for construction of new works, but they maintain the same establishment as before. It goes hard for them to retrench their establishment because they have been there. I can also offer some suggestions. Since the works in Sind have been completed, some of those who had been made executive engineers may now be reverted as assistant engineers. In that way establishment charges can be reduced. In any case, as there are no funds at all to improve the roads or to help the boards, then why waste so much unnecessarily on establishment alone?

Coming to the question of the grants to local boards it is really surprising that Government should be cutting the grants year by year. They want us to maintain the same length of roads; they want us to keep the roads in proper repair; they have further imposed the supervision of Government executive engineers and assistant engineers on local board engineers; they want efficiency to be maintained; and yet the grants are being reduced year by year.

After these remarks, I should like to come to the manner in which the Minister in charge of the Public Works Department has kept silent over grievances which I have been ventilating on the floor of this House. When I objected to the supplementary demand for asphalting a road in Sholapur, I am sorry to say, he had not even the courtesy to reply, because he was sure that the demand would be carried. He did not even get up to reply when I made a grievance of tolls and the conditions of roads in Kanara. He referred much to Sind and other parts of the presidency like Gujarat, but he never mentioned Kanara, because he knew that he had a majority of votes for his demand.

The Honourable the PRESIDENT: When did this happen?

Mr. G. S. GANGOLI: Even yesterday, when I referred to tolls and the condition of roads in Kanara, he purposely omitted any reference to it.

The Honourable the PRESIDENT: Who omitted?

Mr. G. S. GANGOLI: The Honourable Minister in charge.

The Honourable the PRESIDENT: Purposely?

Mr. G. S. GANGOLI: Yes.

The Honourable Khan Bahadur D. B. COOPER: As regards tolls, a general reply was given for the whole of the presidency. Kanara is included in the presidency.

Mr. G. S. GANGOLI: I may be excused, but I beg to differ from the Honourable Minister. It is not like that. I gave facts and figures to support my grievances, but the Honourable Minister did not have the courtesy to look into them. So far as tolls are concerned, Government have come out with a bold gesture to say that they will exempt certain animals. I wonder why the entire class of animals should not be exempted. Then, he said that there would be no second toll within a radius of 10 to 15 miles. But I had brought to his notice there were different kinds of tolls, P. W. D. tolls, municipal tolls, local board tolls and ferry tolls. I had asked: "Will he guarantee that within a radius of 10 miles there will be only one toll?" He had not the courtesy to reply to that. My point is: we have to pay all kinds of tolls, P. W. D. tolls, municipal tolls, ferry tolls, and local board tolls, and yet the roads are out of order.

The question of tolls is closely connected with the petrol tax. When the roads were constructed, the motors were not even dreamt of. Now, the motors are everywhere tearing up the roads and making repairs very costly. The petrol tax never comes to the district local boards, and the district local boards are expected to keep the feeder lines to the main trunk roads. In Kanara, where there is no railway, although we pay tolls and we pay the petrol tax, our roads are always neglected. If there is any one point on which the officials and non-officials in Kanara are at one, it is in their complaint about the bad condition of the roads. Yet, he had not the courtesy to reply to me when I raised the question on the floor of this House. Let me take one instance. The nearest railway station to Kanara is Belgaum. From Belgaum we have to go 150 miles in car to Kanara, and to cover that distance of 150 miles we have to pay nearly Rs. 13 as toll. Yet the roads are so very bad that, on the average, one tyre of every car bursts during the hot season per trip. (*An Honourable Member:* That is not bad for 150 miles.) During the rainy season, on the average, once in a week or a fortnight, one axle of every car breaks. And we pay for our petrol one rupee more per gallon than any of the neighbouring districts. When I related all these grievances, there was no reply. If this is the treatment that I have to receive for coming here, I wonder why I should come to this Council at all. As a school boy I learnt that might is right, and here also I see the same thing. Only if I can command a majority of votes can I get any remedy; otherwise, not.

I have just mentioned one road. There is another road from Belgaum to Gersoppa water falls. It is a main trunk road. Ten miles from each end of it, it is kept in good state, but in the intervening 10 miles nobody

[Mr. G. S. Gangoli]

cares to keep it in repair. In addition it is infested with wild animals. And that is a main provincial trunk road!

I shall quote still another instance, the road from Gersoppa water falls to Gersoppa Port, which is called the Pepper Queen's Port. The Collector of Kanara came there and wanted to go to the Port; he fixed his programme; but he could not go, because his motor could not be taken through that road. And it is a main trunk road, forming part of the Poona-Bangalore road!

Now, I shall come to one more grievance, which pertains to the portfolio held by the Honourable the General Member as Home Member.

The Honourable the PRESIDENT: Is the honourable member likely to take more time?

Mr. G. S. GANGOLI: Yes, Sir.

The Honourable the PRESIDENT: The House will now adjourn for tea till 5 p.m.

(*The House re-assembled after tea at 5 p.m.*)

Mr. G. S. GANGOLI (Kanara District): Sir, as the time is short, I shall be brief. Whatever concessions are given as regards tolls to the agriculturists, they will end in nothing. Now, the Honourable Minister said that the agricultural produce will not be exempt and the reason for that was that they are making huge profits. I was really surprised to hear such a thing from a responsible Minister. The cry is that owing to depression agriculture is not getting a fair return, and he says that agriculture is making huge profits—

The Honourable Khan Bahadur D. B. COOPER: I never said that.

Mr. G. S. GANGOLI: Well, he says he never said that. This is news to me. Anyway, if he would kindly prevail upon Government—or himself—to exempt agricultural produce, I should be much obliged to him.

That is one point. Now, should I take it that the agricultural produce is exempt? (*An Honourable Member:* "It is not exempt.")

I now come to one small incident that refers to the Home Department. When Sir Frank Hudson was in charge, I stated that one important sub-court in Kanara had no witness shed—

The Honourable the PRESIDENT: What is the honourable member referring to?

Mr. G. S. GANGOLI: Witness shed. It comes under this head. Sir Frank Hudson was kind enough to admit that women and children were made to wait on the roads under the heat of the sun and in heavy rain, but owing to want of funds no shed could be erected for them. But, Sir, I was surprised to find that when the District Judge wanted to raise the platform or dais in his court in Kanara—the dais of the District Court in Kanara is higher than that in the High Court—over Rs. 1,000 were spent during the last summer vacation. Nearly two

[Mr. G. S. Gangoli]

thousand rupees were spent on raising the dais because the District Judge happened to be an I.C.S. officer. And when the Collector wanted some improvements to be made to his bungalow at a cost of nearly Rs. 2,000, they were made without any question. But when poor persons and travellers or clients want a witness shed for the women and children so that they may not have to stand in the hot sun or in the rain, Government have no funds. I am really sorry to learn that for the actual and urgent needs there are no funds, while for unnecessary additions and improvements there are enough funds.

Whenever the question of applying the pruning knife comes up, they always have to consult the officers who are to be affected. Whenever a question comes up whether flesh-eating is good or bad, they consult the butcher. Whenever a question of retrenchment comes up, they say it is a technical subject and some technical skill is necessary and they have to rely upon the police officers, forest officers and P. W. D. officers, who never support any proposals which affect them. So, the entire administration is top-heavy. They have no first-hand information. Whatever first-hand information we have been able to give them here they characterise as too general or too vague. The result is that the entire cost of administration is much more than we poor peasants can bear. Our needs are neglected. As a witness of the condition of roads in Kanara, I can cite my honourable friend Shaikh Abdul Majid. (*An Honourable Member:* "How does he know"?) Because he has been there. He could not traverse the roads owing to their being under water on account of heavy rains for days together. With these words, I support the cut.

Mr. SHAIKH ABDUL AZIZ (Central Division): Sir, before I speak on the question of asphalting of roads from the funds derived from the petrol tax, I wish to clear some points which I made last time about the tolls recovered from carts passing along provincial roads. Take the Bombay-Agra road for instance. There are two or three toll bars in my district on that road. If a motor car passes along that road, it has to pay 8 annas at each toll bar; but if a bullock cart passes along the same road, it has to pay only 2 annas at only one toll bar and only once in 24 hours. I have got a copy of the "form of lease of tolls" which is to be signed by the contractor who bids the highest amount at the time of the auction, and there is special mention of this fact:

"In the case of bullock carts if a toll is paid at one toll bar, it shall not be recovered again on the same day at any other toll bar on the same road."

The Honourable the PRESIDENT: What is the complaint?

Mr. SHAIKH ABDUL AZIZ: My honourable friend Rao Bahadur Naik told me the other day that my assertion about the payment of toll at only one toll bar in the case of the bullock carts was incorrect. Not only that, but my statement was not also accepted by the honourable member the Secretary of the Public Works Department. I have got a copy of the toll form and anybody can see it. I secured it from the Collector's office. It is possible that in other districts they may

[Mr. Shaikh Abdul Aziz]

have been collecting more than one toll in one day on the same road, but the rule is there, and if the cart owners are not willing to pay, nobody can exact it from them. This is really a relief to the agriculturists. This is everywhere the case. In my district they have insisted upon it and the Collector has said that no bullock cart need pay more than one toll in one day on the same road.

An Honourable MEMBER: What are those rules?

Mr. SHAIKH ABDUL AZIZ: It is a form of lease of tolls which is signed by the contractor whose bid is accepted. (*Interruption.*)

The Honourable the PRESIDENT: Let the honourable member proceed.

Mr. SHAIKH ABDUL AZIZ: Now, I come to the question of asphalting of roads.

The Honourable Khan Bhahadur D. B. COOPER: From toll tax?

Mr. SHAIKH ABDUL AZIZ: No; from petrol tax. On page 45 of the P. W. D. Budget, Rs. 52,000 have been shown as being required for asphalting of certain roads—Belgaum-Vengurla road, Poona-Bangalore road and so on. For that, no municipality or local board has contributed anything, except perhaps at Sholapur, where the municipality has paid one-third or something more. I do not know whether the roads are asphalted without getting any money from the local board or the municipality or whether there is any special provision. I do not know what the rules are. In the budget some roads are shown as being asphalted without any contribution from the municipality or local board concerned. If there is such a rule, I would request Government that the Bombay-Agra road which runs through the West Khandesh district and especially through Dhulia and which is being used by motors and other vehicles very heavily should be given preference for being asphalted if not this year, at least at the earliest convenience. I think the Honourable Minister for Local Self-Government had visited my district about two years ago and he himself has admitted that this road requires asphalting. I only bring this to the notice of the Honourable Minister so that he may remedy the defect.

Sardar Rao Bahadur B. R. NAIK (Surat District): Sir, I believe that I have got only 5 or 10 minutes, as you informed us that discussion under this grant will stop at 5-30.

An Honourable MEMBER: Not this grant.

Sardar Rao Bahadur B. R. NAIK: I want to know the time.

The Honourable the PRESIDENT: The discussion under this head can last only as far as 5-40. When I said that, there were five motions yet on the paper to be moved. I do not know whether all of them will be moved. This is one of the five. Now, honourable members may utilise their time as they like. At 5-40 the demand will be put to the House.

Sardar Rao Bahadur B. R. NAIK: I will finish in 10 minutes.

Sir, I also rise to repeat the grievances which were made by the honourable mover of this cut in connection with the grants made to local boards for communications. My honourable friend Mr. Chikodi said that the

[Sardar Rao Bahadur B. R. Naik]

highest amount of grant made to local bodies was Rs. 21 lakhs. Well, so far as I know, the highest amount of grant to local boards for communications was 16 lakhs and then it was reduced from 16 lakhs to 15 and then to 11 lakhs, then again in the last two or three years it has been reduced to 8 lakhs. This grant of 8 lakhs, Sir, is not sufficient, taking into account the fact that during the last three or four years Government have been able to collect a few lakhs of rupees from the agriculturists in the form of tolls, stamp duty and tobacco duty.

Even taking 16 lakhs, the deduction is by half, so, as a matter of fact 00 per cent., because 8 becomes half of 16, and therefore the district ocal boards are getting one-half of the grants which they used to get five or six years ago. As a matter of fact the prices of agricultural commodities have a direct bearing on communications. I do wish to emphasize this point, that when you have a facility of a market for selling your produce, you are bound to get a better price and for access to better markets you must have better communications for carrying your agricultural produce. In this connection I must say with great regret that the division to which I belong has been greatly ignored for the last several years. I must emphasize this point also, that the expenditure on communications must have a certain bearing on the land revenues of the different tracts of the presidency. As has been admitted, Gujarat pays the highest amount of land revenue in proportion to the acreage. Therefore Gujarat in proportion is entitled to a larger share of the grants for road-repairs and road-making, and yet I must say that Gujarat has been very badly treated. Look at the provincial roads. In the whole presidency of Bombay there are about 9,000 miles of metalled roads. I will only take the southern portion of this province, Deccan, the Karnatak and Maharashtra. You will find 6,000 miles of metalled roads existing in the southern and central divisions alone. Gujarat, which pays the highest land revenue, has got only between 800 and 900 miles of metalled roads. When you want to derive the largest amount of land revenue from a division, it is but proper and as a matter of fact the people are entitled to get the largest share in proportion to the land revenue they pay, but here as I said, Sir, Gujarat, besides land revenue, has got a special claim for a larger expenditure on communications because, Sir, if you will go into the details of this question you will find that the districts of Surat and Broach have black and treacherous soil and they want more money for metalling their roads than other parts of the presidency, perhaps excepting Sind about which I do not know much, but so far as the southern and the central divisions are concerned, I know it for a fact. As regards Surat and Broach, both of these districts have so very treacherous black soil, that the metalling of the roads there is very costly. Moreover, there are not metal quarries also so located that metal can be brought cheaply. One of my honourable friends who preceded me said that out of an expenditure of one hundred rupees the sum of fifty rupees goes to the establishments. Is that, Sir, a businesslike way of conducting a department, I ask? If the Government have got no sufficient funds at present on account of the financial

[Sardar Rao Bahadur B. R. Naik]

stringency, it is up to the Government to hand over some such small works which are at present being carried out by the P. W. D. agency to some of the district local boards which maintain qualified engineers, and I am quite sure, Sir, that the Government will be able to dispense with some of their staff in the P. W. D. I think the Thomas Committee as a matter of fact has recommended this and I do not know whether Government have already given consideration to the recommendations of the Thomas Committee and handed over the public works to the Thana district local board as was the recommendation. This experiment should be enlarged, because I know a P. W. D. division where Government has been able to allot only 4 lakhs and that division has one executive engineer, two sub-divisional officers, half a dozen qualified overseers and I do not know how many muccadums and karkuns. I ask, is this fair when Government say they have got no money and how can they increase the grants? I say there are some works which can be safely handed over to the local boards. If the local board with a qualified engineer can maintain a road of the length of 15 to 20 miles under its charge efficiently, which is certified to be efficient by the P. W. D. as required under rules, why cannot Government hand over the P. W. D. portion of about 15 to 20 miles to the local board and thus lighten the burden of the P. W. D. and enable the P. W. D. to retrench some of its staff? I drew the specific attention of Government last year—as also did the Thomas Committee—to this expenditure.

There is another point, Sir, which I wish to bring forward but I am sorry I have got no time at my disposal and so I will not enlarge on it. There is one great injustice which has been done to the local boards of this presidency about the petrol tax. I know under the rules this Government is not in a position to allot any sum out of the petrol tax to the local boards. Look at the injustice, Sir. The motor cars ply on district local board roads and on taluka local board roads and spoil them. The registration fees for motor cars go to the Local Government. The licence fees of drivers go to the Local Government. The petrol tax goes to the Central Government and a portion of it is being diverted to the Local Government for provincial roads. The customs duty also goes outside, and everything else does so. The petrol tax is related to motor traffic, and the district local boards and the taluka local boards are specially handicapped in these days for maintaining roads due to the plying of motors on their roads because there is no dispute about the fact that by plying of the motors roads get into very bad condition on account of the heavy weight of the motors. Therefore, I say that if this Government under the present rules are not in a position to allot any portion of the petrol tax to the local boards, it is their duty I say to strongly protest to the Government of India that the local boards, whose roads are used by the motors, are not getting anything out of it. Perhaps I will be told "You also put tolls on your roads and you will get money." What will we get? Half a rupee or a rupee a day. That is not sufficient. You will see, Sir, that this is the important point on which the local boards have been handicapped. Government

[Sardar Rao Bahadur B. R. Naik]

have reduced the grants by 100 per cent., that is by half, and again they have increased the cost of the local board roads by about 100 per cent. by allowing the plying of motors on their roads without giving any compensation for the worsening of the roads. I ask Government, is it fair? Government ought to think of it. The local boards have no power to stop the plying of motors on their roads. They have no say and no power in the granting of licences or in controlling the use of their roads by motors such as cars or buses or lorries or in the matter of laying down the number of persons to be carried, whether they should be allowed to carry 5, 20 or 25 or 100 persons. The local boards have no voice at all in these matters. Out of the income derived from this motor traffic in this presidency or from the customs duty or the petrol tax, not a pie is made over to the local boards while the grants for communications have been reduced by half. That was the point I wanted to make and to convey to the Government with great respect, namely, that Government have neglected the local boards and that they have not taken up this question in right earnest. As a matter of fact, here the Road Board was appointed. This question requires very careful attention as the justice of the case is undisputed, because you reduce your grants and you allow anybody to use Local Boards' roads and to spoil them. Therefore, you handicap the Boards considerably. The only remedy now is to approach the Government of India to change the rules in a way that the local boards will get some share of the petrol tax. The other remedy is to hand over small works to district local boards which have qualified engineers and whose appointments have been sanctioned by Government on the basis of five years datum line grants, i.e., five years expenditure incurred by Government, and I am sure that Government will be in a position to retrench some of the P. W. D. staff and that that saving could be easily diverted to the district local boards. With these words, I support the cut.

The Honourable Sir GHULAM HUSSAIN: Sir, I have every sympathy with the local boards. The first complaint of the local boards is that we have reduced their grants for the maintenance and repairs of roads, but if honourable members look at the budget, they will find that we have also reduced our own grants for the maintenance and repairs of the provincial roads. So, we are both in the same plight. The honourable members who are representatives of the local boards should not forget that under the Act it is one of the primary duties of those bodies to maintain and repair their roads. I think they ought to be grateful to Government for the assistance Government have been rendering them not only with regard to roads but to all other activities.

Now, Sir, my honourable friend the last speaker Sardar Rao Bahadur Naik wanted Government to give grants to the local boards in proportion to their land revenue. I do not think the honourable members of this House coming from the Deccan and the Southern Division will subscribe to that proposition at all.

Then, Sir, he complained about the petrol fund. The honourable member knows that even the provincial Governments get grants from

[Sir Ghulam Hussain]

the petrol fund on condition that they apply that grant to inter-provincial and some important provincial roads only. The remedy for the honourable member, when he finds motor cars and heavy lorries using his roads and spoiling them, is to impose tolls.

Sardar Rao Bahadur B. R. NAIK: What is the income from the tolls?

The Honourable Sir GHULAM HUSSAIN: It is not a small amount.

My honourable friend referred to the report of the Reorganisation Committee. I would request him to read what that committee has recommended about the local bodies. That committee has recommended that the local boards should be asked to increase the existing taxes or levy new taxes, and that Government should reduce their grants to those bodies to the extent of 24 lakhs of rupees——

Mr. P. R. CHIKODI: Will the Honourable Member read his own speech which he made when he himself was the Minister of Government?

The Honourable Sir GHULAM HUSSAIN: That committee also wanted Government to reduce the salaries of the school masters to the extent of 15 lakhs. That committee again recommended that Government should save 10 lakhs from grants to municipalities. All these would bring us about 50 lakhs, and would enable us to become a solvent presidency if we carried out all these recommendations of that committee. I think it is to the credit of Government that they did not give effect to all these recommendations because of the bad financial position of the local bodies.

Sir, I have often heard in this honourable House at least two members principally connected with district local boards—Mr. Chikodi and Rao Bahadur Naik—saying that on roads and buildings the percentage of establishment charges is nearly 50 per cent. If the honourable members bear with me for a minute, I will show them that it is not so. Let the honourable members take into consideration the Secretariat charges which are included in the head 41-Civil Estimates and they will find that they are over Rs. 2,27,000. This establishment does not carry out the construction work. Therefore, it is not fair to include that item in the calculation. Besides, in the same column, honourable members will see that we have done away with the post of the Joint Secretary, who belonged to the Roads and Buildings branch of the Public Works Department. Again, Sir, in this unfortunate head "41", there is another big item included, namely, the establishment and the salary of the Electrical Engineer to Government, but that officer and his establishment do not carry out the construction or repairs of any roads or buildings.

5-30 p.m.

Sardar Rao Bahadur B. R. NAIK: What is the amount?

The Honourable Sir GHULAM HUSSAIN: I think it is Rs. 2,03,000. I put it to honourable members of this House, is it fair to include that item in the cost of establishment?

[Sir Ghulam Hussain]

Again, on the same page, they will see that we have done away with the whole establishment and the office of the Consulting Architect to Government. That is another important retrenchment.

Then there is a very big item which is always included in the establishment charges of the Roads and Buildings branch of the Public Works Department, and that is the establishment of the Government Central Stores, Workshop and Training School, Dapuri. They do not do any work on the construction or repairs of roads.

Then honourable members should also bear in mind that we are the agents of the Central Government, and we carry out with this very establishment works for the Central Government too, and we also carry out work for the military or the local boards, when asked to do so.

Sardar Rao Bahadur B. R. NAIK: Don't you charge them?

The Honourable Sir GHULAM HUSSAIN: Yes, we charge them, but that does not recoup us the cost of the whole establishment. Therefore, Sir, these three important items that I have shown have to be deducted from the calculation; and honourable members will see that from Jacobabad to the district of my honourable friend Mr. Gangoli (Kanara), we construct roads and buildings, we repair roads and buildings, we look after the roads and buildings, and we see that the subordinates utilise properly the little money that we are able to afford. So, if calculated on this basis, I do not think the percentage will come to more than 16 or 17. [*An Honourable Member:* It is more than 40.] It will not come to more than 16 or 17 per cent.

Mr. P. R. CHIKODI (Belgaum District): Sir, I do not wish to say anything more, but I am sorry the reply from the Government benches has not been satisfactory. I should be very glad personally if the Honourable the Leader of the House would give us a statement, if not to-day, some time hence showing that the percentage charges on establishment work up to 18 or 19 per cent., and if he does it I shall withdraw every word that I have uttered. With these words, I would ask for leave of the House to withdraw my motion.

Mr. G. S. GANGOLI: Before the honourable member does that, let us hear the reply of the Honourable Minister.

Mr. P. R. CHIKODI: Yes, let us hear his reply.

The Honourable Khan Bahadur D. B. COOPER; Sir, the first grievance was that in the old days the district local boards used to get 21 lakhs of rupees as grant. I have got a statement in my hand, giving the figures of the grant from 1929-30 to 1933-34. In 1929-30 and 1930-31 the grant to the district local boards was 16 lakhs; in 1931-32 it was reduced to Rs. 10,75,000; in 1932-33 it was Rs. 8 lakhs; in 1933-34, 8 lakhs, and for 1934-35 the same figure has been maintained. The financial position of Government has in no way improved during the last three years, and unless and until the financial position of Government improves, there is no hope of getting any increase under this head.

[Khan Bahadur D. B. Cooper]

As regards the establishment charges, about which a grievance has been made by my honourable friend the mover of this motion, he must understand that the lesser the expense, the overhead charges and establishment charges must be higher. There is permanent establishment maintained by Government, and it cannot be removed by a stroke of the pen because Government is in such an embarrassing position for the time being. Unless and until we are in a definite position to know what is going to be our normal state of affairs, Government cannot dispense with the services of the hands they have got to maintain to look after their buildings and roads.

Another thing is that if there is a 100 mile length of road to be looked after, requiring a lakh of rupees to be spent and if under the existing circumstances you cannot afford to spend a lakh over it but only Rs. 25,000, you cannot proportionately reduce the establishment required to look after that road. The establishment must be there, and, as a matter of fact, to make the best use of the scanty funds at the disposal of the department, stricter and closer supervision is required. Under such circumstances, the establishment ought to be maintained as it is.

Another grievance which is made out is that, under the rules framed in 1929, wider powers are given to the Executive Engineers. Well, Sir, there has always been a cry that the powers should be more decentralised.

Mr. P. R. CHIKODI: That is misrepresentation. I do advocate delegation of power and have been urging that since long. What I wanted was that the Divisions should be larger than they are now on account of the delegation of powers to Executive Engineers.

The Honourable the PRESIDENT; He maintains that there may be decentralisation.

The Honourable Khan Bahadur D. B. COOPER: Very well, Sir. If wider powers are given to the Executive Engineer, it would be much better in the interest of the works themselves, and under such circumstances no grievance could be made out about the delegation of powers.

Another suggestion that has been made is that Divisions should be reduced. Every attempt is made to reduce, if possible, a Superintending Engineer or Executive Engineers. The question has been before Government for the last two years, and they have been going into this question very carefully. As a matter of fact, one division, the Satara division, which was an Executive Engineer's division, has been already reduced and made a sub-division. But the hue and cry in the division is that important roads like the Poona-Bangalore road, the Mahableshwar-Wathar road, the Karad-Chiplun road, upon which thousands and thousands of rupees are required to be spent, are required to be handed over to the charge of subordinates rather than responsible officers. That question is also before Government, and Government are very carefully going into the details to see whether it is possible to reduce the sub-divisions permanently or whether the reduced sub-divisions should be reinstated.

[Khan Bahadur D. B. Cooper]

Then the question has been raised as to why the establishment expenditure should not be charged to the petrol tax fund. The petrol tax fund, as the Honourable the Leader of the House has explained, consists of the tax on petrol levied under certain conditions. It is meant for improving provincial roads or the more important through traffic roads. The Government of India have laid down certain rules under which this expenditure has to be incurred. As a matter of fact, even tools and plant are not allowed to be charged to the petrol tax fund under the rules.

Mr. P. R. CHIKODI: Please inform me whether the Government of India have laid it down that the establishment expenditure should not be charged to the petrol fund, and I shall be satisfied.

The Honourable Khan Bahadur D. B. COOPER: It is laid down by the Government of India that it should not be charged; there has been correspondence between this Government and the Government of India, and a decision is not yet reached.

Well, Sir, my honourable friend Mr. Gangoli has made a grievance that no reply was given to his grievance, because his voice is not sufficiently big. We know he comes from the most backward district of the presidency. That district needs roads, medical relief, land revenue remissions, and it has various other grievances. The conditions of that district are really very peculiar. They are such that they cannot be compared with the conditions of the other parts of the presidency. The roads there are on hills, and whereas in the other parts of the presidency an expenditure of a thousand rupees per mile would suffice, in the Kanara district the case is quite different from that. The district is situated in an area where the rainfall is from 200 to 400 inches per year. Under such circumstances, looking to the finances at the disposal of Government, it is impossible to attend to all the needs of the district. We have been all along listening to the grievances of the district from the honourable member, and of course the more he cries the more he gets; there is no doubt about it, and that is the reason why he wants to raise a bigger and bigger hue and cry in this House. No matter what part of the budget it may be, whether it be the Public Works Department, the Medical Department, Land Revenue, Forest, or any other department, he has got a very, very serious grievance to make as regards his district, and as far as possible Government are trying to meet him in every possible way, and he may rest assured that as far as the Public Works Department is concerned, all possible help which Government could give him will always be forthcoming.

Mr. G. S. GANGOLI: Thank you, Sir.

The Honourable Khan Bahadur D. B. COOPER: Now, I think he is satisfied.

Then my honourable friend Mr. Shaikh Abdul Aziz has asked a question as to why the provincial road, namely, the Bombay-Agra road, passing through Dhulia should not be asphalted when the roads at Belgaum and other places are being attended to. I may just inform the honourable

[Khan Bahadur D. B. Cooper]

member that, as far as expenditure from the petrol tax fund is concerned, there is a schedule and a priority list prepared, and that priority list has not only to be approved by the Provincial Road Board but has got to be approved by the Government of India Road Board. After the approval of the Government of India Road Board and then again of the Provincial Road Board, priority is given to the works in the list according to the situation of the place, and after all other circumstances are taken into account by the Commissioners of the Divisions and the Divisional Board, these roads are taken in hand, and I am quite sure, when the turn of Dhulia comes, they will also get what they want.

Well, Sir, I have got one more point to make out. The honourable member Sardar Bhimbhai Naik has said that for the betterment of the country better communications are needed. No one denies that fact, and the Honourable the Leader of the House has given him the reply that it is as much the duty of the district local boards to attend to this matter as it is of the provincial Government. There is only one point and that is about the transfer of the P. W. D. roads to the charge of district local boards. This is not a new thing. There has been an agitation in this presidency for the transfer of the provincial roads to the district local boards. This experiment, as far as I know, has been tried in the Madras Presidency. There was the Godbole-Braganza Committee, specially appointed for this purpose, and Government subsequently put this suggestion into action also. The district local boards of Ahmednagar and Poona were entrusted with some of the provincial roads. The result is that only recently Government had to pass orders to take back the Poona-Nasik road from the control of the Poona district local board.

Another point is that whenever a question is sent for the opinion of a district local board, asking whether it is ready to take over control of a provincial road, the district local board puts forward the argument that the establishment which the Government keep for the maintenance of the road, should be transferred to the district local board.

Sardar Rao Bahadur B. R. NAIK : No, Sir. That is not correct.

The Honourable Khan Bahadur D. B. COOPER : It is entirely correct, as far as I am aware.

Sardar Rao Bahadur B. R. NAIK : I say it is not correct.

The Honourable Khan Bahadur D. B. COOPER : As far as I know, it is correct. What the Thomas Committee has said about the transfer of control and what is the condition prevalent in this presidency as far as the relations between the local bodies and the Public Works Department are concerned have already been made clear by the Honourable the Leader of the House and I need not go into their detail any further. I think I have replied to almost all the points that have been raised during the course of this debate and I am quite sure the honourable mover of the motion will be pleased to withdraw it.

Sardar Rao Bahadur B. R. NAIK : I wanted to know very definitely from the Honourable Minister whether the statement made by the honourable member Mr. Abdul Aziz that a bullock cart, if it has paid two annas for tolls in a day, can travel any number of miles is correct; and whether that rule can be made uniform.

The Honourable Khan Bahadur D. B. COOPER : Without even reference to any rules, from my personal experience I may inform the honourable member that what is mentioned in the lease is that if a cart has paid the toll once in 24 hours it can travel without paying further tolls, but this rule does not apply to motor cars. This is the rule mentioned in the agreement :

"In the case of bullock carts if a toll is paid at one toll bar, it shall not be recovered again on the same day at any other toll bar on the same road."

There are certain tolls on the provincial roads within 10 miles. The bullock cart is not supposed to travel more than 20 miles a day. Under such circumstances, if there be a toll bar which the same cart happens to pass on the same day that cart is exempted from tolls once again.

Motion, by leave, withdrawn.

The original demand for a grant of Rs. 1,20,53,000 for 41, Civil Works (Partly Reserved and Partly Transferred) put, and agreed to.

The Honourable Sir GHULAM HUSSAIN : Sir, I move a demand for a grant of Rs. 2,20,000 under 41, Civil Works (Reserved).

Question put, and agreed to.

The Honourable Mr. R. D. BELL : Sir, I beg to make a demand for Rs. 4,49,000 under 37, Miscellaneous Departments (Reserved).

Question proposed.

Dr. M. K. DIXIT (Surat District) : Sir, I beg to move :

"That the total grant, A-Labour, Rs. 90,400 be reduced by Rs. 1,000."

The object of moving this cut is only to rouse the Government to its sense of responsibility and duty towards Labour. We know, Sir, that in other countries Labour has attracted a lot of attention of both Government and the people. Labour has reached a stage when it commands very wide influence both on Government and industries of the country. In our country the labour movement is still in its infant stage and deserves very great attention from Government for organising it, because we know, Sir, this country, though ordinarily called an agricultural country, is fast developing its industries, the reason being that agriculture has failed to pay in this country. Industry will take the place of agriculture sooner or later. On the general discussion on the budget we were told times out of number that agriculture does not pay in this country and more and more people from agricultural profession are attracted to cities where they try to find labour in factories.

Sir, statistics of labour are very unsatisfactory. We have no data to go upon as to the amount of labour that will be available for factory

[Dr. M. K. Dixit]

purposes. We have no data about the amount of labour employed and unemployed. It is very difficult at this stage to follow exactly what Government are doing to encourage labour movement in this country. Last session, when we were discussing the City of Bombay Police Act, when the Goonda Bill was passed by this House, I very pointedly showed that that Bill became necessary simply because of unemployment in the Bombay city. If people found sufficient bread to maintain themselves and their family that Bill would not have been necessary. So, we must get statistics regarding the number of unemployed people in the city. We get very accurate information about foreign countries, like America, England, France and Germany, as to how many people are thrown out of employment. But the information available here is so meagre that it is not possible for us to know exactly what the number of unemployed is. While I am talking about the number of unemployed, I should like to refer to educated men among them who have received high University and scientific training. We have no means of knowing what their number is.

I do not wish to refer to the mill strikes at Sholapur and Ahmedabad. I leave it to the honourable gentlemen who have come from those places and to the Labour representatives of this House. But I want to mention one point. Government have provided in the shape of Famine Fund for giving relief to agricultural labour when it becomes necessary. But when the industries are not faring well and when mills are closed down because they could not make both ends meet with the consequence that people are thrown out of employment, there is no provision made at all by Government to protect industrial labour under such a circumstance. I do not wish to take any more time of the House. As I said in the beginning, the object of moving this cut is only to rouse the Government to their sense of duty and responsibility towards labour. With these words I move the cut.

Question proposed.

Mr. R. R. BAKHALE : Sir, I am deeply grateful to my honourable friend Dr. Dixit for moving this cut, as it has given me an opportunity to raise certain labour issues for the discussion of this honourable House. Last year, I raised a few questions of importance for the consideration of Government and I am glad to be able to say that I got satisfaction on some matters, though I was disappointed on others. I am glad to find that in response to the debate that took place last year in this House, Government took steps to reorganise the Labour Office and to create the Labour Commissioner and his two assistants. I am glad that they did it promptly and as early as they possibly could, after the debate was over.

Sir, I would like to push my demand a bit further and request Government to consider the possibility of making the Labour Office a separate department by itself. The problems of labour are increasing every day, not only in the city but also outside in most of the industrial towns of the presidency. It is indeed necessary that the Labour Commissioner and the Labour Office should be fully in touch with the developments

[Mr. R. R. Bakhale]

that are taking place almost every day in the labour world. I therefore suggest, and suggest very strongly, for the consideration of Government that they should consider the possibility of creating a Labour Department for this presidency, as we have a separate department for Labour in the Government of India. The present position is that, although we have got a Labour Office, manned and staffed efficiently, still, so far as Government are concerned, that department is under what is called the Reforms and Political Department. Sir, this Reforms and Political Department is a very important department at the present juncture. They are thinking of the present in so far as political conditions are concerned and they are thinking of the future in so far as the new constitution is concerned. I do not think that that department can find much time to look to industrial matters which are pressing on the attention of Government. In making this remark and in making this proposal, I am not unaware of the fact that on many occasions, the Political and Reforms Department has looked on labour questions with considerable sympathy; and I am free to admit that, in spite of my sharp and fundamental differences with the honourable member the Political Secretary, Mr. Turner, I have received from him considerable help so far as industrial matters are concerned. But I do feel that he and the General Member are too busy with other departments of greater importance, from their point of view, and have little time to look to the industrial questions of this presidency. I, therefore, urge that as soon as possible, with the Labour Office as a nucleus Government should make an endeavour to create a separate Labour Department for this presidency.

6 p.m.

The second question that I raised last year was with regard to the functions of the Labour Office, and I pressed on the attention of Government the necessity of creating a machinery for conciliation in industrial disputes. I quoted from the report of the Royal Commission on Labour, and pointed out the desirability and also the necessity of having conciliation offices at most of the industrial centres in the Bombay presidency. I am sorry to have to say that I have received no satisfaction on that point. And what is the result that we see today? Sholapur is in the throes of a strike; Ahmedabad is threatened with a strike; and nobody can say that there will not be a strike in this city also. I therefore urge again with all the earnestness at my command that Government, in spite of the view that they took last year, should consider the necessity of having a conciliation machinery as early as possible. By creating that machinery they will not only help in reducing industrial disputes to a certain extent, but I feel confident that they will be required to spend much less on law and order than they are spending today.

The third point that I raised last year was with regard to the attitude of the Bombay Government with regard to the registration and recognition of the unions of Government employees. And in support of that case I cited as an illustration a union started by the employees of the Government Central Press. On that issue also I have not so far received

[Mr. R. R. Bakhale]

any satisfaction. I press that point again for the consideration of Government.

And the last issue, Sir, that I raised last year was with regard to the recommendations of the Whitley Commission. It was promised last year that Government would place on the Council table a summary of the recommendations to which effect had been given by this Government. I admit that such a statement has been put on the Council table. But what I want to emphasize is that the attention of the several departments of Government must be drawn from time to time to the several recommendations of the Whitley Commission. Unless that is done, I am afraid the recommendations may not be given effect to within a measurable distance of time. I therefore suggest that the Labour Office should be asked to draw the attention of the several departments concerned from time to time to the several recommendations which can be carried out by these departments administratively. So far as the recommendations which require legislation is concerned, I again appeal to Government to carry them out as early as possible.

This year, Sir, there are two points to which I can make a reference with satisfaction. One is that the Government of Bombay, in view of the present conditions, have asked the Labour Office to conduct a wage enquiry into all the industries of this presidency. I am particularly glad for this decision. We have no statistics from which we can gather what the present wages of labour are. It is only in the textile and one or two other industries that censuses have been taken in the past. Other industries had been left out, but this year Government have decided to take a wage census of all the industries. But I want to emphasize that the report of this enquiry should be published as early as possible. What the Government publications generally suffer from is that they are published months, and sometimes years, after they are prepared, and thus they lose much of their effect and usefulness. For example, there was an enquiry into the wages of the cotton textile workers in this presidency undertaken by the Labour Office in the year 1926. The report of that enquiry was published in 1930, after four years, in which period there were two general strikes in this city. One can easily imagine what the effect and usefulness of such a publication, valuable though it is in certain respects, could possibly be. Valuable as these enquiries are from the point of view of labour, the prompt publication of the results of these enquiries is more valuable to them. I therefore appeal to Government to see that the reports of the Labour Office enquiries are published, say, within a period of 3 or 6 months after they are prepared. If necessary, Government may appoint a small extra staff for this purpose. If Government will come forward with a recommendation of that character, I have no doubt that this House will cordially support it. I may also suggest that they have now appointed a small extra staff for the enquiry which the Honourable the Leader of the House announced the other day. That extra staff might be retained and made permanent in view of the urgency of the matter, so that whenever

[Mr. R. R. Bakhale]

enquiries are undertaken by Government, the results of those enquiries may be published without loss of time.

The second point on which I should like to congratulate Government is the recent announcement by the Leader of the House with regard to the investigation into the cotton mill industry in so far as wage cuts, unemployment and methods of rationalisation are concerned. I recognise that it is a departmental enquiry, and on that score, I am aware that certain criticism has been made with regard to this committee. But, Sir, the view I take on this matter is this. Industrial disputes are increasing every day; there is no machinery either for conciliation or for arbitration; there are no strong trade unions in many an industry in this presidency; and, therefore, occasions will be greater in the future than in the past, when similar investigations will have to be undertaken by Government from time to time; and, if on every occasion, *ad hoc* committees are appointed, they might involve considerable expenditure. I, therefore, am entirely in favour of a departmental committee, and, therefore, thank the Member in charge of Labour for having allowed that announcement to be made. But, Sir, it must be remembered that a departmental enquiry by a small department of Government is capable of yielding satisfactory results only if they get the necessary and requisite co-operation both from the employers and from the employees. So far as an *ad hoc* committee or a committee appointed under any statutory authority is concerned, if any party refuses to come before it, that party is bound to be discredited by the public; and, therefore, the force of public opinion compels the parties concerned to appear before the committee. This is after all a departmental committee, and a departmental committee may not carry in the public eye the same value as an *ad hoc* committee, with a High Court Judge as chairman and members like my honourable friend Mr. Kamat, can. This is the greatest difficulty in this enquiry, so far as I can see, and, therefore, I feel that if departmental enquiries are to be successful hereafter, you must have a statutory machinery to secure the necessary information both from the employers and from the employees. I wonder, Sir, whether after the experience of this enquiry that will be conducted by the Labour Office, Government will not consider the desirability of introducing a statistics bill on the lines of a similar bill they introduced some ten or twelve years ago in this House. I am perfectly certain that there are bound to be occasions in the future when adequate information may not be produced by the employers, or perhaps on occasions even by the workers, and unless this information is produced before the departmental committee, that committee may not be able to produce a satisfactory report. In England, for example, the Ministry of Labour conducts such enquiries from time to time, but they have got the necessary machinery to secure the help of the employers and the workers, and they have an additional advantage in the fact that both the employers and the workers are organised to a very great extent—a feature which is absent in India at the present time. While I wish all success to this departmental enquiry by the Labour Office into wage cuts, unemployment, methods

[Mr. R. R. Bakhale]

of rationalisation and so on, I suggest that Government should consider the possibility of introducing a statistics bill as early as possible.

After these observations, Sir, I would like to raise one or two new issues for the consideration of Government. I shall try to be as brief as possible. The first issue that I should like to raise is in connection with the cost of living index number which is published for every month by the Labour Office. It is times out of number that I have quoted the authority of the late Mr. Sedgwick that the present cost of living index number is absolutely wrong, and that its publication in the *Labour Gazette* from month to month is dangerous from the working class point of view. And yet, in spite of this authoritative pronouncement by one of their own officers, the *Labour Gazette* has been publishing that faulty cost of living index number every month. I want to know why this is so. I want to know why you are continuing the publication of this faulty cost of living index number for Bombay City when you have reconstructed the cost of living index numbers for Sholapur and Ahmedabad. Is it the shortage of staff? Is it the financial stringency, or what is it that has precluded you from reconstructing your cost of living index number when pointed attention has been drawn to that fact by one of the most competent authorities of the Government of Bombay? Now that an occasion has arisen and you are conducting an enquiry through the Labour Office, you are going to enquire into the cost of living index also. I therefore suggest that this is the proper occasion for the Government to reconstruct the cost of living index number for this city also, because a good deal depends upon accurate wage statistics. Every time that wages are cut, I find argument after argument thrown out from the employers' side that the cost of living has gone down and therefore wages ought to be cut; and generally they quote the authority of the *Labour Gazette*. I therefore very strongly suggest that they should make an early effort, almost an immediate effort, to reconstruct their cost of living index number.

The second issue that I want to raise is with regard to the attitude of this Government towards industrial disputes including strikes. Sir, this is an issue on which it is difficult to speak with restraint. I have drawn, almost every time during the last three years that I have been here, pointed attention to the scandalous state of affairs that exists in different industrial centres whenever industrial disputes and strikes occur. I have drawn pointed attention of Government to the desirability of changing their outlook on industrial disputes, and in support of my arguments I have quoted, times without number, the great authority of the Whitley Commission, and yet I am sorry to say that nothing has been done. Not only nothing has been done, but the agonies of the working classes are being prolonged almost every day.

Sir, I particularly desire to draw the attention of the House to the attitude of Government during industrial strikes. Whenever a strike is apprehended or takes place, orders under section 144 of the Criminal Procedure Code or under some section of the District Police Act are

[Mr. R. R. Bakhale]

issued immediately, with the result that it becomes impossible for the workers, who are thousands and thousands in number, to think together or to take any concerted action. In support of this charge I would like to give one or two recent illustrations. In Dhulia, for example, an attempt was made by local people to organise a union of the textile workers. It was somewhere about April 1933. What happened? One or two prominent people were asked by the District Magistrate as to why action should not be taken against these people. The people concerned gave the necessary explanation and in spite of that explanation, the District Magistrate issued an order, not under the Criminal Procedure Code or the District Police Act, but under the Emergency Powers Act, restraining them from doing certain things. I was one of the members of this House when the Emergency Powers Act was passed, and I was under the impression that this Act was mainly and primarily intended to deal with the political situation arising out of the civil disobedience movement. But I find that this Emergency Powers Act which was passed with a definite objective in view has been abused in industrial disputes; and I drew the attention of the late Governor of the Presidency to this matter and asked him whether the Ordinances, which were in operation in those days when these Acts had not been passed by the Legislatures, were going to be utilised in industrial disputes, particularly with regard to picketing, and I have it in writing from the Private Secretary to His Excellency that these Ordinances were not meant to be used in industrial disputes and industrial picketing was as legal in those days as it was legal before the civil disobedience movement came into existence, although during that movement political picketing was forbidden under the Ordinances. This is one illustration to show how the Emergency Powers Act has been abused by this Government.

I take another illustration of Amalner; it related to last year. There too there was a strike, and some of the workers from Bombay went to Amalner and Dhulia to organise the workers. This was in October 1933. As soon as these people went to Amalner, the police served them with notices and asked them to quit the place immediately, without caring to enquire the object of their visit to Amalner or other similar matters. After this order was issued, these people went to a village about four or five miles away from Amalner and conducted the strike operations from that place. There, the village patil ordered them to quit the place and he saw to it that these people did not get even a drop of water in that village. Then they moved on to a jungle, but the provisions had to be brought there from Amalner, and I understand that the police officials so arranged matters that these people in the jungle were prevented from getting the provisions for eating.

The Honourable Mr. R. D. BELL: Who arranged this?

Mr. R. R. BAKHALE: Your officials.

Lastly, I come to Sholapur. In speaking about Sholapur, I admit the desirability of speaking with a sense of restraint, because it is a place which has just come out of the Martial Law regime, and I recognise that

[Mr. R. R. Bakhale]

nothing should be done which would hamper the peaceful atmosphere in that industrial town. But, Sir, it cannot be denied that the employers of Sholapur cut the wages of the workers to the extent of 12½ per cent. As soon as that cut came into operation, the workers went on strike. I want to emphasise that Sholapur is a place where the wages of the textile workers are the lowest in the Presidency. A woman worker in Sholapur does not get more than Rs. 7 per month; and I want also to emphasise that the Sholapur industry is one of those industries which are prospering even to-day. In support of this statement, I give a few figures of the dividends that were distributed by three out of five mills during the last several years. The Laxmi Mill paid a dividend in 1921 to the extent of 75 per cent. [*An Honourable Member*: "Boom period!"] Yes, yes, boom period,—in 1922, 100 per cent.; in 1923, 75 per cent.; in 1924, 50 per cent.; in 1925, 45 per cent.; in 1926, 45 per cent.; in 1927, 45 per cent.; in 1928, 36 per cent.; in 1929, though it was not a boom period, it paid a dividend of 36 per cent. and in 1930, 12 per cent.

Now, take the Sholapur Mill. These are the dividends:

1922	250 per cent.
1923	200 per cent.
1924	120 per cent.
1925	100 per cent.
1926	70 per cent.
1927	52 per cent.
1928	52 per cent.

and in 1929—not a boom period—it paid 35 per cent. After this, the mill changed hands from the late Mr. Narottam Morarji; and according to some legal arrangement, this mill could not pay a dividend of more than 6 per cent. and therefore in 1930 and 1931 the mill paid a dividend of 6 per cent. only.

Now, the Vishnu Mill:

1921	60 per cent.
1922	60 per cent.
1923	40 per cent.
1924	30 per cent.
1925, 1926 and 1927	30 per cent. each year.
1928	24 per cent.
1929—not a boom period ..	24 per cent.
1930—not a boom period ..	12 per cent.

[*Interruption.*] You quote your figures, if you have any. I have quoted my figures. The points that I want to emphasise are these; that Sholapur gives the lowest wages to the textile workers and that they are the people who are making the highest profits to-day. In spite of this, they have made a cut of 12½ per cent. Now, I ask this honourable House whether the workers could be charged with impatience or lack of foresight if they declared a strike as a protest against the cut of 12½ per cent.

[Mr. R. R. Bakhale]

in their wages. If you do not want them to declare a strike, you must suggest an alternative under which that wage-cut could go or at least an investigation could be held as to whether this cut was justified or not. You won't set up a conciliation machinery ; you won't send your Labour Office people to find out whether there was genuine distress, to find out the other circumstances in connection with the strike. And yet, when a strike is declared, on the morrow of the strike the District Magistrate comes out with order after order either under the Police Act or under the Criminal Procedure Code prohibiting certain people from making speeches, prohibiting workers from forming processions, prohibiting workers from holding public meetings. The strike was declared only on the 14th of the last month and on the 16th, within 48 hours after the event, an order was served under the District Police Act against certain people ; and on the 21st, a week later, processions were banned and public meetings were also banned under section 144 of the Criminal Procedure Code. Now, my position with regard to the strikes, Sir, is this. I am one of those people who have been taking part in the labour movement, who honestly believe that a strike should be the last weapon in the armoury of workers and that if other remedies fail, if the workers fail to get satisfaction, then and then only a strike should be resorted to and must be resorted to. During the period that I have been in this movement, I found that this attitude on the part of certain people was never encouraged either by the employers or by the Government, with the result that those people who advocate this view, namely, the view that a strike should be the last weapon in the armoury of the workers, have been gradually losing their influence over the industrial workers, and the influence of those who believe in the philosophy of a strike, a strike as the first and the second and the last weapon, over the workers is gradually increasing. I want to know whether Government propose to do anything in this matter or to allow things to drift as they have been drifting hitherto. Sir, I have referred to Dhulia, Amalner and Sholapur. With none of these centres I am officially or privately connected, but I do feel that it is a wrong policy on the part of Government to issue orders as soon as strikes are declared because those orders make it impossible for the workers to take concerted action, to think collectively, even to consider whether the strike should be called off or not. For example, take the case of the announcement of the Honourable the Leader of the House with regard to the inquiry into the mill industry. Assuming that the strike had been declared before the announcement was made and assuming also that the workers at Sholapur were in a mood to consider this announcement in a conciliatory manner, could they have done it with these prohibitory orders hanging over their heads ? How are they to take common action ? How are they to decide collectively whether they should go back to work or not ? My suggestion therefore is that Government should change their attitude with regard to these strikes entirely.

6-30 p.m.

[Mr. R. R. Bakhale]

It is a dispute which is primarily between Capital and Labour and they should not look at this matter merely from the point of view of Law and Order. I have suggested to them an alternative solution by way of the appointment of Conciliation Officers but they would not accept it. I have quoted to them the authority of the Royal Commission which they would not recognise. I again want to din into their ears, if I can, a small passage from the Whitley Commission's Report with regard to Government's conduct of industrial disputes. The Whitley Commission say:

"The existence of such officers (Conciliation Officers) should give an additional advantage in that they will be able to keep Government in close touch with disputes in their earlier stages. Too often when the crisis comes, Government is inadequately informed regarding the antecedents and the merits of a dispute. Indeed in many cases it has received little information of it except that which comes at a later stage from those responsible for Law and Order. They have no other source of information except those who are responsible for Law and Order. At present even some officers dealing with labour in the provinces, lacking encouragement and even permission to interest themselves directly in a dispute, tend to depend on police reports affecting information" (as the Honourable the Home Member is doing). "The attention of the authorities is often apt to be concentrated too exclusively on the effects which a dispute is likely to have on the public peace and the officers whose duty qualifies them to act as conciliators sometimes receive no information of a dispute or are informed at a very late stage. An expert officer who had followed a dispute in its earlier stages would be able to take a wider view of the whole situation than those who are interested and rightly interested in a special aspect of it, namely, its relation to public security. Even when the expert officer's efforts to secure a settlement were unsuccessful, he would be in a position to give wise advice to Government as to the stage at which it could bring its influence to bear either privately or by the appointment of a statutory board or court. We consider that every Government should have an officer or officers for this purpose."

Sir, my honourable friend Mr. Kamat reminds me that even the Fawcett Committee has suggested a machinery something on these lines. What has the Government done? It has done nothing, except issuing orders on the workers, playing with their personal liberties and, if I may say so, playing with their bread and butter. Sir, some of us feel very strongly on this matter and I appeal to Government to consider this case dispassionately. What you are really doing is that you are helping the Communists and the pro-Communists to increase their influence on the working classes. You are doing nothing else by your actions. I want to know from you whether it is in your interest to allow their influence to grow or whether it is in your interest to allow these trade disputes to be directed on constitutional lines. So long as the present system of Capitalism lasts, industrial disputes are inevitable, but there are ways and ways of dealing with these disputes, and you have adopted a way which will not fail to recoil on your own heads in the long run. There is no doubt about that. You must give up the idea that a strike is a riot. It is not so. You should not assume that a declaration of a strike will always create conditions which are to be found in riots. We had one strike in Bombay in 1925 and another strike in 1928, and the Honourable the Leader of the House will bear me out that on the whole those strikes were conducted peacefully; but it must be remembered that you had allowed the workers to picket the mills under certain conditions, you had allowed the workers to hold public meetings, you had allowed the workers to have processions, you had allowed the

[Mr. R. R. Bakhale]

workers to meet together to consider what action should be taken under particular circumstances, you had allowed the workers to form their strike committees, you had allowed the workers to go to the Secretariat to discuss matters with the Honourable Member in charge of that department. If you do all these things, you will not get the riotous conditions which you generally find in places like Sholapur, but you yourselves behave in such a manner that those conditions of a riot are bound to be created. Sir, Government have to make a choice. So far as I am concerned, I do feel that unless Government change their attitude with regard to these industrial disputes and look at them from a proper angle and not from the point of view of Law and Order alone, the conditions are bound to be worsened and a day will come when they will recognise their mistakes; but that day will be too late.

The last point, Sir, that I want to emphasise before I close is with regard to the increasing industrial unemployment in this presidency. As the honourable member Dr. Dixit has pointed out, there are no industrial statistics in India. That is perfectly correct. We may be able, of course, to get some idea of unemployment by going over the annual reports of factory inspectors for different provinces and taking into account the number of workers employed every year. But that is not a very satisfactory method of assessing the degree of unemployment in this presidency, or for the matter of that, in India. We want regular statistics for each industry. It has not been denied by any responsible person that to-day industrial unemployment exists on a very large scale. I want to know whether Government have been considering this problem seriously. In famine conditions, we have got the Famine Fund which can be utilised during famine times but when there is an industrial dispute and workers are thrown out of employment, what remedy is there to protect them from starvation? I hope that the Honourable the Home and General Member will not deny that every man or woman in this presidency has a right to be protected from starvation. That is a principle which has been recognised all the world over and particularly in civilized countries. The right to relief has been acceded to. The principle of a right to work or relief failing work has been recognised in many important industrial countries in the world.

The Honourable Mr. R. D. BELL: What about America?

Mr. R. R. BAKHALE: I am glad the Honourable the Home and General Member has interrupted me. I am perfectly aware that till about five years ago America did not recognise the principle of unemployment relief, but what is the position to-day? I want the Honourable the Home and General Member to read the National Industrial Recovery Act of the United States of America and the several Codes framed under it and he will find that an adequate provision is made for unemployment relief through the State by the United States of America. Take even Italy. Take any important country you please, and you will find that it has come round to the idea, namely, the principle of social insurance and also unemployment relief, and I may tell the Honourable the Home

[Mr. R. R. Bakhale]

and General Member also that in America this principle has now come to be accepted, though most unwillingly and most reluctantly. I am aware that, when America found that her unemployment population had gone up over 14 million people, when the depression was the deepest and when the ranks of the unemployed had risen to the extent of 14 million that the President of the United States of America had to accept the principle of unemployment relief for that great country. With this information I hope that the Honourable the Home and General Member will consider sympathetically the question of unemployment relief. But, Sir, what I want to say is this, that this is a problem which can be considered from several points of view. As I said in my general speech on the budget, if every country will try its best to remove depression by taking important steps in the direction of increasing the purchasing power of the people, by increasing wages, by reducing hours of work, then only will the general trade depression in the world disappear. It is no use at all to say that there is general trade depression; but to remove that trade depression, to remove the effects arising out of the depression, every country, every province, must make some honest efforts.

Sir, I would like to draw the attention of the Honourable the Home and General Member to the several remedies that are being adopted in the United States of America and in other countries for removing the worldwide depression and for increasing the purchasing power of the common people. Sir, the main problem is the problem of increasing the purchasing power of the people, and that has been attempted to be done in the United States of America by several methods (*Mr. Pestanshah N. Vakil:* Without success), and with very considerable success (*Mr. Pestanshah N. Vakil:* Question), and certainly with greater success than the success which has attended the efforts, if any, of my honourable friend Mr. Pestanshah Vakil. One of the methods that have been employed in several countries to remove the trade depression and to remove unemployment particularly, is the reduction of working hours. I recognise, Sir, that the Government of India have been trying to reduce the working hours from 11 to 9. But that may not be adequate for the purpose. In America and in other countries there is only a forty-hour week at present. I do not go so far as that, but I suggest that the reduction of working hours will be one of the methods by which you will be able to reduce unemployment to a certain extent. Another remedy that has been tried and tried successfully in America as well as in other countries is the development of public works. Now, Sir, this is entirely an item which the provincial Government can successfully tackle. Even the Whitley Commission has recommended that during days of depression and during days of unemployment, the development of public works should be undertaken on a very extensive scale, on borrowed capital, if necessary, but for productive purposes; and in giving some idea about these public works they have enumerated the construction of roads, bridges, buildings, canals, drainage works and the clearance of slums and even the construction of new houses. Every one of them is

[Mr. R. R. Bakhale]

a productive scheme, and if Government can utilise the present depression to the best advantage by borrowing money at a very cheap rate of interest, I am sure that in the long run they will benefit.

The third point that I suggest for the consideration of this Government is the recognition of the principle of unemployment insurance. I do recognise that it is difficult at the present moment, because the State has got to contribute, the employers have got to contribute, as well as the workers have got to contribute. It may be difficult in existing conditions to have an up-to-date and modern system of unemployment insurance. But, Sir, may I draw the attention of Government to a scheme prepared by the Fawcett Committee, of which my honourable friend Mr. Kamat was a member, which has recommended what is called an out-of-work donation scheme. It is one of the simplest schemes that have ever been suggested by any committee, and when they suggested that scheme, depression had not come. If that scheme had been given effect to, the pangs of unemployment might not have been felt to the extent to which they are felt at the present moment in Bombay.

We have got, Sir, dock labour also to be reckoned with. The Royal Commission has recommended the starting of a system of registration and thereby decasualise employment of dock labour. That is also a point which I suggest for the consideration of the Honourable the Home and General Member.

What I want to press is that these are the several problems, particularly with regard to the Government's attitude on industrial disputes and the question of unemployment, that I want the Honourable the Home and General Member to pay sympathetic attention to and to do something which will help the poor people in this presidency.

Rao Bahadur R. S. ASAVALE (Bombay City, North): Sir, I rise to place before the House some of the grievances of the labouring classes in the Presidency, and especially those of the labourers in the city of Bombay. Sir, I do not wish to take much time of this House, because the previous speaker has dealt with almost all the questions that I had to deal with. Still I have my grievances of the labouring classes, and those I must place before the Government as well as the honourable members here.

Sir, the honourable mover of this cut has stated that the statistics prepared by the Labour Office are not satisfactory. I am sure that if the statistics collected by the Labour Office were not sometimes accurate, it was because the staff at its disposal was not adequate and therefore it is not the fault of the Labour Office. It is the fault of the Government, who do not provide sufficient staff to that office. Three years ago, I had moved a cut on this subject, and I had then urged that the Labour Office should be provided with sufficient staff, so that the office can get whatever information is necessary as regards the labouring classes in the city of Bombay and the presidency. We know, Sir, that the present Labour Commissioner is doing his best to get the necessary and accurate information that is wanted, but, Sir, the information that he gets is quite inadequate, because he does not get proper information from the real and the

[Rao Bahadur R. S. Asavale]

proper working class man as also from all persons concerned. He depends upon his own assistants and the subordinates he engages. Sir, the information that is necessary in the interest of the labouring classes must be obtained from the labouring classes themselves or from their representatives and not only from the people representing Industry.

As regards the wage cut, I am quite sure now, as declared by the Honourable the Leader of the House some days back, that the Labour Commissioner and the Labour Office have been asked to get the information and go deeply into the question of the present wage cut made by the mill industry as well as by the other industries in the presidency. I do not know whether Government have issued orders to the Labour Office to go into all these matters, but if that order is not so issued, then I would request Government to give instructions to the Labour Office that it should go not only into the question of the wage cut of the textile labourers but also of the other labouring classes.

Sir, now I will come to the unemployment question. We know very well that at present in the city of Bombay there are nearly 2½ lakhs of people who are considered as industrial labourers, and if the Labour Office goes minutely and enquires into the unemployment question, it will find that nearly half the number, a lakh of people or even more, are without jobs, and after going into this unemployment question it will come to the conclusion that not only the labourers but the dependants on them also are starving. The people on whom they depend are without employment. It is not only that these people are suffering, but also the trade and industries side by side are sure to suffer. In the same way, it will be a loss also to the Government if the state of affairs remains the same for a longer time. We know, Sir, from where the labouring classes who are employed in the industry and trade come. They come from the agricultural classes. Many of these labourers hold lands, though they are small, and if really they are without employment, they will not be able to pay the revenue which they have to pay to the Government, because the produce of their lands does not fetch sufficient money even to maintain themselves. How would it be possible then for such people to pay the Government dues if they remain unemployed? It is therefore, Sir, in the interest of both the trade and the Government that some employment must be found out for these unfortunate unemployed people.

Sir, at present we know that there is great discontent amongst the labouring classes, and I am afraid if the state of things goes on like this, it would be very hard even for Government to put a stop to their discontent, and these people may go to any length—to what length I cannot say at present. There is such a move. It is not through genuine labour leaders but through outsiders who are the exploiters of these people. I must say that they are trying their best to agitate the labourers to rise not only against the capitalists but even against the Government. I would also request Government to find out some way of preventing industrial workers from being exploited by certain

[Rao Bahadur R. S. Asavale]

irresponsible agencies. I want to give a hint to Government that they must see their way to check this movement immediately. The only way I think is by providing some employment for them, in the same way as Government give employment to the labouring classes or the poor agriculturists when there is a famine in the country. I am quite sure Government can do that, and some amount either from the Famine Fund may be used for this purpose or a loan may be raised for providing new works. I do not say that these people should be given doles. They should not be given doles. Not only that, but these people won't take doles. I am quite sure about it because these classes come from such castes as never put up their hand before anybody to ask for charity. They would rather work and maintain themselves. I would therefore request Government that they must see their way to find out some ways and means to give them work and thus feed them at any cost. Sir, we know very well that the prices of materials and the cost of labour have now gone down and that this is the time when Government should start new works. They would get cheap labour in these days. I am also sure that the textile labourers who are at present working in the city of Bombay do not get even half the salary that they were getting when times were better. At present the textile labourer has to undergo a cut of 30 to 40 per cent., and in some mills there is a cut of even 50 per cent. in dear food allowance. When there is a cut of 5 per cent. in the salary of Government servants, Government are inclined to restore that cut, while if they look to the cut in wages of the labouring classes, they will be astonished to see that weavers who were getting Rs. 60, Rs. 70 or even Rs. 80 a month are not getting even Rs. 25 or 30 a month at present. Sir, these people have to maintain themselves and their families. They are not the people to raise their voice against the Government, because they are deaf and dumb because they are illiterate. They are easily led away by certain people at present, who are taking them into wrong paths for their own purposes. Sir, on account of starvation, they are taking anything they get. Therefore, it is the essential duty of Government to see that their economic condition is improved, so that the condition of industry, trade and the city side by side may also improve.

The Honourable the PRESIDENT : The time is up now : it is 7 o'clock.

Rao Bahadur R. S. ASAVALE : I shall want a little more time, Sir, and I shall continue my remarks to-morrow.

It being 7 p.m., the House adjourned till 2 p.m. on Friday, the 9th March 1934.

BOMBAY : PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Vol. XXXIX—Part XVI

Friday, the 9th March 1934.

The Council re-assembled at the Council Hall, Bombay, at 2 p.m., on Friday, the 9th March 1934, the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present:

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr. A. B.
ADVANI, Mr. P. B.
AMBEDKAR, Dr. B. R.
AMINUDDIN, Mr. SAIYID
ANGADI, Rao Bahadur S. N.
ASAVALE, Rao Bahadur R. S.
BAKHALE, Mr. R. R.
BANGI, Mr. A. K. J.
BELL, the Honourable Mr. R. D.
BIJARANI, Khan Bahadur SHER MUHAMMAD KHAN
BIRADAR, Sardar MAHABOOBALI KHAN
BOLE, Rao Bahadur S. K.
BULLOCKE, Mr. A. GREVILLE
BURNS, Dr. W.
CHIKODI, Mr. P. R.
CLEE, Mr. C. B. B.
COLLACO, Dr. J. A.
COOPER, the Honourable Khan Bahadur D. B.
COVERNTON, Mr. S. H.
DABHOLKAR, Major A. Y.
DESAI, Mr. S. B.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
D'SOUZA, Dr. J. ALBAN
EWBANK, Mr. R. B.
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GARRETT, Mr. J. H.
GAZDAR, Mr. MAHOMED HASHIM
GHARPUREY, Lt. Col. K. G.
GHULAM HUSSAIN, the Honourable Sir
GHULAM HYDER SHAH, Mr.
GHULAM NABI SHAH, Khan Bahadur
GILDER, Dr. M. D.
GOKHALE, Mr. L. R.
GREAVES, Mr. J. B.
HUMPHREY, Mr. JOHN

JAN MAHOMED KHAN, Khan Bahadur
JITEKAR, Mr. HAJI IBRAHIM
JOG, Mr. V. N.
JONES, Major W. ELLIS
KALBHOR, Mr. G. M.
KALE, Rao Bahadur R. R.
KAMAT Mr. B. S.
KAMBLI, the Honourable Dewan Bahadur S. T.
KARBHARI, Mr. M. M.
KENNEDY, Mr. T. S.
KULKARNI, Rao Saheb P. D.
LELY, Mr. W. G
MATCHESWALLA, Mr. G. E.
MEHERBAKSH, Khan Bahadur S.
MITHA, Mr. MAHOMED SULEMAN CASSUM
MODAK, Rev. R. S.
MODI, Sardar Davar T. K.
MORE, Mr. J. G.
NAIK, Sardar Rao Bahadur B. R.
NAMDEORAO BUDHAJIRAO, Mr.
NAVLE, Rao Bahadur N. E.
OWEN, Mr. A. C.
PANJABI, Mr. K. L.
PARULEKAR, Rao Bahadur L. V.
PATEL, Khan Bahadur A. E.
PATEL, Mr. BHAILAL SARABHAI
PATEL, Mr. C. N.
PATEL, Khan Bahadur VALI BAKSH A.
PATIL, Dewan Bahadur D. R.
PATIL, Mr. N. N.
PATIL, Mr. V. N.
PATIL, Rao Saheb V. S.
PETIT, Mr. J. B.
PRADHAN, Rao Bahadur G. V.
PRATER, Mr. S. H.
RAHIMTOOLA, Mr. HOOSENALLY M.
RESALDAR, Mr. A. K.
ROOSE, Mr. F. O. J.
SERVAI, Mr. A. E.
SHAIKH ABDUL AZIZ, Mr.
SHAIKH ABDUL MAJID, Mr.
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SHINDE, Mr. R. B.
SMART, Mr. W. W.
SOLANKI, Dr. P. G.
SURVE, Mr. A. N.
SURVE, Mr. V. A.
SYED MIRAN MAHOMED SHAH
SYED MUNAWAR, Mr.

TOLANI, Mr. S. S.
TURNER, Mr. C. W. A.
VAISHAMPAYAN, Dr. V. G.
VAKIL, Mr. PESTANSHAH N.
VANDEKAR, Rao Bahadur R. V.
WADKE, Mr. B. P.

NEW MEMBERS SWORN.

The following members made the prescribed affirmation of allegiance to His Majesty the King-Emperor, and took their seats in the Council:

Lieut.-Col. K. G. Gharpurey, I.M.S., and Mr. K. L. Panjabi, I.C.S.

STARRED QUESTIONS AND ANSWERS.

MEMBERS ON ROAD BOARD COMMITTEE.

*Rao Bahadur S. K. BOLE: Will the Honourable Minister for Local Self-Government be pleased to state whether it is a fact that all the members appointed on the Road Board Committee to represent the local boards in the divisions are directly connected with any of the local boards in their divisions?

The Honourable Khan Bahadur D. B. COOPER: Yes, with the exception of Rao Bahadur G. K. Chitale. He was appointed on the Board of Communications on account of his long connection with the District Local Board, Ahmednagar, of which he was the first non-official President from 1917 to 1925 after which he continued as a member of the Board till 1930.

BRIDGING OF FERRIES IN KANARA.

*Mr. G. S. GANGOLI (Kanara District): Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) the number of ferries and nallas that have to be crossed by boats on the main provincial trunk roads in Kanara;

(*b*) how many of them were bridged during the last ten years;

(*c*) what steps Government propose to take to bridge these ferries to help the villagers in taking their produce to market?

The Honourable Khan Bahadur D. B. COOPER: (*a*) Ten at present.

(*b*) One in 1926–27.

(*c*) Proposals for providing cross drainage works in replacement of several of these ferries are under the consideration of Government and they will be taken up according to the relative order of urgency as and when funds become available.

INSPECTOR OF AGRICULTURAL SCHOOLS: RETENTION OF POST.

*Rao Saheb P. D. KULKARNI (Poona District): Will the Honourable Minister for Education be pleased to state—

(*a*) whether it is a fact that there are only two agricultural schools in the Presidency proper;

(*b*) if so, why the post of an Inspector of Agricultural Schools is retained;

(*c*) whether Government have considered the feasibility of distributing his work of inspection of the agricultural bias schools of the district local boards among the agricultural overseers of the district in which the schools are located ?

The Honourable Dewan Bahadur S. T. KAMBLI : (*a*) Yes.

(*b*) The post of Inspector of Agricultural Schools was retained because it was considered essential for the successful working of the 71 agricultural bias classes in the Presidency proper which are still in an experimental stage and need careful supervision. It is also the duty of this officer to undertake propaganda work in the villages to educate public opinion.

(*c*) Yes. The annual inspection of these classes is taken by the Inspector of Agricultural Schools, while the annual examinations of these classes are held by the District Agricultural Overseers, on a request from the Inspector of Agricultural Schools made through the respective Divisional Deputy Directors of Agriculture.

Rao Saheb P. D. KULKARNI : As this work of examination is done by the district agricultural overseers, cannot the inspection also be done by the Deputy Directors of Agriculture with the help of the surplus staff at the disposal of the Agricultural Department ?

The Honourable Dewan Bahadur S. T. KAMBLI : Sir, the honourable member assumes that there is a surplus staff, which is not correct. So, the retention of the Inspector of Agricultural Schools is necessary.

Rao Saheb P. D. KULKARNI : Are the Deputy Directors not capable of conducting the examination ?

The Honourable Dewan Bahadur S. T. KAMBLI : Sir, it is not a question of capability ; but it is a question of the time at their disposal.

SUPPLY OF OFFICIAL PUBLICATIONS TO MEMBERS OF THE LEGISLATIVE COUNCIL.

* Rao Saheb P. D. KULKARNI (Poona District) : With reference to the assurance given on page 618 of Vol. 38 of the Bombay Legislative Council Debates, viz., " but I shall see what can be done and a circular will issue explaining the position to honourable members ", will the Honourable the Home and General Member be pleased to state—

(*a*) whether the said circular has been issued ; if so, will the Honourable Member be pleased to place a copy of it on the Council table ;

(*b*) if not, whether Government intend to supply the official publications to the members of the Legislative Council as before, preferably before the next budget session begins ?

The Honourable Mr. R. D. BELL : (*a*) The orders have been issued and copies have been furnished to the Members of the Legislative Council. A copy† is placed on the Council Table.

(*b*) Does not arise.

†Kept in the Secretary's office.

Rao Saheb P. D. KULKARNI: How many reports of the various departments have been sent to honourable members of this Council since the assurance was given in the last session?

The Honourable Mr. R. D. BELL: I am unable to give this information without notice.

Mr. S. S. TOLANI: Since the Reforms, the July edition of the Bombay Civil List was being supplied to all honourable members. Now that all publications are going to be sent, except the Civil list, may I know the reason why the Civil List is discontinued?

The Honourable Mr. R. D. BELL: Sir, I have already promised to consider this matter, and I am considering it. But I have already found that the Civil List was not supplied till 1931, and it was stopped in 1932. That does not prejudice consideration of the matter, but it is not a fact that ever since the date of the introduction of the Reforms honourable members have been supplied with the Civil List.

Mr. S. S. TOLANI: What will be the approximate saving from this head if the list is not supplied?

The Honourable Mr. R. D. BELL: I have got the matter under consideration. That ought to be sufficient for the honourable member for the present.

THE PESHWA DAFTAR.

*Rao Saheb P. D. KULKARNI (Poona District): Will the Honourable the Revenue and Finance Member be pleased to state, with reference to the reply to part (*b*) of my question on the above subject, printed at pages 87-88 of Volume XXXVII of the Bombay Legislative Council Debates—

(*a*) whether Government are aware that the condition laid down, viz., that English translations of extracts made by students from the records must be deposited before the extracts are allowed to be removed from the office is inconvenient, impossible and obstructive to the purely Marathi-knowing students of history;

(*b*) who is the authority to decide whether the translations supplied are correct or not;

(*c*) whether Government have considered the feasibility of entrusting that authority with the work of seeing the original manuscripts and granting the permission to remove the extracts from the office;

(*d*) whether Government are aware that although 44 volumes have been published from the Daftar, it is possible that there may be some more manuscripts of historical importance in the Daftar;

(*e*) if so, whether Government have considered the desirabilty of allowing the students of history to have inspection of the original manuscripts in the Daftar by imposing other milder and more reasonable restrictions;

(*f*) whether Government intend to give their anxious consideration to the requests made in this behalf by the Bharat Itihas Samshodhak Mandal of Poona through Sardar Mujumdar and Professor Potdar?

The Honourable Sir GHULAM HUSSAIN: (*a*) No such complaints have been received from any of the students who were allowed to inspect the Alienation Office Records.

(*b*) The translations supplied by students are scrutinised by the office of the Commissioner, Central Division, and if the sense of the documents is not correctly expressed therein, the translations are corrected by that office where necessary, to enable the Commissioner to decide whether they contain any information to the publication of which objection can be taken from an administrative point of view. The translations or purport in English of the notes taken by students are required for this purpose only and not for deciding the question whether they are correct or not. These translations are not returned to the students.

(*c*) The suggestion made is not practicable.

(*d*) Yes.

(*e*) The present rules have been found to be satisfactory. If any student finds it difficult to submit an English translation or notes of a particular document, the Commissioner has discretion to waive this condition.

(*f*) No. Professor Potdar has been informed accordingly.

Rao Saheb P. D. KULKARNI: With regard to (*e*), will this condition not be done away with generally, without leaving any option to the Commissioner?

The Honourable Sir GHULAM HUSSAIN: That is a suggestion for action.

Rao Saheb P. D. KULKARNI: I could not hear the answer, Sir. It is quite inaudible.

The Honourable the PRESIDENT: That is a suggestion for action.

FEES FOR INSPECTION OF ELECTRICAL INSTALLATIONS IN FACTORIES.

*Mr. J. B. PETIT (Bombay Millowners' Association): Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) the reasons which have impelled Government to effect an increase in the scale of fees charged for the inspection of electrical installations in factories;

(*b*) the estimated receipts from the fees;

(*c*) the cost of the maintenance of the Government inspectorial staff solely employed on this work;

(*d*) the technical qualifications required of such inspectors;

(*e*) the actual work done by the said staff;

(*f*) whether Government are aware that these inspections overlap the inspections held by the Fire Insurance Association;

(*g*) whether Government are aware that their scale of fees is higher than the scale of the Fire Insurance Association although the work of the latter is more detailed and thorough;

(*h*) how the fees levied in the Bombay Presidency compare with the fees charged in other Presidencies; and

(*i*) whether Government contemplate a reduction in the scale of these fees in view of the general trade and industrial depression prevailing throughout the Presidency?

The Honourable Sir GHULAM HUSSAIN: (*a*) The object of revising the scale of fees charged for the services of Electrical Inspectors was to move certain disparities in the old scales and to re-assess them more equitably. Previously, although both motive power and lighting installations in factories were inspected, charges were levied in accordance with the rate for motive power only. As the inspection of lighting and motive power installations involved the expenditure of considerable time and labour by the inspecting staff, compared with the time and labour involved in inspection of installations of lighting only or of power only, it was considered equitable that separate fees should be assessed for inspection of lighting and power installations, the maximum rate for each, i.e., lighting Rs. 100 and power Rs. 250, remaining the same as before.

(*b*) Rs. 35,000 per annum from factories alone in the whole Presidency.

(*c*) No special staff is employed solely for the inspection of electric installations in factories; the same staff employed for carrying out the work entailed in the administration of the Indian Electricity Act is employed for this work also.

(*d*) The qualifications required of Electrical Inspectors are laid down in Rule 3 of the Indian Electricity Rules, 1922, as follows:—

(*i*) He has had at least five years' practical experience in an electrical or mechanical engineering workshop or electric power station; and

(*ii*) after acquiring such experience, he has been regularly engaged for a period of not less than five years in the practice of electrical engineering; Provided that the Governor General in Council or the Local Government as the case may be, may appoint any person not so qualified, if in his or its opinion such person is otherwise fully qualified to exercise the powers and perform the functions of an Electrical Inspector.

(*e*) All such work as is required under Rules 23, 24, 26, 27, 35 to 68 of the Indian Electricity Rules, 1922, in order to see that the installations conform thereto.

(*f*) Government are not aware of the details of inspections carried out by the Fire Insurance Association. Under the Indian Electricity Act and the Rules, it is obligatory on the Electrical Inspector to carry out inspections of the electrical installations in Factories, irrespective of whether they may also have been inspected by any private bodies.

(*g*) Government are not aware of the scale of fees charged by the Fire Insurance Association. The inspection carried out by Government Electrical Inspectors is thorough in all details, as required by the Indian Electricity Rules.

(*h*) It is understood that the Madras Government are charging fees on exactly the same basis as the fees charged in Bombay, and from enquiries received from other Presidencies it is understood that proposals to charge fees in the near future are under contemplation.

(*i*) No.

Mr. J. B. PETIT: Sir, is there any profit made in this branch of the department of the Government?

The Honourable Sir GHULAM HUSSAIN: I did not hear the question, Sir. Will he please speak loudly?

Mr. J. B. PETIT: Has any profit been made by the Government up to now in this branch of their Electrical Department?

The Honourable Sir GHULAM HUSSAIN: I do not follow the question.

Mr. J. B. PETIT: In answer to 1(*b*), the Government say that Rs. 35,000 per annum is being recovered from the factories alone, in the whole presidency. May I enquire whether in this department, the Government are making any profit in consequence of this branch of their activity?

The Honourable Sir GHULAM HUSSAIN: Is the honourable member referring to the levying of fees?

The Honourable the PRESIDENT: No. The revenue derived is, as the reply shows, Rs. 35,000. What the honourable member wishes to know is whether this includes any profit, if any, or whether it is only the out-of-pocket expenditure that is recovered.

The Honourable Sir GHULAM HUSSAIN: I cannot say off-hand. I will have to work out the figures.

Mr. J. B. PETIT: May I then take it that the Government will supply the information later on?

The Honourable Sir GHULAM HUSSAIN: If the honourable member gives notice, I will. But speaking from memory, I can tell him that this branch of the department is not self-supporting.

Mr. J. B. PETIT: How do the Government come to that conclusion in view of the fact that they say that the staff employed is not solely devoted to this work but does other work also? How did they then manage to find out that the department was not self-supporting?

The Honourable Sir GHULAM HUSSAIN: As I told the honourable member, I must work out the figures of cost of establishment, etc., before I can give any definite reply.

Mr. J. B. PETIT: Will the Government kindly take this as my notice; or do they require a formal question to be asked again?

The Honourable Sir GHULAM HUSSAIN: I would request the honourable member to send a fresh question.

Mr. J. B. PETIT: Are the Government aware that the inspection carried out by the Fire Insurance Association is also as complete and as thorough as the inspection carried out by the Government and still the fee charged by them is smaller?

The Honourable Sir GHULAM HUSSAIN: I have already stated that Government are not aware.

Mr. J. B. PETIT: Will the Government kindly take it from me that their examination is as thorough and as complete as the examination of the Government, and still they charge a smaller fee? Are the Government aware of that fact?

The Honourable Sir GHULAM HUSSAIN: No, Sir.

Mr. J. B. PETIT: If the Government are convinced that the Fire Insurance Association are charging a smaller fee for the same kind of work, will they kindly see their way to reduce their scale of fees?

The Honourable Sir GHULAM HUSSAIN: If the honourable member refers to my reply to part (*h*) of the question, he will find that in the other provinces also Government are charging the same fees as we are.

AMENDMENT OF BOMBAY UNIVERSITY ACT.

*Mr. J. B. PETIT (Bombay Millowners' Association): Will the Honourable Minister for Education be pleased to state—

(*a*) whether and if so, when, Government have received from the University of Bombay a resolution passed by the Senate, requesting them to so amend the University Act as to vest the appointment of the Vice-Chancellor in the Senate by election, instead of in the Chancellor by nomination as hitherto;

(*b*) when they intend to bring an amending bill to put the resolution of the Senate into effect; and

(*c*) what the cause of this unusual delay is?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) 6th September 1933.

(*b*) Government have come to no decision as yet.

(*c*) There has been no unusual delay. The Senate has proposed a considerable number of amendments of the Act, of which this is one. Government cannot undertake legislation without due consideration. The case is still under examination.

Mr. J. B. PETIT: May I enquire of the Honourable the Minister for Education what his idea of "unusual delay" is? In this case, six months have elapsed since the passing of the resolution on the subject by the Senate and the receipt thereof by the Government.

The Honourable Dewan Bahadur S. T. KAMBLI : It is a matter of opinion. My honourable friend may think it is undue delay. We think it is not undue delay. I may tell the honourable member that the University were requested to give their opinion as to whether any amendments were necessary in the Act and if so, what amendments. They took 9 months to send the amendments.

Mr. J. B. PETIT : Do two wrongs make one right ?

The Honourable Dewan Bahadur S. T. KAMBLI : Sir, I did not say that the University was wrong. But I wanted to point out that when the University took 9 months to send the amendments, a period of 6 months is not unusual delay on the part of Government.

Mr. J. B. PETIT : May I enquire why the Government have not yet been able to come to a decision on such a simple matter of this kind ?

The Honourable Dewan Bahadur S. T. KAMBLI : Sir, it is not a question of an amendment. There are 13 amendments proposed by the University. All these must be thoroughly and carefully considered, and it takes time, as usual.

Mr. J. B. PETIT : Question (*b*) is : " When they intend to bring an amending bill to put the resolution of the Senate into effect " ; and the reply is : " Government have come to no decision as yet ". This refers to the specific resolution which I have mentioned in part (*a*). May I know, Sir, why the Government have not yet come to a decision in the matter ?

The Honourable Dewan Bahadur S. T. KAMBLI : The University did not ask Government to decide this question only. They sent 13 amendments and all these must be considered in detail, in all their aspects, and it requires time.

Mr. J. B. PETIT : Is the Honourable the Minister for Education aware of the very strong feeling prevalent in the Senate on this point ; and is he also aware of the fact that this question is so important that it stands out alone, all by itself, irrespective of the other amendments proposed ?

The Honourable Dewan Bahadur S. T. KAMBLI : The University, in sending its proposals to Government, did not mark this particular amendment as of an urgent nature.

Mr. J. B. PETIT : May I know definitely when the Government expect to come to a decision on this particular matter ?

The Honourable Dewan Bahadur S. T. KAMBLI : When the consideration is complete.

Mr. J. B. PETIT : Will the Honourable Minister very kindly give the House some indication of the time that will still be required by the Government to come to a decision in the matter ? Will it be 2 months, 3 months, 4 months ?

The Honourable Dewan Bahadur S. T. KAMBLI : I cannot venture to be a prophet in this matter.

Mr. J. B. PETIT: Does the Honourable Minister realise that such indefinite answers of a general character do not and will not satisfy the public ?

The Honourable Dewan Bahadur S. T. KAMBLI : Sir, I have given the reason that there are 13 amendments requiring careful consideration. They have to be considered in all their aspects. I do not think it is an unsatisfactory answer. My honourable friend has no reason to be dissatisfied with that answer at all. If he is impatient, I cannot help it.

Mr. J. B. PETIT : May I inquire how long the other 13 amendments have been under the consideration of the Government ?

The Honourable Dewan Bahadur S. T. KAMBLI : All the 13 amendments were received together.

Mr. C. N. PATEL : Will 13 more months suffice ?

Rao Bahadur R. R. KALE : May I remind the Honourable Minister that when I brought a Bill before this honourable House, Government promised that a Bill would be brought forward by Government embodying all the urgent amendments required in the Act ?

The Honourable Dewan Bahadur S. T. KAMBLI : Sir, then we addressed the University of Bombay requesting them to send to Government all the amendments that were considered necessary by them. They took 9 months to consider what amendments were necessary. They then formulated their proposals and submitted them to Government. And now they are being considered by Government.

Rao Bahadur R. R. KALE : May I know whether it is not possible to give effect to the urgent amendments first and to the other amendments in due course ?

The Honourable the PRESIDENT : The Honourable Minister said that no amendment has been marked as urgent.

Rao Bahadur R. R. KALE : I don't think so. The amendments were sent a long time ago. Some of the amendments formed part of the Bill which I had brought before the House. It was then stated on behalf of Government that the two amendments which I had proposed and some other amendments would be considered first. All these amendments may have been sent later on. But in the beginning it was stated that a Bill embodying my proposals would be brought before the House very soon.

The Honourable the PRESIDENT : Was one of those amendments regarding the election of the Vice-Chancellor ?

Rao Bahadur R. R. KALE : No ; that is a subsequent matter. The amendments which I refer to related to other matters—the procedure regarding elections, for instance.

The Honourable Dewan Bahadur S. T. KAMBLI : How does a supplementary question arise with regard to this ?

Rao Bahadur R. R. KALE: It does arise in this way. It has been stated that Government are considering all the amendments together. There are in all 13 amendments, according to the Honourable Minister. My question is, is it necessary to consider all the amendments together? Is it not possible to consider urgent amendments first?

The Honourable Dewan Bahadur S. T. KAMBLI: My honourable friend is a member of the Senate of the University of Bombay. Probably he was one of the members who took part in the debate regarding the amendments required in the Senate meeting. The University has thought it fit to send all these 13 amendments together with the request that they may be embodied in an amending Bill. So all these thirteen amendments are now being considered by the Government.

The Honourable the PRESIDENT: Next question.

COTTAGE INDUSTRIES.

*Mr. A. K. RESALDAR for Mr. SYED MUNAWAR: Will the Honourable Minister for Education be pleased to state with reference to the statement at page 32 of the Manual of Village Improvement—

(*a*) whether the scheme to assist the marketing of the products of village industries referred to there has been considered by Government;

(*b*) if so, what that scheme is;

(*c*) when the same will be put into operation?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) Yes.

(*b*) It was proposed to establish in the Bombay City a central emporium for the marketing of products of rural industries with four subsidiary shops in the districts.

(*c*) In view of the financial stringency, Government have decided not to proceed with the proposal at present.

Mr. C. N. PATEL: What will be the cost of establishing this emporium?

The Honourable Dewan Bahadur S. T. KAMBLI: If the honourable member gives notice, I shall find out.

Mr. C. N. PATEL: In (*c*), reference is made to financial stringency. When was it noticed by the Honourable Minister?

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, it is being noticed for the last so many years.

AMERICAN COTTON FUTURES.

*Dr. V. G. VAISHAMPAYAN (Sholapur City): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether Government are aware that gambling in American cotton futures is indulged in in several parts of this Presidency on a very large scale;

(*b*) how many raids were made during the year 1932-33 and how many arrests were made in this connection during that year;

(*c*) how many persons were sentenced for gambling in American cotton futures during the said year;

(*d*) what steps, if any, Government have taken so far to control the gambling in American cotton futures?

The Honourable Mr. R. D. BELL: (*a*) Government are aware of the prevalence of this form of gambling in Bombay City, but it has not come to notice in other parts of the Presidency.

(*b*) and (*c*) During the year 1933, 652 raids were carried out by the police in Bombay City under the Bombay Prevention of Gambling Act, 2,277 persons were arrested and 1,739 persons were convicted. Information as regards areas outside Bombay City is not readily available.

(*d*) Attention of the Honourable Member is invited to the reply given to clause (*m*) of question† asked by the Honourable Member for Bombay City North at the current session.

Dr. V. G. VAISHAMPAYAN: May I know whether Government have instituted enquiries in order to find out whether such gambling is resorted to in other parts of the Presidency?

The Honourable Mr. R. D. BELL: No special enquiries have been made.

Dr. V. G. VAISHAMPAYAN: May I know whether Poona is equally bad as Bombay?

The Honourable Mr. R. D. BELL: Not that Government are aware of.

Mr. G. S. GANGOLI: With regard to part (*d*) the answer is:

"Attention of the Honourable Member is invited to the reply given to clause (*m*) of question asked by the Honourable Member for Bombay City North at the current session."

That reply to clause (*m*) is:

"Every effort to exercise the powers granted under the Bombay Prevention of Gambling Act against betting in cotton futures is being made by the Police. Government on their part have directed the Public Prosecutors to press for deterrent sentences on persons convicted of such offences."

So, the menace is growing and Government have realised the situation. Is this all that the Government propose to do in the matter?

The Honourable Mr. R. D. BELL: Yes, Sir.

Mr. G. S. GANGOLI: If any new legislation is necessary, will Government consider the advisability of taking up such legislation?

The Honourable Mr. R. D. BELL: New legislation is not considered necessary by Government.

Mr. G. S. GANGOLI: If the Honourable Member will be pleased to send out one of the police constables or even one of his peons just outside, they can bring nearly a thousand persons engaged in gambling. That is such an open secret. Will that state be allowed to continue like that?

†Printed in the Debates of 24th February 1934.

The Honourable Mr. R. D. BELL: The honourable member will see from the figures given that the raids in Bombay average two per day all round the year.

Mr. G. S. GANGOLI: The matter has gone out of all proportion and it has become a regular scandal.

Mr. L. R. GOKHALE: Has Government received a report from the Collector of Poona about the gambling in the American cotton futures there?

The Honourable Mr. R. D. BELL: I have no recollection of one.

Mr. L. R. GOKHALE: Was any report asked for?

The Honourable Mr. R. D. BELL: Not in connection with this question.

ADULTERATION OF BUTTER.

*Rao Bahadur R. V. VANDEKAR (Nasik District): Will the Honourable Minister for Local Self-Government be pleased to state—

(a) whether Government are aware of the fact that adulteration of butter with fish oil and vegetable products is freely going on in the City of Bombay and in the mofussil;

(b) whether Government are aware that the preparations of butter are made in the most unhygienic manner;

(c) if so, what measures Government propose to take to remedy the evil?

The Honourable Khan Bahadur D. B. COOPER: (a) Yes.

(b) Yes, in some places.

(c) The Bombay Prevention of Adulteration Act has been applied to Bombay City, Karachi, Ahmedabad, and Surat. In other cities the Act has not been applied chiefly because local authorities are unable to provide the cost of Public Analysts and of making the necessary laboratory arrangements.

Government recently convened a small conference to examine the question in all aspects and to recommend measures for dealing with adulteration of butter and ghee more effectively. The final report of the conference is awaited.

STUDY OF JAPANESE SYSTEM OF EDUCATION.

*Rao Bahadur R. V. VANDEKAR (Nasik District): Will the Honourable Minister for Education be pleased to state—

(a) whether very recently an Indian I.E.S. Officer of the Bombay Educational Department visited Japan during the period of his leave, with the special object of studying the Japanese system of education;

(*b*) whether the said officer has submitted to Government a full and detailed report on the subject of Japanese education with his recommendations;

(*c*) if so, how Government propose to deal with the report?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*), (*b*) and (*c*) The Honourable Member is referred to the reply given during the current session to a similar question† by Rao Bahadur S. K. Bole.

MARATHA GRADUATES IN EDUCATIONAL SERVICE.

*Rao Bahadur R. V. VANDEKAR (Nasik District): Will the Honourable Minister for Education be pleased to state the number, with reference to the Presidency proper, of Maratha graduates and the proportion which that number bears to the total number of graduates in the Imperial, Provincial and Subordinate Services in the Educational Department?

The Honourable Dewan Bahadur S. T. KAMBLI: It is not possible to ascertain the number of living Maratha graduates in the Presidency proper and, therefore, Government are unable to work out the desired proportion.

PRIMARY TEACHERS: CLASSIFICATION.

*Rao Bahadur R. V. VANDEKAR (Nasik District): Will the Honourable Minister for Education be pleased to state—

(*a*) the total number of primary teachers in the Northern, Central and Southern Divisions of the Presidency;

(*b*) of them how many are (1) Brahmins and Advanced classes, (2) Non-Brahmins or Intermediates, (3) Mahomedans and (4) Depressed class persons?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) and (*b*) The collection of the required information will require a reference to all the local authorities in the Presidency proper which number 55 and the information furnished by them will then have to be consolidated. The labour and time involved in the collection and compilation of information necessary to answer the question appear to Government to be incommensurate with its utility and public interest and Government regret, therefore, that they do not see their way to undertake its compilation.

Mr. B. S. KAMAT: Is the Honourable Minister aware that in the Quinquennial Report of the Department of Public Instruction in the Bombay Presidency published last year there is the information about the number of Mahomedan primary teachers given in paragraph 219, division by division?

The Honourable Dewan Bahadur S. T. KAMBLI: If it is given there, it is there.

Mr. B. S. KAMAT: I ask is the Honourable Minister aware of that?

†Printed in the Debates of 23rd February 1934.

The Honourable Dewan Bahadur S. T. KAMBLI : Certainly.

Mr. B. S. KAMAT : Is he also aware that there is the information in the same book regarding the intermediates, the backward and the depressed classes teachers ?

The Honourable Dewan Bahadur S. T. KAMBLI : Of that I am not sure. If my honourable friend shows it to me, I shall be obliged.

Mr. B. S. KAMAT : That information is given on page 226, paragraph 253.

The Honourable Dewan Bahadur S. T. KAMBLI : Is the number separately given of teachers of each of these classes ?

Mr. B. S. KAMAT : Yes, the number of teachers is given. And my next question is whether the Honourable the Minister is aware of it ?

The Honourable Dewan Bahadur S. T. KAMBLI : I am not aware of it.

Mr. B. S. KAMAT : My next question is, for the purposes of this ; if for this quinquennial report this information was gathered in the department, does the Honourable Minister mean to suggest that there is no similar information collected about the number of primary teachers of the advanced classes ?

The Honourable Dewan Bahadur S. T. KAMBLI : If the information is given in the report as stated by the honourable member, he will please deduct the number from the total number of teachers and he will get the desired result.

Mr. B. S. KAMAT : That is what I am leading to.

The Honourable Dewan Bahadur S. T. KAMBLI : If information is available as alleged by the honourable member, then he will get the exact number required if he follows the method suggested by me.

Mr. B. S. KAMAT : Is there no such information collected in the department referring to primary teachers belonging to the advanced classes ?

The Honourable Dewan Bahadur S. T. KAMBLI : What primary teachers, trained, untrained and all kinds of teachers ?

Mr. B. S. KAMAT : Yes.

The Honourable Dewan Bahadur S. T. KAMBLI : If the quinquennial report gives the number of teachers of all other classes except the advanced classes as alleged by the honourable member, then the remaining number will be the number of teachers of advanced classes.

Mr. B. S. KAMAT : I have been able to trace only the number of Mahomedans, the backward classes and the depressed classes. My question is whether there is no such information collected about the advanced class primary teachers.

The Honourable Dewan Bahadur S. T. KAMBLI : I am not aware whether it was collected or not.

Mr. B. S. KAMAT : If the information to be collected is only regarding the advanced class primary teachers, is it such a very laborious task as to justify this answer that has been printed there ?

The Honourable Dewan Bahadur S. T. KAMBLI : There are so many local authorities in this presidency that it requires immense labour and a long time to collect all the information required up to date as regards the number of teachers of the various classes referred to in the original question.

Mr. B. S. KAMAT : Thank you.

MEDICAL RELIEF TO VILLAGERS.

*Rao Bahadur R. V. VANDEKAR (Nasik District) : Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) whether Government have taken any, and if so, what steps to give medical relief to the villagers ;

(*b*) whether they have formulated any scheme for the purpose by encouraging medical practitioners to settle in the rural areas ?

The Honourable Khan Bahadur D. B. COOPER : (*a*) Under section 50 (*b*) of the Bombay Local Boards Act, 1923, the duty of providing medical relief in rural areas is imposed on district local boards. Government assist such boards with grants-in-aid in respect of the dispensaries maintained by them and by lending services of their officers for appointment as medical officers in charge of such dispensaries. Government have in addition established "village aid posts" in the Poona, Bijapur, Sholapur and Dharwar Districts. Detailed information regarding these village aid posts is given in paragraph 8 of the revised edition of the Review of the Medical Department recently issued by Government.

(*b*) A scheme for rural medical relief is now under the consideration of Government, and a proposal to grant special assistance to encourage medical practitioners to settle in rural areas is one of the matters under consideration.

PRIVATE HOSPITAL AT HUBLI : GOVERNMENT GRANT.

*Rao Bahadur R. V. VANDEKAR (Nasik District) : Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) whether Government are aware of any hospital established on co-operative basis at Hubli by the efforts of private medical practitioners ;

(*b*) whether Government are aware that it is well managed and financed by the public ;

(*c*) whether the managers of the institution had applied to Government for any grant and, if so, with what result ?

The Honourable Khan Bahadur D. B. COOPER : (*a*) Yes. (*b*) Yes. (*c*) Yes ; the matter is under consideration.

APPLICATION OF BOMBAY ACT XV OF 1932.

*Rao Bahadur R. V. VANDEKAR (Nasik District): Will the Honourable Minister for Local Self-Government be pleased to state the names and number of boards that have requested Government for the application of the Weights and Measures Act to the whole of the Bombay Presidency ?

The Honourable Khan Bahadur D. B. COOPER: The following ten District Local Boards have so far consented to apply the Bombay Weights and Measures Act, 1932, to their respective areas :—

District Local Board, Poona.
District Local Board, Satara.
District Local Board, Belgaum.
District Local Board, Karachi.
District Local Board, Larkana.
District Local Board, Nawabshah.
District Local Board, Dadu.
District Local Board, Sukkur.
District Local Board, Hyderabad.
District Local Board, Upper Sind Frontier.

UNSTARRED QUESTIONS AND ANSWERS.

OPENING OF NEW LIQUOR SHOPS IN DHARWAR DISTRICT.

Mr. H. R. DESAI (Deccan Sardars and Inamdars): Will the Honourable Minister for Education be pleased to state—

(*a*) the number of country liquor and toddy shops auctioned for the whole of the Presidency proper for the years 1931-32, 1932-33 and 1933-34, and the total amounts realised for such shops for each of the years ;

(*b*) the number of country liquor and toddy shops auctioned for the Dharwar District for the three years mentioned above and the total amounts realised ;

(*c*) the names and population of the villages of the Dharwar District where new liquor shops have been set up for the year 1933-34, together with the amounts realised in auction for each of them ;

(*d*) whether there was any demand for such shops from the residents of the villages where they have been set up ;

(*e*) in how many of such villages where new shops have been set up are there any primary schools ;

(*f*) whether it is the intention of Government to utilise the amounts realised from such new shops for establishing primary schools, where none exist at present ;

(*g*) whether it is a fact that a new country liquor shop has been set up in the village of Kanvi-Honnapur in the Dharwar taluka, and that the shop has been located on the main road from Dharwar to Kalghatgi, and opposite a temple ;

(*h*) if so, what is the distance of the shop from the temple ;

(*i*) whether Government are aware that the temple is held in high reverence by the Hindus of the surrounding villages, and that every Friday and every new moon day, hundreds of Hindu devotees attend the temple;

(*j*) whether there has been another country liquor shop at the village of Dhumwad, also on the high road, and at a distance of about three miles from Kanvi-Honnapur;

(*k*) whether it is a fact that similarly a new country liquor shop has been set up on the main road from Dharwar to Hubli at the village of Rayapur in the Dharwar taluka, and whether there has been existing another shop at Amargol at a distance of about three miles from Rayapur?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*)

Year.	Number of shops auctioned.		Total bids realised.	
	Country spirit shops.	Toddy shops.	Country spirit shops.	Toddy shops.
			Rs.	Rs.
1931-32	1,566	994	51,76,757	22,39,428
1932-33	1,592	1,010	60,76,215	26,80,249
1933-34	1,958*	1,190	67,85,055	31,92,677

*Includes two shops at Gadag-Betgeri managed departmentally.

(*b*)

Year.	Number of snops auctioned.		Total bids realised.	
	Country spirit shops.	Toddy shops.	Country spirit shops.	Toddy shops.
			Rs.	Rs.
Dharwar District.				
1931-32	95	109	2,19,517	3,92,579
1932-33	104	110	1,98,900	3,60,137
1933-34	120*	140	1,52,350	4,13,320

*Includes two shops at Gadag-Betgeri managed departmentally.

(*c*), (*d*) and (*e*) The accompanying statement gives the requisite information.

(*f*) No.

(*g*) Yes.

(*h*) 50 yards.

(*i*) The goddess is highly reverenced and many devotees attend on the occasions mentioned, though rarely, if ever, in hundreds.

(*j*) A new shop has been sanctioned and set up at Dhumwad, but it is set up in the village and not on the high road.

(*k*) A new country spirit shop has been sanctioned and set up on the main road at Rayapur, taluka Dharwar, on the Dharwar-Hubli Road. No shop exists at Amargol (taluka Hubli) three miles away from Rayapur.

Statement showing the names of new country liquor shops sanctioned from 1st April 1933 in the Dharwar District, the license fees of each for 1933–34, population, whether primary schools exist in each village, etc.

Taluka.	Name of village where a new country liquor shop is opened.	Population.	Amount of license fee for 1933–34.	Whether a primary school exists in the village.	Remarks, as to whether there was any demand for these shops from the public.
1	2	3	4	5	6
			Rs.		
Dharwar ..	(1) Rayapur	492	205	No.	Almost all the shops were opened on the recommendation of the excise advisory committees concerned.
	(2) Nigadi	597	280	Yes.	
	(3) Heru-Belwadi ..	1,132	158	Yes.	
	(4) Madanbhavi ..	1,347	No bid.	Yes.	
	(5) Kanvi-Honnapur ..	436	160	No.	
	(6) Kotur	1,224	150	Yes.	
Kalghatgi ..	(7) Tabakad-Honnehalli ..	1,090	No bid.	Yes.	
	(8) Tambur	308	No bid.	No.	
	(9) Dhumwad ..	1,405	150	Yes.	
	(10) Ganjigatti ..	1,223	No bid.	Yes.	
Navalgund ..	(11) Shelvadi	2,691	150	Yes.	
	(12) Alagwadi	1,676	100	Yes.	
	(13) Nalavadi	995	No bid.	Yes.	
Hubli ..	(14) Old Hubli (Dalimbarpeth).	83,494 for Hubli Town.	4,300	Yes.	
	(15) Byahatti	3,588	150	Yes.	
Hangal ..	(16) Gondi	629	25	Yes.	
	(17) Kusnur	1,309	30	Yes.	
	(18) Kopparsikop ..	616	160	No.	
Gadag Taluka and Mundargi Petha.	(19) Gadag No. 2 ..	45,899	5,000	Yes.	
	(20) Betgeri No. 2 ..		4,300	Yes.	
	(21) Huilgole	568	150	Yes.	
	(22) Kalkeri	1,390	250	Yes.	
Ron ..	(23) Hullur	1,744	50	Yes.	

Taluka.	Name of village where a new country liquor shop is opened.	Population.	Amount of license fee for 1933–34.	Whether a primary school exists in the village.	Remarks as to whether there was any demand for these shops from the public.
1	2	3	4	5	6
			Rs.		
Haveri ..	(24) Haveri No. 2 Town ..	9,657	1,600	Yes.	Almost all the shops were opened on the recommendation of the exoise advisory committees concerned.
	(25) Hesrur	1,105	No bid.	Yes.	
	(26) Ichangi	838	No bid.	Yes.	
	(27) Niralgi	461	No bid.	Yes.	
	(28) Kengond	456	No bid.	Yes.	
	(29) Hommardi ..	705	150	Yes.	
	(30) Kabbur	1,647	No bid.	Yes.	
	(31) Neglur	3,225	60	Yes.	
Ranebennur ..	(32) Ranebennur Town, No. 2.	16,411	2,000	Yes.	
	(33) Byadgi No. 2 ..	7,112	1,500	Yes.	
	(34) Kupelur	1,650	105	Yes.	
	(35) Kodyal (Hospet) ..	258	385	No.	
	(36) Itgi	1,678	20	Yes.	
	(37) Harugop	511	15	No.	
	(38) Bisalhalli	748	30	Yes.	
	(39) Kakol	2,018	150	Yes.	
	(40) Kerimallapur ..	403	No bid.	No.	
	(41) Gudadanveri ..	424	225	No.	
Hirekerur ..	(42) Chippardalli ..	263	No bid.	No.	
	(43) Chik-Basur ..	795	No bid.	Yes.	
	(44) Masangi	994	No bid.	Yes.	
	(45) Kachavi	1,010	50	Yes.	
	(46) Aladgeri	1,267	No bid.	Yes.	
	(47) Gundgatti ..	873	50	No.	
	(48) Kaginelli	1,484	No bid.	Yes.	
	(49) Neshvi	852	No bid.	Yes.	

SUPPLY OF OFFICIAL PUBLICATIONS TO MEMBERS OF THE LEGISLATIVE COUNCIL.

Mr. J. G. MORE (Sholapur District): With reference to the assurance given on page 618 of Volume XXXVIII of the Bombay Legislative Council Debates, viz., "but I shall see what can be done and a circular will issue explaining the position to honourable members", will the Honourable the Home and General Member be pleased to state—

(*a*) whether the said circular has been issued; if so, will the Honourable Member be pleased to place a copy of it on the Council table;

(*b*) if not, the reasons therefor;

(*c*) whether Government are aware that it is not possible to expect well-informed criticism on various subjects coming before the Council from the members of the Legislative Council when the official publications are not supplied to them;

(*d*) whether Government intend to supply the official publications to the members of the Legislative Council as before, preferably before the next budget session begins ?

The Honourable Mr. R. D. BELL: (*a*) The orders have been issued and copies have been furnished to the Members of the Legislative Council. A copy† is placed on the Council Table.

(*b*) to (*d*) Do not arise.

STATEMENT re : MENINGITIS.

The Honourable the PRESIDENT : I understand that the Honourable Minister wishes to make a statement.

The Honourable Khan Bahadur D. B. COOPER : Yes, Sir. Regarding meningitis at Ahmedabad, the information received is that up to the 8th instant the number of cases reported from that city is 195 attacks and 85 deaths. The epidemic is still increasing. Lieutenant-Colonel Sokhey is working out details for bacteriological investigation. It will be rather difficult for him to spare an officer as his staff has been reduced, but looking to the urgency of the matter, he has promised to do all he can. There is at present sufficient serum with the Ahmedabad Municipality. Some of the stock was ordered by Air Mail.

Rao Bahadur S. K. BOLE : Is the disease prevailing among the richer classes or the poorer classes ?

The Honourable Khan Bahadur D. B. COOPER : All classes.

Dr. P. G. SOLANKI : Has the disease still been confined to the children or has it spread to the adults also ?

Major A. Y. DABHOLKAR : Mostly confined to the children of school-going age. Most of the cases are confined to persons up to about 20 years. There have been some amongst the adults, but the majority is amongst the children of school-going age.

Dr. P. G. SOLANKI : Belonging to a particular class such as the labouring class ?

Major A. Y. DABHOLKAR : They are not confined to any particular class, but they are amongst all classes of the population.

DEMANDS FOR GRANTS—(*Discussion Resumed*).

Question again proposed : " Reduce by Rs. 1,000—A-Labour—Total Grant Rs. 90,400."

Rao Bahadur R. S. ASAVALE (Bombay City, North) : Sir, yesterday I was speaking about the unemployment, specially in the city of Bombay, in the labouring classes, and in support of that I would just ask Government to refer to the *Labour Gazette* for the month of January 1934. On page 353 under the heading " Unemployment in South Africa " it is stated what the Government of South Africa has done for the unemployment in the labouring classes

2-30 p.m.

† Kept in the Secretary's office.

[Rao Bahadur R. S. Asavale]

as well as for unemployment among the other classes. Sir, I would just ask the Honourable the General Member to read page 353 of that issue of the *Labour Gazette*, but for his information I would read out a certain portion as to what the Government has done for the labouring classes in South Africa. It is stated :

"The Government has made provision for the sum of £26,15,850 for public works in the 1933-34 loan estimate, and this would give employment to both skilled and unskilled workers. The Government has also made provision from revenue and loan funds for the sum of £8,91,000 for unemployment relief purposes and was issuing rations to relieve distress where it was impossible to provide work."

Sir, when the Government of South Africa has provided such a big sum in order to relieve the distress of the unemployed, is it not, Sir, in the fitness of things that the Government of Bombay should do at least something to give relief to the unemployed ? Yesterday, Sir, I said that the unemployed in Bombay did not want doles ; neither should money be given to them free. But some work should be found out to relieve the unemployment of the people.

As regards this unemployment question, I must bring to the notice of the Government that this unemployment is not due to the fault of the labouring classes, but it is the fault of the factory owners and the industrial people, because, Sir, in order to get some protection from Government and to get some relief for their own purposes, they began to reduce the wages of the poor labouring classes since 1925. Sir, the present Revenue and Finance Member was then the General Member. As has been pointed out by my honourable friend Mr. Bakhale yesterday, a resolution was moved in the Council, in the year 1928 if I mistake not, because I was one of the supporters of that resolution, and I had suggested that the Government should at once set up a committee of labour representatives and representatives of the millowners in the city of Bombay. As promised by the then General Member, a conference was held and the dispute as regards the wage-cut was settled in that conference and the mills started work. In the year 1925 when a cut of nearly 11½ per cent. was made, there was a strike, and the Government of India came to the rescue of the millowners by abolishing the excise duty. At that time Government had put in a condition that the cut in wages should be restored when the excise duties were removed. I am quite sure, Sir, then the cut was restored and the mills were working smoothly.

Now, Sir, as there was the Japanese dumping and also dumping from other countries, the millowners and the industrialists wanted some protection in that respect. I also did want that support from Government to protect the mill industry in the interest of the labouring classes. The other day my honourable friends the European members here requested us to support them in asking for the abolition of the town duty on cotton, and everybody spoke in support of the cut motion relating to that subject, and the motion was carried by this House. When that cut was moved, every member of this House got up and said that in the interest of the agriculturist this must be done. But, Sir, I would remind them that the labouring classes come from the agriculturists

[Rao Bahadur R. S. Asavale]

and from no other class, and the prosperity of the labouring class depends upon the prosperity of the agriculturist class. As I pointed out yesterday, the labouring classes are not different from the agriculturist classes. They are the kith and kin of the agricultural classes.

Now, Sir, I will just quote another example which also has been reported in the *Labour Gazette* for January 1934, as regards what has been done in the Netherlands. In the Netherlands an Industrial Councils Act was passed on the 7th April 1933, and it has come into force from 20th October 1933. And, what have the Industrial Councils to do? I would just read out for the information of the Government the duties of these Councils. It is stated:

"An Industrial Council is required to determine conditions of employment, if possible in the form of collective agreements; to draw up regulations for vocational training; to prepare measures for the prevention and reduction of unemployment and the creation of additional work; to do all it can to improve the relations between employers and workers in the different undertakings by means of representatives appointed to that end; and in the industry as a whole to encourage the establishment of funds and other arrangements for the benefit of the workers; to discuss technical and commercial questions arising in the industry, in so far as they may affect the position of the workers; and to compile statistical data concerning the industry."

Sir, we have been told that Government have issued orders to the Labour Office to find out all these details. But, as I stated yesterday, the office is undermanned and will not be able to get all the information they require for the purpose for which Government have appointed them. Sir, I shall just quote one instance, that regarding the employment situation in December last. You will find it stated on page 344 of the same issue of the *Labour Gazette* that the Labour Office tried their best to get the information they wanted from the millowners, but it is very difficult to get it, and sometimes they do not get complete information from the majority of the millowners. They refuse to give the information. Unless and until there is such an Act as has been passed in the Netherlands, viz., the Industrial Councils Act, they would never give complete information, and therefore I stated yesterday that the labours of the Labour Office would go in vain. Therefore, unless Government do something for the cause of labour in the way of passing an Act of the kind I have mentioned, the labours of the Labour Office will not be of much help to the labouring classes.

Sir, at the present time the mill industry is prospering in the city of Ahmedabad, and yet there is a dispute about the wages there. Is it fair that when the industry and the millowners in Ahmedabad are making money they should want to curtail the wages of the millhands or the labouring classes working under them? I would just quote, for example, the "Labour News from Ahmedabad" in the month of December, and you will find, Sir, that "during December the mills were able to clear their old stocks and make forward sales also. There was brisk demand for cloth from all the consuming centres, and actually more cloth was sold during December 1933 than during any single month in the last five years. The rates of cloth were steady, with a tendency to rise."

[Rao Bahadur R. S. Asavale]

Even when there is a tendency for the prices of the textiles to rise, the millowners are forcing the wage cut upon the mill-hands. Is it fair? Why should not Government interfere? They have got every right to do so. There is the Labour Commissioner who is taking so much interest in labour affairs and reports to Government. Government must take action against such avaricious people, who want more profits at the cost of the labouring class.

The Honourable Mr. R. D. BELL: In a court of law?

Rao Bahadur R. S. ASAVALE: In the Netherlands there is an Act. In the same way Government should have an Act passed. If the Government had not passed the Maternity Act, the poor women would not have got the benefit. It is Government that can do everything. Government is power and power can do anything in this Presidency. I would therefore request Government that they should take steps to establish industrial council as has been done in the Netherlands.

As regards the economic question, only yesterday, a debate took place in the Assembly and the Finance Member of the Government of India has pointed it out clearly that the economic advisory council can be established by provincial Governments. He himself has declared it yesterday and I hope the Government of Bombay will take the advice of the Finance Member of the Government of India and do something in the matter so that the Government, the public and the labouring class will be benefited. With these remarks I resume my seat.

Dr. V. G. VAISHAMPAYAN (Sholapur City): Even though I do not claim to be labourite, I come from a constituency which is predominantly industrial labour. It is therefore my duty to put forth before the House the grievances they have. At present Sholapur City is in the throes of a strike. The condition as was reported yesterday by the *Times of India* is very grave. I am glad that the Honourable the Home Member was kind enough to give a satisfactory reply and now the misunderstanding has been cleared. The cause of the present strike is the 12½ per cent. wage cut in the consolidated wages of all workers—the fixed wage-earners and the piece workers except the women workers. If calculated this cut will affect 50 per cent. of their pay. So, all the labouring classes, even the head jobbers, the jobbers and labourers have struck work in sympathy with each other.

My honourable friend Mr. Bakhale has given the figures of dividend for the last 10 years earned by the millowners. From those figures you will find that the profit earned by the millowners is enormous. Even now they are not a losing concern. Therefore I earnestly request Government to intervene and without their intervention I do not see any possibility of restoring normal condition. Some regulation must be introduced and that can be done by Government only.

The Whitley Commission on page 347 say:

"In concluding this chapter, we would emphasise the fact that the most useful form of State assistance in dealing with trade disputes is scarcely employed in India. The official outlook, like that of the public, has been concentrated largely on the final stages

[Dr. V. G. Vaishampayan]

of disputes. As a rule committees and tribunals have been set up only when disputes had attained considerable magnitude, and when a strike was either imminent or in being individual officers on the comparatively rare occasions when they have intervened, have also waited, as a rule, till the later stages. It is at the climax of a dispute, when the parties have completely failed to reach a common standpoint, that settlement is most difficult.....It is in the earlier stages that assistance of the right kind can be most valuable."

Now, I will only read the last line:

"The need of qualified officers to undertake conciliation is greatest in Bengal and in Bombay; but elsewhere also the heads of the labour departments or other qualified officers should undertake the work of conciliation."

I do not know what Government have done, whether they have turned a deaf ear to this proposal or not. So far as Sholapur is concerned I do not know what they have done up to now. I should say that Government are very partial to the employers, because in the name of law and order, they have banned the processions, and meetings of labourers. The labourers are not allowed to meet in large numbers at one place. How is it possible for them to take concerted action unless they meet in a place? There have been 4 or 5 strikes within the last ten years in Sholapur but every time when the strike took place or when the strike is imminent, the order under the District Police Act and under 144 of the Criminal Procedure Code are served on even labourers who are peaceful. So, they were not able to do anything. Meetings were held in mill compounds and the poor labourers were molested. I am not going to say 'by the police' but it will be for the Government to make enquiries whether they were molested or not. So, Government should see their way to send the Labour Commissioner to Sholapur to investigate into the matter on the lines suggested by the Whitley Commission. These gag orders served on the local leaders and the order banning processions and meetings must be withdrawn. With these words I resume my seat.

Mr. B. S. KAMAT: May I ask for a ruling? The point which I wish to refer to you, Sir, for decision is, is it perfectly in order to discuss the merits or demerits of the specific question of the 12½ per cent. cut in a particular town when the question is still a matter pending for adjudication between the two parties?

The Honourable the PRESIDENT: If the question is at that stage, the honourable member's point is whether the discussion can go on without a specific reference to the percentage of wage cut. Otherwise, I think under this cut the whole question of labour is under discussion, but one can easily exceed the limits. I do not know at what point the discussion should be checked. As the question, I understand, is *sub judice* I think honourable members should avoid reference to it.

Dr. V. G. VAISHAMPAYAN: Sir, my object was to point out to this honourable House the causes which led to the strike. It was with that object that I gave the correct information to this House. I do not wish that Government should decide one way or the other about this wage cut.

Rao Bahadur S. K. BOLE: Sir, supporting the cut I must say that I am not going to refer to any matter that is *sub judice*. It is well known that the strike situation is prevailing in Sholapur and Ahmedabad. and in

[Rao Bahadur S. K. Bole]

Bombay also they are talking of a general strike. And I am sorry to say that Government are doing nothing in the matter. It is true that Government have set up a machinery in order to find out the difference between the past wages of the workers and the present wages of the workers, but that is not quite enough. Government had appointed an Industrial disputes committee of which Sir Stanley Reed was the Chairman and I was one of the members. That was appointed on the recommendation of this House. That committee among other things recommended that Government should appoint panels of conciliation boards and arbitration boards, but Government have done nothing in the matter. I would, therefore, ask Government to move in the matter as early as possible. The wait and see policy of Government has proved harmful in the past, and if they sit with folded arms now, I do not know what will happen in the future. The number of the unemployed is increasing day by day, but Government are doing nothing in the matter. Of course, the millowners are—what should I say—heartless——

An Honourable MEMBER: How can they live if they are heartless?

Rao Bahadur S K. BOLE: Then I would say that they are hard-hearted. They would only think of their commission and ask Government to give them protection, but they would never put their own house in order. There is much criticism against the managing agency system, which is harmful to the industry. But they would not do away with it, because that is a paying concern to them. They will think of wage cut only. So, it is for Government to come to the help of the unemployed workmen.

These men are, of course, illiterate. As the proverb goes, an idle mind is the devil's workshop. So, these men, when they have no work to do fall an easy prey to the machinations of the communists and they join and swell their ranks though they do not know what communism is. So, I would ask Government to do something in order to give relief to these men. In England and other European countries they are giving doles. (*An Honourable Member*: We do not want doles). Who is going to give you doles, even if you want them? Then, Sir, besides doles, there are old age pensions, and insurance and other benefits. But nothing of the kind is here. So, Government should do something in order to give relief to these men who are starving; their wives are starving and their children are starving. Of course, when they are starving, they become desperate, and at times they take the law into their own hands. That is not their fault. It is for Government to wake up in time and start relief works for the employment of these men. Government have got the Famine Fund at their disposal. They can easily make use of it and start relief works. And if they do that, I think the situation will be eased. With these words, I support the cut.

Mr. A. N. SURVE (Bombay City, North): Sir, I am glad that at long last Government have made up their mind to have a wage census. But to me there appear to be certain difficulties in the way of having a wage census, and I shall try to place them before the House. First of all,

[Mr. A. N. Surve]

this census is going to be on a voluntary basis ; that is, the officers who are going to conduct the operations are not going to be armed with legal authority to compel the production of the necessary information. Even today, as regards the compilation of statistics about absenteeism in mills, you will find there are several mills which do not give even such an innocent piece of information as to how many workmen were absent from their mills. For instance, I have got in my hand the *Labour Gazette* of December last, and in that issue we are told how many mills have given information. In Bombay City, nearly 84 per cent. gave information, but the rest, 16 per cent. omitted to give it. So, so far as Bombay City is concerned, the Labour Department have not been able to get information from 16 per cent. of the mills. Now, Bombay is an elightened centre, where they know the value of statistics. If in such a place, the mill-owners do not come forward, what would be the case in the mofussil ? Similarly, the figure for the Ahmedabad centre is 72 per cent. ; 28 per cent. have omitted to give the figures. Similar figures for other centre are also given in this issue. Now, Sir, this is a simple piece of information regarding absenteeism, and yet the millowners do not come forward to co-operate with Government. That being the case, when information is required for a wage census, how are they going to come forward ? Now, an outline as to how the enquiry is to be conducted is stated in the same issue of the *Labour Gazette*. It is stated :

"The enquiry is to be conducted on the basis of the muster roll, i.e., information will be required for every individual worker except in the larger concerns where a sample of one in three will be taken for the numerically large occupations."

The point is that the muster roll is to form the basis of inquiry of each individual; therefore its examination becomes imperative, and that work could not be gone through unless the millowners or their agents or the employers come forward and produce the muster roll or give this information in some other way. Therefore, if some good is to come out of this proposal for a wage census—if we are to get a reliable data—Government should see their way to arm with authority the officers who are going to conduct the investigations. Otherwise, they will simply visit the various places and come back and report that the information is not available. That is one point.

Then, Sir, there is a further point, namely, whether this wage census will include the numerous fines to which these workmen are subjected. I am sure that that information will be available from the muster roll. But if that document is not forthcoming, and it is not known to what extent the workmen were fined in a particular mill, then the wage of a worker may appear adequate but in fact it may not be so because the fines which were deducted from it would remain unknown.

Then, Sir, there is a third point. In some mills the machinery is old, and in others new. Similarly, in some mills the weaver is asked to mind two looms, in others three looms and in others four looms. Now, how are the figures of these individual workmen working on different bases to be got together and reduced to a figure to represent the wage of a weaver ? That is a point which is rather beyond my grasp. Perhaps

[Mr. A. N. Surve]

the members of Government may have something in their mind, and, if so, they will please place that information in possession of the House.

A wage census is very necessary, and I congratulate Government on having made up their mind to take it. At the same time, if they want practical results, then, I submit, some of the factors which I have mentioned will have to be combated, and they cannot be combated unless the officer is armed with authority, and therein lies the value of the Statistics Bill. Unless we have some piece of legislation of that nature, all our efforts will in the long run prove abortive or will not produce the result which we wish to achieve. A Statistics Bill was placed before this House I think in 1924 or in 1925. A large portion of this House—I should say the responsible portion of this House—was out to support it. But Government for some reason best known to themselves did not proceed with it. They probably lost their nerve at the critical moment and the Bill was withdrawn. Some time ago we were told that the point was under discussion between the Government of India and the Government of Bombay as to which Government should get the Bill passed. But in these deliberations and discussions and transfers of papers from this side to the other and back again, what is the net result? No benefit will accrue to the working classes of the Presidency. The policy of drift must be given up as early as possible. Government ought to be impartial. The working classes are as much the subjects as the capitalists and the industrialists. But though Government may not mean to be partial, their action in effect results in aiding the industrialists. Why that should be so is for Government to consider and to devise means to show that Government hold the balance even between the labourers and the industrialists. That is their plain duty. Take for instance the question of picketing at the gates of mills. Picketing is permitted in Bombay City, but is not permitted in other places. Government may have their own reasons, but if picketing is permissible in Bombay City, why should it not be permissible in Sholapur or in any other place?

The Honourable Mr. R. D. BELL: May I interrupt the honourable member just to say that it is permissible in Sholapur and it is going on in Sholapur to-day?

Mr. A. N. SURVE: All the same, the ban against certain leaders has not been removed, so far as I know. But I shall not pursue the point.

Government are more anxious to preserve law and order and we, in this House—especially this side of the House—know the implications of that phrase "preserving law and order", especially when the weak are concerned. Therefore I would suggest that Government should see that their actions, whether they be in Bombay or in the mofussil areas, are really of a nature which would be impartial to both. They must not willingly or unwillingly, consciously or unconsciously, in effect prove helpful to one party and opposed to another party.

So far as unemployment is concerned, whether it will vanish or not, that is too large a question. Even if the result of the wage census is out, I do not think Government can compel the industrialists to adopt

[Mr. A. N. Surve]

a particular wage if they are not willing to take it up. Therefore the unemployment question will remain unsolved in spite of the result of the wage census being known. If the problem of unemployment is to be solved, Government must be more imaginative than they are at present. To-day, the sole concern of Government appears to be how to carry on the administration. They want that money should come to their exchequer. They do not care to see wherefrom that money is to come. Have they any scheme which would enable the people to earn that money? No. We are not living in those countries where they have tried the 5-year scheme or 10-year scheme. That is our misfortune. But, as it is the duty of Government to take money from the people, it is their duty also to see that the people get the money out of which Government can collect the taxes. If that is not done, Government, instead of becoming a beneficent agency will prove a really persecuting agency. And the idea should not grow in the public mind that Government compel the people to pay money even when they have not got it. That could be avoided only if Government tried to find out ways and means of solving this unemployment problem.

Then, Sir, these strikes are bad not only for the working classes but for the prosperity of the country itself. And the best way to end strikes is to have some kind of agency, be it arbitration, be it a conciliation board or be it something else, which the Government in their omniscience are able to find out. But some sort of agency is absolutely necessary in the interest of the working classes as well as of the general well-being of the country at large. I may point out that the working classes of this province are not organised to the extent they are in the western countries. They are still weak and as such the duty of a benign Government is to lead them on the right track. If Government abdicate their duty, then they fall a prey to the wiles of the exploiters. I am sure Government must be having their eye on these undesirable so-called labour leaders, but we at least do not see that Government are over-active in this direction. These so-called labour leaders are prospering and thriving at the cost of the poor labourers. That is one of the duties of the Government to see that the unprotected labourers get all the protection in getting work, in getting sufficient and reasonable wages and in being free from the exploitation of the so-called leaders. All these are things which the labourer expects from a benign Government, and I am sure that in the near future Government will show more signs of being active in this direction and there will be an era of peace and prosperity both for the labourers and for the country at large.

Mr. L. R. GOKHALE (Poona City): Sir, it appears that the question of unemployment is being considered only from one point of view, namely, the condition of the labouring classes in industrial centres. This question, being of paramount importance to the capital cities of the province and other cities, is engaging the attention of the Governments also of all the other provinces. But I believe an investigation into the condition of all *other labouring classes* is absolutely essential and not only of the labouring classes in the industrial centres. There are wage earners,

[Mr. L. R. Gokhale]

or I may call them labourers, among other classes and in other places, such as artisan labourers or wage earners. Then there is the general labourer throughout the Presidency who depends upon daily wages. There is the agriculturist labourer, and lastly, the middle class employee—I may call him also as a labourer. The question relates to all these labourers. Taking the population of the Presidency and the proportion of the labouring classes in industrial centres, that proportion will be found to be quite insignificant. These labourers may be dangerous during the period of a strike or when being organised, but their proportion to the whole population of the Presidency is very small. If that is so, why should we confine our enquiries to that class only? I am sure that if an investigation is carried on in a typical district, say Nasik or Poona, it will be found that unemployment is more serious, of a greater magnitude among the persons who belong to other labouring classes than we have in view at present.

As regards agricultural labourers, I may at once say that notwithstanding the fact that agricultural produce has gone down materially in price, the wages of agricultural labourers have not gone much down. A labourer in that class charges almost as much as he did before the slump in prices began and when there was a boom and when the prices were very high. That fact has told very heavily upon the poor agriculturist. He finds it very difficult to get sufficient labour to work in the fields. In a village, people who are agricultural labourers will work for one day and sit idle for two days, because they get sufficient money by working for one day to enable them to sit idle for the remaining two days.

The Honourable Sir GHULAM HUSSAIN: May I interrupt the honourable member for a moment? Does he refer to the occupants or the owners of lands?

Mr. L. R. GOKHALE: I am referring to labourers who do not own any land but who offer to work in the fields, and their number is necessarily very large. The owner of a few acres of land cannot cultivate the whole land himself; he has to take workers for collecting the crop, etc., and it is he who feels the present times most pressing. It will be seen that 10 acres of land can hardly bring him about Rs. 150 at the end of the year, but when he has to engage outside labour, that will take away about Rs. 200. I have got a statement which refers to a certain place and I have given the result. That is the position.

Is the Government going to investigate the question or not?

An Honourable MEMBER: No.

Mr. L. R. GOKHALE: Why? Sir, the importance of the question lies here. The agricultural wealth is the national wealth which has to be considered just as much as any other wealth. In all other walks of life the labour charges have gone down but not so in the case of agricultural labour. I tried to find out why that was so and I was told that the field labourer is confined to a particular village and the number of

[Mr. L. R. Gokhale]

such labourers being limited, the landowner or cultivator is compelled to employ those very labourers when he requires labour for his fields and he cannot get labourers from outside, from the next village or from the next taluka or from the next district.

Rao Bahadur S. N. ANGADI: How many labourers there are in a village?

Mr. L. R. GOKHALE: Every village has its labouring class and that class is able to dictate its own terms and the landowner or the agriculturist is completely at their mercy. That is my grievance. How many villages there are and how many are occupied by Brahmins or by non-Brahmins or by depressed classes is not the question of any importance to us in this inquiry. My point is that this is a real grievance and requires to be looked into and investigated. This is a question of some importance.

Rao Bahadur S. K. BOLE: Have the pleaders reduced their fees?

Mr. L. R. GOKHALE: I believe the honourable member Rao Bahadur Bole has no pleader relation in his house. He lives on something else. Even pleaders have had to reduce their fees and this House itself has reduced the pleaders' charges by 50 per cent. by passing a Bill. I do not know why the honourable member Rao Bahadur Bole is so very fond of pleaders always. The pleaders have had to suffer along with and amongst others. They are not a separate community by themselves and neither are they favoured by this or that Government official either with titles or with money or with positions. They have to stand by themselves and earn their livelihood and make life worth living. That apart, Sir, we are discussing the question as to what is the position of an agriculturist on an average to-day. I am only confining my remarks to the agricultural labour so far.

Then I come to another important question, namely, the salesmen, the clerks and other workers in the various shops and among them there are Brahmins, advanced classes, backward classes also, Marathas and other communities, who were working in all these shops. The result has been that many of these persons on account of the present condition of trade have been given the sack or reduced in their pays. What is their position? What is Government going to do about these? A man who was drawing in a shop a salary of Rs. 20 to Rs. 40 a month is told "Work on Rs. 15 a month or walk away". There are so many of them in all the communities, the advanced, the backward, the depressed. They are all to be found throughout the country. That is a question of great importance and the unemployment among them is very severe. Is the Government going to investigate into the question or not? The House would like to know that.

Then as regards the general labourer who is not such a monthly paid labourer but who is otherwise working as a daily wage-earner, even he has the same difficulty. His wages have gone down. There is no sufficient work for him on account of the present financial condition of the country and he is suffering. Besides labourer who is working in the

[Mr. L. R. Gokhale]

mills, there are all these classes of labourers who are suffering most severely from the present unemployment and about them also there ought to be an inquiry. I am sure that the attention of Government is at the present moment particularly rivetted upon the question of the mill industry, and I find that all the attempts being made are only about the general labouring classes in the industrial department. We get the Gazette. You will find in the Gazette information about all labourers but there is no inquiry proposed to be made about any other labouring classes in the presidency——

Rao Bahadur R. S. ASAVALE: There is.

Mr. L. R. GOKHALE: I would like to know where. Their whole attention is fixed upon that particular class of labour only. As I said at the beginning, they are a very important factor but numerically they are not so very large. So, Government should, I think, try to take in hand some typical district for an investigation through the investigators appointed under the Labour Office and through them get some idea as to the general complaint of unemployment which has in fact brought to the verge of ruin all those large numbers of classes in the districts to which I have referred, to see whether it is only an idea unsupported by facts and figures or whether it is a real state of things and, if so, what should be the lines of helping all these unemployed people. For instance, there was a working class of Mahomedan weavers in two or three towns of the Poona district. They were doing very well. During the last four or five years, their business has gone down so much that they are now prepared to give up their weaving business and even to act as coolie labourers, but they are not able to do so. It is very easy to say they should do this or that they should do that. I would like any one who has a constructive scheme to come forward before this House and show them the way how to earn their livelihood. These Mahomedan weavers were doing the weaving business for a long time, but they are suffering now. There are so many other questions to be gone into but I will not take the time of the House unnecessarily. I have put before the House my larger view of this question of unemployment and that should be considered by Government at an early date either by appointing an inquiry committee of investigators or a Government committee. That is not my province. I do not know what their methods will be or shall be. All that I can say is that this general unemployment in the country is the cause of the present unrest in the country. No lectures, no leaders, nothing else moves the people so much for or against Government than this one problem of filling up their bellies or making the two ends meet, of living in this world of activity. I am sure that this is a question that should not be delayed any further, cannot conveniently be delayed any more and we cannot shut our eyes to that. This is a question which requires our very early attention just as much as the question of the unemployment among mill labourers. With these words, I support the cut moved by my honourable friend.

Mr. SYED MUNAWAR: Sir, I rise to make a few observations on the motion before the House. I am glad, Sir, that the other day the Honourable

[Mr. Syed Munawar]

the Finance Member announced to us that he had appointed the Labour Office to investigate the question of wage-cuts in the textile mills in the presidency. The Labour Office has been in existence for the last about 16 years. The functions of this office have not unfortunately been enlarged as they ought to have been after 15 years. The Labour Office, as suggested by the Royal Commission of Labour in India, should have undertaken the work of conciliation of industrial disputes as is done in England by the Whitley Councils or as is done in the Netherlands under the new Industrial Council Act which was referred to by my honourable friend Rao Bahadur Asavale. Not only this, but the Labour Office should be converted into a Labour Department of Government, separate by itself, and should not be tagged on to the Political and Reforms Department by which department it is being administered at present. In support of my argument I will state that the Labour Department was a subordinate department in the Government of India till about 1921. It was under the Commerce Department. Then it was separated and named as the Industries and Labour Department. I do not mean to suggest that our Department of Industries should also be merged in the Labour Department here; but what I mean to say is that the Labour Department should be an exclusively separate department by itself. In that case it will be able to undertake legislation and discharge many other essential duties which are similar to those which are at present being discharged by the Industries and Labour Department of the Government of India. What does the Industries and Labour Department of the Government of India do? It has undertaken legislation, the Workmen's Compensation Act, Trade Disputes Act and several other Acts were introduced and passed by that department; and several other Bills are pending in the Government of India. Legislation in connection with the various problems of labour throughout India is being undertaken by the Industries and Labour Department of the Government of India; but as the Labour Commission suggest, welfare of labour is a provincial subject and all legislation or activities calculated to promote that welfare of labour can very well be undertaken by this separate department of Labour which I have indicated. If it remains tagged on to the Political and Reforms Department, what does happen? At present, owing to political troubles and the impending constitutional reforms, Labour is assigned a very minor, unimportant part. The political troubles are attended to by Government. The constitutional reforms engage the attention of the Secretariat in charge of Labour. But Labour itself does not receive so much attention as it ought to. That is why I advocate that there should be a separate department for Labour in this presidency.

Then, Sir, I will refer to the question of unemployment. Unemployment is not only industrial but there is unemployment also among the educated people. I first concentrate my attention on industrial unemployment. Owing to the trade depression and other world causes, there is so much widespread unemployment that now it is high time for Government to open their eyes to this question. In Bombay I am told

[Mr. Syed Munawar]

there are a lakh of people unemployed, and I therefore say that it is high time that Government should no longer be indifferent and apathetic to this question of unemployment among the industrial labouring classes. This industrial class of labour is drawn from the Agricultural classes in the Presidency. In solving the question of industrial unemployment in cities, we have to simultaneously consider the ways and means for the solution of unemployment in the mofussil also. I may suggest as a solution the undertaking of some famine works though not financed from the Famine Fund but on any other lines that Government may consider fit. Famine works may be started in rural parts and not only in big towns and cities, where these unemployed may be absorbed in large numbers.

As regards the rural areas, I would urge the development of cottage industries. In replying to my question on cottage industries answered just today, the Honourable Minister of Education said that it was proposed to establish in the Bombay City a central emporium for the marketing of products of rural industries with four subsidiary shops in the districts but that in view of the financial stringency, Government have decided not to proceed with the proposal at present. May I ask, Sir, whether it it will not be possible for Government to start this emporium for marketing products of rural industry on co-operative lines? I am glad that the honourable member the Registrar of Co-operative Societies has come to the House today, and he will be able to enlighten me in regard to this question. If cottage industries are developed as industries subsidiary to the industries in the cities, they will absorb a large number of unemployed people, and the agricultural workers in the rural areas, after attending to their agricultural operations in the agricultural season, may devote and with considerable advantage to the main industry, the rest of their time to cottage industries in the mofussil. In this way, the question of industrial and agricultural unemployment may be greatly solved.

Secondly, Sir, with regard to the question of finding employment for the educated unemployed, in Bengal and in the Punjab colonisation schemes have been undertaken. The educated unemployed are given land. Plots of land are parcelled out and they are asked to cultivate those lands and thereby earn their livelihood. Cannot such schemes be started in the Bombay Presidency? [An *Honourable Member:* Will they be willing?]. They will certainly be willing to come forward to take up such occupations.

Then I understand that yesterday my honourable friend Mr. Pestanshah Vakil doubted or assessed at a very poor value the results achieved by the passing of the National Recovery Act in America. In reply to him, I quote relevant extracts from an article from the pen of an unimpeachable authority, namely, Mr. H. B. Butler, Director General of the International Labour Organisation. The article is published in the International Labour Review of Geneva for January 1934. What are the results of this National Recovery Act? He says:

"A minor boom set in, with the result that the index of industrial production of manufactures and minerals which stood at 60 in March and 67 in April, had risen to 96 by July. Between March and July the factory employment index moved up from

[Mr. Syed Munawar]

57 to 69, while pay rolls increased from 37 to 60. This shows that a considerably large number of people were given employment."

The article goes on to say further:

"In manufacturing industry the pay rolls index rose by nearly 8 points between July and September, and in anthracite and bituminous work by 22·5 and 10·5, respectively; in indoor light and water undertakings by 1·8 points and in retail trade by 11·1 points.

Furthermore, Sir, it says:

"The reduction of working time has resulted in considerable decrease in unemployment. At the end of August the number of persons on the mill pay rolls had increased by 140,000 or 40 per cent., as compared with the first week in March."

The article goes on to say:

"As a result of the passing of the National Recovery Act, the average remuneration of seven occupational groups whose earnings exceeded the minimum increased from 34·9 cents. per hour in 1932 to 43·9 cents. per hour in August 1933, a rise of 25 per cent. The wholesale price index of cotton goods rose from 50 in March to 80·2 in July when the Act came into effect and stood at 90·3 in September."

These are briefly the results of the National Recovery Act. If that Act has resulted in so many good things for the industry as also for labour in America, why should not similar measures be undertaken and passed here in the best interests of industry and labour?

Now, Sir, with regard to the collection of statistics, the Labour Office has been severely handicapped. In the enquiry which has just been entrusted to it, it is quite possible that the Labour Office may not be able to elicit information regarding material particulars from the millowners themselves, as an *ad hoc* Committee of enquiry would have been able to do. If there had been some legislation to enable the collection of statistics by the Labour Office, as was contemplated in 1924, it would have strengthened the hands of the Labour Office investigator to collect all material particulars for every possible detail connected with the enquiry. But the statistics Bill introduced in this House was most unfortunately withdrawn in 1924, because of the opposition of the employers and also on the assurance from the Government of India that they would undertake legislation so as to cover the whole of India. But unfortunately that legislation is not forthcoming. It is now time that our local Government should undertake legislation in this connection. Otherwise, the work of collecting statistics will be seriously hampered.

Again, Sir, with regard to machinery for conciliation, so that an industrial dispute may not assume very serious proportions, as it has assumed now in Sholapur, my honourable friend Rao Bahadur Bole moved a resolution for the appointment of conciliation boards. But that matter has unfortunately been shelved, though more than a decade has elapsed.

Sir, this is a time when labour is in the throes of not only unemployment but widespread distress. If this vast population of labour is kept contented, it will help the maintenance of peace and order. So, I appeal to Government to consider my suggestions very seriously and see that no unnecessary delay is caused in carrying out such measures as do not require any finances.

Mr. SHAIKH ABDUL AZIZ: On a point of information. What is the number of mill labourers in the Bombay Presidency?

Rao Bahadur R. S. ASAVALE: About three lakhs.

The Honourable Mr. R. D. BELL: I think the number in normal times is 160,000.

Mr. SHAIKH ABDUL AZIZ: In Bombay city only?

The Honourable Mr. R. D. BELL: Yes, in Bombay city only.

Mr. SHAIKH ABDUL AZIZ: What is it for the Presidency?

The Honourable Mr. R. D. BELL: I am not prepared to answer that question without notice.

Mr. J. B. PETIT (Bombay Millowners' Association): Mr. President, I think I may appropriately preface my remarks on this subject by saying that all reasonable and well-thought-out schemes adumbrated for the purpose of advancing the good and welfare of the working-classes have my complete and whole-hearted sympathy. [*An Honourable Member:* Hear, hear.] I may add that if I am on my legs on this occasion, it is not for the purpose of contradicting or opposing any such sensible and well-considered suggestion out of the several that have been placed before the House, but only for the purpose of expressing my views on such of the points involved therein as may appear to be in need of further elucidation or be capable of examination from another angle of vision. I shall accordingly speak very briefly only about some of the most important points to which the several honourable members who have preceded me, have alluded.

The first in importance is the question of "Strikes", to which my honourable friend Mr. Bakhale alluded at some length and with regard to which, I think, he said that to his knowledge, during the strikes, the police invariably stepped in and took sides with the employers against the workers. My own personal experience is very different. I have always noticed that both during the strikes and during other minor labour troubles, the attitude that the police always adopt is one of strict neutrality. That this practice is quite correct, I do not for a moment deny; and I am sure that all honourable members who represent or sympathise with labour, will share this opinion. My own view of the matter however is that in their zeal to remain neutral at all cost, the police sometimes carry this otherwise sensible policy to an extreme, thereby often endangering life and property to an extent not quite compatible with public peace and safety. There is something like over-doing even in a good cause; and I know of occasions on which they should have stepped in to preserve law and order, or to prevent excesses, but were most unwilling to do so till the very last moment, lest their intervention might be misunderstood. For all these reasons, Sir, I am unable to agree with my honourable friend Mr. Bakhale on this point.

Then, Sir, the next point he referred to, was "picketing". I think he said that the police usually came in the way of the unfettered exercise of the right of the strikers "to picket the mills" during the strikes, that such was not the case in the old days when there was no interference on the

[Mr. J. B. Petit]

part of the police and that therefore the Government should see that the old conditions were restored. Even here, I am afraid, the honourable member is not quite correct, for, to my knowledge, the police not only allow "picketing" but also give considerable latitude to the picketers. Personally, Sir, I am strongly of opinion that there is no such thing as "peaceful picketing"; and that picketing in any form is most objectionable and ought to be stopped. I know, Sir, that in England it is allowed; and that in this country also it was allowed at one time, and even now I believe it is allowed. But the consequence of picketing—be it the picketing of factories, or the picketing of liquor booths, or the picketing of private shops, whether European or Indian,—is that it always causes bad-blood, and ultimately leads to trouble and disorders. From its very nature, it cannot be otherwise. It usually begins by persuasion but ends in intimidation, thus invariably leading to an infringement of the personal liberty of the individual. That is why in nine cases out of ten, picketing invariably develops into fighting and rioting. It is, therefore, Sir, that I strongly feel that the most desirable course to take would be to stop picketing in any form and manner for the benefit of everybody concerned. Such a course would be most advisable, very largely in the interest of the strikers themselves, if for no other reason, at least for the purpose of creating a peaceful and friendly atmosphere with a view to the speedy settlement of a dispute which cannot be otherwise ended unless all causes of irritation are put a stop to. And picketing is one of them.

The next point referred to during the debate, was the question of the reduction in wages. My honourable friend Rao Bahadur Asavale, in the course of his remarks on the subject, said that the cut in the wages that was taking place on all sides now, was most unfair, and that it was entirely owing to the fault of the employers. I fear that the honourable member was not quite serious when he made that statement. He is conveniently forgetting that ever since the extraordinary conditions of the war, when an enormous increase in the rates had to be made, there has hardly been any reduction worth the name; and that the wages are still very much higher than they ought to be. He is also apparently forgetting that the entire country, and this city in particular, are now passing through a period of very severe financial stringency and industrial crisis which necessitate the utmost possible economy in every available direction, and that wherever the wages have been cut—either in the textile mills or elsewhere,—they have been only partially reduced, and that too most unwillingly and under the stress of circumstances, in order that the industries concerned may be enabled just to exist, any possibility of working them for any length of time on a remunerative basis under existing conditions, being entirely out of the question.

Rao Bahadur R. S. ASAVALE: What about the Ahmedabad mills?

Mr. J. B. PETIT: I am speaking of the Bombay factories at present. The conditions prevalent in Ahmedabad, are very different. But I think the figures quoted by my honourable friend Mr. Bakhale of what he called "mill profits" in percentages, cannot be accurate.

Mr. R. R. BAKHALE: I said "dividends".

Mr. J. B. PETIT: That strengthens my case. The percentages of dividends, calculated even on the original amounts sunk in the value of the shares, as is apparently the case in the instances quoted by the honourable member, come out of the profits of the company, the dividends being only a part thereof. The latter must therefore of necessity be very much larger to enable such handsome dividends to be paid, as were referred to by the honourable member. I think he quoted figures of dividends amounting to 30, 40, 100 and even 200 per cent. I am inclined to think that his figures are all wrong. I am afraid that the percentages, even if correct, have been worked out on the original value of the shares. I shall take for instance the Sholapur Mill. It was started about 50 years ago with a small capital, I believe, of eight lakhs of rupees. Since then, I think the buildings, plant, machinery, equipment, funds, etc. have been enormously increased out of the profits, with the result that the mill is today worth, considerably over one crore, i.e. several times the original capital. Any dividend declared by that mill today should therefore be calculated on today's value of the plant and not on the original share capital. If this is done, the enormous percentages quoted by the honourable member will immediately disappear.

Mr. R. R. BAKHALE: May I refer the honourable member to the Investors' Year Book for 1931-32 in which he will find all the information?

Mr. J. B. PETIT: It is impossible for any industry in these days to pay 200 per cent. dividend. If the figures are there, I am sure that the percentages of the dividends must have been calculated on the original values of the shares. If the profits, if any, are earned by the machinery and plant as they exist today, it stands to reason that the dividends, when declared out of such profits, must be calculated on the basis of today's intrinsic value of such machinery and plant, which in its turn is reflected on the value of the shares. This is the only way of doing it. Any other method is inaccurate and misleading. I hope my honourable friend will therefore take it from me that the figures quoted by him are absolutely faulty and beside the point.

Then, Sir, my honourable friend Rao Bahadur Asavale said that whenever there was a proposal from any direction of a cut being made in the wages of the labourers, the Government should step in at once and prevent the same being done. The suggestion is so absurd as to carry its own condemnation on the face of it; and I am surprised that the honourable member should have seriously made it. It is a most extraordinary procedure to recommend; and has only to be mentioned, to be summarily rejected. I doubt very much whether any such one-sided law is ever likely to be accepted by any deliberative assembly in the world, thus not only interfering with the discretion and rights of the employers, but also the liberty of the individual. It is quite possible that there may be unusual and extraordinary emergencies when such an interference on the part of the Government in the personal liberties of the individual, may not only be temporarily necessary, but can even be

[Mr. J. B. Petit]

justified in the larger interests of the proletariat. But, Sir, we are considering only normal conditions just now ; and it is therefore necessary to leave such rare and extraordinary emergencies out of the discussion. At the present moment at any rate, such occasions do not exist. If anything, the position today is that the cut in wages is long overdue. Any complaint therefore on that score is utterly irrelevant.

Mr. SYED MUNAWAR : Is not the unearned income of some of the millowners from exploitation ?

Mr. J. B. PETIT : My honourable friend's question is beside the point. I am not at present discussing the subject of so-called " exploitation " or anything connected with mill-management. I am discussing the point which my honourable friend urged, namely, that there should be no cut in wages even when it was necessary and that the Government should intervene in such matters and prevent all such moves on the part of the employers. I say, Sir, that such a procedure would be absurd and unreasonable.

Then comes the question of the duty of the state and the employer to the labouring classes ; and we have been treated to a lot of loose talk and sweeping generalisations on the subject. My honourable friend Mr. Bakhale, I think, stated in the course of his speech that the Government had done nothing or very little for the benefit of the labouring classes. Other honourable members who followed him, indulged in similar talk and coupled the employers with the Government to share the blame in this respect. I regret that such an unfounded and untenable charge should have been so breezily made both against the Government and the employers when so much has been and is being done in the Presidency for the benefit and in the interest of the workers ; and I am more sorry that my honourable friend Mr. Bakhale who is usually very cautious in his statements, should have done so. It cannot be denied that much has already been done both by the Government and the employers for the benefit of the workers. My complaint is that in many cases, the Government have lightly sacrificed the interests of the employers in order to placate Labour or at least the honourable members representing Labour in this House. [*An Honourable Member :* I question.] It is no good questioning this statement. Facts are harder than fancies. The Maternity Benefit Act is an instance in point. We must then consider the enormous amount that both the Government and the employers have spent on workmen's chawls. [*An Honourable Member :* Stables.] The millowners and those engaged in the cotton-trade have contributed to them in the shape of the town-duty on Cotton. The exact figures were placed before the House in reply to one of my questions only the other day. The millowners and all other extensive employers of labour are also continuously making their contributions towards the advancement of the interests of the labouring classes, under the Maternity Benefit Act, the Workmen's Compensation Act, the Factory Act, and

[Mr. J. B. Petit]

numerous Welfare activities, established and conducted at considerable expense wholly for the benefit of the employees. It ought not also to be forgotten that in our zeal to raise the standard of our Labour, we in this country have readily and wholeheartedly accepted even the most extravagant labour legislation proposed by various international organisations, sometimes even against our better judgment, even though our conditions here were totally different, merely because of our desire to act fairly by our labour. With this end in view, we have readily reduced the hours of work without waiting for a compensating increase in efficiency, have introduced a standard of humidification and other onerous conditions into our factories with the sole object of falling in line with modern conditions. In view of all these facts, Sir, it is the very height of ingratitude to say that nothing has been done for labour either by the Government or by the employers.

Rao Bahadur S. K. BOLE : You are not doing that as a philanthropist.

Mr. J. B. PETIT : My honourable friend is apparently incorrigible. Neither the Government nor the employers are doing anything as philanthropists. What they are doing, they are doing merely as a matter of duty ; and also because all movements which contribute to the well-being and the welfare of their Labour, react in their turn upon the industries concerned in the shape of improved quality of work, increased outturn, and last though not least, friendly and cordial relations between the employers and the employed.

Then the question of the appointment of conciliation and arbitration boards, and the desirability of the Government's intervention for the purpose of ending strikes, was referred to in different forms by several honourable members. The question is so difficult and complex that it is not possible to come to a hard-and-fast rule in respect of it, at least in our present conditions in this country, when Labour is not yet sufficiently united and does not always know its own mind. The matter is rendered all the more complicated by the fact that owing to want of solidarity and the absence of trade-union discipline in the labour movement, it is almost always impossible to devise a workable and satisfactory machinery for settling disputes, and arriving at decisions by negotiation, which the Unions or their accredited representatives have neither the power nor the ability to enforce. The conditions now existing, must, I am afraid, therefore prevail until our Labour is better organised and placed in a position of greater internal solidarity and discipline. In the meanwhile, the authorities must continue to observe as they have done in the past, an attitude of strict neutrality. This is what the Government are doing at present ; and no case for a change has been made out by any of the honourable members who have spoken on the matter up to now. If our industries are to exist and flourish, we must see that the employers are allowed to work their factories according to their judgment in the best interests of their concerns ; and are not subjected to such unnecessary and unwarranted interference as some honourable members would like us to do.

[Mr. J. B. Petit]

The last matter referred to by almost all speakers, was the subject of the widespread industrial unemployment, now prevalent throughout the Presidency, and the hardships unfortunately entailed by it. In this, I am sure, our friends, the representatives of Labour, have the unequivocal and wholehearted sympathy of every section of this House. But, unemployment is the inevitable result of the continued and persistent demands of Labour for more wages than the prevailing conditions warrant or the employers can afford. In such cases, the only course left open to the employers, is to close down their factories. The demands of Labour—however reasonable—must therefore be tempered with a realisation of the actualities of the case. Unless this is done, unemployment is bound to increase under existing circumstances. To add to our difficulties, world-conditions are also seriously militating against all attempts at relief, at least on the part of the employers. If in view of these special circumstances, it is however proposed that some sort of unemployment relief should be given by the Government from State funds, and if a well-thought-out, properly-considered scheme to attain the end, is put before the House, none will be more pleased than myself to support it.

Mr. SHAIKH ABDUL AZIZ (Central Division): Sir, up to this time I was under the impression that this cut is only meant to discuss the question of mill labourers. From the speeches of the other honourable members it is apparent that we can discuss other kinds of labourers also under this cut. It is stated in paragraph 81, on page 81 of the Blue Book that an increased provision has been made in connection with the Wage Census Enquiry. I am not clear whether that census will be taken only with regard to wages of mill labourers or others also. No mention is made there.

The Honourable Mr. R. D. BELL: It is a census of wages of industrial labour, not merely textile mills, but other industries also, starting with engineering.

Mr. SHAIKH ABDUL AZIZ: Will labour in cottage industry also be included?

The Honourable Mr. R. D. BELL: No.

Mr. SHAIKH ABDUL AZIZ: Then, I press upon Government to turn their attention to the labour employed in cottage industry also. A census should be taken of their wages. Now, a point was made that industrial labourers are more than labourers in cottage industry in number. I will take up now the cottage weaving industry labourers from the report which has been issued just now. It is estimated that there are approximately 80,000 to 100,000 handlooms in the Bombay Presidency and Sind. It is only an estimate; if you take the actual numbers, I think it will be more. Besides that, there are many other industries. In each and every village, besides the weaving industry, there are other cottage industries, such as copper works. If we take a census of all these workers, their number will be more than that of the mill and industrial labourers. There is no doubt about that. Much

[Mr. Shaikh Abdul Aziz]

money has been spent for industrial labourers. For them, every month the *Labour Gazette* is issued, which gives information about their wages, conditions of living, etcetera.

Mr. SYED MUNAWAR : There is information regarding other kinds of labour also.

Mr. SHAIKH ABDUL AZIZ : Every member is in possession of the Gazette, and from that he can see that the major part of the information pertains to industrial labour. I have never seen in that gazette any exact estimate of the number of labourers engaged in cottage industries. If anybody can show me any such estimate about the labourers who are employed in cottage industries, I shall certainly be thankful to him.

The Honourable the PRESIDENT : What industries has the honourable member in mind ?

Mr. SHAIKH ABDUL AZIZ : Say, the handloom industry, and other industries which are in each and every village. I think no money at all has been spent for the benefit of those industries, except what is spent by the Department of Industries. What is done by the Department of Industries is published in its annual report, which is supplied to members of this Council. I request Government to spend on cottage industries and cottage labour at least an amount equal, if not more, than what they spend on industrial labour. With these words, I support the cut.

Dr. P. G. SOLANKI : Sir, I rise to support this cut. Today has been the day of the labourers and the labour question. The major portion of the discussion was concentrated on the textile labourers. As the previous speaker, Mr. Shaikh Abdul Aziz, stated, there are various other kinds of labourers, and I also say that there are field labourers, handloom workers, labourers employed by the municipalities on roads, conservancy and in Public Health Department, domestic servants, and other such labourers. These are all people who may be classed under one head " labourers ". But it has become the fashion of the day that only people who make the most noise and people who go on strikes, and people who make it difficult for Government to rule, only these people are heard and looked after. Schemes costing thousands and lakhs are inaugurated by Government to keep peace and order. In Bombay City, the question of the mill labourers and of the seamen have always been in the forefront. There are institutions working for their welfare. They are welcome, and I wish them all success.

Sir, in Bombay City, there are now 60,000 textile labourers unemployed, and we are hearing the cry of unemployment in Sholapur, and a strike threatening in Ahmedabad City. I will take the case of Ahmedabad City first. In Ahmedabad we have been hearing of people making roaring profits in the mill industry. The millowners of Ahmedabad were laughing at the millowners of Bombay and feeling themselves elated. They were speaking among themselves that they alone had the brains to carry on the mill industry, and the Bombay *shetias* and the Bombay millowners had not the business ability which the Ahmedabad millowners had. But, Sir, their turn is now coming. The mill labourers of Ahmedabad are thinking of going on strike if the millowners do not

[Dr. P. G. Solanki]

listen to their request. [*An Honourable Member:* What is their request?] I am coming to that. The millowners there are so very obstinate that they do not want to listen to the request of the workers to send the question for arbitration. The millowners want to make a cut of 25 per cent. on the wages of the mill labourers on the plea that these are bad days, their commodities are held up in their godowns in Ahmedabad as they have no ready sale in the market and they are put to great loss and, therefore, the mill workers also should undergo a cut in their wages of 25 per cent.

Only three years ago, when I was in Ahmedabad, I heard that arbitration was going on between the millowners and the mill workers there. Mahatma Gandhi was there. Perhaps most of the honourable members of this House are aware that Mahatma Gandhi is the arbitrator between the millowners and the mill workers. There is a Majur Mahajan, which is a labour union, and it is under the direct control of Anasuyaben, the sister of that millionaire millowner Mr. Ambalal Sarabhai, and Mr. Shankerlal Banker, who is one of the officers of the labour union. In fact, it is Mr. Banker and Mr. Nanda who are working on behalf of the mill workers. The mill workers always try not to displease the millowners. On the last occasion, there was a cut of 15 per cent. proposed. Even Mahatma Gandhi could not reconcile the differences. Then, Dewan Bahadur Krishnalal Jhaveri was called there. Dewan Bahadur Krishnalal Jhaveri's decision went in favour of the millowners, and a wage cut of about 8 per cent. was made. The mill workers did not want that cut; yet it was inflicted upon them with the promise that the wage cut would soon be restored. Sir, I hear now from the workers in Ahmedabad that the millowners are now thinking of making a cut of 25 per cent., and the mill workers are requesting the millowners to reconsider the decision and not to force them to take to measures which they do not want to take. They want to proceed on constitutional lines. It is the millowners who are thinking of unconstitutional lines; they are sticking to their decision with obstinacy and say that as they are suffering great loss they would not consider the appeal of the mill workers, and perhaps, within a few days they will inflict that cut, and the situation will be serious in Ahmedabad.

In Bombay City, we have been reading in the newspapers that there are leaders of mill workers haranguing the workers at public meetings. There are various kinds of leaders; there are irresponsible leaders; there are communist leaders; there are exploiters; and there are *bona fide* leaders. I would call them *bona fide* leaders who have actually risen from among the working classes or who belong to the communities of the working classes. I should say they are the first *bona fide* leaders. Next to them would come the social workers who have dedicated their lives to the welfare and betterment of the labouring classes and the working classes. There are some who after getting their college or secondary education, have no avocations and find this field a very paying field, they try to lead these people. After reading some literature from abroad, which instils in their minds the principles of communism, they try to spread those poisonous seeds of communism in the minds of the

[Dr. P. G. Solanki]

illiterate working classes in Bombay. The other day, my honourable friend Dr. Vaishampayan got up and asked why some of the persons were banned by the police in Sholapur. After a day or two, I read in the papers that one of the persons who had gone there specially to harangue the labourers was one of the communist leaders. I think he was most opportunely prevented from addressing meetings there. If such leaders are let loose and allowed to have their privileges, I am afraid they will play havoc with the peaceful and law-abiding millworkers of Bombay City, Sholapur and Ahmedabad. I have full confidence in the good sense of Government, and I hope they will intervene before things get worse.

Till now, Sir, Government have been, through the Labour Office, issuing the *Labour Gazette* giving up to date information about the labourers, their standard of living and their state of affairs. But Government have not considered ways and means of creating employment for these people, in order to divert their attention. In these days of cheap prices both of commodities and of labour, Government ought to start works for the relief of these people. We are spending lakhs and crores on civil works, and if some works could be started by Government the grievances of these people might be alleviated. People come to Bombay from the rural areas, because Bombay is the business centre of the presidency, an emporium of trade and commerce. Even the agriculturists come here in search of employment. Finding no other opening they go into the mill industry or any other work. But now owing to the depression in trade they find it very hard to earn their daily bread even in a city like Bombay. They find themselves in a fix. If they go back to their native villages, they have nothing to maintain themselves on there. If they stay in Bombay, they have to pay rents and feed themselves. If, in these circumstances, the capitalists, the mill-owners and Government do not confer among themselves and find ways and means to employ them, I am afraid these people who are starving may become desperate and may try to take the law into their own hands.

Sir, the honourable member Rao Bahadur Bole has reminded us of the report of the Industrial Disputes Committee. That committee recommended certain ways and means and put them in black and white. But I hear from Rao Bahadur Bole that Government did not take any action on that report. Perhaps that report met with the same fate as the reports of other committees—shelved. Sir, if Government after spending thousands of rupees on these committees, do not take their reports seriously into consideration and act up to their recommendations, I think it is futile to appoint such committees only to make it appear to the public that Government are doing something for the people. Sir, the other day, the Honourable the Finance Member told us that he has asked the Labour Office to enquire into the wage-cuts in the industries, unemployment, etc. But I would like to ask whether Government have made up their mind to act in the light of the results that may be disclosed by the enquiry conducted by the Labour Office. I am afraid Government will say the same thing, that owing to financial stringency they are unable to do anything for them. Sir, so many honourable members

[Dr. P. G. Solanki]

connected with labour have spoken on this side and they have suggested ways and means.

About the handloom industry of Gujarat, if it had not been for the mill industry of Ahmedabad city, that industry would have been flourishing to-day. The weavers belong to the depressed classes and are known as Wankars. Their livelihood depended upon weaving coarse cloth known as Khadi or Khaddar, and before the advent of the mill industry they were carrying on a roaring business and they were able to maintain themselves and their families. After the mill industry had started in Ahmedabad, these people were enticed and tempted to go to the mills and they neglected their cottage industries. The result is that they are now at the mercy of the millowners. If Government were to devise some means of stimulating and encouraging these cottage industries I believe the congestion in the mills and elsewhere would be minimised to a great extent. There are other minor industries with which my people the Wankars are not much concerned. I do request Government to take active measures so that these people may be kept in their own villages and made to attend to their own cottage industries which they have so far neglected and for which they have had to suffer. They have to spend whatever wages they earn for their people in the villages as well as for themselves and they have to pay the dues of Government. The Labour Office might have been overburdened or overworked. My honourable friend Mr. Bakhale suggested that there should be a special secretary for the Labour Department. This question is day by day getting more and more intricate and perhaps more important. The days of learned graduates and philosophers haranguing learned speeches in this Hall are, I believe, over. It is now a question of bread for the people who are in need of it. It will be the leaders of masses and Labourers who will come here and demand ways and means and measures from Government to give them relief and make them comfortable. Sir, if these cries from honourable members who are connected with the labour movement and with the masses grow louder day by day, the Government should be prepared to meet them and try to find out means by putting their heads together for giving them relief. At the present juncture Government should come to the rescue of these unemployed workers and labourers by launching schemes and opening works. Famine relief fund may be partly utilised for this purpose. With these words, I support the cut.

Dr. M. K. DIXIT (Surat District): Sir, my motion has had almost universal support except from one who is a capitalist and a representative of the millowners. [*An Honourable Member:* "He has expressed sympathy."] That was one solitary discordant voice against my motion, though the owner of it expressed full sympathy [*Interruption*] for the welfare of labour. Of course he referred to various points in his speech, but I would like to refer only to two points. One is about industrial houses built in Bombay. Since their construction, they have been very often described in this House as no better than stables, in which no labourer would come and stay. [*An Honourable Member:* "That is

[Dr. M. K. Dixit]

wrong."] However, it may be an exaggerated description of those buildings. All the same, the industrial houses are certainly not quite suitable for labourers to stay in. [*An Honourable Member:* "Because there are no transport facilities."]

Then the honourable member referred to another point about strikes and picketing. I think he acknowledges the right of labour to go on a strike when its demands are not met, but he objects very vehemently to the system of picketing. He goes to the length of saying that this must be checked or put down in any form and in any manner. That, Sir, reminds me of the phraseology used in the Special Powers Act, that a man can be arrested in any way that is possible. Sir, peaceful picketing is the right of every labourer in a strike. Peaceful picketing is the right of not only every labourer, but every man, I should say. Only, it should not reach the stage of violence. What has been brought before this House very clearly is that picketing, though allowed in theory, is being checked and stopped by indirect means by the intervention of the police. I do not know the exact conditions that obtain at present in Sholapur, but the honourable member from Sholapur tells us that picketing, though allowed, is certainly checked to a very great extent by the intervention of the police. Of course I have no personal knowledge, so I cannot say definitely what the exact conditions are in that place.

Rao Bahadur R. S. ASAVALE: Peaceful picketing is allowed in the city of Bombay.

Dr. M. K. DIXIT: Then, Sir, this 12½ per cent. cut was referred to in the House by some honourable members, and it was suggested by the honourable member Mr. Kamat whether this House should allude to it, and you, Sir, said that it was a matter which was *sub judice* and that we could make no reference to it. If I have understood you aright——

The Honourable the PRESIDENT: As far as I could understand the honourable member who raised the point, he pointed out that the merits of the cut of 12½ per cent. were under consideration and asked whether the merits of the cut could be discussed here or not. To that the appropriate reply was given by the honourable member Dr. Vaishampayan when he said that he simply referred to it as being the root cause, or one of the root causes, of the strikes. I simply suggested that matters which are under consideration and are not directly for this House to go into just now should rather be left alone. That is all. I do not know whether the matter is before some court or not.

Mr. R. R. BAKHALE: It is not before any judicial committee and cannot be said to be *sub judice*.

Dr. M. K. DIXIT: That is all that I wanted to convey. It is not being considered by any judicial authority and therefore it is not *sub judice* and this House can as well refer to the 12½ per cent. cut.

The Honourable the PRESIDENT: Not the merits of that cut. I think that would be really going too far under this discussion.

Dr. M. K. DIXIT: I am not going to touch the merits. Some honourable members, at any rate, referred to what was going on in South Africa regarding the unemployment question and also what is taking place in the Netherlands. The honourable member Rao Bahadur Asavale read some extracts. All disputes should be decided in such a way that there is no suspension of work or the work or the industry does not suffer. Arbitration boards take a long time sometimes to decide. As we have seen, in 1928–29 several mills in Bombay were closed down for some months and the industry suffered to a very great extent. Sir, a short cut for decisions on such industrial disputes is provided by what is described as the Labour Charter in Italy.

4-30 p.m. The Honourable the PRESIDENT: Is the honourable member likely to take some time?

Dr. M. K. DIXIT: Only a few minutes, if you will permit. About 5 minutes.

The Honourable the PRESIDENT: All right. He may proceed.

Dr. M. K. DIXIT: I know that the conditions in Italy are not absolutely identical with the conditions in our country, but still, the suggestions look so plausible and worth imitating to me that I may read them out before the House. Just a paragraph. It may not be ideal——

Mr. J. B. PETIT: If the conditions are not identical, how will the passage apply?

Dr. M. K. DIXIT: If you have patience, I shall read out the relevant paragraph.

The Honourable the PRESIDENT: Order, order. Let the honourable member proceed.

Dr. M. K. DIXIT: This is what we find:

"First of all the Labour Charter in Italy provided for co-operation between workers and employers. In each branch of industry the workers were to form a union and the employers a union. Representatives from each union were to meet, in equal numbers, in a Corporation which was to control the whole branch of the particular industry through its own permanent officials. These officials were to see that the bargain that each worker made when he signed on was carried out to the letter. Hours of work and rates of pay were enforced according to the bargain. Labour Exchanges were set up. The mothers were looked after in maternity homes, the children in nursery schools, the old people were to have after work pay. The Corporation of workers and employers was to agree on methods of reforming and modernising their industry. At the same time connection between the various Corporations was made by the establishment of a new Government department, the ministry of Corporations, which acts as a kind of social, technical and economic parliament. When the workers and employers fail to agree, strikes and lock-outs were not to ensue. The case was to be tried in the law courts and the decision of the courts was to be rigorously enforced by the police."

Then, Sir, the author says:

"We in England who have known in recent years all manner of deadlocks between workers and employers, and have lived through coal strikes, a 'general' strike, cotton strikes and innumerable others, cannot help envying Italy for the industrial peace which her Labour Charter has guaranteed."

He further states:

"'State intervention in economic production,' reads the Labour Charter, 'can take place when private initiative is lacking or is insufficient or when the State's political interests are involved . . . . Such intervention can take the form of control,

[Dr. M. K. Dixit]

encouragement or direct management.' Thanks to these, Italy has been able to prevent the evils which we know in England of cutthroat competition in wasteful advertising, the concentration of wealth in the hands of millionaires, or the winning and losing of fortunes by speculators."

Sir, these are some of the suggestions for us to take into consideration while dealing with the labour question. I have nothing more to add.

(The House adjourned for tea till 5-5 p.m.)

(The House re-assembled after tea at 5 minutes past 5 p.m.)

The Honourable Mr. R. D. BELL: Mr. President, this discussion has ranged over a very wide field and it is quite impossible for me to deal fully with not merely the labour questions but the economic and even the moral problems which have been raised during the course of the debate. In some instances there is a dispute amongst the combatants on the other side as to what are the facts of the case. For instance, the honourable mover of the cut in his opening speech said that the condition of agricultural labour was such that it was being driven from the countryside into the cities, whereas today the honourable member from Poona Mr. Gokhale tells us that the agricultural labourer is so independent that he can afford to take two days' holiday out of every three [*Laughter*]. I am not going to try to solve the question as to which of these two statements is right; the honourable members can go into committee over the matter and report in due course [*Laughter*]. Likewise, I have no intention of saying anything with reference to the suggestion that we should adopt in the Bombay Presidency the methods and the standards which are followed in Italy, but if the honourable member from Surat is prepared to give the Bombay Government the same powers and to allow them to use methods similar to those adopted by those in power in Italy, a matter in which he has yet given no favourable indication of his intention, then we shall be prepared to consider the matters which he raised in his closing speech.

An Honourable MEMBER: What power?

Sardar Rao Bahadur B. R. NAIK: Dictatorship.

The Honourable Mr. R. D. BELL: Another honourable member asked what we were doing about cottage industries. Our Department of Labour deals mainly, and of necessity, with the problems of labour in organised industry. I quite realise the importance of cottage industries. It is perhaps not generally known that the handloom weaver turned out more cloth in India every year than all the mills of India put together up till the year 1917 when, under the extraordinary conditions which prevailed during the War, he was unable to obtain sufficient yarn because the millowners, who were working double shifts, required all the yarn for their own weaving sheds. But these problems of cottage industries are not labour problems or wage problems. Broadly speaking, the cottage worker is his own employer and the problems of cottage

[Mr. R. D. Bell]

industries are more especially the business of the Honourable Minister of Education, not of the Labour Department.

I shall run over rather rapidly a number of comparatively minor points raised in the debate and deal somewhat more fully with what I think is the point of principal practical importance, one that has been of supreme importance in Bombay in the past, which is a live issue at Sholapur at the present time, and which may at any time in the future be a matter again of supreme importance in any of the centres of the textile industry. I refer to the attitude of Government in industrial disputes, especially at times of strikes and more especially in relation to picketing; but I shall keep that issue for the end of my remarks.

The honourable member Mr. Bakhale and one or two other honourable members supported the idea that there should be a separate department of labour and by that I understood that some of them at least meant a separate department in the Secretariat devoting its whole time to labour problems with its own special Secretary. That proposal is similar to many other matters of academic interest which have been raised during the debate. It is of no practical importance at the present time because Government simply have not the funds to adopt what the honourable member will excuse me for describing as fancy schemes in the circumstances of today. Then he referred to the fact that Government had done nothing towards introducing a conciliation organisation. This was a matter which was referred to last year. I pointed out then that funds were one difficulty and that the other great difficulty was that the two sides, namely, Capital and Labour, were at present not on a parity. They are more unequal today than they were even a few years ago, and the reason of that is one which I shall touch upon at the end of my remarks.

Another small matter which the honourable member Mr. Bakhale referred to was the attitude of Government to Trades Unions of Government Servants. This was dealt with so fully last year that I do not intend to repeat any of the remarks I made then. I will only explain that while these Trades Unions are duly registered under the Trades Unions Act, Government are unable meantime to give them formal recognition as associations of Government servants for the purpose of carrying on negotiations with Government regarding the conditions of labour for the employees concerned when the rules of a Union are not in accordance with the two sets of rules which are promulgated by the Government of India. One of these is the Government Servants' Conduct Rules and the other is the set of rules relating to the terms on which associations of Government servants are recognised by Government. As I explained last year, these matters are in the hands of the Government of India and they still are in the hands of the Government of India. I made it perfectly clear last year that in their attitude towards their own employees, the attitude of the Government of Bombay was most sympathetic and I think none of the representatives of labour in this House have really any fault to find with it.

[Mr. R. D. Bell]

The honourable member Mr. Bakhale also said that Government should from time to time draw the attention of the departments concerned to the recommendations of the Whitley Commission. That is actually being done and the Government of India have called upon all the local Governments to submit an annual report on the progress that is made with implementing the recommendations of that Commission.

Then there is a very important point concerning local labour questions and that is the index figure of the cost of living. The honourable member Mr. Bakhale drew attention to the criticisms which had been passed on the constitution of the figure, on which we are now working, by Mr. Sedgwick. Well, Sir, the delay in recasting this figure has been due to the fact that Government are not prepared to adopt any newly constructed figure until they feel assured that it is a sound one, and the point of view of the Labour Office is this—and it is endorsed by Government—that a properly constituted index figure of the cost of living cannot be prepared until there has been for some time a period of fairly stable conditions. The Labour Office did begin, in 1926, to collect materials for a new index figure, but honourable members are aware of the very unsettled conditions in the labour world which have prevailed since that time. There were strikes and a great deal of unemployment in 1928 and 1929. In 1930-31 there was the civil disobedience movement which caused some dislocation in the local industry. At the end of 1930 there was a tremendous slump in prices. That was accentuated at the end of 1931. It may be the time has now come when the Labour Office can put forward a new figure based on the materials which they have collected between 1926 and 1932. But before it is adopted, Government will have to be assured that it really is a sound figure. This is not a matter which can be done in any hot haste, but only after a very careful examination of the details on which the new figure will be based.

The honourable member Mr. Bakhale also referred to the wage census and to the enquiry which Government has lately promised to undertake in regard to the various conditions connected with the employment of labour in textile mills; and he drew attention in that connection to the long delay which took place in publishing the results of the 1926 wage census. I ought to explain that the labour involved in tabulating and arranging the data and drawing conclusions from the wage census of 1926 was probably beyond the belief of honourable members opposite. To deal with the matter rapidly would have required a temporary staff far beyond what it was possible for the Bombay Government to employ, perhaps beyond what it was desirable to employ. But as regards the forthcoming enquiry into the conditions in the textile industry, I cannot support the suggestion that it is necessary to take statutory powers or to introduce anything in the nature of a Statistics Bill, in order to ensure that the enquiry should be satisfactory. I must say that, so far as the Labour Office is concerned, they have had no difficulty hitherto in obtaining the co-operation of employers in obtaining their statistics, and it is

[Mr. R. D. Bell]

in their opinion most unlikely that the parties concerned will offer anything in the nature of opposition to supplying the necessary materials.

One honourable member asked us what we were going to do with the results of that enquiry. I do not know what the implication underlying the question is, but I wish to make it perfectly clear that Government are exceedingly unlikely to attempt to interfere in any way with the relations between labour and their employers, or to modify by such interference the conditions in the industry. The idea of collecting these figures and the idea which underlies nearly all the work of the Labour Office is this, that we put the facts before the public. These industrial disputes are matters of great public importance. Public opinion has very often very great influence in settling the dispute, but the public are often entirely without any proper guidance as regards the actual facts. That is the main object of the forthcoming enquiry into the conditions of the textile industry, an enquiry which I may say, has been instituted very largely on the initiative and at the suggestion of the honourable member opposite.

Then there is the great problem of unemployment at the present time. We have been told that every man and woman has the right to work or relief. It has been suggested that we should open public works—the honourable member suggested productive works—in order to absorb unemployed labour; and the example of South Africa has been held up to us as that of a country which is using both borrowed money and its revenues for the purpose of finding work for the unemployed. This, Sir, is, I consider, in the circumstances of this presidency, an academic question. No one has pointed out a productive public work on which it would be possible to employ labour; certainly we have no spare revenues to devote to this task. The Honourable the Leader of the House has told the House that, in accordance with their own wishes, Government have decided for the present to borrow no more money.

The honourable member Mr. Bakhale referred to the case of America. It is a fact that, till the recent crisis, America, which is the most highly organised industrial country perhaps in the world—certainly in the very forefront—had no organised Government measures or any insurance system for the relief of the unemployed. And indeed the conditions in this country, even if we had the means, on the whole inhibit anything like the institution of a dole. I merely put it forward for the consideration of honourable members that a certain standard of living must be reached before it is practicable to introduce any such system. If honourable members will merely think in their own minds of a figure for a daily wage which should be given in relief to the unemployed, they will see that the agricultural labourer might then prefer to take every day for a holiday instead of only the two days out of three as mentioned by Mr. Gokhale.

Now I come to what seems to me to be the most important practical question which has been raised during this debate, and that is the attitude

[Mr. R. D. Bell]

of Government in industrial disputes, and especially in times of strikes. I shall first run over a few of the points which were made by the honourable member Mr. Bakhale. He said that concerted action by the employees was frustrated by Government owing to the manner in which they employed the provisions of the District Police Act, the Criminal Procedure Code and even the Special Powers Act of 1932. He cited an alleged instance in Khandesh district, where the Emergency Powers Act had been used. He complained that as a result of the attitude of Government, he and others of his moderate views had been for all practical purposes excluded from the trades unions, or at least had lost their influence over the workers. He asked what were Government to do about this, and suggested that they should look at these problems not from the point of view merely of law and order.

Sir, I shall first of all deal with the question of the employment of the Special Powers Act in industrial disputes. I do not know how the idea has arisen, that this Act is being used in order to coerce the employees to their own detriment. It may be that some remarks of Sir Frank Hudson's during the debate in November-December 1932 have caused this belief to arise. If Government were using this Act, it was not because due warning had not been given. I shall read one or two sentences which were spoken by Sir Frank Hudson on the 26th of November 1932. He said:

"Then there is an organisation called the Socialist Republican Army, about which perhaps a good many of the members know less than I do, but I can assure them that that so-called organisation is doing its best to spread the wildest communist ideas. Are we not to deal with them under this Act? Both these movements"—that is the communist movement and the terrorist movement to which he previously referred,—"if I may say so, are even worse than the civil disobedience movement, and there is no reason why we should confine ourselves under this Act to the lesser evil and omit the greater."

Sir, that was the view expressed by Sir Frank Hudson in November 1932. But, as a matter of fact, it is the settled policy of Government at the present time not to use the Special Powers Act in any way in industrial disputes. That policy is well known to Government's officers, and I deny that it was used in any single case in any of the disputes in Khandesh, either at Chalisgaon, or Dhulia or Amalner.

Sir, that sentence of Sir Frank Hudson's made reference to communism, and I think in that word you will find the key to all the problems which confront not only Government, not only the employer, not only the employee, but the honourable member Mr. Bakhale himself.

Mr. R. R. BAKHALE: May I interrupt the Honourable Member for a minute? I have got the original copy signed by the District Magistrate of West Khandesh, in which an order has been issued under the Emergency Powers Act. I am prepared to show it to the Honourable Member.

The Honourable Mr. R. D. BELL: I shall see it afterwards and give the honourable member satisfaction in this matter. I can assure him that this point was specifically dealt with in correspondence with the District Magistrate of West Khandesh and the policy of Government

[Mr. R. D. Bell]

was very clearly explained to him as it has been on occasions to other District Magistrates.

I said, Sir, that the attitude of Government in industrial disputes had been a matter of supreme importance in the past in this city, and I should like to take the honourable members back to the enquiry which was presided over by Mr. Percival in 1929 in connection with the troubles in Bombay at that time. The conclusion of Mr. Percival's committee was:

"After due consideration, we agree with the view that the Girni Kamgar Union, also known as the Red Flag Union, was the basic cause of the riots."

That finding, I may say, was afterwards endorsed by the Pearson Committee. Now, the Red Flag Union, as the honourable member is aware, is a union which is under communist influence. And may I say here that the difficulty in dealing with the intrusion of communists in industrial disputes is this, that they have no independent organisations operating in the dispute but they insert themselves into the existing organisations? Before 1929 they obtained place and power in unions which had been organised and built up by my honourable friend Mr. Bakhale and his friends; they soon seized the reins of power and operated the unions not to obtain satisfactory terms for the employees but merely and for no other purpose than to create turmoil. I shall be able to prove that the same circumstances now exist at Sholapur. As this is an authoritative report I shall read to you one or two sentences as to what happened in Bombay before and in 1929. We must guard against these occurrences taking place again. This is from the Report of the Bombay Riots Enquiry Committee of 1929:

5-30 p.m.

"It is admitted before us by the Treasurer of the Union that some of the leaders of the Union are communists, but a distinction is sought to be drawn between the policy of the individual leaders and that of the Union. This is a distinction without a difference. When labourers are harangued by communist leaders, who say, at a meeting of the mill-hands or oil workers, that Government and the capitalists must be crushed, the workers cannot distinguish between the policy of the leaders and the policy of the Union. . . . The Red Flag Union leaders moreover were not merely making speeches, but they were also training and drilling Red Flag volunteers, and inciting the workers to take the law into their own hands."

There is a paragraph dealing with the inflammatory character of the speeches. These are summarised as follows:

"The burden of the speeches was:—

(*a*) Defy the Police, (*b*) have no respect for law and order, (*c*) Government are the associates of your enemies, that is, the millowners, (*d*) we have now firmly established the Government of the Red Flag in the industrial areas . . .

The lawless element among the mill operatives was thus actively and persistently prepared for acts of violence.

On consideration of all the evidence placed before us we are clearly of opinion that the activities of the leaders of the Red Flag Union are the basic cause of the riots."

The immediate cause of the riots of course was the Hindu-Mahomedan tension. But the basic cause of the riots was that for some time before they occurred, as the honourable member Mr. Bakhale is very well aware, the communist leaders had been gradually taking over power in the

[Mr. R. D. Bell]

trade unions and operating them for their own ends. In those days I had myself spoken to one or two moderate trade union leaders and asked them why they did not dissociate themselves from their extreme colleagues. They said—I am merely giving the substance of their answer—that if they did so they would lose their influence altogether.

Rao Bahadur R. S. ASAVALE: May I know the names?

The Honourable Mr. R. D. BELL: You know them perfectly well.

Honourable members will recollect that there was recently a trial at Meerut of a number of communists. Since the appeal in that case was decided a short time ago, the local communists have been showing a little more energy. I need not go in any detail into the affairs in Khandesh where they first found some opportunity for action. There were in Khandesh, at Amalner, Dhulia and Chalisgaon genuine disputes between the employers and the employees and this afforded an opportunity for the communists. I merely quote one sentence from one of their leaders there, because he is one of the leaders in Sholapur, who the honourable member Mr. Bakhale complained has been muzzled. This is the kind of stuff he served out:

"He sang two songs containing a reference to a kingdom of workers and advising that the flag should be besmeared with blood of the workers and they should be prepared to face lathi charges and bullets."

When speeches containing remarks of that kind are made morning and evening, day after day and week after week, they have their due effect; this is what threatens to happen again in Sholapur. As a result of the increased activities of these gentlemen, some of them organised and attended a meeting described as the All-India Textile Workers' Conference on the 28th of January in Bombay. I shall read to the House the principal resolution which was passed at that conference and to do its supporters justice I shall read it practically in full. There is no secret about this resolution. I am not taking it from any secret police report. It was published in the newspapers. The fact of the matter is that most members of the public are apt to think that these agitators are insignificant creatures and no particular attention need be paid to them. But whoever they may be, they continue their activities all the time, waiting for an opportunity, and when the time comes they take full advantage of it. The resolution runs as follows:—

"In view of the offensive started by the textile employers all over India against the textile workers as a class as exhibited in (*a*) the inhuman wage-cut, (*b*) intensive rationalisation, and (*c*) increasing unemployment, effected by the millowners at all textile centres in India, and in view of the inadequacy and futility of the local and partial strikes waged by the textile workers at a number of places, this Conference is emphatically of opinion that the textile workers should resist the offensive of the millowners.

"This Conference emphatically condemns the various strike breaking activities resorted to by the millowners at every place to break the strike and also direct and indirect help given at each place by Government and local authorities to defeat and disorganise the workers' strike-struggle by promulgating orders under section 144, C.P.C., for prohibiting meetings, processions, picketing, etc., for externing working class leaders or placing restrictions upon their movements, etc., by utilising the Ordinance Acts against the working class leaders and by various other administrative and other measures calculated towards placing most obnoxious restrictions on the development of the workers' strike and is emphatically of opinion that all these obstacles can be effectively resisted only by resorting to a country-wide general strike.

[Mr. R. D. Bell]

This conference, therefore, resolves to organise within a period of the next three months a country-wide general strike of all the textile workers and formulates the following as the general demands of the textile workers :—

(1) No wage-cut and restoration of all cuts effected since January 1933 ;
(2) No rationalisation ;
(3) Unemployment benefit and maternity insurance at the expense of Government and owners ;
(4) No retrenchment ;
(5) Eight hours' duty for day-shift and 7 hours for night-shift ;
(6) Equal wages for equal work ;
(7) One month's leave with full pay every year ;
(8) Minimum living-wage of Rs. 45 per month ;
(9) Recruitment of labour through Workers' Committees to be set up in each mill ;
(10) Full liberty for Union work within the mills and right of mill committees to supervise the condition of work in the mills ;
(11) No victimisation of active trade union workers and reinstatement of all victimised workers ;
(12) 50 per cent. reduction in house-rent ; . . .

To bring about within the next three months a textile general strike on the basis of the above and other demands suited to local conditions, this conference appoints a Council of Action of the following 15 persons with power to call not more than 10 members representing various local committees to be formed hereafter or representatives of centres so far unrepresented, and with authority to co-operate with all other organisations already set up or to be set up hereafter for the same object.

This conference authorises the Council of Action to (take steps) . . . "

One of the agitators who was muzzled at Sholapur was present at that conference ; another who took a prominent part in that conference, was appointed a member of the Council of Action, and has recently gone to Sholapur ; and a third individual, another member of the Council of Action, has been allotted Sholapur for propaganda purposes. That is the background of the strike at Sholapur. The millowners of Sholapur gave notice to the operatives of reduction of wages on 1st January. This resolution was passed on the 28th of January and the millhands went on strike on the 15th of February. The action which was taken in the first instance by the District Magistrate was to prohibit three of these agitators—one a local man, one from the Central Provinces and the third who was present at the Textile Conference on the 28th of January, belonging to Khandesh—from making speeches. He did so because of the nature of the speeches they had been making. I have already quoted one of them—what he said in Khandesh. Another local man in a speech said :

"The hirelings of Government go to the inn-keepers and tell them not to give meals to labour-leaders. You should unite strong and destroy Government and the capitalists completely.

The blood of the workers is boiling and they will not allow the unemployed to go near the mills. If you fail to declare a strike on this occasion you can never lift your heads again.

But do not think we intend to starve ; the hammer of your unity should be ready to strike upon the heads of the millowners. You must prevent the unemployed from going to work in the mills even though they try to do it with the aid of the police. You must obstruct them forcibly. We must shake the whole city of Sholapur by our unity and defeat Government as we did in 1931."

Finally when the local agitator declared in a speech that the strike could not possibly be peaceful, the District Magistrate thought it better to prohibit him and his two associates from making further speeches.

[Mr. R. D. Bell]

Now, the question is what Government should do in circumstances of this kind. Here, we have an order for a cut in wages by the employers on their employees on 1st January. Six weeks later their employees strike. Unquestionably this is an industrial dispute. Yet we know the nature of the individuals who have gone to Sholapur not for the purpose of settling the strike and taking conciliatory measures but for the purpose of intensifying the dispute and spreading it to other areas. What are Government to do in the circumstances? It is quite impossible for them to send a representative down to Sholapur to decide whether this cut is justified by the economic conditions under which the mills are working.

Workers are by custom recognised as having certain rights of persuasion and of picketing. It is a fact that picketing is going on in Sholapur. In fact, in one of his two last reports, in his report dated the 7th March, the District Magistrate says:

"The success of the strike leaders in keeping so many out is attributed by the mill-owners entirely to picketing which is now going on in an intensified form."

The following day, yesterday, he gives a general account of the conditions there, which I shall read:

"The newspapers give an exaggerated picture of the disturbances here on account of the strike. There has not been one-tenth of the violence that would be gathered from a perusal of the scare head-lines in a certain newspaper. Since last week's report eight persons have been arrested for breaking into one of the mills through a sweeper's entrance and bringing out the workers; six youths have been fined petty sums for obstruction on the road while picketing."

I have read that last sentence purposely, because I want to draw attention to the fact that these youths were not fined for picketing, but for obstruction while picketing.

The honourable member Mr. Petit said that there was no such thing as peaceful picketing; but, nevertheless, picketing is a recognised measure which is allowed to employees during a strike, and perhaps even the honourable member will agree that if picketing is limited to, say two strikers standing at a mill gate and endeavouring to persuade the employees not to go in, he will have no grave objections to urge against it. But when picketing takes the form of large and threatening groups assembling outside a mill or when individuals go round after dark and intimidate the workers and frighten their wives, the matter is entirely different. The honourable member Mr. Bakhale said that every worker, man or woman, had the right to work. Sir, I assume this means that if any peaceful worker wishes to go to his mill during a strike he must be permitted without intimidation to do so. That is what Government at least attempt to secure; they attempt to keep a clear ring for the two parties, the employers and the employees, to settle the dispute between themselves. The employees obviously must have some right of meeting; they must have some opportunity for discussion, and even for persuasion. But when Government are aware beyond all possible manner of doubt that agitators have intervened not for settling the dispute amicably but

[Mr. R. D. Bell]

merely for the purpose of intensifying the dispute and spreading it, it is clear that the local authorities must curtail the privileges of the workers at a very early period whenever violence and rioting threaten to occur. Sir, this is a matter which so far has not come to a dangerous head in Sholapur; conditions there are still peaceful. But I put it to the honourable member Mr. Bakhale that this phase of labour troubles is not only hostile to Government and the employers but is inimical to the best interests of the employee and to moderate leaders like Mr. Bakhale himself, and until this band are cleared out from the trade unions, neither he nor anyone else of his moderate views will have any influence over the workers. I think, Sir, that is the main issue in this debate.

I hope I have satisfied the House that the policy which the Government follows of keeping a clear ring for the two parties as long as possible and of entering that ring themselves only when the dispute threatens to lead to violence is not only the correct policy but is the only possible one which a self-respecting Government can adopt. I trust, Sir, that moderate labour leaders will take a lesson from the past, and, if they cannot influence the workers owing to the methods of their rivals, at least that they will not give the latter indirectly any support by suggestions which underlie some of the statements which were made in this House during the debate. Ultimately, when it comes to a crisis, there is only one thing to be done, in my opinion, and that is to extirpate these agitators from trade unionism altogether. Neither the honourable member Mr. Bakhale nor any other labour leader in this House can contradict my assertion that Government in the past has not only been sympathetic towards trade unions but has done a good deal to foster trade unionism both in Bombay City and outside. The real trouble has come from outsiders whose only interest is to fish in troubled waters and who have no other object than to pull down the existing economic fabric of society. Some of them may be purely philosophical in their outlook, but others have no other object than to put into active practice the principles which they have imbibed.

Sir, I hope what I have said will impress the House. I am quite certain that this is a question which will crop up from time to time in the future and which honourable members will have to consider very seriously. If they agree that Government's attitude at the present moment at Sholapur and in other industrial disputes is entirely sound and justified by circumstances, then the honourable mover will perhaps see his way to withdraw his motion. (*Applause.*)

Dr. M. K. DIXIT: Sir, I beg leave to withdraw the motion I have moved.

Motion, by leave, withdrawn.

Mr. G. S. GANGOLI: Sir, before you put the demand to the vote, now that the honourable member Rao Saheb Kulkarni is not moving his cut, may I know what the item of Rs. 23,000 is?

The Honourable the PRESIDENT: Where?

Mr. G. S. GANGOLI: Page 272, 37-E.

The Honourable the PRESIDENT: That is under the Transferred Head. This is the Reserved Head.

Total demand put, and agreed to.

The Honourable the PRESIDENT: Now, before the next demand is made, I should like to point out to the House, by way of information, how things stand, because a demand will be followed by motions for cuts. The last day for the demand, the guillotine day, is Wednesday next. Tuesday has been allowed by the Honourable the Revenue Member as the day on which the Land Revenue Demand will come up.

Rao Bahadur R. R. KALE: Tuesday and Wednesday.

The Honourable the PRESIDENT: Let us not start that again. Tuesday will be the day on which the Land Revenue Demand will be made. That means that the other demands will come to an end by Monday evening. As I see, other important demands are still to come before the House, for instance, Industries, Agriculture, Public Health, Medical, Education and so forth. Now, to-morrow is not a full day. Therefore, the time at the disposal of the House is only a day and a half and probably an hour more. The House can see how many motions for cuts can and should be moved. I leave it to the House to adjust their own course.

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, I make a demand of Rs. 71,000 under 37, Miscellaneous Departments (Transferred).

Question proposed.

Mr. P. R. CHIKODI (Belgaum District): Sir, I move—

Reduce by Rs. 100—D-Miscellaneous—Total Demand (Voted)—Rs. 36,600. (C.E. page 273.)

This relates to the establishment of the Backward Class Officer. The duties of this officer, Sir, are to protect and safeguard the interests of the depressed classes, in addition to what he does for the criminal tribes and hill tribes.

The Honourable the PRESIDENT: It is the Backward Class Officer?

Mr. P. R. CHIKODI: Yes, Sir. Page 273 of the Civil Estimates. Before I make my remarks with regard to the work of this officer, I should like to say a few words in respect of the attitude which Government have towards the depressed classes. In fairness, I must admit that Government have been most sympathetic towards the depressed classes. Ever since introduction of the Montford reforms every proposal concerning them that has come before the House has been voted by the House and Government have always got what they demanded.

Whatever was demanded was granted, but, Sir, in spite of all this, the progress has not been what it ought to be. The reason is that a bolder policy has not been adopted by the Government. The spread of education amongst the depressed classes is still not quite satisfactory, to say the least. They have got a number of grievances, of which I may mention only one. No doubt

6 p.m.

[Mr. P. R. Chikodi]

they have been given a special set of scholarships, but in spite of those scholarships, the spread of education has been at a standstill. It has been complained that all these scholarships are not availed of by the depressed classes and that a large number of them remain vacant every year. That may be due to the fact that the amount of each scholarship is quite small so far as the depressed classes are concerned. If the leaders of the depressed classes or their representatives had been consulted on this question, they would have unhesitatingly stated that scholarships carrying larger amounts should have been provided and then all the scholarships would have been availed of. Sir, the number of scholarships that have been given are very few in comparison with the population of the depressed classes. So much as regards the scholarships.

Then, Sir, they have not the same protection as our brethren, the Mahomedans, have. When I quote the case of the Mahomedans, it should not be supposed that I am complaining against the concessions that have been given to the Mahomedans. I am mentioning the case of Mahomedans as an instance rather to be followed by Government in helping the cause of the depressed classes. If we compare the case of the Mahomedans with that of the depressed classes, we find that the Mahomedans are far, far ahead of the depressed classes in respect of education. This fact, Sir, has been admitted by Government. I am not just now referring to the intermediate classes. I am only speaking about the depressed classes. If Government have thought it proper to provide special facilities for the promotion of education amongst Mahomedans, much more is the necessity for them to adopt similar measures, if not more liberal measures, for the depressed classes.

Mr. R. B. EWBANK: On a point of order, Sir. Might I explain that the item of Rs. 7,400 for Scholarships on page 273 of the Civil Estimates includes the item of Rs. 5,400 for stipends to students at the Depressed Class Hostel at Poona, and the balance of Rs. 2,000 is the discretionary grant at the disposal of the Backward Class Officer to give whenever he likes to any backward class man who cannot otherwise get a scholarship? The scholarships for the depressed classes come under 31-Education. This is a sum which is specially attached to the Backward Class department.

The Honourable the PRESIDENT: The point of order raised is correct.

Mr. P. R. CHIKODI: I did not catch the point. These scholarships have been transferred to the Backward Class Officer——

The Honourable the PRESIDENT: An amount of Rs. 2,000, as the honourable member the Secretary pointed out, is placed at the disposal of the Backward Class Officer.

Mr. P. R. CHIKODI: I am also referring to the question of the depressed class scholarships——

The Honourable the PRESIDENT: Scholarships come under 31-Education, and therefore the cut should come under that head.

Dr. P. G. SOLANKI : On a point of information from the honourable member the Secretary. May I know the exact amount set apart for the depressed classes and the untouchables under 31, Education for scholarships ?

Mr. R. B. EWBANK : I have not got the exact amount, but I have got the number of scholarships for backward Hindus. On the population basis, they would get 21 ; actually they get 34 scholarships. That is for the colleges. For secondary schools, according to population they would get 72 ; they actually get 87.

Dr. P. G. SOLANKI : There is confusion here——

Mr. P. R. CHIKODI : I do not quite follow the honourable member the Secretary.

Mr. R. B. EWBANK : I have quite clearly explained that these are stipends to students living in the Depressed Class Hostel at Poona and Rs. 2,000 is the discretionary grant at the disposal of the Backward Class Officer.

Dr. P. G. SOLANKI : May I know from the honourable member the Secretary what is the exact amount set apart for the backward classes ? The population of backward classes is nearly 40 lakhs, and I want to know how much is set apart for the Scheduled Castes. It happens that in the name of the backward classes, the backward touchable classes get more and the untouchables are not noticed. Can the honourable member enlighten me on this point ?

Mr. R. B. EWBANK : No, Sir.

The Honourable the PRESIDENT : The honourable member may proceed.

Mr. P. R. CHIKODI : I think I am within my province in discussing the general question of the advancement of education or the interests of the depressed classes. A Backward Class Officer has been appointed specially by Government at the instance of a committee and the duties of the officer are to watch and safeguard the interests of the depressed classes. Therefore I say that in order to safeguard the interests of the depressed classes, measures similar to those that have been taken in the case of Mahomedans should be taken in the case of the depressed classes also. I go further and say that the measures taken should be more liberal than in the case of Mahomedans.

Now, Sir, I come to the question of representation of depressed classes on local boards and municipalities. Their representation on the local bodies remains quite unsatisfactory. Their interests are not safeguarded there. Nominations on local bodies—that is point No. 2.

Thirdly, Sir, there is the question of appointments. In the case of appointments, of course, Government have issued orders that they should be given preference, but still, much remains to be done.

Then, fourthly, I take this opportunity of emphatically protesting against the proposed transfer of the office of the Backward Class Officer from Dharwar to Poona.

[Mr. P. R. Chikodi]

In view of the short time at my disposal, I do not wish to dilate on these points. These are the four points which I hope are clearly understood by the House. With these words, I resume my seat.

Question proposed.

Dr. P. G. SOLANKI: Sir, I rise to support this cut. In the year 1928-29 a resolution was moved and adopted in this House and a committee was appointed. That committee went thoroughly into the conditions of the depressed classes and the aborigines and the hill tribes, and after that a Board was appointed and also a Backward Class Officer was appointed to look after the welfare and the interest and the uplift of the backward classes in general and the depressed classes or the untouchables in particular. I am thankful to Government and to this honourable House for acceding to my request and to the needs of the backward and the depressed classes. At the same time, I am aware of the fact that during the past six or seven years we are passing through years of financial stringency and that a large sum of money could not be set apart for the amelioration of these people who number 40 to 50 lakhs, out of which 40 or 50 lakhs the population of the depressed or the untouchable or the scheduled classes is nearly 18 to 20 lakhs, and I was under the impresssion and hopeful that this House would be generous enough at least to set apart a lakh of rupees for the amelioration of nearly 40 to 50 lakhs of people, but the great amount of Rs. 16,000 or perhaps less than that was set apart in the beginning. When we saw that the pressing need of the depressed and the backward classes was education, in that direction myself and my honourable friend Dr. Ambedkar submitted a scheme to the Government of Bombay at the time when Sir Chunilal Mehta was their Finance Member and he with great difficulty could persuade the Finance Department to set aside a sum of nearly Rs. 16,000 to start 3 hostels. The scheme was originally for 5 hostels, and we had, according to our calculations, put down Rs. 41,000 for these 5 hostels. Unfortunately for us and for the poor depressed classes, we could get sanction only for 3 hostels and for these 3 hostels only Rs. 9,000 was sanctioned and I may say that these hostels are peculiar hostels in that they come under a special scheme of Dr. Ambedkar and myself. They have nothing in common with other hostels such as the Government hostel at Poona conducted by Government or some other private hostels, which are mentioned in the quinquennial report of the Director of Public Instruction. Sir, in these 3 hostels there are about 78 students taking education and stipends and food and boarding. A vast number of pupils of the depressed classes are attending the primary schools and the education of these children in the primary schools in the mofussil is yet so much hampered by the customs, the usages and the prejudices of the Hindu population in the villages, where the Hindu population abounds, that the depressed classes generally are yet in the same backward condition as they were before the Backward Class Board was started. I know, Sir, the *modus operandi* of our Backward Class Board, it is to meet only three or four times in a year and at different places and that too at the sweet mercy and will of the Backward Class Officer who happens to be

[Dr. P. G. Solanki]

originally the Criminal Settlements Officer. Then he happens to be also the Superintendent of the Borstal School recently started and this year a third duty is imposed upon him. I am referring to Mr. Starte who is at present the Backward Class Officer. He, out of his goodness and good nature, took upon himself this benevolent missonary work. But, Sir, there are limitations to the energy and the time of any human being and as Mr. Starte is the only man who, out of love, took great interest in the case of the criminal tribes, all the settlements and all the schools which are at present existing are due to his efforts and his sincere efforts and I am glad to say that Mr. Starte has succeeded 90 or 95 per cent. in his endeavour and in his efforts to improve the condition of the criminal tribes. It is high time for the Government to hand over these well-established settlements to any munificent or other philanthropic institutions which are doing social work for these people. There are demands actually from among the advanced Hindu classes who want to do this reclaiming work among these people. However, the difference between a criminal who is born a criminal and a depressed——

Mr. P. R. CHIKODI: Sir, with reference to the point of order raised by the honourable member the Education Secretary namely, the transfer of the provision for scholarships from the head "31-Education-Transferred", I want to point out that he is not correct. On page 82 of the Blue Book, appears 37, Miscellaneous Departments (Transferred), for which a demand has been made now. If you read paragraph 194—*Miscellaneous*—you find that it runs:—

"The increase in the next year's estimates is mainly due to the transfer of the provisions (20) for

(*i*) the Government Depressed Class Hostel at Poona, and

(*ii*) special scholarships for depressed class boys in secondary schools from the head "31, Education—Transferred" to this head as it has been decided to transfer the administration of the hostel and the special scholarships for depressed class boys in secondary schools from the Director of Public Instruction to the Backward Class Officer with effect from the next financial year."

In view of this clear statement, I think I am correct in my remarks on the point.

The Honourable the PRESIDENT: The honourable member Mr. Chikodi has pointed out a contradiction of the statement made by the honourable member the Education Secretary. Has he anything to say in reply?

Mr. R. B. EWBANK: I will explain presently, Sir.

The Honourable the PRESIDENT: Meantime, the honourable member Dr. Solanki may proceed.

Dr. P. G. SOLANKI: I am equally anxious to hear what the honourable member the General and Education Secretary has to say.

Mr. R. B. EWBANK: This entry can only refer to stipends in the hostel in Poona. They are called scholarships in the Blue Book, but there is no provision under 37, Miscellaneous—Transferred for

[Mr. R. B. Ewbank]

scholarships for backward class boys other than that which I have mentioned, namely Rs. 5,400.

The Honourable the PRESIDENT: That is a misnomer?

Mr. R. B. EWBANK: It appears so.

Mr. P. R. CHIKODI: I am not wrong, then.

Mr. R. B. EWBANK: The provision is not there.

Mr. P. R. CHIKODI: I cannot help it. This is the budget placed in our hands. I must stick to the budget as it has been presented to us.

The Honourable the PRESIDENT: The honourable member the Education Secretary will probably point out further details, but one thing seems to be clear and that is, Rs. 7,400 is the amount composed of three items, namely, Rs. 5,000 *plus* Rs. 2,000 *plus* Rs. 400. Now, Rs. 5,000 *plus* Rs. 400 are meant only, as pointed out by the honourable member, as stipends to the students in the hostel at Poona and Rs. 2,000 is a discretionary grant left with the Backward Class Officer for such use as he may think fit to make of that sum. So, the scholarships, in the real sense of the word, are not provided for under the head 37, Miscellaneous. So far that is correct. The honourable member the Education Secretary has therefore pointed out that they go in with the general scholarships for all classes including the depressed classes, but I do not know what further explanation he——

Dr. P. G. SOLANKI: It is not like that.

Mr. G. S. GANGOLI: The foot-note on page 272 is clear, I think.

Mr. R. B. EWBANK: The only thing I need add is that we took, in preparing this note in the Blue Book, the words used by the Director of Public Instruction in his report, and when he says "the hostel and special scholarships to depressed class boys in secondary schools" he has used the word which has in the past usually been used relating to that portion of the stipends that are attached to the hostel. They came under that heading and so he used that word. It does not mean that the whole of the scholarships have been transferred.

Dr. P. G. SOLANKI: Sir, I was talking about Mr. Starte. Mr. Starte is expert in dealing with the uplift of the criminal tribes. He has practically solved the question of criminal tribes and has put the criminal tribes on such sound moral grounds that some of them have left their nefarious business of crimes and taken to education and some of them are attending secondary schools and even colleges. I was dealing with the differences between criminal tribes and the condemned depressed or untouchable classes. I do this comparison not with the object of running down the criminal tribes. I know the lot in which they were placed by the Government and the general public. The lot of the depressed classes is especially unhappy because they too are put in that category and treated by the public at large—all the Hindus—as untouchables, but between the two the moral to be drawn is that one is criminal and has criminal tendency while the other is a man who is law-abiding, peaceful, God-fearing and a man who is loyal and obedient to

[Dr. P. G. Solanki]

everybody and yet it is his miserable plight and ill-luck that at every step he is humiliated, at every step Government as well as the public and particularly our population in India try to snatch away whatever little rights or whatever little benefits are given by education or by legislation in this House. I say, Sir, that it is the duty and the right of the depressed classes to be helped by Government. I go further and say that it looks as if out of charity this paltry sum of Rs. 16,000 is being doled out or thrown at the poor depressed classes and among those depressed classes are included the hill tribes, the aborigines and the criminal tribes. Now, Sir, you can well imagine how it is going to alleviate the economic, educational and social disabilities of the aboriginal tribes, the hill tribes and the untouchable and the criminal tribes. The criminal tribes settlement work is going on for many years and yet lakhs and lakhs of rupees were set apart for it. The population of the criminal tribes does not exceed 50 thousand and yet you see lakhs and lakhs of rupees have been spent over them. I do not grudge that expenditure for their improvement. I admit that that money was spent for a laudable object, namely, the weaning of the criminal tribes from their criminal tendencies and converting them into honourable and respectable citizens like the others. I give full credit to Mr. Starte for all that good work, but since 1931 Mr. Starte has been working with us. I must say that with all his zeal and with all his sympathy for the depressed classes, Mr. Starte has not been able to satisfy myself and Dr. Ambedkar in the work which has been carried on by the Backward Class Board up till now. What we do is to meet four times at different places wherever and whenever Mr. Starte chooses to call us. We are never taken into confidence in anything pertaining to the untouchables or the depressed classes. We are never consulted in the matter. Things are managed out and out by the Officer and by the Secretary and those are thrust upon us. Sir, the composition of the Backward Class Board is such that you find on that Board, as members of the Board, members of the Mahomedan community and members of the Hindu community. With what object ? For safeguarding the interests of those two communities. What is there to be safeguarded, as if the depressed classes were going to take away some of the rights and some of the comforts of the advanced classes or of the Mahomedan community or of the Hindu community ? I have never found in the annals of the whole history of our Mahomedan brethren or of our Hindu brethren that a depressed class man was ever put on committees appointed for those two communities, however highly advanced or educated he might have been.

I find, Sir, that the members who have been appointed on the Backward Class Board to safeguard the interests of the Hindu and the Mahomedan communities, have their own way of doing their business of safeguarding their own communities' interests by saying if any extra money is given "Oh, this much money should not be given, it would only be a waste of money." Sir, I have a very bitter experience of the propaganda of some of my friends. It is so very bitter, and both Dr. Ambedkar and myself are deeply grieved and feel that if this Board is going to work like that,

[Dr. P. G. Solanki]

it is better that the Government should cry a halt and say that this Board should be discontinued and that the criminal tribes work should be carried on to the Government's heart's content, and that the hill tribes and the aborigines may be left to the mercy of Mr. Amritlal Thakkar. Mr. Amritlal Thakkar is intensely interested in the uplift of the Bhils. He is the General Secretary of the Harijan Seva Sangh which is appointed by Mahatma Gandhi to take care of the Harijans of all India. I know and even my honourable friend the General and Education Secretary knows, Mr. Amritlal Thakkar is devoted more to the work of the uplift of the Bhils than to the work of the uplift of the backward and the depressed classes. Mr. Amritlal Thakkar is my personal friend. I know him thoroughly. I know his tendencies and his likes and his dislikes for particular communities amongst the depressed classes and backward classes and all his interests. At the same time, if Government cannot spend money and cannot spare money for these people, let not Government make such a show that they are spending so much, let them not issue reports and say to the honourable members of this House that so much money has been spent for the depressed untouchable classes. Sir, if Government means to satisfy the demands of the depressed classes by way of giving them education, I ask the Government to give them properly, to give them sufficiently what they require instead of giving them very scantily and by piecemeal at intervals. Sir, my honourable friend Mr. Chikodi brought to our notice the fact of the stoppage or curtailment of scholarships and expenditure on hostels meant for the depressed and the backward classes. When I put a particular question to the honourable member the General Secretary as to how much money was earmarked for the untouchables, he could not give a proper reply. Sir, far from bringing relief to the untouchable classes, this Backward Class Officer is, I am very sorry to say, bringing them what I may call misery by putting unnecessary obstructions and excuses for helping the touchable backward viz., the Bhils, hill tribes and criminals. What has become of the depressed untouchable classes?

6-30 p.m. Everywhere, in matter of nominations on local bodies, in matter of scholarships, in matter of services, in Government services as well as in the district local board services, anywhere, wherever we inquire, as everybody knows, in all these departments, mostly my dear advanced Hindu brethren are at the helm of affairs, and it is they who make the selections. They have got a waiting list on which they put the names of those candidates whom they want to favour. So far as the depressed untouchable class candidates are concerned, they perhaps do not find it convenient to put the names of the depressed class men on the waiting list, and even if the names are put on the waiting list, these officers, the head clerks or superintendents of the offices quietly manage to forget to put up the names of these depressed class candidates before the heads of the offices. Sometimes, when these heads are Englishmen, misrepresentations are made to them. If there are Indian heads of the offices, they can very well manage, but if the heads are Europeans or men of the type of

[Dr. P. G. Solanki]

Englishmen, if they ask questions about depressed untouchable class candidates, these head clerks say "Oh, yes; there are applications, but those applicants were not up to the mark, and so their names are not put up". The result is that the turn of the depressed class candidates never comes. The same thing, I have heard, is done in the case of my friends the Mahomedan candidates in some cases. But of course the Mahomedans are powerful enough to espouse their cause and fight for them. But mine is a solitary voice here, and with whatever power my lungs have, I shall speak for the depressed classes.

Sir, with regard to scholarships and other things, I have said that our lot is a bad one. Government always issue resolutions and press communiques. The Director of Information issues enlightening notes that for the benefit of the depressed classes Government have issued this communique and that order. But what is the effect of all that? The orders go into the hands of our dear friends the advanced classes, between whom and us very little love is lost, and the result is that the depressed classes go starving, even though they may be deserving. I will give one instance. In the city of Bombay itself there is a statutory committee called the schools committee. Much has been said in this House by the members of the Corporation who came here "Oh, the depressed class people are taken care of by the corporators; the corporators have got great sympathy for the depressed classes. Why do you want reservations and nominations for them? The corporators can bring them on the committees." But even on the schools committee, what is the condition? Even though there are reserved seats for the Mahomedans, the Marathas and the non-Brahmins, the majority somehow or other is made up of the advanced classes while voting and they manage things in such a way that the depressed class teachers can hardly get a chance to be recruited. Only the other day, 15 per cent. as they said, was put in for the depressed class teachers, and the balance was for all the other communities of the Hindus. Thirty per cent. or 33 per cent. was set aside for the intermediate and backward and the depressed classes. Out of that 18 per cent. was set aside for the Marathas and Intermediate and 15 per cent. was set aside for the depressed classes. But the intermediate classes were so very clever and influential that they could manage to get their recruitment up to 29·7 per cent. up to this date, over and above their legitimate rat.o of 18 per cent. and yet they clamour for more representation on the schools committee. The advanced class teachers are nearly 65 per cent. and their quota is 67 per cent. which is laid down, and the quota of the depressed untouchable classes is 15 per cent. The secretary and members of the schools committee were so very unsympathetic towards the depressed classes that for the last 4 or 5 years they have not been able to fill up the quota of 15 per cent. I pressed that unless this quota of 15 per cent. for the depressed classes was attained, recruitment from the advanced and intermediate classes should stop. That resolution curiously enough somehow or other was adopted by the commitee and there was a deadlock. The secretary of the schools committee comes forward with the order of the chairman

[Dr. P. G. Solanki]

"No further recruitment because there is financial stringency." Then one or two members of the intermediate classes come to me and say "On account of your clamour to fill up the remaining 8 per cent. vacancies for the depressed classes, you have debarred further recruitment of the intermediate class teachers. Kindly allow about 13 or 14 persons from among the intermediate classes to be recruited amongst those to be recruited from the depressed". This, Sir, is what happens in Bombay city. Look at the generosity of my intermediate class brethren as well as advanced class brethren. Sir, whosoever's hand we catch hold of as our friends, they in return treat us in this way. This is really our sad plight. In the case of the Bombay schools committee, because I did not agree to their demand, what is the result? These intermediate class brethren of mine made common cause with the advanced class members. Both of them united together, and they forced the Secretary to bring forward a memorandum that Dr. Solanki's resolution was *ultra vires* and did not stand. By a chance vote they made up a majority and in this way they defeated my resolution, and the result is that these depressed classes, to whom 15 per cent. ratio is overdue, are denied their rights and there is a deadlock there. Sir, this is the thing which occurs in an enlightened city like Bombay. What must be the plight of these poor people where they have no voice? That is the reason why my honourable friend Dr. Ambedkar and I wanted that there must be special safeguards for the depressed classes when these criminal and civil powers were to be given to the members of the village panchayats. When we cannot get full justice in educational matters and other harmless things, how can we trust these people in a village panchayat invested with civil and criminal powers? Sir, I have been digressing.

Coming to nominations to the Bombay municipality, the population of the depressed classes in Bombay city is nearly 150,000, all working, all labourers. My honourable friends the representatives of labour were telling us of course about the wants of the labourers and the working classes. But what about these workers who belong to the depressed classes? Their grievances are never ventilated here, and I do not ventilate their grievances, because I feel that if some good comes to the lot of the other labouring classes, a share of it will come to the depressed classes also. And if these depressed class workers do not see their way, and if they are dissatisfied and dejected owing to the treatment which will be meted out to them by our Maratha workers and Mahomedan workers, the depressed class workers will have to devise some means, as the other workers are devising means against the Government and capitalists. Sir, I am sure that my honourable friend Mr. Bakhale is aware of all these facts, so also my honourable friends Rao Bahadur Bole and Asavale. I shall now come to the nominations on the Bombay municipality.

Sir, when the Honourable Sir Ghulam Hussain was in charge of the portfolio of Local Self-government, he was pleased to nominate first one person and later on to nominate two depressed class persons. If he had continued in that office, he would have nominated perhaps three or more

[Dr. P. G. Solanki]

persons of the depressed classes, in proportion to the population of the depressed classes. But what happened? After my late lamented dear friend Dewan Bahadur Harilal Desai took charge of the portfolio, he said that one nomination was quite sufficient for the depressed classes, and he cancelled one. After that, the portfolio was held by my friend the late lamented Sardar Sir Rustom Vakil. He also took up the same view. He had his other friends to look after, and he could not see his way to nominate one more person from the depressed classes. This is what happens in a city like Bombay. In a city like Karachi even, we can get three seats on a population basis and voting strength. But in Bombay we are entitled to get more than 4 or 5 seats in all, either by election or by nomination. But the facts are as I have narrated. It was, our ill-luck, and whether the authorities are sympathetic or unsympathetic, I leave it to the House to judge.

Coming now to nominations in the mofussil, what do we see? Where there are reserved seats, the nomenclature which was revised by the Backward Classes Board with great pains and with great difficulty, or the schedules prepared are not yet adopted for the mofussil municipalities and local boards and for the Bombay municipality. The result is that some of the members who belong to particular castes and whose castes do not appear in the old category and the old nomenclature of the depressed classes have to forego their seats or else they have to come under affiliated castes and get themselves either nominated or elected, and people who are not depressed or untouchables, but were classified in old Depressed class group by some accident or were put in by ignorant officers, these touchable people are nominated or elected in place of *bona fide* depressed or untouchables. I cannot understand the delay in this matter when the Backward Classes Board had submitted long ago its report and it has been now adopted by all. During the past two years I used to see my honourable friend the General Secretary often and often on this matter, and his reply was that the recommendation has been circulated to the Commissioners and Collectors, and after getting final replies from them, he would decide all the matters. Now the matter is decided. We think that this schedule is of more vital importance to us in this House than to anybody else, because the new elections are coming on, the new constitution is coming. It has to be decided which communities are to compete for the elections to the local bodies and to the provincial Councils and Assembly. Nothing has been done yet. It is only in this session I find that two amending Bills are coming up. While I am on this subject, Sir, I may make it quite clear to my honourable friend the General Secretary that it is the demand and the united demand of all the depressed classes of the Bombay Presidency that the more immediately those schedules are adopted the better for the depressed classes of the whole of the Bombay Presidency. It is a very mild demand, and yet when I had talk about it with the Honourable Minister and the General Secretary they said

[Dr. P. G. Solanki]

that it involves such a serious thing that they will have to overhaul the whole thing, and then will come the question of nominations and reservations and all that. Many times my friend the General Secretary was telling me "You have been all the while clamouring for the depressed and the untouchable classes. But what about the touchable backward classes ?" In that connection, I might just request the General Secretary and ask him to reply as to "who ever prevented the Government from doing what they liked and spending whatever money they wanted for these touchable backward classes ?"

Sir, look at the plight of Mahatma Gandhi. The moment he has taken up the cause of the Harijans, all these people of the orthodox Hindus who were lip-sympathisers, who were interested in their self-aggrandisement—I do not want to mention names—all those illustrious leaders and the communities who posed as the leading communities in politics and in other matters, have lost their sympathy towards the movement of Harijans of Mahatma Gandhi, because it does not pay them directly or indirectly, in any shape or form. What is the plight of Mahatma Gandhi? These very people say "Why do you take up this cause ? Why have you left the cause of politics and the salvation of India and the achievement of independence ? This Harijan movement is not going to solve our questions". And what is the response he gets ? In this movement Mahatma Gandhi also has to swallow his bitter pills. However, he is a man of his word, but at the same time he is very soft-hearted, and a great soul. He knows the difficulties of these orthodox Hindus. Wherever he goes, what is the advice he gives to the untouchables ? He says "You Harijans, wherever there is orthodoxy and wherever the majority are against you, do not utter a word against them ; do not displease them ; try to co-operate with them. Try to persuade them, try to win them over". At the same time he gives advice in general terms to the advanced classes, but this advice is never paid heed to by the advanced classes. To the depressed classes, wherever they are, he gives them this admonition and this advice that "Remain where you are ; please your brethren the Hindus" (not the Mahomedans) ; "be with them and augment the number, so that the important Hindu community will be politically strong". Sir, that is his attitude.

The Honourable the PRESIDENT : To the point, please.

Dr. P. G. SOLANKI : This is everything to the point, Sir. What is not ? Our pains and our sorrows are so much that even if I take days together, I could not finish them. Who is there to respond to us sympathetically ? And even the word comes from the Chair "To the point". Which points am I to refer to and which points am I to leave out ? It is a question of life and death for the depressed classes. People may be thinking "Mahatma Gandhi has come to the rescue of the Harijans, a golden sun has risen on the horizon and the day of salvation has come". But in fact at every step there is persecution and molestation of the depressed classes at the hands of the orthodox Hindus. Take the Temple Entry Bill. Who ever wanted it ? Yet, if Mahatmaji wants it and if

[Dr. P. G. Solanki]

some of the depressed class people want it, let them have it, and let them please themselves. But the most important and pressing question is the economic conditions of these depressed people. These people want better education and economic betterment, and political betterment also. And, Sir, it is in these respects that we want the help of Government. What is the Backward Classes Board doing in this matter ? Officers are appointed, and what do they do ? What happens when they go out into the mofussil ? My honourable friend the General Secretary may not be knowing what is going on. The House may think, there is the Backward Classes Board ; Mr. Starte is there ; he goes about and does the work, and everything is O.K. but it is not so. The Assistant Backward Class Officer is supposed to do Depressed classes work. I know that Mr. Starte is a very kind-hearted Christian, but as I said, he does not find time to attend to the needs of the depressed classes as he has to look after his criminal tribes and next to them to his other backward and the Aboriginals and hill tribes. He has very little time to spare for the poor Depressed untouchable classes. The assistant backward class officers and their staff go to a certain centre, a certain city and collect information from people and send in a report. There were places where meetings were held but these backward class officers had no time to attend those meetings. I will give an instance. I am not telling this from any hearsay. In Bombay, a few days before the Council meeting, I convened a meeting of the depressed classes under the auspices of a certain institution. Mr. Benjamin who happens to be the backward class officer was sent an invitation to attend the meeting. Before attending the meeting he writes to the organiser of that meeting : "Without my permission, why did you convene that meeting ?" though he had to attend the meeting as I was to be there. Should this be mentality of people who are specially appointed for this work among these unfortunate people ? These officers should go into the localities of the depressed classes, move with them, mix with them and ascertain their difficulties personally. For this type of work men of the advanced and orthodox Hindu classes are absolutely unfitted, because they are diametrically opposed to the aspirations of the depressed classes. Though we collect reports, pass resolutions and bring them to the notice of the authorities, their grievances are where they were a couple of years ago in Gujarat particularly.

I shall now come to the buses and wells. I am talking particularly about Gujarat. This has been brought to the notice of the assistant backward class officers that the depressed class people are not allowed to travel in the buses. I am glad the honourable member the President of the Surat District Local Board is just coming in the hall, I mean Sardar Bhimbhai. The bus people refuse to take the depressed class members in their buses. I brought this to the notice of Mr. Benjamin on one or two occasions. Such things happen chiefly in Gujarat. I had asked——

Sardar Rao Bahadur B. R. NAIK: Are buses under the control of the district local board ?

Dr. P. G. SOLANKI: Yes, I do know they are not under the district local board. They are under the District Superintendent of Police of Surat.

The Honourable the PRESIDENT: I know how much the honourable member feels on the subject and how much he is entitled to speak on the subject, but the opportunity for that should be considered. The motion before the House relates to one limited subject, which includes the depressed classes also. There is a procedure laid down for the scope of discussion on motions for cuts. The honourable member is referring to bus, wells——

Dr. P. G. SOLANKI: With due deference to the Chair, the question of backward classes comes in. I do not want to protest against your ruling or your advice. I was going to refer to two points only. Honourable members were given hours and hours to speak. My honourable friend Mr. Bakhale spoke for 4 hours and another honourable member spoke for 3 hours. The question of the depressed classes concerns 20 lakhs of souls.

Dr. M. K. DIXIT: He is making a reflection on the Chair.

Dr. P. G. SOLANKI: Sir, he says it is a reflection on the Chair. It is for the Chair to decide and it is not for the honourable member Dr. Dixit.

The Honourable the PRESIDENT: Will the honourable member follow me ? The question of how the depressed class members are treated in regard to bus, wells and so on, all these do not come in connection with this motion.

Dr. P. G. SOLANKI: Under what head should it come ? We are helpless. This is the time when I should speak. I have been here for the last nine years in this Council. I do not remember a day when I had spoken at length on this question. Every time I was snubbed. Every time I was speaking, the suggestion from the Chair came that the Chair was helpless. This is not a question of the industrial magnates and rich people. These are the hardships which are pinching us every day. Even if the depressed classes are prepared to pay more fare than others yet they are not allowed to travel in the buses.

As regards the wells, an order was issued that 20 per cent. of the wells should be set apart for the depressed classes out of district local board and public wells. Look at the clever way in which it is managed. Twenty per cent. of these notices are put up on the depressed classes wells. What is mentioned there in the notice ? "It is open to all the depressed classes." I remember the words of the late lamented Mr. Harilal Desai who said that even among themselves there was untouchability; and that this was not the way to solve the problem. I informed Mr. Starte beforehand that the advanced Hindus would play this mischief, trick. My apprehensions have come out to be true.

[Dr. P. G. Solanki]

In the Panch Mahals District, an order was passed some two years back that the depressed class children should sit along with the children of the advanced classes in schools, intermingled according to their numbers in serial order. The teachers agitated, the parents sent requisition to the president of the school board and the result is that the depressed class students are now made to sit separately and the old orders are set aside. The district local board and the school board are supposed to obey the orders of Government. This is what has happened to Government orders. The Government are sitting quiet. My heart burns. If Government are helpless before these orthodox advanced class Hindus, what can I say ? In a year or two the British people are going to transfer to their Indian brethren the administration of this province. If only British people want to do some justice to the depressed classes, they alone can do it. Even as regards the transfer of control of primary education to the district local boards, I and some other members protested against it. That transfer has not done any good to the children of the depressed classes. In the same way the transfer of the scholarships from the Director of Public Instruction to the Backward Class Officer is not desirable. I protest against this transfer. I look upon it with grave doubts. There are some members on the "Backward Class Board" who put spokes in the wheel, and try to do something which will do harm to the depressed classes.

I am now coming to the schedule. My honourable friend Khan Bahadur Haji Hajrat Khan wants me to talk about the buses. In Surat district—you belong to Surat, Sir—from the Surat railway station to Aswini-Kumar and from Surat station to Adajan village the depressed class members are not taken in the buses, though they are far better clad than the aboriginal tribes and the other Kaliparaj people who are working in the house of the honourable member the district board president of Surat. The District Superintendent of Police is not able to do anything uptil now in this matter. In Bulsar the case was settled after going to court. I do not know what the depressed classes will do when they have to contend against the advanced class Hindus in courts as magistrates and as lawyers.

An Honourable MEMBER : What about the Mahomedans ?

Dr. P. G. SOLANKI : I have nothing to do with them. It is a question between us and the Hindus. The Backward Class Officer is helpless in the matter.

Sardar Rao Bahadur BHIMBHAI NAIK : May I inform the honourable member that Aswini-Kumar road is in charge of a Mahomedan Inspector of Police ?

Dr. P. G. SOLANKI : He may be a Mahomedan or an Englishman. Officer is an officer.

So, the nomenclature must be made clear. My amending Bill to include the backward and scheduled classes separately must be passed.

[Dr. P. G. Solanki]

I shall speak at length when I move my amendment to the Bill. With these words I support it.

The Honourable the PRESIDENT: I wish the honourable member had tabled a cut on this himself, if he was so keen.

Dr. P. G. SOLANKI: As the honourable member Mr. Chikodi had moved this cut, I did not see the necessity of doing so, but I did support it.

The House adjourned till 10 *a.m. on Saturday, the* 10*th March* 1934.

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Saturday, the 10th March 1934.

The Council re-assembled at the Council Hall, Bombay, at 10 a.m., on Saturday, the 10th March 1934, the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present :

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr. A. B.
ADVANI, Mr. P. B.
AMINUDDIN, Mr. SAIYID
ANGADI, Rao Bahadur S. N.
ASAVALE, Rao Bahadur R. S.
BAKHALE, Mr. R. R.
BANGI, Mr. A. K. J.
BELL, the Honourable Mr. R. D.
BIJARANI, Khan Bahadur SHER MUHAMMAD KHAN
BIRADAR, Sardar MAHABOOBALI KHAN
BOLE, Rao Bahadur S. K.
BULLOCKE, Mr. A. GREVILLE
BURNS, Dr. W.
CHIKODI, Mr. P. R.
CLEE, Mr. C. B. B.
COLLACO, Dr. J. A.
COOPER, the Honourable Khan Bahadur D. B.
COVERNTON, Mr. S. H.
DABHOLKAR, Major A. Y.
DESAI, Mr. S. B.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
D'SOUZA, Dr. J. ALBAN
EWBANK, Mr. R. B.
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GARRETT, Mr. J. H.
GAZDAR, Mr. MAHOMED HASHIM
GHARPUREY, Lt.-Col. K. G.
GHULAM HUSSAIN, the Honourable Sir
GHULAM HYDER SHAH, Mr.
GHULAM NABI SHAH, Khan Bahadur
GILDER, Dr. M. D.
GOKHALE, Mr. L. R.
JAN MAHOMED KHAN, Khan Bahadur
JITEKAR, Mr. HAJI IBRAHIM
JOG, Mr. V. N.
JONES, Major W. ELLIS

KALE, Rao Bahadur R. R.
KAMAT, Mr. B. S.
KAMBLI, the Honourable Dewan Bahadur S. T.
KARBHARI, Mr. M. M.
KENNEDY, Mr. T. S.
KHUHRO, Khan Bahadur M. A.
KULKARNI, Rao Saheb P. D.
LELY, Mr. W. G.
MEHERBAKSH, Khan Bahadur S.
MITHA, Mr. MAHOMED SULEMAN CASSUM
MODAK, Rev. R. S.
MODI, Sardar Davar T. K.
MORE, Mr. J. G.
NAIK, Sardar Rao Bahadur B. R.
NAMDEORAO BUDHAJIRAO, Mr.
NAVLE, Rao Bahadur N. E.
OWEN, Mr. A. C.
PANJABI, Mr. K. L.
PARULEKAR, Rao Bahadur L. V.
PATEL, Khan Bahadur A. E.
PATEL, Khan Bahadur VALI BAKSH A.
PATIL, Dewan Bahadur D. R.
PATIL, Mr. N. N.
PATIL, Mr. V. N.
PATIL, Rao Saheb V. S.
PETIT, Mr. J. B.
PRATER, Mr. S. H.
RAHIMTOOLA, Mr. HOOSENALLY M.
ROOSE, Mr. F. O. J.
SERVAI, Mr. A. E.
SHAIKH ABDUL AZIZ, Mr.
SHAIKH ABDUL MAJID Mr.
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SHINDE, Mr. R. B.
SMART, Mr. W. W.
SOLANKI, Dr. P. G.
SURVE, Mr. A. N.
SURVE, Mr. V. A.
SYED MIRAN MAHOMED SHAH
SYED MUNAWAR, Mr.
TALPUR, MIR BANDEH ALI KHAN
TOLANI, Mr. S. S.
TURNER, Mr. C. W. A.
VAISHAMPAYAN, Dr. V. G.
VAKIL, Mr. PESTANSHAH N.
VANDEKAR, Rao Bahadur R. V.
WADKE, Mr. B. P.

Dr. V. G. VAISHAMPAYAN (Sholapur City): Sir, before we begin the usual proceedings, I should like to draw the attention of this honourable House to a statement which has appeared in to-day's "Times of India" under the heading "Casualties in Sholapur Mill Disturbances—M.L.C.'s charge of Exaggeration Denied." It says:

"Without inquiring into the source of Dr. Vaishampayan's information according to which the number of persons injured was not 100 but three only, it may safely be asserted with full responsibility that *The Times* report was correct, and that Dr. Vaishampayan's attempt to discredit it in the way he had done by a question in the Council is reckless.

"Further inquiries made in respect of that day's injuries have revealed that the number of persons who received such minor injuries was over 100."

Sir, yesterday, the Honourable the Home Member read out a portion of the District Magistrate's report from Sholapur, and therein it was definitely stated that the casualties did not exceed one-tenth of what was reported in the *Times*. I shall leave it to the good sense of this honourable House to judge whether the authorities at Sholapur are reckless or the "Times of India" correspondent is reckless.

The Honourable Mr. R. D. BELL: Sir, I have nothing to add to what I stated yesterday. Yesterday was the 9th of the month, and I read an extract from a report sent by the District Magistrate on the previous day. I regret I cannot read it again to-day as I gave it to the Council reporters for typing the extract correctly in my speech.

SHORT NOTICE QUESTION AND ANSWER.

Mr. L. R. GOKHALE (Poona City): Sir, I have handed a question to the Honourable the Revenue Member. Has he any objection to answer it?

Honourable MEMBERS: What is the question?

The Honourable Sir GHULAM HUSSAIN: The question is:

"Is it a fact that the Government of Bombay have asked the Poona Electricity Company to apply for the revision of the rates of their license as regards the amount and levy of electricity charges?"

The answer is:

"No."

I cannot say anything more now.

DEMANDS FOR GRANTS—(*Discussion resumed*).

Question again proposed:

"Reduce by Rs. 100—D—Miscellaneous—Total Demand—Voted—Rs. 36,000 (C. E. page 273).

Mr. R. B. EWBANK: Sir, the honourable member Mr. Chikodi yesterday asked some questions of Government regarding the distribution of scholarships among the backward classes. This, Sir, does not strictly come under 37, Miscellaneous (Transferred), but, Sir, with your permission, I may answer the questions he has asked. The actual amount

[Mr. R. B. Ewbank]

of scholarships devoted to the backward classes under the various heads comes to Rs. 81,400 at present. In the year 1933 the whole system of scholarships was revised as a measure of retrenchment, and their amounts were cut down by 25 per cent. The distribution of the scholarships is, secondary schools, Rs. 48,000;—that is for the whole presidency—primary schools, Rs. 13,000; professional colleges, Rs. 4,400; and arts colleges, Rs. 16,000. These are for the backward classes only, excluding the intermediate classes.

The second question the honourable member asked was: why are the backward classes not treated as generously in proportion to their population as the Mahomedans are in the matter of scholarships? Well, the distribution of these special scholarships, which were intended for the intermediate classes, backward classes and Mahomedans is, in relation to the population, as follows: The intermediate class population—I just take the round figures from the census of 1931—is 10 millions; the backward class Hindu population is 3¾ millions; and the Mahomedans, 1½ millions. If you take the basis of their population, that is purely on the population basis, the intermediate classes are 58 per cent. of the total population; backward Hindus, 20 per cent; and Mahomedans, 9 per cent. The special scholarships are distributed as follows: In arts colleges there are 47 sets for the intermediate Hindus, as against 60 sets to which they will be entitled on a population basis. They get rather less than their fair share. The backward Hindus get 34 sets against 21 to which only they are entitled on a population basis. The backward classes are therefore much more favourably treated than the intermediate classes. And the Mahomedans get 22 sets, when they are only entitled to 9. With regard to the secondary schools, the figures are very much the same. Intermediate Hindus ought to get 203 sets, and they do get actually 167. The backward ought to get 72 and they do get 81. The Mahomedans ought to get 31 on the population basis, and do in fact get 91. Sir, the reason of this apparent anomaly is that when the matter was reviewed by Dr. Paranjpye in 1922, he then came to the conclusion that although these scholarships ought to be distributed on the population basis, we ought not to take away from any community the scholarships which it was getting at that time; and as Mahomedans were then getting this number of scholarships, it was decided that it should not be reduced.

There was one other point that the honourable member raised. He asked whether these scholarships for the backward classes are sufficient to maintain the backward class men at school. He said the reason why the scholarships were not availed of was that they were not adequate. Well, Sir, the amount of scholarship varies enormously in different cases. I need not give the details. But when they were fixed in 1923, they were fixed, after careful enquiry, on the basis that they were to cover all expenses. The scholarship for arts colleges was Rs. 30; professional colleges, Rs. 40; and in the high schools, it varied according to the classes, Rs. 5, Rs. 6, Rs. 7 and so on. All these scholarships have been cut down by 25 per cent. It is a fact that the cost of living

[Mr. R. B. Ewbank]

has fallen a bit since those scholarships were fixed; we have not, however, made any specific enquiry with regard to whether scholars can live altogether on their scholarships. We have made the 25 per cent. cut as a measure of retrenchment, and it is possible that it may be very difficult indeed, if not impossible, for some of them to live on these scholarships.

As far as the scholarships mentioned in the Budget are concerned, the amount is Rs. 7,400. These are the stipends, as I said, attached to the hostel at Poona. In the hostel they get free accommodation, but not, of course, free food, and their stipends cover their food, stationery and clothes, I suppose. If the backward class men go to Government high or secondary schools, they are entitled to free education if they are not able to pay. That is a further concession. Backward class students who are not able to pay are let off from paying fees. The same applies, of course, under the Primary Education Rules, in primary schools.

I think, Sir, that answers all the points that I need answer arising out of the questions asked by the honourable member Mr. Chikodi.

Mr. P. R. CHIKODI (Belgaum District): Sir, I am not satisfied with the replies given by the honourable member the General Secretary. It is unfortunate that retrenchment should have been applied to the scholarships given to the depressed classes. That ought not to have been done. Secondly, Sir, the amount of the various scholarships in the secondary schools is fixed uniformly for Mahomedans, intermediate classes and the depressed classes. That will be seen from page 66 of the Quinquennial Report on Public Instruction for the years 1927-32. One scale has been adopted for all, and that scale is given there. That shows that Government think that the social and economic condition of the depressed classes is exactly the same as that of the intermediate classes and Mahomedans. But it is not so; they require more liberal provision than has been made here. Government should have taken that factor into consideration, but they have not done so.

Then, Sir, they have not provided for the depressed classes any scholarships in the Victoria Jubilee Technical Institute. Mahomedans have been provided with 12 scholarships. That is one of the anomalies which ought to be removed immediately.

I think, Sir, the question of progress amongst the backward classes is far more important than any other subject, especially at this juncture. The grievances which were voiced by my honourable friend Dr. Solanki may have been exaggerated or some of them may have been imaginary; but to a large extent there is some truth in what he said. Those grievances can only be removed if the depressed classes get the ability to assert their own rights, and they will get that ability only if education is diffused amongst them. And for that purpose, it is of the highest importance that as liberal a provision as is possible ought to be made for the education of the depressed classes. It is no use saying that because an anomaly existed before these scholarships were established, that anomaly should be continued. After the Reforms, the cabinet contains an elected

[Mr. P. R. Chikodi]

element, and it is expected to know the public feeling better in the matter. The Ministers who are elected members of this House should have removed the anomaly, and made a more liberal provision. It is most unfortunate that the pruning knife should have been applied even in the case of scholarships for the depressed classes. I would go further and say that if Government cannot spare money for the education of the depressed classes from any other source, I for one am agreeable to taking some amount from the provision made for the education of the advanced classes and applying it for the promotion of education among the depressed classes. Let Government take courage in both hands and come forward. With these words, I support my cut.

The Honourable Dewan Bahadur S. T. KAMBLI : Sir, the honourable mover of the cut, in his opening speech, emphasized the necessity of adopting a bolder policy for the progress of education of the backward classes, and he criticised further that the progress hitherto achieved was not satisfactory. In this connection I would refer him to certain figures given in the Quinquennial Report issued by the Director of Public Instruction for the years 1927–32. They are given at pages at 218 and 226 of the Report. Those figures will convince him that though the progress has not been as rapid as he would expect, still it is as satisfactory as one would reasonably expect. Well, Sir, the policy may not be one which would satisfy impatient idealists, but we are moving as rapidly as circumstances and funds will permit. We are limited by certain considerations. Of course, if Government had been in possession of ample funds to distribute as many scholarships as my honourable friend wants, then Government would have been very pleased to do so. But circumstanced as they are, limited as they are, with the funds at their disposal, I think the progress achieved is very satisfactory.

Now, Sir, I come to the figures published at page 218 of the Quinquennial Report. There, the progress made between 1926-27 and 1931–32 is described separately for "Depressed Classes", "Aboriginal and Hill Tribes," and "Other Backward Classes;" figures are also given there separately for colleges, secondary schools, primary schools, training institutions and other special schools. The total number of depressed class pupils in all these institutions in 1926-27 was 60,260 and in 1931-32 66,687. It has to be noted that these figures are only for "Depressed Classes" and not for "Aboriginal and Hill Tribes" or for "Other Backward Classes", which are given separately. The figures for aboriginal and hill tribes are 20,847 in 1926-27 and 24,006 in 1931-32. For the other backward classes, the figures are 1926-27—38,795, and 1931-32—41,386. The total for all—depressed classes, aboriginal and hill tribes, and other backward classes——

Mr. P. R. CHIKODI : What is the percentage of pupils to the population ?

The Honourable Dewan Bahadur S. T. KAMBLI : Sir, the honourable member should not interrupt me ; I never disturbed him when he was

[Dewan Bahadur S. T. Kambli]

speaking. It is easy to interrupt. Sir, the totals for all these classes are 119,902 in 1926-27 and 132,529 in 1931-32. I say, under the circumstances, the progress is satisfactory.

Now, I will take him to another set of figures published at page 226. The number of primary teachers of the three main sections of the backward classes in Government, District Local Board and Municipal primary schools is given in paragraph 253. It must be noted that the term "Backward Classes" used in this paragraph is not used in the sense in which it was used some time ago; it is used to describe the depressed classes and the aboriginal and other hill tribes as distinguished from the term "intermediate classes". In 1931-32 the total number of teachers for all these classes was 1,426. I think that this figure will satisfy my honourable friend that the local bodies are trying their best to recruit as many teachers as possible from these various classes.

Then, Sir, my honourable friend knows the various circulars and resolutions issued by the Government of Bombay with regard to the necessity and also the desirability of meting out equality of treatment to the pupils of the depressed classes. I believe he is also well aware of the resolution which says very clearly that if in any particular case it is brought to the notice of Government that the terms of the resolution are not adhered to and are indifferently treated, then the local bodies run the risk of a cut in their grants. My honourable friend Dr. Solanki referred to a certain district local board in Gujarat, the Panch Mahals District Local Board, and he said that recently a resolution was passed by that body doing away with equality of treatment and reverting to the old system of segregating the depressed class pupils in one corner. This fact had not been brought to my notice. It was brought to my notice only by his speech. The honourable member Dr. Solanki is not here, but I do promise that I shall enquire carefully into the circumstances of that case.

Sir, the honourable member the Secretary of the Education Department has given in detail the various scholarships that are available to these classes in the various institutions—arts colleges, primary schools, secondary schools and special schools. The total amount given comes to Rs. 81,400. With regard to the depressed classes hostel at Poona, I have heard no complaint that the amount of the stipend is not sufficient. If it was insufficient, I would have been flooded with applications for increasing the amount. Up to this time we have not had a single complaint from the depressed classes hostel students in Poona. That shows they are quite satisfied with the amount of money paid by way of stipends. It may also be noted that in the secondary schools, if it is proved that a depressed class student or a backward class student, is unable to pay his fees, he is admitted free. That is a very valuable concession given to these classes. The number of scholarships and the various concessions given to them are adjusted in such a way as to give encouragement to the students of these classes who require special encouragement.

Sir, my honourable friend Dr. Solanki referred to the ill-treatment received by people of his community with regard to travelling in buses

[Dewan Bahadur S. T. Kambli]

and also drawing of water from wells. I am not in possession of the portfolio relating to buses. My honourable colleague (the Honourable Mr. R. D. Bell), who has heard the complaint, I am quite sure, will look into that. With regard to drawing of water from wells, my honourable colleague (the Honourable Khan Bahadur D. B. Cooper) is in charge of the subject. The honourable member Dr. Solanki referred to a certain case which was very amusing indeed, namely, that the notices put up in respect of wells were with regard to the wells which were already being used by the depressed classes. I do not know what the facts are, but I am sure my honourable colleague will look into that complaint.

The same honourable member Dr. Solanki, Sir, referred to the Depressed Class Board and stressed the necessity of not having any caste Hindus or other men on the Board and he referred to certain inconveniences caused by the presence of these men on the Board. That is a point which requires careful consideration, and I assure Dr. Solanki and those who are of his view that that matter will be considered with all the seriousness it deserves.

With regard to the question of appointments, referred to by the honourable mover of the cut, he complained that he was not satisfied with the number of appointments given to the depressed classes. So far as the appointments under the school boards, with which I am concerned, go, I think the figures given by me with regard to the entertainment and employment of depressed and backward class teachers by the various local bodies will convince him that the progress made is satisfactory. If he wants progress to be faster, I think he ought to have done it when he was president of a local authority and he had the power. I do not think that he could then put into practice what he preaches now. Now that he is away from the seat of presidentship, he says now that the local boards are not doing what they should do and are indifferent. Well, Sir, I would ask him to say what percentage of appointments he gave to the depressed classes when he was president of the Belgaum District Local Board and the Belgaum District Local Board local authority.

Mr. P. R. CHIKODI: This is irrelevant and has nothing to do with the points urged by me.

The Honourable Dewan Bahadur S. T. KAMBLI: I do not want to be interrupted.

The Honourable the PRESIDENT: Order, order.

The Honourable Dewan Bahadur S. T. KAMBLI: I think, Sir, the progress achieved is quite satisfactory though I would be more satisfied with faster and speedier progress if that is possible hereafter.

Well, Sir, these are some of the points referred to by the honourable mover of the cut and also by the honourable member Dr. Solanki. If I have left out any points, I assure them that those points also which I have not touched will receive my careful consideration.

Mr. P. R. CHIKODI (Belgaum District): Sir, I wish to say a few words by way of explaining matters, as the Honourable Minister has criticised my conduct as president of the Belgaum district local board.

[Mr. P. R. Chikodi]

It was I who appointed an untouchable as pattewala as soon as a vacancy occurred and later on I appointed four or five clerks from amongst these classes on epidemic duty. But I was not responsible for the management of the school board; I was not even a member of the school board and I had nothing to do with it. The Honourable Minister for Education ought to know that the district local board cannot do anything with regard to the appointment of school masters, which is within the province of the school board.

Sardar Rao Bahadur B. R. NAIK: I agree with him.

Mr. P. R. CHIKODI: I never complained with regard to the appointments made by the local boards only. I wanted to know what Government had done to enforce the percentage laid down for the recruitment of the candidates of these classes into their services.

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, is the honourable member going to make another speech?

Mr. P. R. CHIKODI: The depressed classes waited on His Excellency the Governor when he last came to Belgaum and urged upon him their grievances in this connection. Let him read the address presented to His Excellency and he will know the complaints which the depressed classes are suffering under.

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, the honourable member is making another speech.

The Honourable the PRESIDENT: Order, order. I put the motion of the honourable member Mr. Chikodi. Those in favour will say "Aye". (*After a pause*) Not even the honourable mover?

Mr. P. R. CHIKODI: Sir, I wanted to withdraw the motion.

Motion, by leave, withdrawn.

The Honourable the PRESIDENT: Now, the total demand.

Mr. G. S. GANGOLI: Sir, before putting the demand to the vote, I want to refer to the amount of Rs. 23,000 given against 37-E.

The Honourable the PRESIDENT: The honourable member understands the limitations of the discussion. As I said before, I do not want that a discussion of this kind should be raised at the fag end when the demand is going to be put to the vote.

Mr. G. S. GANGOLI: If I mistake not, when the supplementary grant was under discussion——

The Honourable the PRESIDENT: I remember. The honourable member may proceed.

Mr. G. S. GANGOLI: Sir, I refer to page 272, item 37-E. The details of every other item are given, but not of this item of Rs. 23,000. But the House is in a position to understand what that item is. If I mistake not, it is the grant for certain districts in furtherance of rural uplift work.

Now, Sir, there is a world of difference between a village panchayat and this rural uplift scheme. In the village panchayats, the final authority, so far as the internal management is concerned, is the district local board, whereas in this rural

10-30 a.m.

[Mr. G. S. Gangoli]

uplift scheme, the authority or the person who is to take the initiative is the Collector. Now, I would refer the honourable House to the particulars given in the statement of demand for a supplementary grant (No. 8) which we passed a few days ago. Let us see what it says:

"If the Chairman of any committee considers that no secretary will be needed or that he will be able to find a non-official or a member or an employee of some unofficial organisation able and willing to carry out satisfactorily the duties of Secretary to the committee without the work falling on the Collector's staff, so much the better. Otherwise the Collectors will be authorised to appoint a special stipendiary secretary of the Aval Karkun's grade."

The Honourable the PRESIDENT: What is this?

Mr. G. S. GANGOLI: I am reading from the statement of supplementary demand No. 8 which we passed during this session. This demand of Rs. 23,000 is in continuation of this supplementary demand of Rs. 650. The position is made clear from what I have read just now. The district local board or the non-official organisation will not be in a position to say whether they will have any secretary or not. It is entirely left to the Collector, who is the Chairman, to decide whether he will have some non-official secretary or whether he will appoint some official of the rank of an Aval Karkun. To say the least, the appointment of a clerk of the grade of Aval Karkun as secretary for the entire district is quite insufficient and most inappropriate. If you are serious about rural uplift, such an officer will be of no avail. I think the original idea was to have one divisional officer of the grade of District Deputy Collector. If that suggestion was carried out, it would have done some good at least. This Aval Karkun—that too, in supersession of all local boards and village panchayats—will do nothing.

Further, I do not know why there should be discrimination between district and district—why this post of secretary should not be provided for all the districts? Probably the explanation may be that certain Collectors only have asked for them and for those districts only these Aval Karkuns are provided. If the Collector himself does not take the initiative and push forward with the scheme, whose fault is it? Neither the district local board nor any other non-official body is to blame. I really do not know why there should be this difference between one district and another district. If the scheme is to be worked, let it be worked in all the districts. If you are going to appoint officers of the grade of Aval Karkuns as secretaries, let them be appointed for all the districts. They will, however, be able to do very little in the direction of rural uplift.

I would really oppose this grant and say that what is needed is the village panchayat and not this shadow of that substance. Now that the Honourable the Revenue Member has promised that he will push on with the village panchayats, I think Government will be well advised to drop this item. So long as that matter was not brought up, so long as the village panchayats were suspended, this had some effect. But now that the village panchayat scheme is to be pushed on, I do not know of

[Mr. G. S. Gangoli]

what value this will be. I do not know what the difference between village panchayats and rural uplift scheme is. As I said, it is the Collector who is to take the initiative in one case and the district local board in the other; and if the Collector does not take the initiative in the case of some districts, I do not know what good will come out of this scheme. With these remarks, I oppose the grant.

The Honourable Khan Bahadur D. B. COOPER: Sir, in connection with the——

Khan Bahadur ABDUL LATIF HAJI HAJRAT KHAN: Is it the reply?

The Honourable Khan Bahadur D. B. COOPER: No, it is not the reply. I am not in charge of this grant. I want to make a statement in connection with this grant. If the honourable member wants to speak, let him.

Khan Bahadur ABDUL LATIF HAJI HAJRAT KHAN (Poona and Sholapur Cities): Sir, when a supplementary grant was moved on this subject a few days ago, my honourable friends Rao Bahadur Chitale and Mr. Karbhari put forward their own schemes. I did not get an opportunity at that time to speak on this subject. I would like now to enlighten the House with regard to what we have done in Sholapur towards village uplift.

I shall give a brief history of the Village Improvement Committee which was started in Sholapur in 1931, before this scheme was started by the late Governor Sir Frederick Sykes in the Bombay Presidency. One of the non-officials put up a note to the Collector in 1928 urging him to start some work of that kind in the district. Unfortunately Mr. Bristow, who was the Collector then, was transferred in 1928 and Mr. Madan took over in 1929 and he also was transferred after a year. So we could not do anything substantial in that direction. We again submitted the scheme in 1930, but owing to the riots and arson (to which I do not want to refer at all), we could not make a real beginning till 1931.

Let me, first of all, point out that the Village Improvement Committee of Sholapur is a non-official organisation, suggested by non-officials. But I am not one of those who think that they can do without official help. That was the view of the honourable member Rao Bahadur Chitale, but the honourable member Mr. Kamat has replied effectively to those remarks. The whole credit of starting this organisation goes to non-official effort. I mention only one name, Rao Bahadur N. C. Limaye and my friend Mr. Knight, who was then Collector of Sholapur, also helped us a good deal. The whole credit goes to them.

Now, I shall deal with the objects and ideals of the Village Improvement Committee. I will mention only three of them. First that any scheme that is to help the village must not involve expense beyond the present restricted finances of Government, of Local Bodies and of the villager himself. Secondly that, to be effective, such scheme must appeal to the villager and must eventually be run by the village itself. Thirdly,

[Khan Bahadur Abdul Latif Haji Hajrat Khan]

we hold that no one aspect of the improvement of village life can be separated from others and that neither moral, material nor political improvement alone can save the cultivator but that all must be combined. These are the three main ideals before the Improvement Committee. Then, we have framed rules and by-laws. I will give only one instance of the organisation for the information of the honourable House. We have formed an Executive Committee, whose chairman naturally is the Collector. The President of the District Local Board is the Vice-Chairman. In the Village Improvement Committee we have about 40 members. There are three kinds of membership—patron, life members and ordinary members. After all, there are only four or five officials. The rest of the members are all non-officials. How can you say that it is an official committee? In the Executive Committee there are 12 members. As I said, the Collector is the President and the President of the District Local Board the Vice-President, and the members are to be elected by the general body. There are two non-official secretaries. One is the Chief Officer of the District Local Board and another is to be elected by the general body of the Village Improvement Committee, and my friend Rao Bahadur N. C. Limaye is one of the secretaries of the Village Improvement Committee.

You will therefore see that it is practically a non-official organisation. Sir, with that idea in view we tried to hold exhibitions every year. An exhibition was held in 1931 in Sholapur taluka and again in 1932 in Pandharpur on a very large scale. It was opened by the late Governor Sir Frederick Sykes. We wanted to hold one in 1933 in Barsi taluka and it was to be opened by the Honourable Mr. Bell, the Home Member, but I regret to say that owing to the prevalence of plague in that town, we could not hold it there. It was held in Sholapur taluka and was opened by the Commissioner of the Central Division, Mr. Smart.

Our expenses as well as our work have increased to a considerable extent and it was impossible for the two secretaries to manage it. So we suggested to the Commissioner that we should be given one petty officer of the grade of Aval Karkun. That officer was quite sufficient for us. I shall give the House some idea of the work which he has to do. He keeps the proceedings of the Village Improvement Committee. It was found impossible for the Chief Officer and the other non-official secretary to do that work because they had some other important work. The new secretary was appointed about three months ago. He is a graduate. He is working under the guidance of the non-official members and is attached to the District Local Board Office. Practically, he is a subordinate of the non-official agency. I want to emphasise that point, because we have been told that it is an official organisation. That is not a fact. I do not see the honourable member Rao Bahadur Chitale here. But I will explain all this to him. Then perhaps he may change his opinion.

We have given new duties to the paid secretary. I will mention only some of the 30 different duties which he has to do. He has to watch the

[Khan Bahadur Abdul Latif Haji Hajrat Khan]

progress of rural uplift and should be under the orders of the President and the Vice-President. He should collect statistics and be the secretary of the meetings of the village improvement committee. We are gradually extending the scope of this committee to the talukas—we have already done so in the case of two talukas so far—and we hope to extend to the district as a whole.

I do not know when the Honourable Minister is going to make his announcement regarding the abolition of the taluka local boards. To my regret he said that Government had decided to abolish one taluka in each district. That is not a feasible scheme. Village panchayats are being formed in a great many villages now and if they come into existence there will be no need of these taluka local boards.

I again emphasise the fact that these village improvement committees will be non-official bodies. With these words, I support the grant, but in doing so, I would like to point out one difficulty. The Commissioner has laid down the pay of the secretary. According to that scale, he gets his pay and a travelling allowance of Rs. 15 (fifteen) only. He has to travel all over the district, and it is impossible for him to tour the whole district with this allowance, and I think he should get at least Rs. 60. If that is done, he will be able to travel during the monsoon as well as in the other seasons. I hope that the Government will accept this figure. Whatever amount is sanctioned, it is given as a grant to the village improvement committee by the Government.

Mr. G. S. GANGOLI: On a point of information. May I know who is the Chairman there? The supplementary demand says that the Chairman alone can appoint the secretary. Who is the Chairman?

Khan Bahadur ABDUL LATIF HAJI HAJRAT KHAN: It is the Collector who is the Chairman.

Mr. G. S. GANGOLI: So it is the Collector who makes the appointment, not the non-official committee.

Khan Bahadur ABDUL LATIF HAJI HAJRAT KHAN: No. The village improvement committee has appointed the secretary.

Mr. G. S. GANGOLI: Then the honourable member has not read the statement. The Chairman makes the appointment.

Khan Bahadur ABDUL LATIF HAJI HAJRAT KHAN: The Chairman of the Executive Committee in which there are 12 members, and this committee as such has selected that secretary.

Mr. G. S. GANGOLI: No, no. The committee cannot appoint the secretary. It is the Chairman who makes the appointment.

Mr. M. M. KARBHARI: If this sum of Rs. 23,000 is included in this supplementary demand, I would like to know from the Honourable Minister whether this department will be under his control, more especially when the power to appoint secretaries would lie with the Chairman who is the Collector of the district, and under what head he is going to administer this sum of Rs. 23,000. What I want to know is whether this demand can at all be made by the Honourable Minister

[Mr. M. M. Karbhari]

under the head under which he is making that demand. That is the point.

Mr. SHAIKH ABDUL AZIZ: I want to know whether we can discuss this grant as a village panchayat grant. Government should first let us know what for they have made this demand.

The Honourable the PRESIDENT: This is not a panchayat demand.

Mr. SHAIKH ABDUL AZIZ: Is it not village uplift?

The Honourable the PRESIDENT: It is. At least, that is what we were told. This is not a demand for village panchayats. This provision is for contributions for the village uplift movement. It was clearly stated that no provision was made for village panchayats and the Honourable the Leader of the House gave us a hope that he would consider it and, if and when necessary, would come up with a supplementary demand, but this is a village uplift demand.

Mr. J. G. MORE (Sholapur District): Sir, in the village uplift scheme that has been put forward by the Ex-Governor of Bombay, I foresee a very good future for the villagers of this presidency. Besides there is a field for co-operation for officials and non-officials who may work together for the betterment of village life. But there is one aspect which has to be guarded against. Sir, in each district there is a circle of persons who are after their own selfish ends. They are seen always hankering after the district and other officers. Their object is to secure favours for themselves from Government and they do practically nothing for the good of the general public. What they do apparently is really not in the interest of the villagers but for their own ends. In each district you will find such persons——

The Honourable the PRESIDENT: What about them?

Mr. J. G. MORE: I speak about the village improvement committee which was referred to by my honourable friend Khan Bahadur Abdul Latif.

The Honourable the PRESIDENT: What is the relation between the two?

Mr. J. G. MORE: I want to bring to the notice of Government that Government officers should guard against such category of persons. The Village Improvement Committee of Sholapur consists of such persons. So far as the village improvement committee in the district of Sholapur is concerned, it consists of 40 members as has been mentioned by my honourable friend Khan Bahadur Abdul Latif. This is a limited concern, Sir, and those who represent the interests of the villagers or the agriculturists are scarcely to be found on this committee. The membership is not open to all who are interested in village improvement.

Sardar Rao Bahadur B. R. NAIK: Limited concern with any liability or no liability?

Mr. J. G. MORE: No liability for the agriculturists. As I have said, Sir, it is a limited concern and the membership is confined to certain

[Mr. J. G. More]

big persons from the city of Sholapur and a very few from the village areas. What this committee does there is to extract money from the people by force. The honourable member Khan Bahadur Abdul Latif has told this House about the Pandharpur Agricultural Show. You will be surprised to know that the people of the district were in a sense whipped into paying subscriptions to that Show to the tune of about Rs. 30,000....

An Honourable MEMBER: Whipped physically?

Mr. J. G. MORE: In some cases, they were physically forced. If that sort of a work is to be done by this village improvement committee, then certainly the villagers will never approve of that committee's work. The honourable member Khan Bahadur Abdul Latif has just referred to the Mulegaon Exhibition. The honourable member the Commissioner of the Central Division accepted the invitation to open the Show. The people of the village were unwilling to contribute to that Show and the village improvement committee tried its level best to secure money from the people but the people refused on account of poverty. So, what the committee did was to employ some members of the regular official agency and with their help collected money against the wishes of the people. This was done with a view to make a Show before the Commissioner of the Central Division that the village was doing very well and that the Commissioner of the Central Division might be pleased with it. The Commissioner went there and was very much pleased to see the village improvement arranged but as soon as the exhibition was over, the people began to talk that there was nothing else but to please the Government officers and to secure favours from them for those who arranged that Show and to get titles. That is the sort of thing that the villagers talk about the village improvement committee of the Sholapur District. Sir, the same honourable member has just referred to himself and to his friend Rao Bahadur Limaye, as the President and the Vice-President of that District Local Board, Sholapur. Sir, both of them have failed to discharge their duties and to safeguard the interests of the agriculturists in the district. For instance, I may cite the cases of new roads the construction of which has been undertaken by the District Local Board of Sholapur. The Board has acquired lands of the agriculturists by force and not under the Land Acquisition Act nearly four years ago. The compensation has not been yet paid to the agriculturists. The agriculturists are required to pay land assessment for the lands underneath the roads.

Khan Bahadur ABDUL LATIF HAJI HAJRAT KHAN: Sir, I object to the statement just now made by the honourable member Mr. More.

Mr. J. G. MORE: I challenge; and am willing to prove.

Khan Bahadur ABDUL LATIF HAJI HAJRAT KHAN: The road was constructed with the consent of the villagers themselves.

Mr. J. G. MORE: Not only one road, but I can cite a number of roads. For instance, there is one road from Barsi to Tuljapur. Without acquiring

[Mr. J. G. More]

the land under the Land Acquisition Act, the district local board had begun the construction of the road. The land was illegally acquired two or three years back but no compensation has yet been paid.

Khan Bahadur ABDUL LATIF HAJI HAJRAT KHAN: That too I challenge, Sir.

Mr. J. G. MORE: The wonder of it, Sir, is that even the land assessment of the land so acquired by force is being paid by the agriculturists.

The Honourable Dewan Bahadur S. T. KAMBLI: How is this relevant to the demand for Rs. 23,000 provided for village uplift?

The Honourable the PRESIDENT: I referred to it as village uplift, but really speaking that means village improvement and village improvement in the brochure, which has serve as a guide in this matter, also includes the improvement of roads.

The Honourable Dewan Bahadur S. T. KAMBLI: But the honourable member Mr. More is referring to the activities of a particular district local board, namely, the District Local Board of Sholapur; he is referring to that particular district and to a particular road in that district, and he is enquiring whether compensation was or was not paid to the villagers for acquiring the land and whether the villagers were or were not consulted and so on. All these matters I do not think are relevant.

Mr. J. G. MORE: As President and Vice-President when Khan Bahadur Abdul Latif and Rao Bahadur Limaye have acted against the interests of the agriculturists, how are they expected as members of village improvement committee to work for the good of the villagers? My submission therefore to Government is that Government officers, whenever they attend such Shows or whenever they preside over village improvement committees, should not depend upon the advice submitted by the village improvement committee members but they should go deep and get information from other sources as well, for instance, they might consult the agriculturists and see what the village improvement committee in the Sholapur District is doing.

Sir, I do not wish to blame the honourable member the Commissioner of the Central Division. He has not at all been shown the other side of the shield. The last time when he happened to pay a visit to one village, of course he took into his head and went inside a house and to his surprise, I am told, he found that there was a heap of dirt but outside the house there was all cleanliness. He was kind to give valuable suggestions. He is taking keen interest in this matter but my request to him is that whenever he visits villages he should consult the agriculturists and find out from them whether at all they have been whipped into payment of money to the village improvement committee, what improvement is really being effected by the village improvement committee, whether the people are taken into confidence by the village improvement committee, whether the village improvement committee possesses the confidence of the villagers of the district. All these matters I hope the

[Mr. J. G. More]

Commissioner and the Collector of the district will be pleased to take into consideration before this scheme is expected to be successful in the district of Sholapur.

Rao Bahadur R. R. KALE (Bombay University): Sir, in respect of the point raised by the honourable member Mr. Karbhari, I should like to point out to the Honourable Minister that in the Manual of Village Improvement, Chapter II, page 9, the Revenue Department has been stated to be the agency through which this improvement is to be carried out. Therefore it seems to me that this demand strictly speaking falls within the purview of the Revenue Department. I also want to know how it is that the Honourable Minister for Local Self-Government is making this demand for the grant.

Mr. S. H. COVERNTON: May I reply to that point, Sir? That reference in the Manual was not intended to have any reference at all to the Department in the Secretariat which should deal with this matter or to the head of account under which it should come. It was merely meant as an expression of opinion that the Revenue officers, that is to say, the Collector and the Mamlatdar, should be the executive channel through which the work would be carried out, but it has nothing whatever to do with the head of account.

Rao Bahadur R. R. KALE: But there is the suggestion there that it is the Revenue Department which is in charge of this work and that various other departments must be coordinated and that it is the Revenue Department agency which should carry out this work.

Mr. S. H. COVERNTON: That the Collector of the Revenue Department is the agency for directing village uplift work is no more a reason why this item should come under the head of 5-Land Revenue, than the fact that the Collector is a District Magistrate is a reason for bringing the expenditure on magisterial courts under the head 5-Land Revenue, or the fact that the Collector is the channel or agency for dealing with municipalities or local boards is a reason for making the expenditure on local boards under the head 5-Land Revenue.

Mr. M. M. KARBHARI: How can a Revenue Collector be subordinate to the Honourable Minister for Local Self-government which is a transferred subject? Under what Act? I want to know from Government under what Act, whether the Local Boards Act or the Village Panchayats Act or any other Act, is the Collector subordinate to the Honourable Minister in charge of this portfolio which belongs to the Transferred Departments?

The Honourable the PRESIDENT: I am afraid it will be very difficult to answer that question.

Rao Bahadur S. N. ANGADI (Belgaum District): Sir, I did not want to make a speech, but it appears that there is some serious misapprehension in the minds of certain honourable members. I might say, as regards the constitution of the committees, it is done absolutely on constitutional lines, and I do

11 a.m.

[Rao Bahadur S. N. Angadi]

not think there is anything like secrecy about it. We have formed our own committee for the Belgaum District, and all the leading people were invited, and if there are some people who have not been invited, it may be that they belong to the Congress fold, and if the Collector has not taken courage to invite such people, it must be for the reason that they have not yet declared that they are for co-operation with Government. To-day I do not think the Government would have any serious objection to inviting the Congress people, if they were to declare that they would come forward to co-operate with the Government in carrying on this work of rural uplift. Oftentimes, without making any specific reference to this aspect of the question, they simply say "the real leaders are not invited and therefore the committees that have been constituted have no value." I know that it is not so. For instance, so far as the district committee in my district is concerned, it should be noted that my honourable friend Mr. Chikodi is on the committee, I am on the committee, and Dewan Bahadur Latthe is on the committee, and there are several other local leaders.

Dr. M. K. DIXIT: All title holders?

Rao Bahadur S. N. ANGADI: What I say is that no earthly purpose will be served by attacking the constitution of the committees. In their own way they will be able to carry on the work.

Of course there was the other complaint, that the provision is too small and it will not help very much to push forward this rural uplift in a substantial manner. That complaint is well founded. I do agree with honourable members when they say that the amount in question is too small for the purpose. I do know that, after all, the appointment of the secretary will not bring heaven on earth to the villagers, and his touring in the villages will not improve the people by one stroke of the pen. All that may be very easily conceded. After all, as I know, even if this amount were diverted to the panchayats, I do not think it would bring about the real solution, because it was pointed out by the honourable member the General Secretary that if *pro rata* distribution of this money were made, it would come to about Rs. 100 per panchayat, and with this amount no panchayat will be able to solve the problem; it is next to impossible. As regards the working of the village panchayats, I have some experience of it. I myself happen to be president of the district local board, and I do say that these panchayats are not working satisfactorily for certain other reasons than those mentioned on the floor of this House.

Mr. G. S. GANGOLI: What are they?

Rao Bahadur S. N. ANGADI: Unless Government undertake to finance the panchayats entirely, I do not think any panchayat will work satisfactorily for a long time to come. The greatest drawback I have found out in the course of inspection is this, that there is extreme reluctance on the part of the villagers to tax themselves, and it has been found that the well-to-do villagers avoid payment of the tax, while the poor villagers pay it regularly. In almost three or four instances which I looked into before coming over here, I found that the arrears were of

[Rao Bahadur S. N. Angadi]

those persons who were well-to-do, while the poorer people have paid down their taxes. The result is that the sarpanch and the other members of the committee do not take sufficient courage in their hands and collect the arrears, and therefore they do not get sufficient funds to push forward progress. They are unable to carry out any work. They do not have any repairs to the roads, nor do they have any schemes for having a small road in one of the streets in the village. Nothing of the sort is being done. All that they do is that they employ a secretary and go on paying him regularly if there is money on hand, and if there is no money on hand, even the pay of the secretary and the sweepers sometimes falls into arrears. There are many panchayats in my district in which such is the case. The real remedy would be to teach the lesson of self-reliance and to teach them that if they want real progress they ought to tax themselves to a certain extent. Nowhere on earth is Government entirely financing such institutions. It is time that we Indians learnt the habit of taxing ourselves in certain matters. As a matter of fact, this drawback is responsible for unsatisfactory progress so far as village panchayats are concerned. I do not think, Sir, that the scheme of my honourable friend Mr. Karbhari or the scheme of any other honourable member would at once bring heaven to the villagers. The villagers are poor, they are ignorant, and education is necessary. As pointed out by several honourable members, it is only the diffusion of education which would bring light to them and teach them lessons in sanitation, cleanliness and other things. Until that is brought about, the only way is to go and tell these villagers how to keep themselves clean, how to bring about sanitation and so forth. This can be done only by giving them advice, and the only agency which is possible and which can be used is that of the primary teachers. So far as I understand, I do not think the secretary who is going to be appointed will be of much use, except in the sense that he might go and guide some of the primary teachers and tell them to lecture to the villagers. I say, the really useful agency so far as rural uplift is concerned is going to be the primary teacher, and if these primary teachers take it into their heads to give lectures to the villagers on holidays and also on Sundays, I think much could be done. It is not that nobody wants to carry on progress about rural uplift. But the villagers themselves are somewhat inactive; they are inert. They have no desire to achieve progress, because they are too ignorant to understand the importance of sanitation and cleanliness. I know that all this means a very big scheme, the financing of which would require crores. I do not think Government would ever undertake to do that. If in consonance with the wish of the honourable members the amount of Rs. 23,000 is diverted and given over to village panchayats, I do not at all think that the progress which my honourable friends expect would ever be achieved. I think that is simply a delusion which they are labouring under. Of course, if they mean that because there is some official connection with this committee, therefore it is undesirable, that is another point of view altogether. But they ought to be honest and ought to say so openly. Instead of that they say that the real leaders

[Rao Bahadur S. N. Angadi]

are not there and other people are not invited, that title holders are invited and so forth. This is simply an indirect fling without making matters absolutely clear. If they want to say that the Congress people ought to be invited, of course I would certainly advise my honourable friend Mr. Karbhari to go and advise these people, persuade them to his own view, ask them to co-operate in this matter. I do not think Government would come in their way. Therefore, I say, Sir, that, after all we have simply been beating about the bush so far as this question is concerned.

Mr. G. S. GANGOLI: I want these committees for all districts.

Rao Bahadur S. N. ANGADI: Certainly. I do not think Government will stop at giving committees to a few districts, and I do hope that the Collector of Kanara will soon invite my honourable friend Mr. Gangoli to form a local committee there.

Mr. G. S. GANGOLI: I protest against that statement. I have a right to be there as president of the district local board.

Rao Bahadur S. N. ANGADI: Therefore, Sir, what I say is this, that there has been enough discussion over this question. I only wish that there will be no further discussion as the matter has been sufficiently considered, and I do hope that the honourable mover of the cut will see his way to withdraw his motion.

The Honourable the PRESIDENT: No cut has been moved.

Mr. M. M. KARBHARI (Thana and Bombay Suburban Districts): Sir, I doubt very much if my honourable friend Rao Bahadur Angadi has at all made any valuable contribution to the debate. He is off the mark. The question is that whatever demand is made by any Honourable Minister must be made under the Government of India Act. The Honourable Khan Bahadur Cooper is Minister in charge of Local Self-government, and this demand he can make if he wants to give the money as a grant to the Local Self-government Institute, or to any local board or to any village panchayats or municipalities, but he cannot at all, under the Act, create any new service. Here is a demand made for creating a new service absolutely. It may be that this service is created for the betterment of the villagers. Certainly, it is beyond the scope of any subject which is under his portfolio, and therefore this grant has to be opposed on that technical ground. I would like to be informed by the Minister if he can show me any section in the Government of India Act under which he can create any new service under his own departments. He would have had every justification in giving grants to local boards, or in giving grants to village panchayats, or in giving grants to municipalities, for the betterment of the villagers. Village uplift is, after all, a sort of an institution which is supposed to be a sort of a local self-government for the village. Whether it may contain certain things which are not contained in the Local Boards Act or not is beside the point. After all, it is a service which is newly to be created for the betterment of the village, and I want to know under what law the

[Mr. M. M. Karbhari]

Minister for Local Self-Government can at all come before this honourable House for this demand ? That is the point which we have got to consider. The benefits or otherwise of the village uplift work are to be discussed on their own merits.

The Honourable Dewan Bahadur S. T. KAMBLI : May I interrupt the honourable member ?

Mr. M. M. KARBHARI : I would not mind whether this particular man is invited or that particular man is not.

If the Honourable Minister will wait for some time perhaps what he is going to ask will be answered by me by anticipation.

I do not want to discuss here who was invited and who was not invited. In any scheme which is for the betterment of the villages, we must get the support of the villagers themselves, and they will give it. On the face of this earth who would not like that his position should be bettered ? We all want it. We want Government to do it. We want ourselves to do it. But we must proceed under the constitution. We cannot go beyond the constitution. I would like to know whether this procedure is within the constitution or beyond the constitution, and this honourable House need not be misled on constitutional issues. It is for the Government to point out to us that they are making this demand under the constitution and that they are not going over and above the constitution and deluding the House into establishing a service which will ultimately throw a greater and heavier burden on this honourable House. What is there to prevent the Government from asking for 3 lakhs or 4 lakhs ? To-day they want this sum of Rs. 23,000 for the appointment of secretaries to the district committees. To-morrow they might say that clerks, peons and other establishment is wanted as they want the department to expand in the near future ; that is our responsibility. Therefore, Sir, it is up to us to oppose this demand.

Rao Bahadur N. E. NAVLE (Ahmednagar District) : Sir, I had no desire to take part in this discussion, but after the remarks of my honourable friends opposite, I am induced to make a few observations. If this cut is really intended to create—

The Honourable the PRESIDENT : There is no cut at all.

Rao Bahadur N. E. NAVLE : If this general discussion is raised with the avowed object of creating difficulties in the way of Government sympathising with the rural uplift scheme, then I for one would oppose the move that is made in this House. But if it is with the intention of offering certain constructive suggestions with a view to help Government to achieve the object which they have kept in view, namely, rural uplift, then I am in sympathy with the object of the honourable member who has raised the discussion.

Sir, some of the honourable members who have preceded me have offered remarks saying that the constitution of some of the district committees is not proper, that they are official-ridden, that the real

[Rao Bahadur N. E. Navle]

representatives of the agriculturists have not been taken on the committees, that they have not been consulted, and the work done by these various committees, wherever they are actually in operation, is not properly done in consultation with the agriculturists themselves. Sir, I for one think that as far as my own knowledge of the working of the committees goes, Government have made a very good start in the various districts in which committees have started their work.

Mr. G. S. GANGOLI: Why not all?

Mr. J. G. MORE: Does he know the village improvement committee in the Sholapur district?

Rao Bahadur N. E. NAVLE: I am offering my remarks in general.

Sir, I do say that every member of the House and every member of the public outside must thank Government from the bottom of their heart for their having generously come forward with a scheme which has been formulated by the head of the administration His Excellency the Governor. We ought to be thankful to Government for the boldness with which they have brought forward the scheme with constructive suggestions with a view to uplift the real depressed classes, the agriculturists, who really need the help of the Government as well as the public. If anybody needs very badly the help of the Government and the members of the public, it is the poverty-stricken and neglected agriculturists who are on the verge of bankruptcy.

Some members, while offering remarks, showed uncharitableness in expressing their opinion about the constitution of the executive committees. They wanted to attribute motives to Government. Government have no mean intentions in starting the village uplift movement. If that is the idea of some of the honourable members, I must disabuse their minds of this pernicious idea.

Mr. G. S. GANGOLI: Nobody stated like that.

Rao Bahadur N. E. NAVLE: I do not want to be interrupted. My honourable friend representing the Ahmednagar District, Rao Bahadur Chitale, when he was talking on this subject during the general discussion, offered certain remarks criticising the constitution of these committees in the various districts. He said that the representatives of the Congress and other political bodies were not invited and included in these committees. That is not a fact. I wanted even then to reply to this; but, Sir, you ruled that the subject had been thoroughly debated and accepted the closure. I, therefore, take this opportunity to say that, so far as my knowledge of the constitution of these committees goes, I am well aware that in each district all the political bodies are well represented in the constitution of the committees. But those persons who are avowed non-co-operators and whose object is only to obstruct and place obstacles in the way are not there; and they cannot be included. Those who do not want to co-operate it is impossible for Government to include. Those who are willing to offer their co-operation Government are willing to take on the committees. As far as my own district

[Rao Bahadur N. E. Navle]

is concerned the Collector convened the meeting. I know that even the Congress representatives were invited to address the meeting. It is not a fact that the Congress people were excluded from the general meeting that was convened by the Collector. I am sorry that the honourable member Rao Bahadur Chitale is not present here. He remarked that the representatives of the Congress were not invited to the general meeting called by the Collector. It is not a fact. I was present at the meeting and I saw the sympathisers of the Congress and some Congressmen and others who carried on propaganda work for the Congress present at the meeting. They were some of them requested to make speeches and they did make speeches. There is nothing to complain about the intention of the Government and they have no intention to placate any. If, on the contrary, it is the intention of the Congress to placate the agriculturists, the depressed classes and the backward classes, I must say that their intention is a political one to pocket somebody who ought to stand on their own legs. Let nobody suspect the intentions of Government in the village-uplift movement. Government's intention in starting the village improvement propaganda is *bona fide*; and they are out really to help the needy and backward agriculturists and everybody must have nothing but praise for Government who are out to help the agriculturists. Some people even choose to suspect the motives of Government, thinking that Government have started this with some ulterior motive—a political motive to pocket the agriculturists, because in the coming elections when we have a wider franchise Government want to take the side of the agriculturists and play a political game. Let us be plain in our hearts and plain in our minds about the intentions of Government. Government have no such intentions in mind as far as the backward classes and the agriculturists are concerned. So, we must have nothing but praise and thankfulness for Government who have come forward to help the needy agriculturists.

Looking to the world depression and looking to the condition prevailing in India agriculturists have gone down to the bottom. Their indebtedness is patent to the world. If anybody wants help it is the agriculturists. For that purpose let us not suspect each other. Let not the official suspect the non-official nor the non-official suspect the official. Government want their real co-operation in the working of these committees which will contribute towards the solution of this great question of saving the agriculturists. Without any tinge of suspicion in our minds, and a co-operative spirit we will solve that great question, namely, the question of the upliftment of the agriculturists. With these remarks I resume my seat.

The Honourable Khan Bahadur D. B. COOPER: Mr. President, on this question of the village panchayat grant of Rs. 25,000 provided during the current year, this is the third time a debate has been raised in this House.

The Honourable the PRESIDENT: You mean the village panchayat?

The Honourable Khan Bahadur D. B. COOPER: Of course, the grant is mentioned under 37, Miscellaneous for village improvement, but the debate that has been raised in this House was started by my honourable friend Mr. Gangoli who said that no provision had been made for the panchayats and asked if this amount of Rs. 23,000 was to be spent for village uplift. Sir, a good deal has been said that the intentions of the Government during the past year were to foster the village panchayats but that that policy had been given away and that the village improvement scheme had been brought forward.

When the provision of Rs. 25,000 for the village panchayats was made during the current year, it was with the intention of appointing two or three district officers for encouraging the establishment of village panchayats. That idea has not been accepted. But the Local Self-Government Institute were asked to submit a scheme as to how this amount of Rs. 25,000 could be spent well. The Local Self-Government Institute, after full and mature consideration, submitted a scheme for the consideration of Government. After mature consideration of the position of the existing panchayats and of the best methods for the establishment of new panchayats, they came to the conclusion that, to start with, 10 inspectors should be appointed. They said that it was not possible to take up all the districts in the presidency for this sort of work.....

Mr. G. S. GANGOLI: Are we to be guided by them?

The Honourable Khan Bahadur D. B. COOPER: I am coming to that. They have stated that it is desirable to appoint an inspector of village panchayats in the following 11 districts:—Northern Division—Broach and Thana districts; Central Division—Ahmednagar, East Khandesh, West Khandesh, Nasik, Poona, Satara and Sholapur; Southern Division—Belgaum, Dharwar and Kolaba. The other district local boards have either no panchayats within their jurisdiction or they are too few to need an inspector at this stage. In addition to these inspectors, they have proposed 10 honorary organisers. The cost of the ten inspectors and ten organisers they have calculated at Rs. 10,200 and Rs. 5,200 respectively, that is, Rs. 15,400 should be spent for the appointment of these 10 inspectors and 10 honorary organisers. They have made other suggestions also as to who should appoint them and who should control them, how they should be paid and so on. Leaving all these details for the present, the proposal from them is that 10 inspectors and 10 honorary workers should be appointed. For that purpose the present provision of Rs. 23,000 was made.

One of the functions mentioned in the Village Uplift Manual is the establishment of the village panchayats. It is clearly stated on page 11:

"That the function of the district executive committee will include the control and co-ordination of the work of village improvement in all its branches and especially the selection of villages suitable for explaining the advantages and working of the village panchayats. The Collector and the president of the district local board will be ex-officio chairman and vice-chairman of this committee. The district health officer, and where there is no district health officer, the assistant director of public health will be ex-officio member of the district executive committee."

[Khan Bahadur D. B. Cooper]

The function of the district executive committee, formed on these lines would be to foster village panchayats,—to establish new panchayats and to take care of the old panchayats. The provision which is made under 37-Miscellaneous in this Budget, a grant for which has been moved by my honourable colleague the Minister for Education and not by me as understood by my honourable friend Mr. Karbhari——

11-30 a.m.

Mr. M. M. KARBHARI: The more the reason that it is out of order.

The Honourable Khan Bahadur D. B. COOPER: The provision of Rs. 23,000 is for appointing secretaries for 18 districts in the Presidency proper. The scheme put forward by the Institute is for appointing 10 inspectors, whereas under this scheme the idea is to appoint 18 inspectors or secretaries for 18 districts. [*An Honourable Member:* "Why not all districts?"] Six districts in each division. Perhaps Kanara may be omitted, because it would be left to the discretion——

Mr. G. S. GANGOLI: That is the point. That district which is neglected must continue to be neglected.

The Honourable Khan Bahadur D. B. COOPER: Well, I cannot definitely say at the present moment whether Kanara is going to be neglected or whether Kanara is going to be taken first by the Commissioner. The discretion is left to the Commissioners of Divisions and they will take great care to help those who are enthusiastic enough and who have got the intention of pushing forward this scheme. The honourable member may rest assured that if as President of the District Local Board of Kanara he comes forward and asks the Commissioner, he is sure to get help in every possible way through the Commissioner.

Sardar Rao Bahadur B. R. NAIK: On a point of information, Sir. This is a very vital question. I find that the Honourable Minister for Local Self-Government is contradicting the Honourable the Leader of the House. The Honourable the Leader of the House said that the amount which was allotted for village panchayats has lapsed because it was not decided how to spend that. But the Honourable Minister says that is not so. As he could not get Rs. 23,000 for the ensuing year for the rural uplift scheme, the amount for the village panchayats has been transferred to this head.

The Honourable the PRESIDENT: What the Honourable the Finance Member pointed out was a technical matter. He said, technically, the amount of Rs. 25,000 not having been spent during the year, has been surrendered and it goes to the general funds. That was the purport of his reply.

Sardar Rao Bahadur B. R. NAIK: I was referring to the latter portion of the reply. The Honourable the Leader of the House says that this amount which has been surrendered from the item "Village panchayats" is being allotted to the rural uplift scheme.

The Honourable the PRESIDENT: Practically, that may be so. But that does not mean that this amount comes out of that sum of Rs. 25,000.

Khan Bahadur ABDUL LATIF HAJI HAJRAT KHAN: It comes to this, that the amount which was provided for village panchayats, viz. Rs. 25,000 has been transferred—or a portion of it has been transferred—to rural uplift.

The Honourable the PRESIDENT: No, no. Technically, it cannot be so interpreted.

The Honourable Khan Bahadur D. B. COOPER: Well, I think my honourable friend Sardar Rao Bahadur Bhimbhai is mixing up these two items. This sum of Rs. 25,000 was the grant for the current year under the head "Village Panchayats." For the next year, this Rs. 23,000 is under the head "Village Uplift Scheme."

Sardar Rao Bahadur B. R. NAIK: That is exactly what I say.

Khan Bahadur ABDUL LATIF HAJI HAJRAT KHAN: It means that we are not supposed to take anything for village panchayats.

The Honourable Khan Bahadur D. B. COOPER: That point was discussed last time. The Honourable the Leader of the House gave the House an assurance that any amount that will be required for village panchayat work—it is yet uncertain on what lines we are going to work—will be set apart for that purpose.

Sardar Rao Bahadur B. R. NAIK: Then in that case——

The Honourable Khan Bahadur D. B. COOPER: I do not want to be interrupted. Just listen to me.

The Honourable the PRESIDENT: Order, order. Let the Honourable Minister proceed.

The Honourable Khan Bahadur D. B. COOPER: It was stated that the rules and regulations were not ready and that it would take some time before we could definitely settle on what lines we should take action for the establishment of new panchayats. As soon as we are in a position to know that, whatever money is required for carrying out that project will be separately provided for under a new head by means of a supplementary grant. An assurance to that effect has been given by my honourable colleague the Leader of the House and the House was quite satisfied with that assurance.

Now, the question raised by my honourable friend Mr. Gangoli is whether this sum of Rs. 23,000 is to provide committees for all the districts in the Presidency or only a few districts. My reply to him is that provision has been made so far, according to our calculations, for about 18 districts. Provision for full 12 months for 18 districts has been made. Those 18 districts have not yet been settled. If all the districts come forward to establish committees——

Mr. G. S. GANGOLI: On a point of information——

The Honourable the PRESIDENT: The Honourable Minister does not yield.

The Honourable Khan Bahadur D. B. COOPER: ——it will be quite possible to see as to how we can meet that demand. We have not selected any district for this purpose. Any district which comes forward to take up this work will be supplied with funds. Under these circumstances, I do not see any reason why three times a debate over the same question should be raised and hours and hours should be spent on this question. I am quite sure that no more explanation is needed on this point and that the honourable mover of this motion will see that there is no need for further debate.

Mr. M. M. KARBHARI (Thana and Bombay Suburban Districts): Sir, I want your ruling on an issue to which I have already referred. I want to know whether the Honourable Minister in charge of the portfolio is in order in coming before this honourable House for this grant of Rs. 23,000, first, because a new service is going to be established and it cannot by any stretch of the imagination be described as not a new service. That is the first point. My second point is, as he has himself admitted, he has not come forward for this grant, but it is the Honourable Minister for Education who has come before this House with a demand, whereas in the case of the supplementary grant of Rs. 650, it was the Honourable Minister of Local Self-Government who had submitted the demand. There are two things which are conflicting with each other. Once it is the Honourable Minister for Local Self-Government who comes before this House for a grant of Rs. 650 for the current year. Now this provision of Rs. 23,000 is under the same head for the next year and the grant has been asked for by the Honourable Minister of Education.

The Honourable the PRESIDENT: Well, the honourable member really feels that there is a point of order involved on constitutional grounds. But if he calmly goes into the procedure followed in the case of budget grants, he will find that there is really no point involved. The budget is brought forward by the Honourable the Finance Member or by Members on Government benches with the sanction of His Excellency the Governor under the Act. All the items involved in the budget are, as the Council rules will show, under the sanction of His Excellency the Governor acting under the Government of India Act; and, therefore, there is nothing unconstitutional as the honourable member——

Mr. M. M. KARBHARI: Who is to come forward before this honourable House for the grant? Is it the Honourable the Revenue Member, the Finance Member or some other Member?

The Honourable the PRESIDENT: This is what rule 25 of the Bombay Legislative Council Rules says:

"'A statement of the estimated annual expenditure and revenue of the Province (hereinafter referred to as 'the Budget') shall be presented to the Council on such day as the Governor may appoint."

Rule 26 (1) lays down:

"A separate demand shall ordinarily be made in respect of the grant proposed for each Department of the Government, provided that the Finance Member may in his discretion include in one demand grants proposed for two or more Departments, or make a demand in respect of expenditure, such as Famine Relief and Insurance and Interest,

[The President]

which cannot readily be classified under particular Departments. Demands affecting reserved and transferred subjects shall, so far as may be possible, be kept distinct."

So, there is sufficient latitude given to the Finance Member under the Rules and under the Standing Orders to present the budget in the manner that I have just read out. Then, further, rule 26 (2) and (3) lays down:

"(2) Each demand shall contain, first, a statement of the total grant proposed, and then a statement of the detailed estimate under each grant divided into items.

(3) Subject to these rules, the Budget shall be presented in such form as the Finance Member may consider best fitted for its consideration by the Council."

I, therefore, think there is no difficulty at all in the matter of presenting this grant in the way it has been done. Now, a new service not contemplated in the budget is brought up in the form of a supplementary demand and the sanction of the House is taken. Here, the budget is contemplating a definite service and placing it before the House in the form of a demand for grant. This question could have been raised if, at a later stage, a new service were brought forward and it was claimed by any member on the non-official side of the House that it was contemplated and therefore it could not be considered as a new service. But in this case the item is there in the budget. Therefore, the question of a new service does not arise at all in this case, so far as the rules on the subject go.

Mr. C. G. FREKE: May I point out, Sir, that the House has been made cognisant of this service by means of a supplementary demand which they have already passed, and that it is this entry in the White Book combined with the statement of the details which were entered in that supplementary demand which has already been approved by this House, that comply with the rule?

The Honourable the PRESIDENT: That is a further important addition to what I have stated. Therefore, I do not think any point of constitutional difficulty arises. The amount as shown in the Budget is perfectly in order.

Now, does the Honourable Minister for Education wish to speak?

The Honourable Dewan Bahadur S. T. KAMBLI: Generally, Sir, when laymen want to discuss questions of law, they do so with extreme caution. But my honourable friend Mr. Karbhari is to be complimented on the extreme boldness with which he hastened into the exposition of law underlying this demand.

With regard to the merits of the particular provision of Rs. 23,000 which forms part of this demand, several honourable members have explained fully the utility of the purpose for which this provision has been made. The importance of the rural uplift scheme has been impressed upon the attention of the public, and everybody is aware of the great value of that scheme. I was surprised not a little when I heard some opposition to this part of the Budget. I was all the while hoping that everybody would support the grant without any demur.

Sir, now I proceed to give some valid reasons why this particular grant has been included in this demand. Those who have read the Rural Uplift Scheme will see the following items included in that scheme,

[Dewan Bahadur S. T. Kambli]

namely : efforts to organise and to promote village or cottage industries, which comes under my portfolio ; arts and crafts of the villages, which also comes under my portfolio ; the marketing of agricultural produce which also comes under my portfolio as it concerns mainly the question of improving the economic condition of the agriculturists at the present time of depression. The scheme also includes attempts to spread education, and to popularise and to take advantage of the movement of co-operation and of veterinary aid. They all come under my portfolio. The scheme also includes one of the most important items namely, attempts to improve the growth both in quality and quantity of agricultural produce and how to bring it about especially by applying modern improved scientific methods of agriculture. These are questions mostly affecting the village life of the agriculturists. These are some of the reasons why this item has been included in this particular demand.

Sir, this provision of Rs. 23,000 is intended not for one district or for a special number of districts. It is intended to bring in its purview all the districts. The sum of Rs. 650, which was the subject matter of a supplementary demand had reference only to particular districts and to particular months of the year. Here this item of Rs. 23,000 is intended to provide secretaries for as many districts as would come forward to take benefit of the rural uplift scheme. My honourable friend Mr. Gangoli need not be under a misapprehension about any district, especially his district of Kanara, being left out. There is going to be no discrimination at all between one district and another ; every district will be equally treated ; with this object in view this item of Rs. 23,000 has been included in this demand. This is all that I have to say on this subject.

Demand put, and agreed to.

35, Industries (Transferred).

The Honourable Dewan Bahadur S. T. KAMBLI : Sir, I move for a grant of Rs. 4,08,000 under 35, Industries—Transferred.

Question proposed.

Mr. G. S. GANGOLI (Kanara District) : Sir, I desire to move my motion "Reduce by Rs. 100—A-Industries—Total Voted Demand—Rs. 3,75,600 (C.E. page 261), as for the last several years this part of the House——

The Honourable the PRESIDENT : I was wondering whether time could be saved. I find that the honourable member is about to move his motion for a cut to raise a general discussion on Industries proper which is a sub-head of the main-head 35, Industries. This would limit him to a discussion of Industries only. But if a cut on the whole demand under the main-head were moved—and there are several such cuts tabled —the discussion can cover both industries and fisheries, and thus the time of the House would be saved.

Mr. G. S. GANGOLI : We think this is better than the Fisheries,

The Honourable the PRESIDENT: That would save time.

Mr. G. S. GANGOLI: Very well, Sir, as you please. I will move:

Reduce by Rs. 1,000—Total Demand—Rs. 4,08,000 (Blue Book, page 11).

All these long years, this part of the House is at least unanimous on this subject; it has always been our cry "Encourage Industries". Yesterday we heard so much about unemployment doles being given in other nations of the world but I submit, Sir, that there is no comparison between India and the other nations because the other nations are free to enact any piece of legislation they like whereas we are hampered by many things, by the Imperial Government, by the Tariff Rules and other things and several other interests. Last year and the year before last, when I moved a cut I purposely stated that there should be some more encouragement given to industries and whenever a definite scheme has been put forward the reply of Government has always been "Want of funds". The Honourable Minister on page 1777 of the Council Debates dated 16th March 1933 said:

"When the financial position improves, I assure this honourable House that there will be a complete rejuvenation of this department so as to enable it to extend its beneficient activities in several other directions which are till now left untouched."

So, he knows that there are several beneficent activities and several directions which are still left untouched, and when he was kind enough to state this, I suggested "Not in our lifetime"——

The Honourable Dewan Bahadur S. T. KAMBLI: The honourable member need not be so pessimistic.

Mr. G. S. GANGOLI: The Honourable Minister is consistent and I am also consistent. To this the reply of the Honourable Minister was:

"Well, Sir, I hope the honourable member from Kanara who whispered just now 'not in our lifetime' will try to be more optimistic hereafter and not be pessimistic for ever. Let us all hope for better times."

I wonder when the "better times" will be coming.

The Honourable Dewan Bahadur S. T. KAMBLI: Have a little patience.

Mr. G. S. GANGOLI: When the Government of India Budget was being discussed last week, so far as my information goes, the Japanese Shipping Company all at once introduced into this port of Bombay artificial silk worth 15 million rupees. They thought that the Customs duty would be enhanced and all at once 13 days back on a Sunday they imported into this very port of Bombay artificial silk worth 15 million rupees, and after that consignment after consignment is being sent over to Cutch or Kathiawar ports. These are some of the difficulties which come in our way of comparing India with any other nation of the world.

Having stated that much, I go a step further. I repeat to the Honourable Minister what he said last year, in continuation of his remarks I have just quoted. He goes on to say:

"The honourable member representing Kanara in his opening remarks made a request for the compilation of a directory. Sir, the compilation of such a directory is under the consideration of Government. I think this will satisfy him now."

Well, Sir, the word "satisfaction" is there, but I do not know what the action of the Government has been. Sir, the perennial complaint

[Mr. G. S. Gangoli]

of Government against this side of the House has been that we never come forward with any concrete suggestion or with any constructive suggestion or with any co-operative tendency at all, but, Sir, I distinctly remember having made a concrete and a constructive suggestion last year when I suggested that the honourable member the Director of Industries should visit any street in Bombay and a village outside and see how many and what articles are sold and used there, make a list of those articles and see how many of them are prepared in India or in this presidency and that if they are not prepared in India he should state what comes in the way of encouraging the manufacture of those articles in India and suggest how those difficulties can be removed. These remarks of mine will be found on page 1771 of the Council Debates dated 16th March 1933. Such was the directory that we wanted and such was the promise held out by the Honourable Minister, and I therefore wonder whether the directory is yet prepared or even in a fair way of being got up. The Honourable Minister said then that the compilation of a directory was under the consideration of Government. I do not know how long that consideration will last. I wonder, Sir, when the directory will be compiled, when the directory will be placed before this honourable House and when we shall be called upon to support or otherwise any of the concrete suggestions of the Director of Industries and when the Industries Department will take courage and, to use the words of the Honourable Minister, bring about a complete rejuvenation of this department! As I have already said, we both are consistent, the Honourable Minister in holding out hopes for ever and I in observing that it will not be in our lifetime and between the two I think I am entitled to a better claim to be taken for a prophet if necessary.

Sir, every year we want to augment our income and our resources. The Government also want more money. If the industries are not to be encouraged at all, how are the people to help and how is the Government to be helped? The concrete suggestion I put forward has never been put into effect.

Further, Sir, the Honourable Minister was pleased to refer to my humble name again and again and at page 1780 of the Council Debates for 16th March 1933, he says:

"Sir, I may tell him that the experimental consignments of mangoes to England are going to be repeated again this year. That would mainly be to the benefit of Ratnagiri and Kanara. I notice that my honourable friend from Kanara is not attentive to me and I hope that he will be attentive. This would fill the pockets of the mango growers both in his district and the adjoining district of Ratnagiri."

So far as I know, Sir, not a single pie went into the pockets of any person in Kanara. I wonder why he called me to attention and drew my particular attention to such a statement as that. Two concrete suggestions were made by me and two concrete promises were held out by the Honourable Minister and I think I am still where I was a year back in spite of all the endeavours of this Department of Industries.

As I have stated already in my opening remarks, on a certain day whilst the Government of India Budget was under discussion in the

[Mr. G. S. Gangoli]

Assembly, a shipping company of Japan introduced all at once into this port of Bombay artificial silk worth 15 million rupees and thereafter again shipped so much to Kathiawar and Cutch ports. Is such a state of affairs to be tolerated by the Honourable Minister even for a moment? I wonder what his difficulties are in fostering and encouraging industries.

With these words, I move the motion.

Question proposed.

Mr. S. H. PRATER: Sir, I propose to limit my remarks to the question of Fisheries for which a provision of Rs. 37,000 has been made in the budget under discussion. My position in the Natural History Society, which has interested itself in local fisheries for many years and which has carried out a survey of the shell fisheries of the west coast recently, has brought me in continuous touch with scientific opinion on the question of the development of fisheries, and I propose to express this opinion for the consideration of Government and this honourable House. What Government is now doing for the development of fisheries is largely the outcome of Mr. Sorley's very admirable report on the marine fisheries of the Bombay Presidency. Mr. Sorley's report is full of valuable information and data which will interest fishery experts not only in Bombay but in the other provinces of India also and even abroad. But there are certain aspects of this report which require comment. Mr. Sorley's report has emphasised the fact that the supply of fresh fish is much below the demand. This brings us to the question of how we can increase this supply.

12 Noon.

Scientific research in Indian waters has shown that there are two areas in the sea where fish are very abundant. One of these starts at what is called the 70 fathom limit, where the water is 70 fathoms deep. This is called the deep zone. Here marine life is very abundant. The Government trawler "William Garrick" which investigated our local waters completely failed to exploit this zone, and though we know from research that fish life is extremely abundant here, we know nothing of its commercial possibilities. But Col. Seymour Sewel, the late Director of the Zoological Survey of India, who is now running the Murray expedition, has expressed the opinion that that is a zone which would be very suitable for exploitation by trawlers of the drifter type. The second zone is known as the "inshore zone". The whole of our fish supply comes from this zone. This point must be made clear. It is well known that at present our fishing fleets exploit only a part of this zone and scarcely touch the part of it in which fish are apparently most abundant. The trawler "William Garrick" which worked in this zone showed that the greatest catches were obtained between the 20 and 30 fathom limit. Now our fishing fleets, because of their methods, are restricted mainly to fixed fishing grounds in water from 5 to 12 fathoms deep, where they can get anchorage by means of stakes or fixed buoys. At these stakes there are only one, or sometimes two catches per day, and when the tides are low the catches are poor, as many of the boats do not go out and as the fish change their position with the height of the water.

[Mr. S. H. Prater]

Now, if we could exploit this deeper zone, which is proved to be more abundant in fish, the yield might be greatly increased, and it is for Government now to investigate the possibilities of exploiting this deeper zone into which our fishing fleets do not go. This investigation would imply an investigation into the type of anchorage that would be required in this zone and also the mechanism that would be required for lifting and lowering these anchor nets and buoys. The absence of any mechanism on these boats is one of the greatest handicaps which the fishing fleets have now to face.

The question arises here regarding the rapid transport of catches. Government have already done something towards rapid transport of the catches, and one direct result of this has been that the fishermen have already started to go further afield.

The second point which Government should now investigate is the exploitation of the deeper zone. Mr. Sorley has come to the same conclusion as other men who investigated or reported upon the results of the "William Carrick", the "Lady Goschen" and the "Golden Crown", that one of the greatest handicaps to the intensive development of our fisheries is not the fisherman, but the middleman and the vendor at the local market. He says that no real development and no new-comer to the trade could really be successful unless he was in a position to circumvent or sidetrack the middleman and supply direct to the consumer. While all this is true, it should be emphasised that the supply of fresh fish is only a part of this industry and a minor part, and it is equally necessary to develop the subsidiary industries like the supply of fish oil, fish manure, fish guano, and even leather from fish skins, like the skins of sharks, which are now being exploited with very good results in America and in England. Mr. Sorley says that these industries could not be developed much, because the supply of fresh fish is insufficient. But, if the supply could be increased by improved methods, then there would be no justification for his very pessimistic opinion.

Coming now to the scientific development of fisheries, Mr. Sorley, while he shows very good grasp of the economic and of the statistical problems which underlie the development of fisheries, his attitude as regards the scientific development of fisheries is less convincing. It is difficult for a layman to appreciate the value of scientific research on fisheries, especially as one cannot guarantee a return in rupees, annas and pies, and especially if you look at it from the point of view from which Mr. Sorley looks at it, much on the lines of a boot factory, where results must be guaranteed within a definite time. Mr. Sorley however admits that with the scientific development of fisheries, the material resources of this presidency would be greatly increased. Again he tells us that there has been no hydrographical, no biological and no technological research in this presidency, and that he was greatly handicapped in writing his report because of the absence of this data. Therefore, it is all the more surprising to read his recommendation to Government, that Government should have nothing to do with scientific research.

[Mr. S. H. Prater]

He leaves this research entirely to private bodies to carry on, and makes no suggestion whatsoever as regards the financial help that Government should give to these bodies. Mr. Sorley thinks that scientific research would be too expensive, and thinks that it would imply a fisheries vessel and a scientific staff. While all this is true, it is not our purpose really at present to develop the deep sea fisheries. What we really want is that Government should be in a position with the resources at its command to supply such data as is essential to commercial success.

There are three biological problems which Mr. Sorley put forward which require immediate attention. One is a survey of the fish centres of the coast; second, the identification of the species, and the third problem the study of the habits and migrations of fish. Government have appointed a fisheries officer recently. Now, while this officer has the scientific equipment and the field experience to do this work, he cannot possibly have the time to give it the attention which it deserves. Apart from this, the subject is so vast and it covers so many distinct fields of research that it would be quite impossible for one man to carry it out. What we really want then, Sir, is that Government should make a small beginning. There are many men who have taken the M.Sc. degree, quite capable and competent to carry out this type of research, who are being wasted. I know one man, a man who carried out a survey of shell fisheries for us. He did very well, but now has nothing to do, and his talent and ability is being wasted as a teacher. Well, if Government could get some of these men and give them an honorarium of, say, Rs. 100 a month, and if these men could work under the fisheries officer, and if he could set up practical problems for them to work out, then something would be done.

Again, as regards the hydrographical and morphological research, which is so essential to the development of fisheries, this could be done by the teaching staff of the University, provided of course that Government gave them a certain amount of financial assistance for this work. The identification of species could be carried out by the Bombay Natural History Society, which is in touch with expert opinion in regard to carrying out work of this kind. Finally, there is the study of the habits of fishes, their food, growth, diseases and parasites. All this data is necessary for the development of fisheries, and it could only be done by the establishment of a marine aquarium in Bombay. The Natural History Society of Bombay had the plans for this aquarium completed, but was unable to push the scheme through for want of funds. No special staff or extra staff would be required for managing the aquarium, because the officials of the society could manage the aquarium. As regards technical work, this could be done by the fisheries officer and his scientific assistants.

Finally, I would suggest the appointment of a Board of Fisheries, composed of representatives of the University, of the Natural History Society and other scientific bodies here, and also of the trade, to advise Government on this question. I should think that on this board we should include representatives of the Zoological Survey of India and of

[Mr. S. H. Prater]

the Madras Fisheries Department. I purposely include these officials, because everybody will endorse every word of Mr. Sorley's report that there should be co-operation between the fisheries departments of various provinces. In Europe you have different nations co-operating for fishery investigation, but here in India while you have a Central Government and Provincial Governments, there is no Central Bureau of Fisheries. It is only a Central Bureau of Fisheries, supported by an Imperial exchequer, which could possibly support the heavy financial liabilities involved in fishery research, which can maintain a fishery vessel and scientific staff. So, if the provinces could contribute to this, then we would have a really well organised department of fisheries, an all-India department. Therefore, I suggest, Sir, that we make a small beginning on the lines I have indicated, and if carried on like this, then the scientific development of our local fisheries would be put at least on a footing which would have some prospect of success.

Mr. J. B. PETIT (Bombay Millowners' Association): Mr. President, I desire to take this opportunity of saying a few words on the working of this department, and of making two or three suggestions, if I may, for the purpose of extending the utility and scope of this branch of the Government's activities. When we look at the report, Sir, the one impression that is made on our mind is that this department is being famished for want of sufficient money, without which unfortunately it cannot make much headway. No doubt, the report contains some very useful and instructive details, mostly about many of the existing industries and such new ones as have cropped up during the year under review as the result of private enterprise. It also gives much valuable information of a general character, which is likely to appeal to any one interested in the industrial progress of the Presidency. But, there is hardly any mention anywhere in the report of any achievement in the direction of the establishment of new industries as the result of the initiative, help or technical assistance of the Department, which ought to be one of its most important and essential purposes. That the public should accordingly expect the Department to show tangible results in this direction, is only too natural. The consequent disappointment and dissatisfaction caused in the public mind owing to the impossibility of the Department to undertake such activities, are therefore quite understandable. But, for that, I do not think it would be quite fair to blame the man in charge, for the simple reason that without sufficient finance at his disposal, he cannot possibly show much useful work in the direction indicated.

My first suggestion to the Government accordingly is to do their very best to substantially increase the amount that is being given to this department and to see that it is otherwise encouraged in every possible way to enlarge its scope and utility in a manner and to an extent which may make it a live organisation. Even then, there are various important directions in which it will first have to devote its attention, if it is to succeed in attaining this end. One of them, is to have a comprehensive industrial survey of our Presidency. The numerous advantages that

[Mr. J. B. Petit]

would accrue from it are apparent; and I do not think it is necessary to dilate upon the matter at any length to convince the Government of its utility. I believe that there are records of past surveys in the possession of the Government; and if a new survey is due, I hope the department will turn its attention to it and see that it is undertaken at the earliest possible moment, so that the industrial possibilities of the province may be carefully probed and thoroughly examined from various practical points of view. Another equally important matter to which the Department will have to divert its attention for the moment in order to enhance its utility, is to undertake the publication of a comprehensive "Industrial Directory", containing an exhaustive list of all the industries now existing in the Presidency, together with all the relevant details, connected therewith, including their addresses, selling-agencies, and so forth, so that those interested in the question of the industrial advancement of the Presidency, may know where to turn for and have at their disposal, all the available information on the subject carefully collected in a convenient form. I believe there are such directories already in existence. I think one had been published some years ago by the Indian Merchants' Chamber. They may be old and slightly behind the time; but if they can be traced, they are sure to be of use as skeletons for the new compilation. But, I repeat, Sir, what I said before, that all these things cannot be done unless the department is sufficiently financed.

The second suggestion that I would like to make is, that the Government should take immediate steps to introduce an "Aid to Industries Bill" on the lines of the Madras Act. Once the principle is accepted, it will not only help the Government to enlarge the scope of the Department, but will also enable them to give the necessary financial assistance to numerous nascent industries which are at present languishing for want of adequate resources or lack of expert technical advice, which they are unable either to buy or command. I understand that the Act in Madras is working very satisfactorily and showing excellent results; and there is no reason why a similar Act in Bombay, which is essentially an industrial province, should not show the same if not better results.

My third and last recommendation is that a competent non-official advisory committee, composed mostly of business-men and industrialists, should be appointed on the lines of the one that existed a few years ago, in order that they may make recommendations to the Director on the needs of the province from time to time, and otherwise help him with their practical knowledge and first-hand experience.

Sir, if we examine the figures relating to this Department in the White Book, we find that out of a total grant of Rs. 4,08,000, made to it, the establishment charges which amount to nearly Rs. 50,000 and the grants that are being made by the Government to various industrial organisations in the Presidency like the Victoria Jubilee Technical Institute and other commitments of the Department between them, take up almost four-fifths of the figure, thus leaving at the disposal of the Director, a hopelessly small balance for carrying on the most important work of examining the possibilities of new industries and of assisting existing

[Mr. J. B. Petit]

ones. It is clear that this paltry sum cannot carry the work of the Department very far; and if it is to work and progress on the lines it ought to, we must be prepared to vote for it much larger amounts in our budgets from year to year; and I hope the Government will see their way to do so.

I have no further remarks to offer. But before I conclude, I would like to draw the pointed attention of the House to the first portion of the last paragraph (No. 108) at page 36 of the Report, which makes the following pathetic statement: "Owing to lack of funds, no new activity could be undertaken during the year under review." This is practically the crux of the whole situation; and I appeal to the Honourable the Minister in charge of the Department to put ample resources at the disposal of the Director to enable him to show better results in the future than he has been able to do in the past.

Rao Bahadur L. V. PARULEKAR (Ratnagiri District): Sir, I wish to make some few observations in this discussion. At the time I had spoken on this subject at the last Budge session, there was a review published by Government in connection with the working of the Industries Department during the previous year; and there was mentioned in the review the work that had been done and the work that was being undertaken by the department. This year there is neither any report nor any review showing what this Department has accomplished during the past years, and therefore there is nothing to go upon on this occasion. On the last occasion I had made certain concrete suggestions in connection with certain industries, small industries, not like those industries stated by the Director of Industries like the gold thread industry or gold wire industry which is introduced in Surat and which require special skill and large capital. I am talking of small industries in the nature of cottage industries. The villagers can take up these small industries and supplement their income.

I have spoken already about the nibs, penknives, razors that are prepared in Malwan, by certain persons who stand in great need of help but nothing has been done for them. At Viziadurg they used to do beautiful things like vases, flower pots, lotuses and some such other ornamental things from stag horn—these articles at one time were sent to England and were very much appreciated there. For want of any kind of encouragement and help that business has completely gone down. At present the sons or the relations of those old workmen have almost abandoned the work as it is not flourishing at all. Now, they have started the manufacture of metal cups and saucers. The special feature of these cups and saucers is that the heat of the contents is not carried to the hand. They have got a kind of vacuum inside. These cups and saucers are made by hand machine locally. For want of proper support this industry has not attracted the attention of the public. I do not know whether the Industries Department has taken any note of it.

So far as the Ratnagiri Industrial School is concerned my grievance is no attention has been paid to it at all by the Department during the year.

[Rao Bahadur L. V. Parulekar]

Carpentry, smithy, joining, turning, casting as well as all sorts of cabinet and furniture making is taught there. I do not think that the Industries Department has ever cared to pay a visit during the last 12 months to this institution. Of course, so far as that is concerned, it is going on all right. But it is the duty of the Industries Department to see whether any improvement is possible and make some appropriate suggestions. Helping with money at present may be a difficult matter. No doubt we do require monetary help but as it is useless to expect any hopeful response I am not going to make any request in that direction, but, what I want is some kind of suggestion for improvement, which we can take advantage of and make the institution more and more fit for patronage by the public. But nothing has been done in that direction.

As I said last year, we have already started mango-tinning industry, the details of which I have fully given last year. The greatest difficulty we feel about this industry is the manufacture of tins. No good tins are prepared in India. They are to be brought from America at a great cost and after the tin is filled up, the upper flap is to be fixed by a machine, this machine costs Rs. 200. It is not possible for every man to have a machine of this kind at such a cost. The tins brought from America cost about 3 annas each. We have therefore to fix the price of one pound tin at more than 8 annas. If the tin itself costs 3 annas, there is no chance of reducing the price. How is it then possible to make it marketable so as to suit the poor pockets? Therefore I have been suggesting that the department should invent some method by which the tins can be cheaply manufactured here. The tins are absolutely necessary for the industry. In Kanara tins are prepared. These tins are less costly than those brought from America. But they were found so useless that after the filling had taken place they began to leak. So, the money that we spent over it proved a loss. This is a very important thing. Unless something is done it is impossible for us to achieve any good results. Though I have been crying hoarse over this matter for the last 3 years no help has been given by the department. After the 31st of May when the monsoon sets in, and the steamer communication stops, it is impossible to send consignment of mangoes from Ratnagiri to Bombay. Bombay is the biggest market for mangoes. It is not possible to send them by Kolhapur. For it is not only a lengthy route but it is costly also. So, after the 31st of May the mangoes are held up and become valueless. They cannot be disposed of locally in any way. So, tinning is extremely necessary for the mango growers. If consignments of mangoes are sent to England and good market secured there, that will be for the advantage of mango growers no doubt, but equally or more important still is the tinning industry if it is successful. That being so, it is extremely necessary that encouragement should be given to promote the industry of mango preserves. We have been bringing this matter to the notice of Government for the past five years by means of resolutions at conferences and by remarks in the reports of the agricultural association. This was brought to the notice of the officers of the Agricultural Department, but now as it is the special

12-30 p.m.

[Rao Bahadur L. V. Parulekar]

province of this department, I bring it to their notice. This department should now look into the matter and find out a way to prepare tins which are not leaky and to invent some method of sterilization. That will be useful to the mango growers of Ratnagiri District.

The second point is, recently I saw an advertisement relating to a process for the drying of mango pulp. I have heard of that, but that has not reached our district at all. If it is possible to utilise this scheme by its proper demonstration to the villagers, it will form a good village and cottage industry, but nothing has been done by the Agricultural Department in this direction.

I will have occasion to speak about agricultural matters later on. I find demonstration, research and other things have disappeared along with the deputy director of agriculture, so far as Ratnagiri is concerned. I have not been able to see anything of the sort. I will explain this when we come to Agriculture. But so far as this department is concerned, demonstration and research are necessary to help the growers. Again I wish to state here that Ratnagiri is a cocoanut growing district. The whole of the western coast including the Ratnagiri District is a cocoanut growing tract. One of the industries connected with that is the rope-making industry. It was stated last year that a certain machine had been invented and a report sent to the Central Agricultural Research Institute. It was stated also that the machinery was prepared by the Agricultural Department and it was kept for demonstration at Pandharpur. I am sorry to say that that machinery has not yet been brought to Ratnagiri. What is the use of keeping a machine for making rope from cocoanut fibre at Pandharpur? Pandharpur is a place where people have not seen a cocoanut even in dictionary. It is a coastal product. The rope-making machinery should therefore have been sent to a coastal district for demonstration, and it would have been welcomed there. I would like that machinery sent to Ratnagiri for demonstration. We do not know as yet anything about it.

Then again there is the possibility of the plantain fibre and aloe fibre. I have been reading of some machine for extracting fibre from the plantain tree and aloes in a journal called "*Industries*". Our plantain trees are going useless; once the bunch is removed the trunk is of no use and it is thrown out. If the people know how to turn it into fibre, they can grow more plantain trees. A demand for the fibre will also grow up from foreign countries. The same machinery can be applied to the aloe. That machinery has not been brought into use in this presidency.

The Director of Industries last year stated that he had helped the improvement of some industries in the Surat District, viz., gold thread, soap, gas mantles, bangles, etc. The preparation of all these things requires special knowledge and also some capital. Amongst the industries referred to above there is one of preparing cellulose and straw boards from rice straw. If this is introduced in the Ratnagiri District it will be a great help to agriculturists. Whatever development has taken place in industry, it has been confined to the Surat district alone.

[Rao Bahadur L. V. Parulekar]

May I know whether there is any list prepared of districts which are to be taken in hand first for purposes of receiving help or advice, and if such a list has been prepared, whether the richer districts are put on the top of the list or whether the poorer districts like Ratnagiri are put on the top ?

The Honourable Dewan Bahadur S. T. KAMBLI : For what purpose ?

Rao Bahadur L. V. PARULEKAR : For the purpose of developing the industries of those districts. I want to know whether the richer districts are selected for giving help and advice in this direction. My submission to this honourable House is that the poorer districts ought necessarily to be first taken in hand. Surat district is a rich district as compared with a district like Ratnagiri. Ratnagiri district stands perhaps last so far as the earning capacity of the people is concerned. Therefore it is necessary to supplement their earning capacity by some other industrial undertakings. It is necessary for Government to take care of such districts first. No information is available as regards the facilities provided for the development of cottage industries in Ratnagiri. So far as my information goes, nothing has been done in that direction.

The Honourable Dewan Bahadur S. T. KAMBLI : May I interrupt the honourable member for a moment ? May I know whether the gold thread industry has ever taken root in the Ratnagiri district ?

Rao Bahadur L. V. PARULEKAR : Not in the least. We have got some people who are hand-weavers, but they have nothing to do with the gold thread industry. It is a thing which is far above their requirements or even their expectations. It is a poor district. They will be content with ordinary cotton material rather than go in for gold and silver lace and other such costly materials.

I say that if any development is proposed to be introduced in the cottage industries, it is better to begin in the poorest district.

There is another thing which I read in the journals. I am referring to papain. Everybody knows that papaya is a tree which grows very freely in the Ratnagiri district. There are wild growths of these trees. Except the fruit, we do not know the uses to which this papaya tree is put. I understand it is a very simple process by which papain can be prepared by ordinary men and women in the villages. Of course some sterilization is necessary. That can be entrusted to chemists and other persons, but the raw material can be easily prepared and if the Industries Department gives a demonstration in this matter it will be one of the greatest sources by which our cottage industry can be developed in this particular direction.

Last time I heard the Honourable Minister in charge, when he heard me speaking about the different potentialities of the Ratnagiri district, saying that the Ratnagiri district was a paradise. It is no doubt a paradise now, but that paradise must be brought home to the people by the help of Government ; till then the paradise will be in heaven and men in hell. Things buried underground cannot quench the thirst or

[Rao Bahadur L. V. Parulekar]

appetite of the people unless they are dug out and made available for men's use. The people in my district are the poorest of the whole population of this Presidency. There may be a paradise there but the paradise must be brought to the mouths of the people. By simply calling my district a paradise, it does not become a paradise at all.

Now, Sir, so far as our industries are concerned, a reference has already been made to our principal industry, namely, the fisheries of Ratnagiri. At the time of last year's budget we were told that there was a survey made of west coast fisheries of this Presidency and that this matter was under the consideration of Government and I was watching with hopeful expectation that something beneficial to the Ratnagiri district would come out of it. Of course the report was out. Reference has been made to Mr. Sorley's report on the subject by some of the previous speakers, but it was not supplied to the members of the Council, but I happened to see a copy in the Collector's office, and go cursorily over it. My idea about that report is that it is a too abstract one, that it contains matters too abstract to be applicable to any particular locality because the features of the localities are quite different. I do not propose to refer to the laborious deep sea fishing. I confine myself to the possibilities of seashore fishing which require no special skill or knowledge in fishing—and no special provision of money. Machinery is not required. I refer to a particular sort of pisciculture in places where there is bay-like indentation of water running into the land where sea water flows during high tides. In such places fish is penned up by closing up the neck by various processes and caught at the low tides. Such contrivances are made in the southern coasts of France and Italy and are called Lagoons. The details of such have been given in the bulletin "pisciculture", issued under the auspices of the Madras fishery department. There are very many places of this sort on the western coast of Ratnagiri where such kind of contrivances can be very easily tried. I think there are ways and ways in which all these can be turned to account, but some kind of help is necessary. Some agitation has to be made in order to bring them to the notice of the fishermen. There are so many of the fishermen doing nothing and practically starving. If they are taken in hand and if some person comes forward and gives them an idea of what to do and says to them "You can do this and earn something", I am sure the response on the part of the fishermen will be adequate. Some people there have been doing this on a small scale but mostly in a crude form. I would suggest that some of the staff of the Customs Department or the Revenue Department might with advantage be asked to show some kind of sympathetic co-operation with these fishermen, and much good will come to these people and it will not be necessary to make experiments in the deep sea with costly machinery——

The Honourable Dewan Bahadur S. T. KAMBLI: The Customs Department does not belong to the Bombay Government.

Rao Bahadur L. V. PARULEKAR : I mean the Revenue Department or any other local officers without any specialist knowledge may be asked to take up this work in addition to their ordinary duties.

Sir, last year I told the House something about oyster culture. They require neither water and manure nor food and medicine. For that no great experiment is required. It is simply a question of giving protection to them. They grow of themselves, nothing more is to be done. Some lands are lying fallow. Oysters grow there of themselves. Only 18 months are required for their full growth but within three or four months they are removed from the oyster beds by the people. These lands lie fallow. If they are taken in hand by some department and the people are told that such and such a thing will be done there for experimental purposes, I think there will be a lot of help given to these people and they will understand how to make use of these oyster beds to better advantage. So far they have been doing things in a sporadic way, collecting the oysters and sending them to the bazaar to be sold at whatever prices they fetch. But all this is being done in an unscientific way which benefits neither the seller nor the purchaser——

The Honourable Sir GHULAM HUSSAIN : May I request the honourable member to tell us which of the Revenue Department officers can be deputed to do this kind of work ?

Rao Bahadur L. V. PARULEKAR : By Revenue officers I mean circle inspectors and talatis. They go there always in connection with their regular revenue duties. They know the people. If they can spare a little of their time for the purpose of giving them a little information or even if they spread information by means of bulletins (which bulletins will of course have to be supplied to the circle inspectors and talatis by the Department of Industries), they can render considerable help to the fisher-folk. Moreover, the village school-masters can be utilised to very good advantage. The village school-masters, as we all know, wield some influence with these people. If they are furnished with enough material such as bulletins, they can do a lot in helping the fishermen in the direction suggested by me. I mean, Sir, all these—the circle inspectors, the talatis and the school-masters—can be made use of. They are in the line, but they must be given special instruction and knowledge with some kind of help and sympathy from Government. In that way a beginning can be made. Sir, I am not speaking of big things requiring expenditure of large sums of money, nor am I suggesting the employment of M.Sc.'s. I do not want all that. This is common knowledge which can be utilised for doing some kind of business in this way. With these remarks, I trust that the suggestions I have made will be duly considered by Government.

Mr. V. A. SURVE (Ratnagiri District) (Addressed the House in Marathi) : Mr. President, a comparison of the provision under the different budget heads shows that, while lakhs and lakhs of rupees are provided for expenditure on departments which give no return to the people, the Industries Department is practically starved. The Ratnagiri

[Mr. V. A. Surve]

district has not derived any benefit from the development of industries. Is this purposely done by the Government, or is it because of financial stringency? Government have always admitted that the people in the Ratnagiri district, the agriculturists, are very poor and backward. And however much we may cry out that Government should do something for these people, no attention is paid to it. As an instance of what can be done in the Ratnagiri district, I would point out that a kind of hemp is grown there.

The Honourable Sir GHULAM HUSSAIN: May I ask the honourable member to speak in Hindustani? The whole House will be able to understand him then.

Mr. V. A. SURVE (speaking in Hindustani): Since it is the request of the Honourable the Leader of the House, I have to speak in Hindustani. I was saying that artificial silk can be manufactured from the yarn produced from a kind of hemp or flax produced in the southern parts of the district, in Malwan, Devgad and Rajapur talukas. In these three talukas, if the Industries Department tries to develop this cottage industry, I am sure about 5,000 people will be able to earn their livelihood. But Government do not care for it. By that industry, there will be an increase in agriculture, and 5,000 people will be able to support themselves.

Sir, if this department is to be maintained, the object must be that it should be of some benefit to the poor people. If Government are sincere in their expressions of sympathy for the poor, they should find some means to start some industries. Otherwise, the provision made for this department, whether it is 5 lakhs or 25 lakhs, will be a waste.

In the Ratnagiri district, earthen pots, cups, saucers, kettles and jars are prepared. The people who prepare them have no technical qualifications. Therefore, the material that they turn out is not such as can be sent up to a market. Why should not the establishment of this department try to teach these people to produce more finished articles. If they do not do this, the money spent over their salaries will be a waste. I remember that when Mr. B. V. Jadhav was the Excise Minister and was in charge of this department of industries, there was a pottery school with 3 students, and every year there was an expenditure of Rs. 5,000 over it. If no practical work is done by this department, it will all be a mere show and quite useless. As I said, earthen vessels are prepared in Ratnagiri district, and the department should do something to bring the industry up to date. In Devgad and Malwan talukas the earth is very superior and is most suited for pottery works. If a pot is made of that earth it will last for 100 years. There was pottery industry in those two talukas but for want of encouragement the industry is fast dying. The Department of Industries ought to encourage such industries.

There was a factory opened by a Mahomedan gentleman in Dapoli for the manufacture of Mangalore tiles. The tiles manufactured there

[Mr. V. A. Surve]

were of a superior kind. For want of publicity and the consequent paucity of demand the factory had to be closed. If the Department of Industries had devoted sufficient attention to that industry and given wide publicity, it would have flourished.

There are three small factories for making soaps. As they have not got sufficient finance they work for some months in the year and close the factories for the rest of the year.

Malwan has facility for quarrying the finest slates. The Department of Industries knows it, but they have not paid any attention to it.

The Honourable the PRESIDENT : Is the honourable member likely to take more time ?

Mr. V. A. SURVE : Yes, Sir.

It being 1 *p.m., the House adjourned till* 2 *p.m. on Monday, the* 12*th March* 1934.

BOMBAY : PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Monday, the 12th March 1934.

The Council re-assembled at the Council Hall, Bombay, on Monday, the 12th March 1934, at 2 p.m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present :

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ADVANI, Mr. P. B.
AMINUDDIN, Mr. SAIYID
ANGADI, Rao Bahadur S. N.
ASAVALE, Rao Bahadur R. S.
BAKHALE, Mr. R. R.
BANGI, Mr. A. K. J.
BELL, the Honourable Mr. R. D.
BIRADAR, Sardar MAHABOOBALI KHAN
BOLE, Rao Bahadur S. K.
BULLOCKE, Mr. A. GREVILLE
BURNS, Dr. W.
CHIKODI, Mr. P. R.
CHITALE, Rao Bahadur G. K.
CLEE, Mr. C. B. B.
COLLACO, Dr. J. A.
COOPER, the Honourable Khan Bahadur D. B.
COVERNTON, Mr. S. H.
DABHOLKAR, Major A. Y.
DESAI, Mr. S. B.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
D'SOUZA, Dr. J. ALBAN
EWBANK, Mr. R. B.
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GARRETT, Mr. J. H.
GAZDAR, Mr. MAHOMED HASHIM
GHARPUREY, Lt.-Col. K. G.
GHULAM HUSSAIN, the Honourable Sir
GHULAM HYDER SHAH, Mr.
GHULAM NABI SHAH, Khan Bahadur
GILDER, Dr. M. D.
GOKHALE, Mr. L. R.
GREAVES, Mr. J. B.
HUMPHREY, Mr. JOHN
JAN MAHOMED KHAN, Khan Bahadur
JITEKAR, Mr. HAJI IBRAHIM
JOG, Mr. V. N.
JONES, Major W. ELLIS.

KALBHOR, Mr. G. M.
KAMAT, Mr. B. S.
KAMBLI, the Honourable Dewan Bahadur S. T.
KARBHARI, Mr. M. M.
KENNEDY, Mr. T. S.
KHUHRO, Khan Bahadur M. A.
KULKARNI, Rao Saheb P. D.
LELY, Mr. W. G.
MATCHESWALLA, Mr. G. E.
MEHERBAKSH, Khan Bahadur S.
MEHTA, Mr. M. H.
MITHA, Mr. MAHOMED SULEMAN CASSUM
MODAK, Rev. R. S.
MODI, Sardar Davar T. K.
MORE, Mr. J. G.
NAIK, Sardar Rao Bahadur B. R.
NAMDEORAO BUDHAJIRAO, Mr.
NAVLE, Rao Bahadur N. E.
OWEN, Mr. A. C.
PANJABI, Mr. K. L.
PARULEKAR, Rao Bahadur L. V.
PATEL, Khan Bahadur A. E.
PATEL, Mr. BHAILAL SARABHAI
PATEL, Khan Bahadur VALI BAKSH A.
PATIL, Mr. N. N.
PATIL, Mr. V. N.
PATIL, Rao Saheb V. S.
PETIT, Mr. J. B.
PRADHAN, Rao Bahadur G. V.
PRATER, Mr. S. H.
RAHIMTOOLA, Mr. HOOSENALLY M.
RESALDAR, Mr. A. K.
ROOSE, Mr. F. O. J.
SERVAI, Mr. A. E.
SHAIKH ABDUL AZIZ, Mr.
SHAIKH ABDUL MAJID, Mr.
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SHINDE, Mr. R. B.
SINDHA, Mr. MADHAVSANG JORBHAI
SMART, Mr. W. W.
SOLANKI, Dr. P. G.
SURVE, Mr. A. N.
SURVE, Mr. V. A.
SYED MIRAN MAHOMED SHAH
SYED MUNAWAR, Mr.
TALPUR, MIR BANDEH ALI KHAN
TOLANI, Mr. S. S.
TURNER, Mr. C. W. A.
VAISHAMPAYAN, Dr. V. G.

VAKIL, Mr. PESTANSHAH N.

VANDEKAR, Rao Bahadur R. V.

WADKE, Mr. B. P.

DEMANDS FOR GRANTS—(*Discussion resumed.*)

Mr. V. A. SURVE (Ratnagri District) (Addressed the House in Hindi): Sir, if only the Industries Department had the will, they would have found so many different directions in which they could have helped the development of cottage industries. I shall give only one or two instances which show in what way the Department can take action and help the people of Ratnagiri district.

In two or three talukas of the Ratnagiri district, a very great quantity of lime stone is available and if factories are started for the manufacture of lime, there is great scope for that industry. Lime is used in great quantities in the construction of buildings and other things. But so far the Department seems to have ignored this source.

The Rajapur taluka and the surrounding area are famous for "Gulal" (red ochre). This substance used to be exported to all parts of India but now it is almost extinct. The Department has not done anything to revive this industry.

Then there is good scope for the manufacture of sugar from beet which grows in abundance in Ratnagiri. If this industry is started in earnest, it is sure to provide employment for thousands of people who are at present on the unemployed list.

The next industry which requires development is iron. Since the advent of the British Government, this industry has been almost extinct in my district. There is great scope if only the Industries Department will care to investigate into this question.

Then comes rope-making. As honourable members are aware, Ratnagiri is famous for cocoanuts. Cocoanut fibre is utilised in rope-making. If the Department of Industries takes the trouble to give a demonstration by starting a factory in the Ratnagiri district, it is sure to bring in a good deal of money and provide employment for thousands of people. But so far the Industries Department has not cared to look into this matter.

I now come to another subject—cashew nuts. I think every one knows that this is a favourite fruit with the rich as well as with the poor. The rich eat it because it is a luxury, while the poor are compelled to eat it, because there is nothing else to live on. In the Malwan taluka the cashew nut is crushed and oil is manufactured and exported in great quantities. This oil is used to lubricate the axles of the bullock carts and for other purposes. But I am told that the Industries Department is carrying on experiments in the manufacture of this oil and that they have not yet succeeded. I do not know when they will succeed.

Next comes the handloom industry. They used to weave *saris* which used to fetch Rs. 25 to Rs. 30. But now their economic condition is

[Mr. V. A. Surve]

such that they are unable to purchase the yarn, dyes, etc., necessary for the purpose, and this industry also has gone the way of others.

These are some of the industries which require immediate development in order to provide employment for thousands and thousands of people who are unable to earn their livelihood and are compelled to emigrate to industrial centres. There are 60,000 millhands employed in Bombay, and they come from Ratnagiri. The majority of peons employed in Government offices hail from my district. Why ? Because they have to supplement their income and find no scope in their own villages.

There are so many other industries which are capable of development, but I have mentioned only a few, because they can be taken in hand by the Department of Industries at once.

Another material which can be utilised by the Department of Industries is " Tadpatri ".

In all these matters, it is for the Honourable the Finance Member to provide funds and for the Honourable Minister to see that factories are opened at the proper places. Ratnagiri is one of the three poorest districts in this Presidency, the other two being Kanara and Panch Mahals. Even among these three, Ratnagiri is the poorest. They have to live for 12 months on 3 months' income which they get from agriculture. The remaining 9 months are spent idly. That is why I have suggested these methods of providing employment for thousands and thousands of the poor people of my district.

Another industry that occurs to me is the manufacture of a colour from a certain stone. This colour is used on woodwork generally. There is a vast quantity of this kind of stone in my district. At least two factories may be started by Government so as to give employment to about 10,000 people.

With these words, I support the cut moved by the honourable the mover.

Mr. SHAIKH ABDUL AZIZ (Central Division) : Sir, whilst speaking on this motion I think the very first reply that will be given by Government will be that the recommendation of the Thomas Committee was for the abolition of the Industries Department but that Government have ignored that recommendation and decided to continue this department. But, Sir, the grounds on which the Thomas Committee made their recommendation were quite different. In their opinion, retrenchment was possible to be effected in many departments such as the Development, the Sukkur Barrage and 41-Civil Works as excess of money was spent on those works. Their sole object in making their recommendations was to effect economy and save money without affecting the efficiency of the administration. They recommended some retrenchment in education also on the ground of wastage. But what are the reasons given by them for the abolition of the Industries Department ? They admit that this department is a very important department but that it is a famished department. They say it had

[Mr. Shaikh Abdul Aziz]

better be abolished if sufficient funds cannot be made available by Government for the development of industries. They realise the importance of this department. In their report they say that they advocate the abolition of the department on the ground that although the Province requires a strong and active industries department it cannot afford one today and that to keep in existence a department with resources so limited that it cannot do any considerable amount of work merely in the hope of better times is to fritter away funds uselessly. They mean this department is very important but as sufficient money cannot be given to it they recommend that it had better be closed. If a consumptive child cannot be kept in the same state, they say that the child should be killed. If you read between the lines, they really recommend that more money should be given to this department instead of closing it.

Now, Sir, coming to the amounts spent on the Industries Departments by the other provinces as compared with what is being spent by our Government on our Industries Department, I will not be so foolish as to compare our tiny puny department with the Industries Departments of Japan, United States of America, Great Britain or other countries of the world, but I will place before the honourable House certain figures which I have been able to gather from reports of expenditure incurred by Governments in Bengal, the United Provinces, the Punjab and Madras. Sir, for these reports I have had to go to an outside library as they were not available in the Council library. If you look at page 261 of the White Book, you will find that the total estimate for the industries department is about four lakhs. That is divided into A—Industries and B—Fisheries. On these two items the Bombay Government intend to spend Rs. 4,08,000. To compare with other provinces, I have divided this into three parts, (1) Direction, (2) Industrial Development and (3) Technical and Industrial Education. For these three things our province spends Rs. 4,08,000, but Bengal spends for Direction R.. 1,61,286, for Industrial Development Rs. 90,332, for Technical Education Rs. 4,93,297, in all say, Rs. 7,44,000. For the United Provinces, the total expenditure is Rs. 12,24,269 for the year 1931–32, which is the latest report available at present. In the Punjab the total expenditure is Rs. 8,64,270, and in Madras the total expenditure is Rs. 10,50,658 for the year 1931–32, which is the latest report available in the library. So, we shall see that as compared with other provinces some of which are smaller than the Bombay Presidency, what we spend viz. Rs. 4,08,000 is not at all adequate or what we ought to have spent on our industries department. If you look to the Department of Industries annual report for 1932–33, which is the latest publication available, you will find a large amount of money is spent on the weaving industry. Out of Rs. 4,08,000 nearly Rs. 2,50,000 is spent for the technical school and the remaining money is spent for fisheries and direction. Under industrial development they have taken weaving for which they are spending nearly Rs. 50,000. Sir, I have only to say that this amount is not sufficient. I will only point out the importance

[Mr. Shaikh Abdul Aziz]

of the weaving industry from the report of 1916–18. The Honourable the General Member, Mr. Bell, was the Secretary to that committee, and in the report of that committee it is mentioned that of these cottage industries the most important is the handloom weaving industry. The report says:

"It is believed that between two and three million handlooms are at work in India and their annual gross earnings must amount to something like 50 crores of rupees."

Sir, therein they have mentioned what should be done to improve this industry, and the important suggestion which they have made is the finding out of new markets for the production of the handlooms. In the annual report of the department it is stated that they have introduced fly shuttle looms. I do admit that in that way more cloth will be produced, but I ask the Government, what will be the use of this cloth if new markets are not found out? If no measures are taken to fin out and establish new markets for these handwoven cloths, I think that the improved method of production will be of very little use. They have mentioned on page 166 of the report:

"The essential feature in fact of any attempt to develop cottage industries in India must be the opening of new markets for the goods produced. Many of these industries have survived because of their ability to satisfy the strongly marked local demands for special designs, but where productions go far afield, it is through the agency of middlemen and merchants, who however have so far shown little enterprise or originality in the necessary directions which we have indicated above. We need only mention the toy industry of Germany, the straw-plaiting work of Leyden and the many cottage industries of Japan as examples of what can be done when enterprise and organisation take in hand the marketing of goods."

They have suggested that new emporiums for the exhibition of the products of cottage industries should be established and new markets should be found out, so that the cloth which these handloom weavers produce could be sold at a price which will be beneficial to the workers.

The second thing which I have to bring to the notice of this House is that in his evidence before the Textile Tariff Board the Director of Industries has suggested an important scheme by which this cottage industry could be helped, especially the handloom weaving industry. He has suggested that some tax should be levied on the cloth prepared by the mills. Now, believe me, there are reports that this handloom weaving industry is dying out completely. There is no doubt about that. You will find that remark in the report of the survey of industries made by Mr. Fernandes, which was published by the Director of Industries in 1932–33. He has clearly stated therein that the handloom weaving industry is dying out on account of the competition of the mills. It was for that that the suggestion was made before the Textile Tariff Board by the Director of Industries that some tax should be placed on the cloth prepared by the mills. Sir, I have no wish that the millowners should suffer in any way. Far from it. I have only to say this, that they got some protection by the imposition of a tax on imported yarn in 1927. They got that protection because they could not hold their own with foreign competition. So, just as they suffered on account of foreign competition, the millowners should realise that

[Mr. Shaikh Abdul Aziz]

the handloom weaving industry is suffering on account of the competition of the mills. I can assure this House that there are certain articles like *saris* which are not imported from outside, except perhaps a few *saris* of silk which are imported from Japan. These *saris* and some kinds of coarse cloth are produced by the handloom weavers here. Now, as the mills have got protection, enabling them to compete with foreign manufactures, why should they compete with the handloom industry in the production of these *saris* and some other kinds of cloth ? The handloom industry never competed with the mills. But what has actually happened is, the mills also have started producing *saris*, to take away the small profits which these cottage weavers producing *saris* were getting. The real solution is for the mills not to undertake the production of *saris* ; or if at all the mills produce *saris*, there should be a tax on them, because the *sari* is not an imported article. Why should the mills weave *saris* at all ? They should produce those kinds of cloth which are imported from outside. Where the mills have to compete with foreign production in the matter of the goods which they produce, Government have been pleased to give them some protection. Why should they now compete with the poor handloom weaver by producing *saris* ? If they do it, it is simply because they want to amass wealth and kill the cottage industry. They want to deprive the handloom weaver of the small profits which he used to get and amass wealth for themselves. Sir, this will not do.

Another thing is that I remember having read in the papers about 15 days ago that a Bill has been passed by the Imperial Government to protect khaddar, handspun and handwoven. I have not seen that Act yet. I had seen it published in some paper that the Act provides that handspun and handwoven khaddar should not be manufactured by any mill, and if they do it, they should be prosecuted. If that has been done for the protection of khaddar, I ask this honourable House, why should we not do the same for our handloom industry, which is dying out completely ? I suggest that when the mills produce *saris* or any other cloth which is usually produced by the handloom weaver, there should be some charge or tax upon it.

The third point is this : I am making practical suggestions which, I hope, will be taken into consideration. In Madras, as my honourable friend Mr. Petit pointed out, the Aid to Industries Act has been passed. Last year one of the honourable members of this House gave notice of a similar Bill, but Government did not give sanction to introduce it in this House. May I ask why these weavers or persons engaged in other industries suffering in such a way are allowed to suffer ? Government by themselves are not introducing any such Bill, and if others want to do it, they do not give their sanction to it, and the only reason is financial stringency. I say that Government give tagavi loans to the agriculturists. Why should not Government give some kind of tagavi to these persons, and in this way come to the aid of the industry ? Otherwise,

[Mr. Shaikh Abdul Aziz]

what will be the effect? There will be unemployment. Sir, the labour movement in the cities is well organised. They are getting opportunities by their strikes to place before Government their grievances. Now, these handloom weavers are unemployed. Of course, at present they are not doing anything, but it is possible that on account of their unemployment they will do something like what labour in cities is doing. As their number is very large, I think Government should look to them and give them some sort of help.

Now, Sir, about the survey of industries, there is one publication of the kind, which I have just mentioned. There was such a survey made by Mr. Fernandes, and his report is published by the Director of Industries. But therein no particulars are mentioned about the cottage industries as regards the number employed in cottage industries and what difficulties they are suffering from. Only general suggestions have been made in the report submitted by them. A complete survey ought to be made about the cottage industries and information must be made available to the public.

2-30 p.m.

Lastly, we have a technical school at Dhulia. Prominent members of the town made an application to His Excellency when he had been to Dhulia that the school should be transferred to other hands which would be able to look after it in a better way. At present that institution is being conducted by the District Local Board. On account of retrenchment, they are not in a position to manage the technical school satisfactorily. To investigate into the matter, Mr. Clayton, the Commissioner was sent there. He invited all the prominent men at a conference and advised the municipality and the local board to share the cost half and half and conduct the school efficiently. To that the municipality agreed and passed a resolution to incur an expenditure of Rs. 5,000, if it is necessary to conduct the institution in an efficient manner. I hear that the district local board has not accepted the resolution of the municipality. If the municipality and the district local board could not find it possible to run the institution sharing the cost half and half as suggested by Mr. Clayton, Government should appoint a special Board which with the financial help of both the institutions, i.e., Municipality and District Local Board should conduct the institution. I hope Government will do something to run the institution on a sound basis. With these words I support the cut.

Mr. A. N. SURVE (Bombay City, North): Sir, the Department of Industries is showing some signs of activity. This department which is nation-building in its nature and is included in the portfolio of a popular Minister and is under the direction of the Director of Industries, I should think, is doing its best within the means at the disposal of the Honourable Minister to expand its activities. In other countries, the department of industries is a very important one, mainly because in course of time it becomes an earning department to the public in general and the country

[Mr. A. N. Surve]

in particular. Unfortunately our position in this presidency is not so happy as that. We make very meagre provision in our budget and we have to manage things as best as we could. Sir, when I said that this department was showing signs of activity, I had in my mind the latest undertaking of this department, I mean the fisheries.

Up to now the view of the Government for increasing their resources was only to increase the existing scale of taxation or to find some other means of taxing other commodities or articles like tobacco or transfer of properties or taxing entertainments and so on. But even in that direction our vision was very limited. But, I am happy to say that the late Governor Sir Frederick Sykes has found a new source of potential revenue which during the course of nearly two or three decades, our Government was unable to find out. In undertaking the development of fisheries and increasing the supply, he has practically shown a new direction in which not only our resources can be improved but the amenities of the general public can be improved. I am happy to say that according to the Press Note No. 213, dated the 4th August 1933, a conference was held and some conclusions were arrived at. After that, the next step which I could see was only the purchase of two motor boats and the employment of one fishery officer. But my submission is that something more than that ought to be done, because the object of the conference was to make the supply of fish available from the coast towns to the inland towns. In that direction nothing has been done. Even if two motor boats are purchased and kept in Bombay harbour, the idea which was underlying will never be achieved. The Bombay harbour has its limitations according to my information which may be right or wrong. The water is not very deep and as such deep sea fishing will not be available in the harbour of Bombay. We have the unhappy experience of the trawler, which the Government had to scrap away. I am afraid that this is a mild repetition of a past error. Government should be very watchful on this point. But whether they are right or wrong, my point is that if they want to make fish available for inland supply, then I submit Government have made a wrong beginning and the reason for that is, as I have said, the harbour of Bombay is not so very plentiful in fish supply even if the fishing boats remain 24 hours in the sea every day. Sir, the Western Coast extends, so far as I am concerned for my present consideration, from Surat as far down as Karwar. There are many small ports which are inhabited by fishermen, Hindu Kolis and Mussalman Daldies. They are a poor people and if left to themselves with their limited means they will remain poor to the end of the world. Therefore Government should devise means and show them the way how they can prosper. Sir, I may here state for the information of the Honourable Minister and the Director of Industries that Sawantwadi, which is an inland town nearly 18 or 20 miles from Vengurla, is supplied fish from that port. That arrangement has been continuing for generations together. I ask why cannot means be found by which the fish caught on the western coast could be distributed in the inland towns ? What is required to be found out is the proper means

[Mr. A. N. Surve]

of transport. If that could be found out, the whole problem would be solved. Perhaps in the near future our Fisheries Officer may find out ways and means to take the fish to the inland towns. The advantage is two-fold: the inhabitants of the inland parts, who have never known the delicacy and toothsomeness of fish will get a taste of it, and at the same time the Kolis and Daldies on the coast who have practically no money in their pockets will get a few coppers. At present the catches which they make, in the absence of a market, have either to be dried as manure or thrown back into the sea after the local demand is supplied. If they are thrown back into the sea, all their labour goes to waste. Therefore, I say there is a two-fold advantage in developing this fish trade. I hope this suggestion will be attended to in the near future and we shall have something on which we can congratulate the Minister in charge, the Director of Industries and the Fisheries Officer.

Then, about fruits. I think a committee is sitting, and its report is not yet out. But what is applicable to fish is equally applicable to fruit. There is ample scope for both the cultivators of fruit and the general public to gain if this matter is pursued and some definite steps taken. I am very glad that the late Governor has pointed to these two sources, and acting on the recommendation, I should consider, of our popular Minister, Government are moving in the right direction. Let us hope that some tangible result will come out of it in the near future.

Then, Sir, I come to other matters relating to the Ratnagiri district, to which our attention has been drawn by the representatives of that district. May I say, Sir, that this district was at one time a thriving and prosperous district but it is now not so, and that too as a result of the action of Government? By "Government" I mean both the central Government and the local Government. If the district is poor today, the authorities responsible for it are the central Government as well as the local Government. The previous speaker has referred to salt production. At one time all the Konkan districts, but especially Ratnagiri, which were rich in salt production supplied that article to the whole of the Deccan. But at present no salt pans are to be found there, as a result of their abolition by an ukase of the central Government. Then, take the instance of the Excise Department. From one end to the other, the coast is studded with palm groves. The Ratnagiri district had at one time its own distilleries, where the palm juice was distilled. But owing to the reform introduced by the Excise Department, namely, the centralisation of liquor production in one area, hundreds and hundreds of acres of these palm groves have been thrown out of commission. I am very glad our popular Minister has, during the course of this year, introduced one small innovation. I have heard, Sir, that the Kaju fruit, of which you have heard just now, is practically going to waste. But our popular Minister, acting very independently, I should say, has given permission for distillation of liquor from that fruit on a very small scale in one border town. I congratulate him on

[Mr. A. N. Surve]

his boldness. He has practically carried out the suggestion of my honourable friend from Poona (Mr. Kamat), even before the latter had made it on the floor of this House during this session. On the borders of the Ratnagiri district, are many States and Goa. There was much smuggling of Kaju liquor from Goa, because in the Portuguese territory liquor out of *kaju* is distilled whereas in Ratnagiri it is not. Our excise authorities of former days were so very short-sighted that they kept our own production at a disadvantage. People who wanted *kaju* liquor could go to the neighbouring territories and drink it to their hearts' content. Thus not only was revenue lost to the presidency but the inhabitants of the foreign territories were benefited. There is even a deeper significance in the Minister's action. Government always said "We permit liquor simply because we want to supply it to those who use it in moderation". I say that excuse of Government was not cent. per cent. true, because people who wanted *kaju* liquor were not given *kaju* liquor but the harmful spirit extracted from Java jaggery, which, the drinkers say, in addition to being not quite tasteful is also injurious to health. Therefore, he has taken that first bold step of decentralising the production of liquor. I should say he has done the right thing; he has practically righted a wrong. The excuse given out by Government was untrue, and he has righted the wrong boldly. Therefore, Sir, I say that as he has been bold enough in one direction he should be bold enough in the other direction also. As I have stated, hundreds and hundreds of acres of palm groves along the western coast stretching from Surat to Karwar are today not used for supplying toddy for distillation. The price of cocoanut fruit has fallen down enormously during recent years. During the boom period cocoanuts were being sold for Rs. 80 per thousand; they are not selling now at Rs. 15 per thousand. Toddy could not be used as a base for distillation, and owing to the depreciation in prices, the cocoanut fruit has no market. Thus, the owners of the plantations and those who were connected with this trade are doubly at a disadvantage. I would request the Honourable Minister to give his attention to this particular subject and see if he cannot correct the mistake which was committed by his predecessors. There were not one or two distilleries in the Ratnagiri district; there were more than half a dozen—perhaps 8 or 9. If Government are not going to carry out their goal of prohibition, if they want to retain liquor for purposes of revenue, then I say that the people of Ratnagiri have the strongest claim that the distilleries which were once their source of livelihood should be restored to them. I expect that the popular Minister will give his serious attention to this aspect of the question.

Sir, I was very sorry to see our popular Minister cavil at the honourable representative of the Ratnagiri district (Rao Bahadur Parulekar). Whether Ratnagiri is a paradise or not I do not know. I do not think the Honourable Minister knows the meaning of the word "Ratnagiri". For his sake I may tell the House that "Ratnagiri" means a mountain of jewels and, truly, that district is more than a mountain of jewels. The man who placed the ideal of free and

[Mr. A. N. Surve]
compulsory primary education before the whole of India—I refer to Mr. Gokhale—was born in Ratnagiri district. Our first two Education Ministers in succession after the Reforms came from Ratnagiri district and if you go on multiplying instances, I can go further and say that Konkan soldiers who came from the Ratnagiri district helped the Imperial Government with their bravery on the fields of France.

The Honourable the PRESIDENT: The subject is Industries. [*Laughter.*]

Mr. A. N. SURVE: I remember that, Sir, but, I am trying to show——

Mr. G. S. GANGOLI: On a point of information. May I know from which place the honourable member comes?

Mr. A. N. SURVE: I come from Bombay City, Sir, and I am sorry that I had not the fortune of being born in Ratnagiri, but my ancestors were born in Ratnagiri; and again I have come into this House, on the votes of people from several districts who come into this city to earn their livelihood and in that way I am connected not only with Ratnagiri district but with several others also. I am trying to explain, through the meaning of the word Ratnagiri, how poor Ratnagiri has suffered owing to the action of Government and how that action needs correction, and the Honourable Minister need not have cavilled in the manner he did.

The points that were made by the honourable member Rao Bahadur Parulekar are worth consideration. The industries that he mentioned are really full-fledged industries, and they do not prosper not because they are incomplete in any way in their technique or in other matters, but because there are two difficulties in their way. The first is lack of capital, and the second is about the arrangements of sales. Perhaps the honourable member the Director of Industries may see his way and advertise these products, so that the industries which were mentioned here, especially the horn industry, (buttons and other ornaments are made out of horns) of Vijaydurg and the cutlery and the nib industry etc., of Malwan, can be more fully developed. These industries are sufficiently developed in themselves, but they require some aid in the direction of finance and in the arrangement of their marketing. In the Madras Presidency, the Government have actually enacted a measure providing for supply of capital to small industries. Whether we can with advantage pursue that example in our Presidency is a question for the consideration of the Honourable Minister. In the Ratnagiri district there are many industries which are languishing only because the persons engaged in them are not able to command sufficient capital. If Government come forward and give them small loans on interest, I am sure the industries will thrive and the persons engaged in them will prosper and Government will get revenue. The people of the Presidency will also get swadeshi goods. In this way everybody stands to gain and none to lose. For this reason I submit with all the earnestness that I can command that the Honourable Minister should be pleased to see how these suggestions can be adopted.

Rao Saheb P. D. KULKARNI (Poona District): Sir, we have been discussing a department which is a tuberculosis patient. Every part of it is losing vitality and its condition is going from bad to worse. We find nothing but decay and waste.

We are not getting sufficient food. Most of us are agriculturists and the development of cottage industries is essential in order to enable us to supplement our meagre incomes. We have been trying for this for the last century or so and yet we are groping in the dark. This Presidency passed into the hands of Britishers in 1827. After the lapse of so many years, what is the condition of our cottage industries? I will just give it in the words of the Leader of the Opposition in the Parliament (Mr. Lansbury). He said in the House of Commons on 17th July 1933:

"It was a pitiful token when, as the Leader of the opposition said, you have there a country as big as Europe, leaving out Russia, a population of hundreds of millions, a fertile soil, a good climate, great national resources, and, after hundreds of years of British occupation you can point to no real development of the wealth production of the country that is going to give to the people of India more than a starvation level of existence (p. 1584, Vol. 280)."

That is the condition of the people of India now. They scarcely get sufficient food to live on. The average income of an individual in India, including that of millionaires is Re. 0–1–9 per day. How is it possible for us to flourish with this insignificant income? The agricultural labour alone cannot provide food for all agriculturists. So we have to live from hand to mouth. In an ordinary country, one square mile of fertile land provides food sufficient for 250 persons, but here in India taking into consideration all the cultivable land, the proportion comes to 2,000 persons per square mile. This is corroborated by the census figures. According to the census figures, 39 per cent. of us only get good food; 41 per cent. coarse food and 20 per cent. have barely sufficient food—which is less than what the convicts get in jails. In these circumstances, no attempt has been made by the department to develop the cottage industries. That is the reason why we have been dragged down to this pitiable condition. There are various reasons which have contributed towards our downfall. The main reason is that the prices of agricultural produce have gone down. That is admitted in the recent report issued by the Industries Department. We have not got sufficient means to maintain ourselves. It is quite necessary that industries should be a supplement to our income from agriculture; otherwise we shall go on starving day after day to total annihilation. The agriculturist's time is not utilised to the full extent. He is forced to spend the major portion of his time uselessly, because except during the season, he is not employed in agricultural pursuits. Half of the population is tied to the activities within home. Here the census gives the number of females employed in works as 2,089,020 or 22·5 per cent. The rest of the females are confined to their homes without any better work than attending to their households and to their husbands' needs, with the result that such a large number of women are not able to add any additional income to what their husbands may be bringing in from their own labour. I shall presently show how the other provinces have taken note of this fact

3 p.m.

[Rao Saheb P. D. Kulkarni]

and tried to utilise this huge unemployed female population in creating wealth. The main fault lies with our educational system. The very curriculum is defective. It does not give sufficient capital to our young men and women to utilise their time for the uplift of their economic condition. What is the earthly good of spending thousands of rupees on giving education in algebra and geometry to the sons of our agricultural population ? In the vernacular final and in the sixth standard algebra and geometry is being taught to the sons of agriculturists who cannot pass their final examination without these two subjects. Have they got anything to do with algebra and geometry in after-life ? Why not include instead industrial lessons in that curriculum, so that when they leave the school they may at least learn enough to earn an independent living from those arts and crafts in which they where initiated in their career in school ?

Another thing is that so many persons are to be maintained here in our presidency, who are parasites on the society. That adds to the already deplorable condition——

Dr. P. G. SOLANKI : Who are those ?

Rao Saheb P. D. KULKARNI : Vagrants, beggars, prostitutes and all other persons living on unproductive occupation who are without employment. They are living on charity and are therefore a curse to society. Other countries are providing at least in part for their livelihood by unemployment insurance, doles and so on. We have over 213,411 beggar population in this presidency and who do not give any return by means of their labour to this presidency.

The Honourable Dewan Bahadur S. T. KAMBLI : What about priests ?

Rao Saheb P. D. KULKARNI : The Honourable Minister himself knows better than I do. What is he going to do with *jangam* ? There is besides this the Ecclesiastical Department maintained by Government. Let him find out how much money is being spent on that department. Let him use his influence and get the Government to close that department, and use all that money for the development of the industries department.

I request honourable members not to take this matter in such a light way as they appear to me to take it. It is in fact a matter of life and death to our country. The honourable members may not realise its importance because they themselves are well provided for and well cared for, but that does not mean the poor agriculturist or the poor labourer or the poor daily wage-earner is also equally well cared for or provided for. I will suggest some remedies for improving the situation. First let Government give facilities to the females by opening industrial schools to utilise their time in subsidiary industries. See what Bihar has done. There they have a school which makes it its special business to impart industrial education to women. As you know, Sir, the women there are purdah women. Their purdah section sold Rs. 90,000 worth of goods in one year. There is not a single institution of that type in this presidency where we have thousands of girls attending

[Rao Saheb P. D. Kulkarni]

schools and colleges and where the females are not so backward as in Bihar or as in the Punjab. In this presidency all our education is directed at producing clerks, teachers and desk-work people and agriculture, horticulture, sericulture and technical education are all practically and sadly neglected. Looking to the income and the expenditure on the department, I must say that the provision made for this department is shamefully meagre. The Government of Bombay in this case are not at all discharging their duty satisfactorily. Let us look at the figures of the number of boys of school-going age. Approximately they are 90 lakhs in our presidency out of which number of 90 lakhs, how many are attending industrial schools? The gigantic figure that has been given in the recent report of the Director of Industries is 2,472. Can there be any hope of our industrial regeneration? None at all, and we are going from bad to worse. The expenditure of the Bombay Government is very scanty so far as this department is concerned. It is half a pie per rupee of the land revenue collected. What do they do in England? They are spending 1½ million pounds sterling for research work alone. I shall quote a small sentence here:—

"It is understood that England is spending one and a half million pounds for research work alone. What to say about industrial development! Scholars are being employed to do research work which will assist the development of industries. What does the Government here do?" (Punjab L. C. D., Vol. XXXII, p. 438).

Sir, here my honourable friend on my left tells me that rich persons or rich countries can do many things because they have plenty of wealth and that our country is a poor country and that therefore we should not try to imitate those rich countries, but that we must cut our coat according to our cloth. I ask in all seriousness whether the provision which the Finance Department has been making here year after year for our Industries Department can at all be called an equitable provision.

Now I shall try to show how this patient is suffering from tuberculosis and losing its limbs one by one just as a patient suffering from leprosy. I shall quote from the answers given in reply to questions put in this House on page 38 dated 7th August 1933 and others.

The Honourable Sir GHULAM HUSSAIN: (Made an observation which was inaudible.)

Rao Saheb P. D. KULKARNI: So, this department——

The Honourable the PRESIDENT: Does the honourable member wish to answer the question put to him by the Honourable the Leader of the House?

Rao Saheb P. D. KULKARNI: I do not want any interruptions, Sir. I do not want to answer him. Sir, in 1926 the Industries Department abolished its poultry branch, and in 1929 they abolished carpet-weaving and two other similar classes while in 1933 a committee sat and recommended the closing of the whole drama and in 1933 Government declared that they were considering the question of strangling the whole department. What are Government doing to remedy this state of affairs? Nothing, absolutely nothing. My honourable friend Syed Munawar

[Rao Saheb P. D. Kulkarni]

asked a question here in this House on 6th February 1933 (*vide* page 48 of B. L. C. D.) and inquired whether Government were aware that the Government of Bengal were contemplating doing certain things for the uplift of industrial avocations and, if so, whether the Government of Bombay intended to do anything in a similar way here. To this query, what was the great answer given ? The answer given consisted of two monosyllables. To the first the answer was a big " Yes " and to the second there was an equally big " No", and mind you, Sir, these replies were given by our popular Minister who is elected to this House by agriculturists ! So much for the progress of industries in this presidency. What else is expected from the popular Minister in these days of depression ?

Now, Sir, I have got a list of the institutions that have been brought into existence in the Punjab by the Government of that province. I find this list given in the memorandum explanatory to the budget of that Government for the year 1933-34. The following institutions are mentioned there :—

1. Government Technical School.
2. Government Central Weaving Institute at Amritsar.
3. Government Zanana Industrial School.
4. Lady Maynard Industrial School for Hindu and Sikh Women and Girls, Lahore.
5. Mayo School of Arts.
6. Government Industrial Schools in Punjab.
7. Government Institute of Dyeing and Calico printing.
8. Government Hosiery Institute, Ludhiana.
9. Government Demonstration weaving Factory, Shahadra and many others.

Sir, I do not wish to take more time of the House by quoting the full list of names of institutions that appear here in this memorandum so far as the Punjab Province is concerned. As we all know, the female population in the Punjab is rather backward and is more or less purdah population. Still we find there all these institutions turning out excellent work all the year round. What is the state of affairs in this advanced province of ours where thousands of girls are attending schools ? There is not that real anxiety on the part of our Government for the uplift of female education. Otherwise, our condition would not have been what it is to-day. Liquor shops of course are being opened all round, probably because they are considered, at least so far as Government are concerned, to be an effective means of bringing about the uplift of the country. But the problem of finding out ways and means for industrial education is totally lost sight of by this Government.

As regards state aid to industries, two of my predecessors who spoke before I rose to address the House have already clamoured about it. Here I hold in my hand the report of the Industries Department for 1932-33. That report contains a long chapter and two lengthy paragraphs. These paragraphs will give the honourable House some idea

[Rao Saheb P. D. Kulkarni]

of the way State aid is being given to our nascent industries. Paragraph 60 says "during the year under review no application for State aid to industries was received. Two applications which were pending for want of adequate information were rejected" (page 21). This is the whole story, Sir, of State aid to industry. How can you expect our industries to flourish under such definitely adverse conditions? If the Honourable the Minister had real interest and had made proper attempts to encourage the industries of the province, I am sure he could have done much better than he has done in spite of the adverse circumstances behind which I know he will take shelter while giving us his reply in answer to the present debate.

I will now proceed to show what the Madras Presidency has done.

"In Madras the Industries Department increased its activities in several directions during the year."

This is the statement of the officers of the Bureau of Public Information. It goes on to say:

"Among the more important developments were the grant by the Government of a lease of forest land not exceeding 30,000 acres for ten years for the extraction of soft wood required for match manufacture; the grant by the Board of Industries of a loan of Rs. 10,000 for the establishment of a tobacco redrying factory; and the amendment by the legislature of section 9 of the State-aid-to-Industries Act in such a way as to enable loans up to the limit of Rs. 40,000 to be obtained by industrial concerns even if the loan exceed 50 per cent. of the net assets of the enterprise. This last step should do much to encourage the development of small as well as large scale industries in the presidency, and it is worthy of note that the cottage Industries committee appointed in 1929 reported during the year in favour of immediate action being taken to develop 15 different industries," [India in 1930-31: A statement prepared for presentation to Parliament in accordance with the requirements of the 26th section of the Government of India Act (5 & 6 Geo V. Chap. 61].

This clearly gives an idea of what can be done to promote industry if there is the wish at heart. In this presidency, though land is available, it is given to police patels and police constables for their meritorious services, while no land is given for industries or for other business akin to that.

Sir, lack of funds is no excuse. Where there is a will there is a way. The Madras presidency is not a flourishing industrial province, but even they have done so much, while we here are abolishing activity after activity of the department. We are curtailing the grant year by year. And what progress is made? The only progress is of beggars. Other countries are doing something to arrest that evil, but we are doing nothing. I shall quote two sentences from the Punjab Legislative Council Debate to show that they are doing something to get rid of these grievances:

"I may point out that the development of industries is one of the ways of solving the problem of unemployment in the province. In England more than a million and a half of the people are daily being given bread and butter by the Government. Similarly in America, six million people are supplied food and lodgings by the Government. If India were England, people would have revolutionised the country. The people here unfortunately are so gentle and so ignorant that they are very peaceful even when they are not able to get a morsel of food." [Vol. 23 dated 13th March 1933.]

The struggle is very hard. The aid which is given by the Government departments is a drop in the ocean. Look to the third chapter of

[Rao Saheb P. D. Kulkarni]

the recent report. A few industries here and a few industries there. What is the use? It is a quarrel between a giant and a dwarf. This dwarf has been created to wrestle with the giant, and I am showing what the result will be. I am quoting the words of the late Mr. G. K. Gokhale. I am asked who is the giant and who is the dwarf? So I am quoting the words, which will give an idea as to who is the giant and who is the dwarf.

The Honourable the PRESIDENT: Who is asking these questions? I cannot follow.

Rao Saheb P. D. KULKARNI: My honourable friend Mr. Kamat asked me, who is the giant and who is the dwarf? The late Mr. Gokhale said:

"This, then, is the extent of the 'bleeding' to which we are subjected year after year! It is an enormous economic evil, and as long as it is not substantially reduced the prospect cannot be a cheering one. After all, what can you do with a small amount of capital? You must not be led away by the fact that, from time to time, you hear of a new industrial concern being started here and there. The struggle is a much bigger one than that. It is like the struggle between a dwarf and a giant." [G. K. Gokhale on Swadeshi Movement p. 967.]

Looking to the various activities in this department, we are unwillingly driven to despair. If we take a survey of the last three years, we have done nothing to achieve the progress of the industrial department and industries here. So many questions are coming in my mind. In other parts of India the Minister was asked similar questions. I shall repeat them here, and I trust that the Honourable Minister will be kind enough to give a reply to those questions. These are questions of vital importance in connection with industries, and therefore I am reading two lines from the Debate:

"Has the Minister considered what are the things necessary for finding out the finance for the purpose of helping the industrial development in this province? Have they consulted public bodies and public men over this question? Have they consulted business men who may be in this province and experts who may be of use and help in giving suggestions on this most important point, namely, the question of industrial finance, the question of starting industrial banks in this presidency? Have the members of the Government cared to study the history of Japan and of Germany in this matter? Have they cared to ponder over the question as to how it has been possible for Japan in the course of less than 40 years to develop itself from a country which was backward both agriculturally and industrially in comparison with India, into a country as she now is, by making a bold and rapid march in these directions with the result that now we find Japan competing with all European countries in this matter? [Bihar and Orisa L. C. D. p. 914, Vol. XXV of 1932.]

These questions were put there to the Ministers, and the Ministers were able to satisfy the queries of the persons who also were expecting something. And I am asking here our Honourable Minister to satisfy our needs, not in words but in action, showing what the Honourable Minister was pleased to make for the progress of industries and to make developments to push them forward.

Now, we must see what is the atmosphere in the country. They want industrial development, and if their wishes are not fulfilled, then they will take very drastic measures. The Central Provinces Legislative Council carried a cut motion of Re. 1 when the Industries Department was not run satisfactorily in 1932–33. In the Punjab Council a censure

[Rao Saheb P. D. Kulkarni]

motion was passed in 1933–34 in respect of the Industries Department, because no satisfactory progress was made. And what is the condition here? We are far behind even than Punjab. The Punjab public is not satisfied with the measures that are taken there, and if no hint of this sort of action is taken here, Bombay will have to follow the suit of the Punjab and the Central Provinces. It is no excuse to say that we have got no money. There is a proverb "Beg, borrow or steal." Our existence is dependent on the progress of the Industries Department. Government may ask for loans for the development of our industries and may declare so in the open market of this country for the loan, and they will get it. But let us have a flourishing Department of Industries, which will be the best in this presidency, and we shall not be looked down upon when we compare our figures of expenditure on this Department with those of other presidencies. My honourable friend Mr. Shaikh Abdul Aziz gave some figures of the expenditure in that connection, but they were for 1931. I am quoting the figures for 1933–34 of the expenditure incurred in other presidencies, and a comparison will show in what position we are. I am not giving detailed figures. The United Provinces spends 11 lakhs, Madras 9 lakhs, Bengal 9 lakhs, the Central Provinces 2 lakhs, Punjab 3 lakhs, and Bombay 4 lakhs. When compared with the income of the presidency, ours is a very low figure comparatively. Therefore, sufficient care must be taken by the popular Minister to secure sufficient grant for this department, and within his own region it should not be a laborious task for him to see that this Industries Department flourishes and is the best in comparison with the other presidencies also. Do not have this mutilation. One class goes away; another class is abolished, and nothing is done to take their places. When it is asked how many schools there are, the answer is 2 schools and one inspector for the examination and inspection of 2 schools. What is the number of recognised industrial schools? The answer is, "The total number of technical and industrial schools in the Presidency was 41 with 2,475 students under training" [*India in 1930–31*, p. 607]. What a meagre figure! Is this their sincere effort for the development of industrial education? With our talented and public-spirited Honourable Minister for Local Self-Government we expect something more, and we hope that next year he will be giving something more. With these words, I support the cut.

3-30 p.m.

The Honourable Khan Bahadur D. B. COOPER: I have nothing to do with the Industries Department, Sir.

Rao Saheb P. D. KULKARNI: I meant the Honourable Minister in charge of the Industries Department.

Mr. P. B. ADVANI: Sir, the points raised by the various honourable members lend themselves to be grouped in three broad divisions, namely, (1) that not sufficient work is being done by the department for particular regions, such as Ratnagiri, (2) that insufficient work is being done for the presidency as a whole, and (3) that some constructive suggestions which had been put forward last year have not been attended to. Under

[Mr. P. B. Advani]

this grouping I think I might also mention that some fresh suggestions have been made this year.

Now, Sir, the area of the Bombay Presidency, which is to be served by the Department of Industries, is very big and the scope of work——

Mr. B. S. KAMAT: Bigger than the Punjab?

Mr. P. B. ADVANI: ——and the scope of work for the industrial development is very considerable, whereas the funds at our disposal are very limited. In judging the work of the Department of Industries, it is only fair that these two facts must be borne in mind, and I feel, Sir, that if these facts are borne in mind and the report of the Department of Industries is read, I venture to think that it will be seen that a considerable amount of useful work is done to achieve the objects which the department has in view, namely, increase in the industrial production in the presidency and in the number of persons who may be employed in industries.

Taking now, Sir, the first broad division of criticism, namely, that not sufficient work is being done for particular regions and that the industrially more backward areas should first be attended to, I would say that if we were to attempt to serve all or the majority of districts simultaneously, our efforts will be so frittered away that nothing appreciable would be done for any particular area. Our policy therefore has been that, instead of trying to serve unmanageably large areas simultaneously, we have concentrated our energies on those existing or new industries which can be improved or which can be brought into being by our help. We have carried out preliminary investigations in the first instance and those industries which have appeared suitable have then been taken in hand by us for detailed examination and experimental work. After this, where necessary, we have given practical demonstration of processes and improved appliances which we have devised as a result of our experimental work. In such cases, we have taken our practical demonstration parties to those areas where the industries investigated already exist, because we feel that those areas are likely to take advantage of our demonstration rapidly. In the case of new industries investigated, wherever we have obtained results, we have taken our demonstration parties to those areas, where raw materials required for those industries are available, so that the local people may be able to take advantage of our efforts. If, therefore, we appear to have neglected any particular regions, it is not that we are not alive to the fact that there is considerable scope for work in many of the districts of the presidency but that we must be careful to conserve our resources and spend the money in such a manner as to obtain the maximum possible advantage looking to the presidency as a whole. It must not be taken from this that I agree that the Ratnagiri District whose cause has been espoused at considerable length has been neglected. I will in a few minutes show that we have done a considerable amount of work for this district.

[Mr. P. B. Advani]

In regard to the second broad division of criticism that we are not doing enough work for the presidency as a whole, honourable members themselves have given the reason, namely, that not sufficient funds are available. The financial stringency is there as we all know. When there is more money available, we will be able to do more work to the satisfaction of honourable members. May I say, however, that even with the money that is available, as I said a moment ago, we are doing a considerable amount of work? Judging from the criticisms which have been made, I feel that the Report of the Department of Industries has not been read by some honourable members. I will with your permission, Sir, take a few moments to give a very brief outline of the work which has actually been done during the last year.

In Chapters II and III of the Annual Report, the work of the department in regard to organised industries as well as cottage industries has been narrated. It will be seen, Sir, from Chapter II that practical investigations, experiments and demonstrations were undertaken to improve the quality and quantity of products of some existing industries, such as gold thread industry, indigenous soap and soda industries. In respect of all these industries which already exist, we examined the various processes and machines which are at present employed and devised improved machinery and processes. After that had been done, they were demonstrated in Surat, Yeola, and in Poona in respect of gold thread machinery and processes. In regard to indigenous soap and soda improved appliances and processes, they were demonstrated in Prantij, where this industry is carried on. So far as the gold thread machines are concerned, they show considerable improvement and sufficient originality to justify the machines being patented and accordingly patents have been granted to us. In this connection the House will be interested to know that, before we undertook the work in connection with gold thread industry the South Indian market was almost entirely served by French imports. Recently, a representative of a big European firm of importers of Madras saw me in Bombay and gave me to understand that, since the work of this department in Surat, they have come to the conclusion that Surat gold thread was such as would compare favourably with that imported from France. They have, so far, been almost exclusively dealing in French thread in Madras. He desired that he should be put in touch with the Surat makers who have adopted our machines and our processes, so that his firm may try and sell their thread in the Madras area.

If again a reference is made to the same chapter, namely, Chapter II of the Department of Industries Report, it will be seen that experimental work was undertaken in connection with some new industries which at present do not exist in the Bombay presidency. These are the tallow substitute, that is, the utilization of our vegetable oil for the manufacture of tallow which may take the place of animal tallow which at the present time is imported from abroad for use in textile mills. Peppermint oil is another industry; straw boards from rice straw; starch from jowari; thorium nitrate etc. are other industries which were investigated. The

[Mr. P. B. Advani]

work in connection with these industries which are entirely new to the presidency was undertaken and concluded. The results of the work in connection with the tallow and starch from jowari have been published in bulletin form and have aroused considerable interest. The House will be interested to know that the representative of a big American firm who are very large manufacturers of starch—starch is imported in large quantities into this country—saw me in my office a few days ago. He told me that he had sent the bulletin to his principals in America; and that they are very much interested in this matter. In America, they make starch chiefly from maize. We have jowar available in large quantity and at the same time we are importing a large quantity of starch. The raw material available in this country could be utilised for the manufacture of starch which is required in large quantities. As a result of our investigation this American firm are considering seriously whether they could not come and join some Indian financiers and start the manufacture of starch in the Bombay presidency. In a similar manner a number of detailed estimates have been made for a number of industries, both existing and new, and these estimates have been made available to those who are interested in such matters—the various Chambers of Commerce—and individuals and concerns who take interest in industries. Manufacturing difficulties of a number of concerns were dealt with during the year, by practical experimental work. Examples of this work will also be found in the Annual Report of the Department.

Several hundred enquiries in regard to commercial intelligence were received and dealt with during the year.

We have also done considerable amount of work in regard to exploitation of mineral resources. The principal example in this connection is that in connection with the occurrence of natural gas in the Northern Division. This area was investigated by the department and we thought that there was sufficient natural gas available to justify commercial exploitation. At our suggestion the Director General of Geological Survey of the Government of India undertook to investigate the matter further. His officer's investigation showed that about 50 per cent. more gas than what we estimated would be available. As a result of our investigation an industrial magnate of Bombay has taken up the necessary license for the exploitation of the area. We hope he will be successful, as his success will add to the revenues of Bombay Government.

In the domain of cottage industries, we continued to maintain, during the year, twenty-four peripatetic institutions for helping the cotton and wool weavers and agriculturists in the use of improved appliances and processes in weaving, dyeing and cloth printing. Some experimental work was also undertaken for the benefit of cottage workers. In this connection I will refer to beam system, mechanical dobby and tape loom. All these have been designed and made by us and they are now being demonstrated for the first time among handloom weavers. Experiments were also in progress as regards glass bangle industry and

[Mr. P. B. Advani]

pottery glazing. I will not take up the time of the House in giving further details, because they are given in the departmental report which is now available to all honourable members.

Now, Sir, I shall deal with some specific points raised by some honourable members. The question of compilation of an industrial directory was mentioned. This question was carefully considered by the department and it was found that there are no less than 10 directories already available, which cover in some cases specific territories and in other cases the whole country including Bombay presidency. One of these is that issued by the Director General of Commercial Intelligence covering large industrial establishments of the whole of the country including Bombay. Similarly, a private firm, Messrs. Thacker and Company issue a directory of the chief industries of India, Burma and Ceylon. This again covers the Bombay presidency very fully. The Journal called "Industry" issues the Industry Year Book and Directory. This also includes the Bombay presidency. The Bombay Swadeshi League have issued a classified list of swadeshi manufacturers and their agents. There are some similar directories in Gujarati and Marathi, the names of which are available with me. In view of this fact and in view of the fact that the funds placed at the disposal of the Department are limited, I suggested to Government that it will serve no useful purpose in adding to these directories and that we can utilise the money thus saved in other and more useful directions.

Now, Sir, coming to the Ratnagiri district. The honourable members who spoke about this district made out that the Department of Industries did nothing for the district and that no officer of the department had visited the district. This, Sir, is not correct. The Industrial Chemist of this department has been there more than once, and we have actually at the present time under consideration, with a view to taking experimental work in hand, the question of cashew-nuts, the extension of that industry in the Ratnagiri district and the utilization of the by-products of cashew-nuts. We have also in hand the question of the utilization of black sand—magnetite sand—as it is called, which is found on the coast of Ratnagiri. We, Sir, inspect annually, and also examine the students of the Ratnagiri Technical School, and we make a grant to this school of Rs. 6,915.

The honourable members interested in Ratnagiri, Sir, mentioned certain industries which require help. They referred to the utilization of aloe and hemp fibre. This question has been examined and a scheme has been prepared for the extraction and utilization of fibre from hemp, and a scheme has been submitted to Government for the consideration of the Imperial Council of Agricultural Research. Experimental work must be carried out for which money is required, and the Council are prepared to consider such a question.

Mention, Sir, was also made of rice straw being available in Ratnagiri. I mentioned a moment ago that experiments had been conducted by us for the utilization of rice straw for the manufacture of straw boards,

[Mr. P. B. Advani]

and we hope some time or other to demonstrate this in Ratnagiri. What I wish to point out is that work has been undertaken in this connection.

A large number of other industries were mentioned so far as Ratnagiri is concerned, but, Sir, the point to bear in mind in connection with these industries is this. It is true that in some respects technical assistance is required, but I think it is also equally true that many of these industries suffer because of lack of marketing organization. We are alive to this fact and a scheme in this connection was duly considered. It was submitted to Government, but unfortunately, owing to lack of funds, it has been held up for the time being. (*An Honourable Member:* Exportation of mangoes ?)

As regards mangoes, so far as marketing is concerned, it is a problem connected with the Agricultural Department. But we have been trying to see how we can use it industrially, and we have conducted experiments in the matter of drying of mangoe pulp, and the experiments have been largely successful. Certain work of a minor character is still necessary, and we hope to be able to demonstrate the process of drying of mangoe pulp at an early date.

One honourable member, Sir, referred to the question of the handloom weaving industry. We are aware, Sir, that the handloom weaving industry is a very big industry. As I mentioned a moment ago, some 24 peripatetic institutions are maintained for handloom weavers, and I believe something like Rs. 60,000 are spent per annum for the benefit of handloom weaving and allied industries by my department. He mentioned that I had made a suggestion before the Tariff Board for the levy of a cess. The levying of a cess is a Government of India matter, but, as a matter of information, I would inform him that the question of a cess was considered in Simla at the time of the Indo-Japanese trade negotiations. At that time the question of restricting certain types of cloth to be produced only by handloom weavers was also considered.

Sardar Rao Bahadur B. R. NAIK: Below 10 counts.

Mr. P. B. ADVANI: 9 counts and lower. These matters, Sir, are before the Government of India. I was there myself as an adviser in connection with the interests of handloom weavers. The papers are with the Government of India. It is for that Government to take a decision and I do not think we can do very much in that matter here.

A suggestion was made, Sir, in connection with the establishment of an advisory committee for the Department of Industries. In this connection, I would like to mention that at the present time we have already three committees in existence. One covers technical education—the Committee of Direction for Technical Education. The second committee is for the award of technical scholarships in industrial chemistry and in electrical engineering. And I have unofficially established a third committee recently for advising me on questions relating to industrial research, a committee of experts—

Mr. G. S. GANGOLI: That is unofficial.

Mr. P. B. ADVANI: —— comprising the Principal of the Victoria Jubilee Technical Institute, the recently appointed head of the Chemical Technological Institute of the University of Bombay, the Principal of the Royal Institute of Science and myself.

I think, Sir, I have attempted to reply to most of the points which were made in connection with Industries proper. This would lead me now to the points raised in connection with the work recently started in regard to fisheries. Mr. Sorley's report showed, as the previous preliminary work of my department had also shown, that the supply of fish was inadequate, that it did not meet the present demand. It was therefore thought that until this demand was met, the question of such subjects as subsidiary industries could not be considered. It was also thought that any steps which might be taken should be such as could ultimately be adopted by fishermen with their available resources. It was for that reason that it was thought that the best point of attack would be rapid transport of fish from the fishing fields to the landing stages. It was decided that small motor boats should be used for this purpose. It is not intended that Government should maintain a fleet of motor boats, and act as carriers, but that they should demonstrate the usefulness of such boats and teach the fishermen how to handle them so that they can ultimately convert their present sail craft into power propelled boats.

4 p.m.

It was found that their existing fishing boats could be converted into power boats. Accordingly, a launch was borrowed from the Royal Indian Marine, slight alterations were made in it in order to make it useful for the fishing industry, and demonstrations of this boat have been carried on in Bombay. In the budget for 1934–35 a provision has been entered for the purchase of two motor launches. The Royal Indian Marine launch will be returned shortly. When our two boats are ready they will be demonstrated in the various fishing centres. It may interest the honourable members to know that in the short period in which the demonstration of a motor boat has been carried out the fishermen with whom we have been working in co-operation have been convinced that it will be to their advantage to adopt this method of transport and have already made an application to me to sell to them one of the Government motor boats on the instalment system. It has been found, Sir, that the fish that is brought in by the motor boat, because it comes five or six hours earlier than a sail boat can bring it, fetches a higher price than the fish brought in by a sail boat. That is where the whole point of the demonstration lies, namely the economic point. We have proved that it is more profitable to use a motor boat than a sail boat. The fishermen, as I said a moment ago, have appreciated this and have already made an application to me that one of the motor boats should be sold to them on the instalment system.

In this connection, a point has been raised that there should be established a Board of Fisheries. This, Sir, is a matter which is under consideration. Mention has also been made of the necessity for a central information bureau of fisheries. This matter has already been investigated and is at present under the consideration of Government. As

[Mr. P. B. Advani]

regards deep zone fishing, experiments will be conducted with our motor boats during the next fishing season.

Then, Sir, a question has been raised in connection with research, research to be conducted by departmental staff and research to be conducted by existing scientific institutions to whom, it has been suggested, grants should be made. Similarly, a suggestion has been made in connection with a marine aquarium in Bombay. All these matters require money and will be considered from time to time as money becomes available. We have made a start; we should see the present demonstration scheme well on its way, and then we can consider other suggestions which require more money.

There is still one more point alluded to in this connection, and that is the supply of fish in the interior. That, Sir, is a matter of the total supply available in the coastal towns and transport facilities. The demonstration of motor boats is intended to increase the supply of fish and the question of transport facilities is under investigation. The question of the development of inland or sweet water fisheries is a separate problem by itself and is being investigated.

Mention was also made of oyster culture, I might mention that this matter is already receiving our attention.

I have endeavoured to reply to all the points and I hope that I have satisfied all the honourable members who are interested in the matter.

Mr. G. S. GANGOLI (Kanara District): Sir, the last speaker, the Director of Industries, stated that this Presidency is a very large one and his department cannot cope with it. That is exactly what the Thomas Committee has stated and what the honourable members on this side of the House also stated. I should also say that he is true to his salt. Coming from Sind, he perhaps wants that Sind should be separated, so that this Presidency may be small enough. That was probably why he elaborated on the size of this Presidency and said that he could not control the entire Presidency alone.

The last subject which I had the honour to discuss on the floor of this House was the village uplift scheme involving a grant of Rs. 23,000. Unfortunately, those who opposed my motion were the title holders, each and every one of them, and those who supported me were all plain gentlemen of this House. Any way, so far as this cut is concerned, every one, to whatever party, to whatever creed or whatever caste he belongs, every one has supported me. Of course it is a token cut. We do not want that this department should be starved. On the other hand, we want additional amount sanctioned under this head. We want a director of industries for every district. If the industries are to thrive, the department must be more active than it is at present. Last year and year before last we specifically said that we wanted more provision under this head. We are prepared to bear fresh taxation, provided the entire proceeds are earmarked for the purpose of encouragement of industries. That has not been done. So far as we can see, the

[Mr. G. S. Gangoli]

Industries Department itself is meant to be only a show and nothing else.

But there is one point. The last speaker laboured the point about a directory of industries. But there is some difference in what he thinks and what I stated. What I stated was this:

"I distinctly remember having made a concrete and a constructive suggestion last year when I suggested that the honourable member the Director of Industries should visit any street in Bombay and a village outside and see how many and what articles are sold and used there, make a list of those articles and see how many of them are prepared in India or in this Presidency and that if they are not prepared in India he should state what comes in the way of encouraging the manufacture of those articles in India."

This was the sort of directory that I suggested. On the other hand, he says that there are some Gujarati, some Marathi and some other directories. But I think they are concerned with very few industries. We only want him to try and see why we cannot foster the manufacture of the articles we use and see. I may at once say that an ounce of example is better than tons of precept. If one were to judge the Honourable Minister and the honourable member the Director of Industries from their dress, I do not think they wear anything which their department has produced. It is all foreign. They cannot boast that they are wearing the clothes that their department has produced. Not a bit of it has been produced by their department. As I said about 5 days back a Japanese firm imported all at once on a Sunday a fortnight back Rs. 15 millions worth of artificial silk. How long will that continue? We have got a vast area. We have got raw material, we have got poverty, we have got unemployment. You can have cheap labour. Even if you want to impose new taxes, there is nobody who can bear it. This is a subject which is transferred totally. It is a wholly voted grant. I do not know why a directory of industries could not be produced as promised last year? For instance, we get an idea from such a directory what articles we are not producing and what we are producing. Take electric bulbs, for instance. Can you produce a bulb in India or in Bombay? There are so many other things. Compare our province with the Mysore State. See how advanced they are in the matter of industries. Why should you not take a bold step? I think we have been very weak in pressing our claims. Year after year we have been suggesting cuts and withdrawing them or the motion is lost. It is really a wonder why no serious attempt is made to accede to our request. That shows how impotent this side of the House is. I do not know whether it is because of the recent Castration Bill introduced during the Poona session. [An Honourable Member: "That was for bulls."] Any way, we cannot press our claims. That is one subject on which we are all unanimous. Even the Government agree with us, but no solid help is forthcoming. I am not really satisfied with the lengthy explanation which the honourable member the Director of Industries made to-day. I do not think Government are really serious on this subject. I do not think the Honourable Minister himself has handled the subject with all the seriousness that it deserves. I therefore press my cut.

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, since Saturday last, we have been hearing a good deal with regard to the immense resources of the Ratnagiri District. This very district came in for discussion during the course of the last year's debate. It has been urged that the Industries Department has not been able to do anything for that particular district. The representative of Ratnagiri District further said that his district should be supplied with tins for the purpose of facilitating the trade in mango pulp. He also said that the demonstrations that are being given with regard to the drying of mango pulp have not reached his own native place. The honourable member the Director of Industries has already told this House that experiments in drying mango pulp have been completed and demonstrations will be given wherever they are needed. Those of us who had the opportunity of visiting the Hospitals Fete and the Industries Department stalls therein must have seen the demonstrations in drying mango pulp given there. Nothing prevented my honourable friend from Ratnagiri from visiting the Fete and inspecting the stalls there and seeing the demonstration for himself.

With regard to the tins or cans that are required for mango pulp, may I remind my honourable friend that there are two factories in the Presidency, one at Anand and the other at Sukkur? The factory at Anand manufactures its own tins for butter. So also, the factory at Sukkur prepares its own tins for biscuits. If at these two places the required tins can be manufactured, I fail to see what stands in the way of the Ratnagiri people attempting methods which are followed in these two places. If any technical advice is required or any further information is required, the Director of Industries will be very glad to give it.

The honourable member Mr. A. N. Surve, who does not represent Ratnagiri but Bombay City, North, complimented the Government of Bombay for two things—for helping the fishing industry of Bombay and for utilising cashew nut that is being produced in the Ratnagiri District. With regard to the fishing industry, though my honourable friend from Kanara (Mr. Gangoli) belongs to the sea coast, he did not say a word in appreciation of the work of the department——

Mr. G. S. GANGOLI: You have started it in Bombay.

The Honourable Dewan Bahadur S. T. KAMBLI: He is always blind to the achievements of the department and this particular instance was no exception in his case. We have spent a good deal of money and a good deal of effort in trying to teach the fishermen of Bombay as to how the catch of fish should be speedily transported from the sea to the coast. My honourable friend knows how inadequate the supply of fish is even in the city of Bombay——

Mr. G. S. GANGOLI: No, Sir.

Rao Bahadur G. K. CHITALE: May I know what has happened to the big trawler worth lakhs?

The Honourable Dewan Bahadur S. T. KAMBLI: My honourable friend knows the history of that big trawler. He was present at the

[Dewan Bahadur S. T. Kambli]

time when questions were put on the subject. The subject was discussed in this House in the first reformed council. That trawler has been sold.

Rao Bahadur G. K. CHITALE : It was purchased in my time.

The Honourable Dewan Bahadur S. T. KAMBLI : If I mistake not, my honourable friend was too extravagant in his praise of it at that time.

Sir, we have succeeded in persuading the Royal Indian Marine to lend one of their motor boats for this purpose and we are training some of the fishermen in the use of the motor boat. We are giving them scholarships too. I am very glad to be able to inform this honourable House that the fishermen of Bombay have appreciated the advantages derived from the use of the motor boat, and as the honourable member the Director of Industries has just told this House, they have offered to purchase one of such boats on an instalment system. If and when the supply of fish to the city of Bombay is sufficient and more than sufficient to meet the demand of Bombay, the next step will be to attempt the transport of fish to inland places. Unless this initial stage, namely, increase in the supply of fish so as to equal the demand in the city of Bombay, is completed, the next stage cannot be taken in hand.

My honourable friend Mr. Prater stressed the necessity of having a Marine Aquarium and also the necessity of engaging some M.Sc. graduates on research work. This question has not been lost sight of, but it has been held in abeyance for want of funds. Everybody is agreed as to the utility and the benefit of having an Aquarium and also of having further research work done with regard to the various kinds of fish, their habits, their migrations etc. But all these things have been postponed until financial conditions improve.

The honourable member from Khandesh emphasised the necessity of having an emporium for the marketing of products of hand-loom industry. This question too has not been lost sight of. A scheme was some time ago prepared by the Director of Industries with this object in view to have a central emporium in the city of Bombay and to have some branches of it in different parts of the presidency. This scheme also was considered and everyone admitted the usefulness of such an emporium and its branches, but then on account of the same reason namely, want of funds, the consideration of it was postponed.

Sir, this honourable House is aware that it was with great difficulty that the abolition of this department was averted. The Thomas Committee recommended not its continuance but its abolition.

Mr. G. S. GANGOLI : I would have welcomed it, rather than starve the Department which is so very useful.

The Honourable Dewan Bahadur S. T. KAMBLI : My honourable friend says he would have welcomed it. If so, he ought to have given public notice of his opinion and his name would have stood immortalised in the history of the Bombay Presidency. To get as much work as

[Dewan Bahadur S. T. Kambli]

possible from the department with the limited funds at its disposal is one thing and to say that we should not have the department at all is another.

The honourable members from Surat will agree with me that at least their town has received the greatest amount of benefit from this department. The gold thread industry which had almost come to a collapse, has definitely been revived and I may tell the honourable House that it has got a great future before it.

Sardar Rao Bahadur B. R. NAIK: Yes, that is so.

Dr. M. K. DIXIT: Yes, I agree.

The honourable Dewan Bahadur S. T. KAMBLI: Does my honourable friend from Karwar mean to say that even this benefit which Surat has derived should have been made impossible by the abolition of this department? Does he seriously mean what he says?

Mr. G. S. GANGOLI: It is a starving child.

The Honourable Dewan Bahadur S. T. KAMBLI: Why does the honourable member himself not try to grow fat?

Mr. G. S. GANGOLI: Owing to circumstances.

The Honourable Dewan Bahadur S. T. KAMBLI: Exactly, in the straitened financial circumstances, the department has to be maintained in a famished state until better times come.

Mr. G. S. GANGOLI: Of course, that is due to your administration.

The Honourable Dewan Bahadur S. T. KAMBLI: I do anticipate that better times will come and I do anticipate that more funds will be available and that this department of industries will be able to do much more than what my honourable friend wants it to do.

Then, Sir, with regard to the question of taking over control of the Dhulia Technical School, I may inform my honourable friend from Khandesh that this is the first time that I have heard that such a state of things exists there. I did not know officially that there was a demand for the school to be taken over by Government on account of the state of things existing there. This is a question for investigation and consideration. I am hearing this for the first time and that too on the floor of this House and therefore I cannot say anything more than that the question is one which requires a careful consideration.

As regards the question of State aid to Industries Bill and the refusal of sanction of Government to the bringing forward of such a measure in this House, the honourable House knows in what state the finances of this presidency are. In the state of the present financial condition of the presidency, it was not possible to bear an additional burden on account of the provisions of the projected Act.

On the whole, Sir, from the debate it appeared to me that everyone agreed that the department was doing as much as it could and that everyone was very anxious that more funds should be made available for the department. I am quite sure that my honourable colleague the

[Dewan Bahadur S. T. Kambli]

Finance Member will, when the financial situation of the presidency improves, not grudge to find money for this department. Let us all hope for the improvement of the presidency's finances and let us hope for the strengthening of this department in the way desired by this honourable House.

With these words, I request my honourable friend to withdraw his motion.

Question put, and negatived.

Demand for grant put, and agreed to.

The House adjourned for tea till 5 p.m.

(*The House re-assembled after tea at 5 p.m.*)

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, I make a demand of Rs. 24,11,000 under 34-Agriculture (Transferred).

Question proposed.

Mr. G. S. GANGOLI (Kanara District): Sir, I beg to move:

"Reduce by Rs. 100, A-Agriculture—A-1-Superintendence, Total voted Demand Rs. 66,200."

The Honourable the PRESIDENT: That would be a discussion on "Superintendence" only.

Mr. G. S. GANGOLI: General management of the department as a whole?

The Honourable the PRESIDENT: No.

Mr. G. S. GANGOLI: Yes, Sir. I think I have taken the highest officer in the department.

The Honourable the PRESIDENT: No. The honourable member will understand that these motions have been arranged in such a manner that the cut for general discussion will come later on.

Mr. G. S. GANGOLI: Yes, Sir. It is No. 65. I have also proposed a cut for general discussion.

The Honourable the PRESIDENT: The honourable member need not move this then.

Mr. G. S. GANGOLI: I shall move it. Why should I forego this motion?

The Honourable the PRESIDENT: He may move it, but he should limit himself to that one particular sub-head.

Mr. G. S. GANGOLI: Yes, Sir.

The Honourable the PRESIDENT: When the honourable member rises to speak on the cut for general discussion, he can refer to this also.

Mr. G. S. GANGOLI: I am moving this particular one.

[Mr. G. S. Gangoli]

I have already stated on the floor of this House that these departments, the nation-building departments, the departments which are to feed the agriculturists and the poor, the departments from which Government is to be run, these are the famished departments. I have further stated that I would welcome a Director of Industries for every district; so also I would welcome a Director of Agriculture for every district. Instead of having a Collector, or a Superintendent of Police, or a District Judge in every district, had we been only lucky enough to have a Director of Agriculture for every district in this agricultural presidency of ours, I think we should have made headway, and year after year the Honourable the Finance Member would not have been compelled to have recourse to more taxation.

By moving this cut, as has been already stated, I do not wish it to be inferred that I desire that the grant should be cut by Rs. 100. But I would just say that because we cannot claim enhancement of expenditure on the department, we move the cut. To illustrate that idea, I move this cut under this head, and to say at the same time that the department should be enlarged. I can say that so far as the several talukas of the Kanara district are concerned, the Director of Agriculture has not even sufficient hands to send at least one man to one taluka every year. There are some talukas which are hard hit. The Director of Agriculture knows all complaints about *koleroga* and its ravages, but he has no staff enough to send at least one man once a year there. I hope the Director of Agriculture is giving a patient hearing to what I have been stating. There are some jungle tracts, forest areas, talukas by themselves, I mean Yellapur, Supa and Ankola in which all these long years, in spite of my cry and in spite of the assurances given by the late Governor Sir Frederick Sykes, that the matter of *koleroga* will be handled——

Sardar Rao Bahadur B. R. NAIK: This is not a general cut.

Mr. G. S. GANGOLI: It is a cut on the Director of Agriculture, Sir. He has failed in his duties, as the promises have not been carried out and his staff should be retrenched.

The Honourable the PRESIDENT: The motion is to reduce the total provision under A-1 "Superintendence". That is the whole scope of the subject.

Mr. G. S. GANGOLI: Yes, Sir. He has failed to perform his duty as the superintending officer, as the head of the department, as promised by him and undertaken in this House and as also promised by the late Governor, Sir Frederick Sykes, that the matter of *koleroga* is receiving considerable attention and serious attention at the hands of Government. His Excellency promised, while inaugurating the Council session at Poona, that the matter is taken up by the highest authority possible, namely, the Imperial Council of Agricultural Research. With all that, I am sorry to state that the matter is shelved, and again I have to refer to it. It is dropped entirely. That being so, he has no sufficient staff to send to each and every taluka, where we are hard hit. I would only suggest that the amounts be increased, so that we may have one Director

[Mr. G. S. Gangoli]

of Agriculture for each of the districts, as we have a Superintendent of Police or a District Judge or a Collector for each district. We have got the Collector only to raise land revenue, and police to watch our property where we have none. But we have not enough agricultural officers who can come to us and who can help us in all our needs.

It was also part of the Director's duty to see whether the agriculturists are in a position to transport their goods. The main difficulty of ours is that we cannot market our produce. We are not given sufficient roads and other facilities to market our produce. It was also his business to represent to Government that there are several villages and talukas which cannot market their produce. They are in need of roads and communications. It was his business to represent to Government that they must be provided with roads and communications.

As an illustrative example of this, I would only say this. Every one in this House is acquainted with the fruit banana or plantain, and I think I am right in what I say, that it is only the Kanara district alone which has the largest area under plantation of plantains. With all that, what is the price there ? Not more than 2 annas per 100. The House will be surprised to learn this, but it is a fact, because we cannot market the produce.

So, I say he has failed in his duties, as he cannot send at least one man once a year to every taluka ; he has failed to redress our grievances in the matter of *koleroga*, and he has also failed to represent to Government that the villagers are suffering for want of roads and other facilities, and that the Government must help them if the agriculturists are to be helped at all. So, I move this cut of Rs. 100 under his establishment.

Question proposed.

Dr. W. BURNS : Sir, as regards *koleroga*, this subject was brought up at the same meeting of the Legislative Council last year. Since then, the following progress has been made : in the current year 1,440 acres have been sprayed, against 800 acres last year and 576 acres in the year before. Plans have been made to spray 2,000 acres in the next year. For that purpose, Government have been approached for a little tagavi, which I believe is likely to be forthcoming. I also sent the Deputy Director to Mysore to study the methods of spraying and of general management of the spraying work there, and I also sent the Plant Pathologist to discuss research problems connected with *koleroga*.

The Imperial Council of Agricultural Research was approached with a scheme for further investigating *koleroga*. It met with some difficulty at the meeting in which it was first presented, but it will be again put up after certain adjustments have been made, and my impression is that in the current year there will be a very considerable move forward. I have already shown that the area sprayed is being increased and that both the Revenue and Agricultural officers on the spot are dealing with the matter.

Mr. G. S. GANGOLI: I referred to certain talukas in which he could not send any subordinate officer till now.

The Honourable the PRESIDENT: I suppose this is the honourable member's reply?

Mr. G. S. GANGOLI: Yes, Sir.

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, I have nothing to add to what has been stated by the Director of Agriculture.

Mr. G. S. GANGOLI: What about want of staff?

The Honourable Dewan Bahadur S. T. KAMBLI: The staff, at present there, is sufficient for the purpose. I may tell my honourable friend that the Deputy Director himself had been on the spot; he studied the question and stayed there sufficiently long for the purpose.

Mr. G. S. GANGOLI: Where?

The Honourable Dewan Bahadur S. T. KAMBLI: In the specially affected areas.

Mr. G. S. GANGOLI: In which talukas?

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, 14,400 acres of garden land in the Karwar District have been sprayed. This is not a small achievement. Next year, tagavi also is likely to be advanced to the gardeners to defray the expenses of spraying. Sir, we have been doing as much as we can in this direction. I hope my honourable friend will be satisfied with the account given.

Sir, Mr. Gangoli also referred to other matters, namely, want of roads and communications, etc. Of course, under the subject of agriculture everything can be brought in—roads, aeroplanes, motor cars, etc.; but they properly do not belong to this demand.

Mr. G. S. GANGOLI: Is it not your concern?

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, it is my concern as well as his; but the fact is that my honourable colleague on my right has to do with roads and communications. The subject of roads and communications was dealt with when 41-Civil Works was under discussion, and then my honourable friend had ample opportunity to discuss the same. The demand under 41-Civil Works has been granted, and we have come to another subject, viz., Agriculture; therefore, I do not think that it is relevant to speak on this point of roads and communications now.

I hope that the honourable member is satisfied with the explanation given by the Director of Agriculture and my explanation. I also assure him in addition that this matter is receiving close attention. Spraying will be extended on a large scale; tagavi is likely to be available to the gardeners who are in want of money. With this assurance, my honourable friend will be well advised in withdrawing his motion.

Mr. G. S. GANGOLI: I am dissatisfied with the answer given by the Honourable Minister.

The Honourable the PRESIDENT: No second speech. Is the honourable member going to withdraw his motion ?

Mr. G. S. GANGOLI: No, Sir.

Question put, and negatived.

Rao Bahadur L. V. PARULEKAR (Ratnagiri District): Sir, I move:

Reduce by Rs. 100, A-Agriculture, Total Voted Demand Rs. 14,30,600.

In moving this cut, I have to repeat the old story over again. This year too I have to refer to the abolition of the office of the Deputy Director of Agriculture of the Ratnagiri Division. It was stated by the Honourable Minister in charge last year as well as this year that the activities that have been started by——

The Honourable Dewan Bahadur S. T. KAMBLI: May I request my honourable friend to come over to the front bench, so that he may be audible to all ?

Rao Bahadur L. V. PARULEKAR: Yes, Sir. As I was saying, in moving this cut, it is a repetition of the old story over again; that means the abolition of the post of the Deputy Director of Agriculture. It was stated in the last year's speech by the Honourable Minister in charge that so far as the activities relating to research, propaganda and demonstration were concerned, these being the principal things with which the department was concerned, they would be continued. But I am sorry to see that none of these have been subsequently continued. I have already stated last year about research that was made in the development of rice. In the Konkan only one or two kinds of rice are grown. So far as *nagli* variety is concerned, also the researches were stated and in both these strains good results were obtained. But experiments in a year or two cannot be expected to give us results which may be considered permanent. Permanent results of experiments must be assured to the people by continued researches so that they might with confidence take advantage of it. That has not been done. I am requesting the Honourable Minister to quote any single instance in the last two years where anything has been done in respect of research, demonstration as well as propaganda.

I have stated in connection with the mango growers that an experiment was made in regard to pruning. The pruning of mangoes is of two kinds, pruning of the branches which are useless in order to give sufficient sap to the tree. This is done only in June, the rest time. There is another sort of pruning. That is done with the object that the trees may have more buddings. It is called artificial budding. There are two seasons when the trees get foliage—one in June and another in November. In November another pruning was tried to ensure certainty of budding and I hear that to a great extent it was successful; and by pursuing the course of pruning in November, the beneficial effects of it should have been assured to the people so that they might pursue it with advantage. But nothing has been since done by the department. Not only that, but though I told the officer stationed there to carry out some sort of experiment in that direction in my garden at my cost nothing has been done. This year I may say there were two seasons

[Rao Bahadur L. V. Parulekar]

for flowering of mangoes. One was early but on account of pests, it was destroyed. When it was being destroyed, I requested the department to help me at my cost in dusting the flowers to prevent further destruction but at the 11th hour I was told that they had no dusting powder to spare for me and it was too late for me to procure it otherwise. That crop was altogether gone. We are expecting another flowering. This is what I say the activity that is going on there. Only during the time the Deputy Director was there, some activities as stated were going on. After the post was abolished there is no research, no demonstration and nothing at all.

The Honourable Minister suggested that I should take interest in the Taluka Development Association to effect some improvements. There is no doubt the Taluka Development Association is there. It has been there for the last 10 years. First, it was started with some grant by Government equal to the contribution of the people. The grant was subsequently stopped. Now, there is no money and that institution is not working for want of finance and for want of proper help from the Agricultural Department. It was first in the hands of officials. It was then tried with some non-officials. As it did not work well, with a view to give an incentive to the people the mamlatdar was appointed as chairman. Now, I understand the Collector is the President. For want of finance nothing could be done. There is another institution called the District Agricultural Association with wider scope of action than the Taluka Development Association. It has been there since 1911 when it was first started. It is in existence till now. The Collector was the president of that association and the management was carried on under official control, but that was after some years found to be ineffectual and then the management was transferred to non-official hands, but with the same result. Up till 1928 no kind of progress could be shown to the agriculturists for want of finance. At this stage the Deputy Director of Agriculture was requested to take charge and bring all his energies to bear upon this subject. Some useful work was done for two years. But I may say this year, even no annual meeting has been held. During the whole period of 12 months the Deputy Director of Agriculture can pay a flying visit to the district only once and it was not possible to discuss and settle properly with him the programme for the coming year. This has been the result of the abolition of the post of the Deputy Director of Agriculture.

So far as mango canning is concerned, the Honourable Minister just told us that the tins could be had from Sukkur and Anand. We are doing the canning of mangoes under the guidance of the Agricultural Department. And it appears that the Agricultural Department even is not aware of the tins prepared in these two places. If these tins are sound ones and cheap and useful for mango canning, this information has not as yet reached the Agricultural Department. How is this? For in last May some canning process was demonstrated at Ratnagiri by an agriculturist expert, but no Indian tins were availed of and nothing was said

[Rao Bahadur L. V. Parulekar]

about them at the time. We may be ignorant of what is happening at Sukkur or Anand. The Agricultural Department should have been informed about this so that people may take advantage of it. I may request the Honourable Minister in charge of the Agricultural Department to see that these tins are made available to the mango growers if they are useful. About sending consignments to England, we have got the official report that some consignments were sent to England under the supervision of Mr. Cheema. But the report does not say whether that experiment proved a commercial success. I could understand from the report that many of the consignments were utilized for the purpose of a presentation. No doubt, presentation is a proper beginning for propaganda, if the result is that consignments could be sent on a commercial basis. On that point we have no information up to now. So far as this is concerned, it is absolutely necessary that the mango growers in Ratnagiri district should be supplied with the full information.

I therefore will not take the time of the House but will simply say the activities of the department are dwindling. The meeting of the executive committee of the Agricultural Development Association has not yet been called. The preliminaries have not yet been settled. Some kind of informal meeting was held some months ago but I do not expect the result will be satisfactory. That being the case, I request the Honourable Minister in charge to infuse greater interest in the Director of Agriculture or through the Director of Agriculture in the persons stationed there to show greater activity.

I have also stated about the improvement of the marshy lands which are called *khasan* lands, which are in the Ratnagiri district. My point is how to remove the salt at least to the extent of 10 to 12 inches which is sufficient for growing paddy. I am speaking from my personal experience which I have already stated. I have taken from Government marshy land of nearly 60 acres. On that, in all, I have spent about Rs. 50,000. I requested the department to help me in improving the soil year after year. I do not get even 8 annas per cent. as yield from those lands. I once suggested to the Agricultural Department to take any portion of that land and try at my cost to improve it. I cannot see any difficulty in improving it, because in other districts such lands have been giving good yield, and then why not here? I have no personal knowledge about the ways of improvement. If I had, I would have utilised that knowledge myself, without going to the Agricultural Department. Of course some expert knowledge must be brought to bear upon the subject by experimentation. I asked Dr. Mann to try and improve any portion of my land at my cost, but nothing has been done.

5-30 p.m.

The Honourable Dewan Bahadur S. T. KAMBLI: What is the extent of that marsh land?

The Honourable the PRESIDENT: Sixty acres.

The Honourable Dewan Bahadur S. T. KAMBLI: I mean the extent of such land in the whole district.

Rao Bahadur L. V. PARULEKAR: I do not know exactly, but there must be thousands of acres.

One point more, and I close. I had an idea of planting sugarcane in that place. I had written letters to experts to know whether it was possible, but I have had no reply. My point is that there are such lands in Ratnagiri and efforts should be made to improve them and utilise them.

With these remarks, I resume my seat.

Question proposed.

Dr. W. BURNS: Sir, I will very briefly deal with the four points which the honourable member Rao Bahadur Parulekar has raised. I think it is too sweeping a statement to say that research, propaganda and education have definitely stopped since the deputy director of the Konkan circle was axed. There has been no reduction in the number of experimental stations, and the staff on them, while slightly reduced, has been able to carry on a great deal of work. I can only refer the honourable member to the official report of the Agricultural Department, from which he will see that progress has been made——

Rao Bahadur L. V. PARULEKAR: Where is that?

Dr. W. BURNS: In this report—here.

Rao Bahadur L. V. PARULEKAR: It has not been widely published; nor has it been sent to us.

Dr. W. BURNS: In that case, I can send him a copy.

Rao Bahadur L. V. PARULEKAR: Is there any particular instance mentioned of progress being made in any kind of work?

Dr. W. BURNS: Yes: I shall mark the places for you.

With regard to the question of the experiment on mango pruning and budding, that has been carried on not so much at Ratnagiri as by Dr. Cheema in the Government Botanical Gardens of Ganeshkhind. The question of canning is not an easy one. There have been many attempts at canning in the Bombay Presidency, but I do not know that anywhere it has been an unqualified success. The Agricultural Department itself has done a certain amount of experimental work in connection with canning mangoes, when I was occupying the post of Economic Botanist to Government. At the present moment the Imperial Council of Agricultural Research has commenced or is about to commence a very large semi-commercial experiment in the North-West Frontier Province in which many of the fruits of that area will be taken up on a large scale. The technical knowledge resulting from that research will be available to the whole of India. There is not much difference between canning in one place and another; if the technical methods are worked out in some part of India, they can be applied to other parts also. I think we are correctly posted with regard to our information as to where cans are available and with regard to where

[Dr. W. Burns]

information can be got about processes of canning. But the great difficulty with regard to canning is not in the process, but in regard to marketing the product. We have to compete with a highly organised trade largely emanating from America in which fruits of the best quality are canned in the best possible manner and exported and sold at very reasonable prices. It is this competition that we have seriously to deal with. If we can deal with this competition from America, I certainly look forward to canning of fruits becoming one of the important industries of India in the future.

The only other point that I wish to touch on is the export of mangoes to England. There again the main difficulty is in getting cold storage accommodation on steamers going direct to England. I regret to say that last year due to excessive shipment of mangoes which did not get there in the best possible condition, the London market has been somewhat spoiled. There again, the Imperial Council of Agricultural Research has come to our assistance by financing a cold-storage research which is being carried on in the Government Botanical Gardens at Ganeshkhind. Experiments are being carried on there in seven different chambers with different temperatures where mangoes not only from the Bombay Presidency but from other provinces will be tested as regards their storage life and the effects of different temperatures on them. Once we have got that information, we can definitely say to any steamship company: "This is the way in which mangoes will travel; will you please place cold storage of this type at our disposal?" That is the main difficulty that we have at present, and once we can give that information, there will be some companies coming forward to give us the necessary cold storage.

Mr. S. S. TOLANI (Western Sind): Sir, I would like to make one or two observations in connection with agricultural problems in Sind. The Agricultural Department in Sind is a separate organisation altogether under the Chief Agricultural Officer in Sind independent of the Director of Agriculture. It was created in 1930, but since then nothing substantial has been done regarding the vital problem of agriculture in Sind. Therefore, Sir, I would submit that Government are not justified in maintaining such a highly paid officer. Sir, we all know that all industries and trades depend upon agriculture, specially in a country like Sind which is mainly dependent on agriculture. If agriculture does not pay, no trade will pay. I think in Sind agriculture has ceased to be a paying occupation. Therefore, it is now the duty of Government to teach agriculturists modern and improved methods of cultivation and show to them how the agriculture can be made a paying proposition. But Government have not been making sufficient provision in their budgets for educating the cultivators in different directions. In 1932-33 the budget provision was Rs. 3,76,000; in 1933-34 the same amount was provided; and for the year under discussion, it has been reduced by eight thousand rupees or so. Sir, without funds I do not think an officer, however competent he may be, can carry on any good work. Although Government have enhanced land assessment in Sind by

[Mr. S. S. Tolani]

about 50 per cent., they are not prepared to spend anything substantial on the improvement of agriculture in Sind. If sufficient funds are not provided for this, I am afraid that the vast area under the Barrage, which is expected to be brought under cultivation, will not come under cultivation. If the agriculture does not pay, the cultivators will refuse to cultivate more lands.

I would like to draw the attention of the Honourable Minister to the grievances that during the last budget session I moved a cut of Rs. 100 on Sind agriculture and whatever discussion took place on this floor of the House has not been brought to the notice of the Chief Agricultural Officer by the Government. At that time my honourable friend Khan Bahadur Khuhro, other members, and myself made many valuable suggestions. Some time back, I met the Chief Agricultural Officer in Sind and asked him whether he had gone through the Council debates which took place last year during the budget discussion. He told me that he did not know if there was any special discussion on his department. He said that he was not being supplied with copies of the Council debates. When the Chief Agricultural Officer came to Larkana on his tour, I sent him the copies for his perusal. Sir, this is the value of our speeches here that they are not being brought to the notice of the heads of departments even. I would request the Honourable Ministers who are returned here by popular vote and who are in a way responsible to this side of the House to be particular to respect the wishes of this side of the House and try to look into the suggestions made by us. I would again request him to go through the suggestions carefully made last year during the budget discussion. I think they are very valuable. If sufficient funds are not provided for the working of the Agricultural Department, I am sure the Barrage will not pay its way and all the money spent on such a huge concern will go as a waste. Sind is a country unlike the presidency proper where about 90 per cent. of the people depend on agriculture. Therefore, it is the duty of the Government to see that they provide for the Agricultural Department in Sind sufficient funds to carry on functions in most suitable manner. If they cannot provide large sums of money they must at least give 50 per cent. more than what they have done now. With these few words, I will request the Honourable Minister to look into the Sind agricultural problem with his usual sympathy.

The Honourable the PRESIDENT: I must point out one thing here. After the honourable mover of the cut had finished his speech, I waited to see if any one was rising to speak. None rose, and I saw that the Director was ready to give a reply to the points that the honourable mover had made, and, therefore, I called upon him to speak. Now, he has no other chance of speaking. Of course, the honourable member who has just spoken has raised a point which can be answered by the Honourable Minister or the Finance Member. But if any technical question is raised hereafter, I would like to give the honourable member the Director, who is the expert on this question, another chance to reply. Now, I see two other honourable members are trying to get up. If

[The President]

there is any point raised by them, which would require a reply from the expert in the House, I will have to ask him to reply. But all this is wasting time. I want to save time, and, if possible, finish this demand by this evening.

Khan Bahadur GHULAM NABI SHAH (Thar and Parkar District) (Addressed the House in Urdu): Sir, I rise to make a few observations with regard to the Agricultural Department in Sind. The Chief Agricultural Officer in Sind was appointed with the object of making the Barrage a success by providing selected seeds and showing improved and modern methods of cultivation to the agricultural class but it has been observed that the Agricultural Department in Sind have no sufficient funds and therefore they are unable to supply improved seeds to Zamindars in large quantities and they are unable to do something substantial by way of propaganda.

Sir, there is a Government ginning factory at Mirpurkhas but that is not working satisfactorily for want of sufficient funds. I have had occasion recently to discuss the question of Sind agriculture with the Chief Agricultural Officer in Sind. He said that he had not enough grants from Government. I ask the Honourable Minister, what is the use of keeping a highly paid officer without giving him enough work and money? I cannot understand that they spend so much on high salaries and agricultural farms such as Sakrand farm but that they are not prepared to educate the agriculturists in proper manner in other parts as the results of Sakrand will not apply to the whole of Sind.

I request the Honourable Minister to see his way to provide a grant for the Mirpurkhas ginning factory and also to provide about 50 scholarships of Rs. 20 per month for Sind only so that the agricultural classes may take training at different agricultural farms and then teach to the Zamindars improved methods of cultivation. The Punjab Agricultural Department is doing very useful work and is giving sufficient impetus to the agricultural class there. The Punjab Zamindar derives more income from cultivation and has progressed very well but, sorry to say, Sir, the Sind Zamindar is always backward because the Agricultural Department is not getting sufficient grant to come to the help of the Zamindar.

I appeal to the Honourable Finance Member to provide sufficient funds for the Sind agriculture to make the barrage a success. The Barrage enhanced land assessment can only be borne by the Zamindars if the agriculture pays them.

In the end, I will request the Honourable the Minister in charge of Agriculture that he should tour Sind and study the Sind agricultural problems himself and then alone he will understand our Sind problems——

The Honourable the PRESIDENT: Has the Honourable Minister followed the speech?

The Honourable Dewan Bahadur S. T. KAMBLI: I did not follow all that he said, but I have picked up some of the important points in his speech. He had a discussion with me yesterday.

Mr. V. A. SURVE (Ratnagiri District) (Addressed the House in Hindi): Sir, I rise to support the cut moved by my honourable friend Rao Bahadur Parulekar.

The Agricultural Department was started long ago and up to now crores of rupees have been spent over it. The public and particularly the agriculturists wonder why so much expense is incurred on that Department, which is supposed to help them a good deal. It helps them in this way; it starts experimental farms, appoints big officers on fat salaries, incurs a lot of amount on travelling allowances, etc. But all this is not known to the agriculturists. Nor do they know anything about the experimental farms. If the Agricultural Department is in earnest about helping the agriculturists, they should make their purpose known to them. How are the illiterate agriculturists to know the intentions of the Department otherwise? The Agricultural Department expects the agriculturists to come to them. They do not know when the officers of the Agricultural Department come to their place. I shall just show a few instances where the Agricultural Department will be of great help.

One guntha of land can produce about 10 maunds of ginger. But it cannot be preserved for more than 3 months. Unless marketing facilities are provided, the agriculturists find themselves ruined. The Department should take action and provide the necessary marketing facilities for the producers. The Department should also encourage the planting of trees such as Babul, Paneri, Sisam, etc. which bring in a decent income to the growers. They should distribute seeds, plants, etc. of good quality and see that the produce is sold at a favourable rate. The Department has not moved in this matter up to now. Take for instance the plantation of sandal trees. In one guntha of land, you can plant 25 or 26 trees and in 12 years you can get sandal wood. The price of sandal wood is Rs. 500 for a cart load. You can imagine how profitable it will be if the Department only takes the trouble to see that it is grown systematically. Ratnagiri district offers great scope for the growing of these trees. If the action I have suggested is taken by the Department, the agriculturists will know what the department is doing to help them. The starting of a farm here, a college there and all such activities do not help the agriculturists in the least. The expenditure on these activities is simply wasted. If the Department wants any information with regard to the growth of the trees which I have suggested, I am prepared to help them in every way. What is the use of appointing officers on fat salaries?

Even if the Department of Agriculture were to pay attention little by little to this question, I am sure the poor of my district would be very grateful to Government and the children and descendants of the agriculturists would shower blessings on the Government for having done some real good to them and enabled them to add to their scanty income. The Agricultural Department should pay more attention to those agriculturists who do not know English because it is they who are in greater need of the department's assistance than those who know English. It is

[Mr. V. A. Surve]

little use distributing pamphlets or circulars in English. Now, Sir, what I want from the Minister for Agriculture is a promise that he will arrange for the Agricultural Department to distribute the seed and *paneri* of the trees like Teak, Sisum, Sandal, Babul and the seed of ginger. The agriculturists will then be able to grow all these trees in their fields and earn some thing. With this appeal to Government, I support the cut.

The Honourable the PRESIDENT (In Hindustani): There is one point I could not quite follow and so I should like the honourable member Mr. Surve to make it clear for my personal information. Does the honourable member mean that the agriculturists should be permitted to grow all these trees which he has named in their survey numbers, or in others words, does the honourable member want that the function of the Forest Department should be transferred to the Revenue Department?.

Mr. M. M. KARBHARI: May I explain that, Sir? The Ratnagiri district has recently been released from that provision of the Land Revenue Code which vests in Government the right of ownership in teak and other trees growing on agricultural lands. Therefore, he says, the agriculturists should be supplied with those various seeds so that the agriculturists will be enabled to grow those varieties of timber and other trees on their agricultural lands and thus be in a position to add to their incomes.

Sardar Rao Bahadur B. R. NAIK (Surat District): Sir, at this late stage of the discussion and at this late hour, I know a subject like Agriculture cannot be discussed at some length and therefore I will only confine myself to one or two observations on this matter.

At the time of presenting the Budget, the Honourable the Finance Member gave us some figures as regards the increase in expenditure on transferred departments and in those figures Agriculture has been credited for an increase of 3 lakhs from the year 1920-21 to 1932-33. For his information and for the information of this honourable House, I may say that whilst the Bombay Government with an annual budget revenue of 15 crores——

The Honourable Sir GHULAM HUSSAIN: May I correct the honourable member, Sir? I never said that there was an increase of 3 lakhs. They have been taking the most prosperous year 1922-23 when this Government had 2 or 3 crores balances and I asked them to compare next year's grant with that year's. We spent a great deal on agriculture. That is his main issue.

Sardar Rao Bahadur B. R. NAIK: Perhaps I am misunderstood by the Honourable Leader of the House. Statement C, page 14 of the Blue Book, gives figures from which we see that since the inauguration of the reforms this Government has been able to curtail expenditure to the extent of 54 lakhs from the reserved departments while they have given an increase of 29 lakhs to the nation-building departments including agriculture. I say that this Government with a revenue of about 15 crores has been able to increase expenditure up to 3 lakhs within the last 10 or 12 years, that is, since the reforms. While this Government

[Sardar Rao Bahadur B. R. Naik]

has been taking credit for increasing expenditure on agriculture by 3 lakhs, the Madras Government with an annual average revenue of 16 to 17 crores has been able to increase it by 35 lakhs.

The Honourable Sir GHULAM HUSSAIN: What is the land revenue of Madras and what is the land revenue of Bombay?

Sardar Rao Bahadur B. R. NAIK: I am talking of agriculture, not of land revenue. It is I think 7¼ crores.

The Honourable Sir GHULAM HUSSAIN: It is about 7 crores, 60 lakhs.

Sardar Rao Bahadur B. R. NAIK: It has been reduced to 7¼ crores.

The Honourable Sir GHULAM HUSSAIN: And what is our revenue?

Sardar Rao Bahadur B. R. NAIK: We are discussing the subject of agriculture. What is the total revenue of Madras? It is not more than 15 crores 91 lakhs, say 16 crores, whereas Bombay has a revenue of 15 crores.

The Honourable Sir GHULAM HUSSAIN: It is not 15 crores. I wish to correct the honourable member. He must deduct the item of alienation lands from that of land revenue.

Sardar Rao Bahadur B. R. NAIK: Very well, take it at 14 crores and for the sake of argument I am prepared to take it at even 13 crores, if that will satisfy the Honourable the Finance Member. Look at the increase of expenditure on agriculture alone, in Madras it is 37 per cent. during the period of the reforms since 1921 to 1933.

The Honourable Sir GHULAM HUSSAIN: What is the total expenditure on agriculture in Madras? Why does the honourable member not quote the figures properly?

Sardar Rao Bahadur B. R. NAIK: If you want the total expenditure, I will give that to you. Here it is. Agriculture is 72·70 in 1930–31 including industries, which is about 10 lakhs.

The Honourable Sir GHULAM HUSSAIN: What was it in Madras in 1922?

Sardar Rao Bahadur B. R. NAIK: In 1920–21 it was 37·52 lakhs.

The Honourable Sir GHULAM HUSSAIN: In 1922–23?

Sardar Rao Bahadur B. R. NAIK: 46·31 i.e. from 46·31 it increased to 72·70 which shows an increase of 26·29 lakhs over 1922–23 period. What I mean to say is that——

The Honourable Sir GHULAM HUSSAIN: Will the honourable member tell me what was the land revenue in 1921–22 and what it is to-day? It is no use taking one figure only.

Sardar Rao Bahadur B. R. NAIK: If the Honourable the Finance Member will wait till to-morrow or the day after, I will give him the comparative figures of the total land revenue of Madras and also for the whole of India if he wants them. What I want to say is that we

[Sardar Rao Bahadur B. R. Naik]

have not made the same progress, so far as the expenditure on agriculture is concerned, as the other Presidency has done. I know that owing to financial stringency Government here cannot provide sufficient funds but here again we have to see that the budget of 24 lakhs and odd including the co-operative movement is not the entire money of the Bombay Government. They have also credited subsidies from the Indian Central Cotton Committee and the Imperial Council of Agricultural Research and that amount has to be debited. You are getting subsidies which you have credited. However, I shall leave this matter here as I do not want to discuss details about agriculture. I would like to ask for my own information one question to the Honourable Minister of Agriculture. Last year when the question of land mortgage banks was under discussion, he had given us to understand that a committee was appointed to consider this question and that the results of the deliberations of that committee would shortly be available. He said that therefore there was no use passing the resolution which was placed before the House. For the sake of my personal information, I want to know from the Honourable Minister of Education whether any progress has been made by that Committee or whether any further information from that Committee has been received by Government. I wish to emphasise this point as I see that the Honourable the Leader of the House is becoming impatient. If he does really desire to improve the condition of the agriculturists to-day, this is the right time; I say, this is the proper opportune time to take up the question of land mortgage banks by which Government will be in a position to get compounded the indebtedness of the agriculturists very easily, and if they lose the present opportunity, it is doubtful whether such opportunity will come again in the future. To-day I know that the creditors also are anxious to get back their money and if the land mortgage banks or agricultural banks are established as suggested by me (by what name you call them I do not mind) for experimental purposes in some selected districts to redeem the indebtedness or to alleviate the agriculturists' financial distress by some other way for their present huge indebtedness and to make them solvent, this is the time. I emphasised this point last year and I again emphasise it this year that if the prices will go up—I do not know whether they will go up now or in the near future—I am sure the creditors of the agriculturists will not be satisfied to accept 50 or 60 per cent. of their dues from the debtors as they are prepared to do so now. So I say that those agriculturists who have got sufficient margin of property——

Mr. S. H. COVERNTON: Sir, is this discussion about land mortgage banks relevant?

The Honourable the PRESIDENT: I was just going into that. I think that that would come more properly under the Co-operative Demand.

Sardar Rao Bahadur B. R. NAIK: I am not talking of the Co-operative Department at all. I have used the words "land mortgage banks"

[Sardar Rao Bahadur B. R. Naik]

or "agricultural banks". Land mortgage banks everywhere come under agriculture.

Mr. S. H. COVERNTON: I do not think, Sir, that land mortgage banks come under the sub-head "A" "Agriculture" which is a separate sub-head altogether.

The Honourable the PRESIDENT: That is just the point.

Sardar Rao Bahadur B. R. NAIK: There is a separate head for the Co-operative Department, Sir. You will see, Sir, that I have not used even once the words "co-operative banks", but that I have been speaking only of agricultural banks or land mortgage banks.

The Honourable the PRESIDENT: I think it is for the Honourable Minister to say whether they fall within the province of the Co-operative Department or of the Agricultural Department.

Sardar Rao Bahadur B. R. NAIK: In those countries where there is no Co-operative Department in existence but the Agricultural Department is the only head, under what head would the agricultural banks come if any such existed there?

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, the honourable member is arguing on a hypothetical basis. As a matter of fact, we have got the co-operative movement in this province and the question of agricultural credit banks is intimately connected with the co-operative banking system; we have therefore appointed a committee to go into this whole question.

The Honourable the PRESIDENT: Under that subject?

The Honourable Dewan Bahadur S. T. KAMBLI: Yes, Sir.

The Honourable the PRESIDENT: The honourable member Sardar Rao Bahadur Naik may raise that point when that head is reached.

Sardar Rao Bahadur B. R. NAIK: That will never be reached. You will see, Sir, that it is not likely to be reached at all. That is the point. Otherwise, I was waiting, but that will never be reached. Anyway Sir, I have practically finished my speech. I say therefore it is necessary that agricultural banks (I do not call them co-operative banks) should be brought into being immediately in order to give facilities to agriculturists to get their old indebtedness wiped out by long term loans and also to give them facilities to improve their lands, and they should be brought into being immediately because this is the most opportune time, as I have already said, to do so both in the interest of the creditors and the debtors and also in the interest of the Government themselves, because to-day Government are in a position to raise money at a very very cheap rate of interest and if this opportunity is missed, I am not sure whether Government will be able to raise money so cheaply even during the next 20 or 25 years. The money market is very cheap, commodity prices have gone down; therefore there is no demand for money from the banks and from money-lenders, and the money market has gone down. I hope the Honourable Minister for Agriculture will

[Sardar Rao Bahadur B. R. Naik]

take up this question in right earnest and expedite this matter and establish land mortgage banks or agricultural banks,—I do not care by what name Government choose to call them. But this question should be taken up.

There are other honourable members who desire to speak, and also we want to hear from the Honourable Minister about the discussion that took place, and therefore I will not take up any more of the time of the House. But my complaint is that we have not been spending so much as the other presidencies of India have done for the improvement of agriculture. I do not mean to say that I have any grievance against the Director, that I have a grievance against the superintendence of the department, against the officers. They have been doing what they could in the interest of the agriculturist according to the funds at their disposal. My honourable friend just now said something about Sind. I might tell him that the Indian Central Cotton Committee is also giving a large amount of money for Sind for the supply of good seeds. Also the Imperial Council of Agricultural Research will consider the question of sanctioning any schemes of research which would be presented to that body by the Chief Agricultural Officer in Sind. I say the officers are doing their best to spend the money that is to be spent. But an increase of 3 per cent. in the total provision under agriculture during the last 12 years is not so much that Government can take credit for it. With these remarks, I support the cut.

Dr. J. ALBAN D'SOUZA (Bombay City, South): Mr. President, I would like to participate in the debate, if the general discussion is on. From the trend of the discussion, I presume the general discussion is going on now.

The Honourable the PRESIDENT: Yes, this is the general discussion.

Dr. J. ALBAN D'SOUZA: On agriculture?

The Honourable the PRESIDENT: Yes, on agriculture purely; not on the veterinary or any other department.

Dr. J. ALBAN D'SOUZA: Yes, Sir, I will confine myself to that. I feel I have a duty to discharge by this honourable House on the subject matter of agriculture. During the course of my speech on the Budget, when dealing with the evil of unemployment, I referred pointedly to the "Back to the Land" movement having in mind the great agricultural assets we have in our hands for the purpose of alleviating the ills of unemployment. I, therefore, avail myself of this opportunity to amplify my suggestion regarding the "Back to the Land" movement which, for want of time, I could only refer to during the general discussion on the budget.

Sir, owing to trade depression, the problem of employment amongst University graduates and other educated classes of people has become most acute in recent years. It is a highly disconcerting fact that whereas in other countries unemployment is largely confined to artisans and manual labourers, in India the unemployed belong chiefly to the

[Dr. J. Alban D'Souza]

educated middle classes. This it will be admitted is particularly true of Bombay City.

The consequences of this state of affairs are severe. The life of idleness and sloth thus engendered amongst just that class of persons who are able to think for themselves and act for themselves leads to consequences of which we have already had enough of evidence. The baneful results of this enforced idleness to themselves and to the provinces have been evident in the province of Bengal.

In these circumstances it is obvious that the thoughts of Government and also of other private organisations must be directed towards the devising of movements with a view to absorbing in them the educated unemployed of this Presidency. Of all such movements the "Back to the Land" movement is one by which it appears it would be possible to absorb quite a desirable section of the educated unemployed.

With a view to indicate what I exactly mean by "Back to the Land" movement may I, Sir, by way of a definite illustration, refer to a bold experiment which is just now on the anvil of the Government of the United Provinces at Fyzabad where a centre for practical training in agriculture has been established ? This experiment is being conducted, I understand, by a Committee under the chairmanship of the Minister of Education. The movement is to last, in the first instance, for a period of three years. Students are trained in the practical work of agriculture, fruit and vegetable gardening and poultry and cattle breeding. When a set of students have finished their training, they will make room for others.

There is a highly practical turn given to this enterprise which is of great interest and utility.. This Government centre for practical training in agriculture will, in addition to providing instruction, also provide those who have completed their training with loans, repayable in easy instalments, for the purpose of the purchase of seeds, implements, bullocks, etc. and for capital expenditure on the land.

Sir, a scheme of this kind does assume a spirit of adventure and enterprise on the part of those who desire to take advantage of it. In the initial stages, it may happen that to the educated class who have been looking forward to a life in the City of ease and diversions, the work the scheme will entail may be repulsive, but I daresay, Sir, the compelling circumstances now existing will bring a change of views and ideas with the result that the fairly irksome and laborious work entailed will be taken to in a kindly sort of manner eventually.

Sir, such a scheme of a centre for training and for providing those trained with the wherewithal to start in life has decided advantages of its own. It would not only relieve in large measure the pangs and evils of unemployment, but it would also provide a practical means for improving the conditions of the Indian agriculturist and of Indian agriculture as a whole. What would practically happen is that freedom from the grave disabilities suffered by the average agriculturist will dispose

[Dr. J. Alban D'Souza]

them to bring into use modern agricultural methods and to disseminate them among the backward agriculturists. Intentionally or unintentionally the scheme is bound to have a salutary effect on the psychology of the agricultural masses with the result that the beneficial effects of the scheme will soon be evident on agriculture as a whole in the Presidency. It is obvious that the effect will be very salutary indeed. The settlement of trained agriculturists utilising modern methods of agriculture and obtaining better results would open the eyes of the untrained agriculturist using old-fashioned methods to the advantages of reform. (*Interruption.*) I could not hear what the honourable member interrupting me said. If he will speak a little louder——

The Honourable the PRESIDENT: I rather wish the honourable member to proceed.

Dr. J. ALBAN D'SOUZA: In my budget speech, I indicated to this honourable House that in this Presidency there are 83,00,000 of acres of arable and cultivable land, of which only 40 per cent. are now under cultivation, and 60 per cent. are uncultivated. The room for promoting the interests of agriculture is there. My appeal to the Government is to make an effort to provide facilities to bring this land under cultivation. Sir, I will surely be told, just as I was told in the matter of another suggestion, viz., the publication of a monthly journal giving a survey of the commercial and trade conditions prevailing in this Presidency, that there is no money. But may I suggest one way of finding the money? It would be in a way robbing Peter to pay Paul, but I may indicate that it would be robbing Peter, who is being placed in luxurious circumstances of life, to pay Paul who is lying low and unhappy under depressing agricultural conditions. Sir, my suggestion is as follows:—Government are advancing loans amounting to lakhs of rupees, for the purpose of inducing people to buy Government land and build houses thereon. The idea is a splendid one—of converting a poor man into his own landlord. It cannot be denied, however, that in a way it is a provision for a luxury and appears to be so when we realise that agriculture is just now lying low. I would, therefore, suggest that a portion of the loans given to housing schemes be deviated for the purpose of taking in hand and advancing of the scheme of the "Back to the Land" movement I have submitted.

Sir, we have got examples staring us in the face of what has been done in other parts of the world. England has taken to the "Back to the Land" movement, and from what we read has already turned round the corner of economic distress. Up to recently in England the movement of the population was "from the country to the city" but now the movement is "from the City to the Country". Even private organisations are helping towards this movement. We read in the *Catholic Times* that a Catholic Land Society has been organised on a large scale. This Society is doing valuable work in providing funds for taking Catholic families from the cities to the lands in the country.

[Dr. J. Alban D'Souza]

Italy and Germany are yet other instances where the "Back to the Land" movement has contributed largely to their prosperity and financial stability.

I do sincerely hope that some steps will be taken with the object of promoting the "Back to the Land" movement I have advocated, so that citizens who now cling to cities and accentuate the ills of unemployment may be profitably drawn towards the country and that thereby, by the promotion of the interests of agriculture, the prosperity of this Presidency may be assured.

Rao Bahadur S. N. ANGADI: May I know from the Honourable Minister whether his attention has been drawn to the scheme for wiping out the indebtedness of the agriculturist, which was published in the papers some time ago and which seems to have been framed by the Democratic Party, which is still in process of formation? May I know whether Government have come to any conclusion about that scheme?

The Honourable Dewan Bahadur S. T. KAMBLI: No detailed scheme seems to have been published by that party. Only an outline of the plan of the Democratic Party seems to have been published without giving full details. Government have not considered, therefore, the merits of that scheme.

The Honourable the PRESIDENT: The honourable mover for a reply.

Mr. G. S. GANGOLI: If there is no other honourable member wishing to speak, I have to say a few words.

The Honourable the PRESIDENT: I think sufficient has been said.

Mr. G. S. GANGOLI: I will take only five minutes, Sir.

Mr. G. S. GANGOLI (Kanara District): Sir, we are now concerned with the item of Rs. 14,30,000. If I were to say that this item is very small, the Honourable Minister will point out that in the year 1932–33 it was about Rs. 14,00,000 and this year it is Rs. 14,30,000. To that I will invite the attention of the Honourable Minister to pages 4 and 5 of the Civil Estimate where it will be seen that the income in the year 1932–33 was Rs. 4,14,000 and this year the income is Rs. 4,65,000. There has been an increase of about Rs. 51,000. After stating this much, I draw the Honourable Minister's attention to A-2—Agricultural Research and Propaganda on page 241. In the year 1932–33 a sum of Rs. 63,285 was spent but this year they have budgeted for Rs. 35,600 for the same. They have budgeted Rs. 28,000 less. They have cut it down by nearly 48 per cent. As against this, so far as Sind is concerned, they have increased the amount by 75 per cent. It was Rs. 24,000 in 1932–33 and it has now been increased to Rs. 42,000. The point that I want to stress is that they have reduced the provision for agricultural research and propaganda from Rs. 63,000 to Rs. 35,000.

6-30 p.m.

I want to place before this honourable House one point for their consideration. There is only one district in the whole presidency which

[Mr. G. S. Gangoli]

produces cardamom. In this connection I had a discussion with the Director of Agriculture and he was kind enough to investigate into the matter and send me the following reply :

"As regards cardamoms, it is definitely shown that the cause of deterioration of cardamoms is due to the presence of a protozoa in the soil. These secrete a toxic substance and prevent the proper growth of the plant. The remedy suggested is burning the soil. Where cardamoms are cultivated with other crops in spice gardens, burning the soil is out of question. Hence the cardamom cultivation is not likely to be successful until some other method of destroying the protozoa is devised."

So, he is convinced that there is this danger to the cultivation of cardamom and that some remedy must be found out for that disease. That is a fact. So, I should like to insist upon Government to provide an increased amount under this item, in regard to agricultural research and propaganda. Is that the way agriculture should be helped in this presidency ? There is a clean admission by the Director of Agriculture. I hope he will kindly investigate into the matter and see that cardamom which is produced in only one district does not become extinct. He wants funds. The Honourable Minister could have insisted upon Government to provide more funds. At least in this respect I hope the grievance will be redressed.

Rao Bahadur L. V. PARULEKAR (Ratnagiri District) : Sir, I shall reply first to the statement of the honourable member the Director of Agriculture that canning industry requires expert knowledge. My experience for the last three years shows that provided good tins without leakage and well sterilised are supplied the mango pulps and pieces can be preserved for at least two years. I have got samples of mango pulps and pieces so preserved and I found mango pieces deloreated after 2 years but that must be due to the fact that the mangoes used must have been somewhat overripe, otherwise the pulp and the pieces were well preserved with their ordinary flavour. If mango can be preserved for some months before the new crop is available it is more than sufficient for our purpose, because there is demand for mango pulps and pieces between one season and another. I do not think that expert knowledge is necessary for this purpose. This can be carried on easily as a cottage industry.

As regards the demand, it was stated there was not much demand. But my experience is that there is sufficient demand, if not outside Bombay Presidency, within the presidency and in some districts of the presidency. But the difficulty is that we cannot get cheap tins so that a one pound tin cannot be sold below 10 annas or so, the greater portion of the price is eaten up by the tins. If the price of the tin is reduced, this can be made more popular and there will be sufficient demand for it. Therefore, the only important question is how to make cheap tins available to mango growers. We must look upon this question not from the point of view of making it a big commercial concern, but as a cottage industry. The only difficulty that stands in the way is the availability of cheap tins. If this difficulty is solved, it will be a great help to the mango growers in the Ratnagiri district.

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, the points raised by the honourable mover of the cut, with regard to the grievances of his district have been sufficiently answered by the honourable member the Director of Agriculture. In his reply again, the honourable mover of the cut has harped upon the same point, viz., the necessity of supplying cheap and durable tins. I thought that the reply of the honourable member the Director of Agriculture had convinced him. The Director of Agriculture has indicated the stage at which the question stands at present. I do not wish to add to what has already been said on this point.

With regard to the two points raised by the honourable member Khan Bahadur Ghulam Nabi Shah, viz. (1) that scholarships should be given to the sons of zamindars for training in modern methods of agriculture and (2) that the ginning factory in Mirpurkhas should be kept going so that pure cotton seeds might be made available to the agriculturists, who would thereby be enabled to grow cotton of a better and pure quality, I wish to point out to him that these two questions are under the consideration of Government though no definite conclusions have yet been arrived at.

My honourable friend Mr. Tolani referred to the points raised by honourable members from Sind during last year's debate and drew my attention to the fact that the amount budgeted for Sind is less than what it was in the current year. I may point out to him that the reduced budgeted amount is due to less capital expenditure on the six-farm scheme.

With regard to the appointment of Agricultural Engineer in Sind, I may repeat what I stated last year that Mr. Cummings has been appointed as Joint Engineer for Irrigation and Agricultural Department. That was a crying need of Sind and it has been attended to. I hope honourable members from Sind will avail themselves of the benefits of his advice and guidance.

My honourable friend from Surat (Sardar Rao Bahadur Naik) asked me how far the committee has progressed with regard to the enquiry as to the establishment of a land mortgage bank in this presidency. I do not see him here. I may inform this honourable House that the committee has finished its labours and will shortly submit its report to Government. Then, it will be for Government to consider the pros and cons of the establishment of such land mortgage banks.

My honourable friend from Belgaum (Rao Bahadur Angadi) asked me whether I had considered the Swarajist party scheme of debt redemption of agriculturists. No scheme has been sent to me for consideration by any of the members of that party. I think that it may be a part of the electioneering campaign of that party in the hope that the elections under the new reforms would take place this year. It is simple enough to say "Borrow the amount and give it to the agriculturists", but it is difficult to work it out. The debts of the agriculturists were estimated at 80 crores some years ago and at present the debt must have probably gone up to 100 crores. Where is the money to pay the interest charges

[Dewan Bahadur S. T. Kambli]

every year? Where is the guarantee that the agriculturists will pay the interest amounts regularly? Honourable members must take note of the huge interest charges on 100 crores of rupees. What will those charges amount to? Even calculating at the rate of 4 per cent. the interest charges alone will amount to 4 crores. We have not been able to provide some more money to the Industries Department—a few lakhs more even. It is a very tall order to ask the Government to commit itself to pay 4 crores in interest charges. It is very easy to say that money is cheap and the creditors are willing to settle. These are words more for a platform than for practical working. When you sit to actual work, you will be faced with various difficult problems. Apart from the payment of the principal, the payment of the annual interest charges alone amounting to 4 crores is a heavy commitment. Many people told me that in Bhavnagar some part of the agricultural debt is being redeemed. To compare a small territory with very many districts in the presidency and to compare a small debt in Bhavnagar with the vast debts of the agriculturists of this presidency, I do not think is just and fair.

Dr. M. K. DIXIT: The interest will be paid by the agriculturists.

The Honourable Dewan Bahadur S. T. KAMBLI: Who is to take the guarantee?

Dr. M. K. DIXIT: Of course, Government.

The Honourable Dewan Bahadur S. T. KAMBLI: We must provide for bad debts as well and for regular payment of capital also. All these things cannot be settled easily. We must consider the question how far the agriculturists are able to pay even the interest regularly, apart from the payment of the capital. Even this question of realization of interest is a staggering one. We cannot be sure that the interest will be coming in regularly from the first year so as to enable Government to pay its interest charges. All these aspects of the huge problem require careful consideration.

I have to refer to one point which was raised by my honourable friend, the mover of the cut, whose love and patriotism for his district is very admirable and enviable. He referred to some marshy lands in his district and wanted to know how sugarcane could be grown in those marshy lands. It is not an easy question to solve. If it were so easy, then all available lands could be utilised for growing the best money crops on them. These are questions which can be solved only by the slow process of research, experiment and investigation. The question of bringing marshy land in Ratnagiri under cultivation cannot be solved in a single year or two. Those marshy lands perhaps have been in Ratnagiri ever since Ratnagiri district came into being. If the honourable member has purchased 60 acres of that sort of land, he must be prepared to wait a sufficiently long time for them to become productive and remunerative.

Sir, the Agricultural Department and its activities are described in the annual report issued by the Director of Agriculture. It is not easy

[Dewan Bahadur S. T. Kambli]

to attend to every crop that is grown in this presidency; all crops cannot be taken in hand at one and the same time. We have, therefore, taken in hand the principal crops and are applying modern methods of improvement in regard to them. For example, the House is well aware of the work that is now going on in regard to the improvement of the sugarcane crop. The work of research is going on at Padgaon for the last two years. This year, we have taken in hand the question of the improvement of cotton in dry areas; Sholapur and Bijapur have been taken up for experimental work. Similarly, we are also dealing with the question of the improvement of the various kinds of cotton grown in different parts of the presidency—in the Karnatak, Gujarat and Khandesh. Experiments are being conducted and improved seeds are being distributed. For example, in Dharwar, Bijapur and Belgaum seeds of cotton known as *Jayawant* are being distributed, and rapid progress is being made. So also, in Surat and Khandesh various improved seeds of cotton are being distributed. Thus, cotton cultivators especially have been encouraged and enabled to grow superior types of cotton and thereby get better prices for their crops. The betel-vine cultivation in Bassein is receiving the attention of the Agricultural Department and experiments are going on. Even *Koleroga* in Kanara District has been receiving the attention of Government. Dr. Burns has explained to the House the way in which help is being given to the gardeners there. There are various other activities also. For example, take rice cultivation. In Kumta there is a farm in which improved strains of rice are being developed, and experiments are being conducted in regard to that. Rice, cotton, tobacco, jowar, wheat—all these big crops are being attended to.

Mr. G. S. GANGOLI: Is that part of cardamoms?

The Honourable Dewan Bahadur S. T. KAMBLI: Each and every crop, big and small, cannot be attended to at one and the same time. Every crop must wait for its turn. Let us conquer *koleroga*. Sir, cardamom also is not going to be forgotten or neglected.

Mr. G. S. GANGOLI: You have reduced the grants this year.

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, I may again assure my honourable friend from Ratnagiri that the retrenchment of the post of deputy director of agriculture is in no way going to lessen the activities of the department in the direction of research, propaganda or demonstration. I repeat what I said on the previous occasion. The Deputy Director of Agriculture is not a research officer. He is an executive officer. He is the chief executive officer of the division under whom are the various officers carrying on research, demonstration and propaganda. Almost all those officers working under him are retained. Of course, some retrenchment has been effected due to retrenchment in the Agricultural Department as a whole as in other departments; some staff has been curtailed, but the main staff is there. The research that was being carried on is still going on; propaganda is still being conducted as before; and demonstration work is also being

[Dewan Bahadur S. T. Kambli]

carried on. Sir, the honourable member referred to the moribund condition of the taluka development association and the district agricultural association. He stated that when they were in the hands of a Government officer they were showing some life, but when they came into the hands of non-officials they became moribund. What prevents the non-official members now from assembling and doing business? They want everything to be done by the Deputy Director of Agriculture; they do not want to do anything themselves. May I, therefore, request my honourable friend Rao Bahadur Parulekar to take a little more interest in the work of the taluka development association and the district agricultural association? It is by working through those associations that improved methods of agriculture and the benefits of research can be conveyed to the cultivators. It is not by sitting silent at home that the benefits of research can be conveyed to the cultivators. It is by non-official co-operation with the Agricultural Department that the results of research can be conveyed to the cultivators and the benefits made available to them. Sir, I again request my honourable friend, that instead of representing his grievances regarding the abolition of the post of Deputy Director of Agriculture, he should spend a portion of his time in reviving the activities of the taluka development association and the district agricultural association. I think in that manner he will be doing tons of good to the cultivators in the district. I hope he will take my request in the spirit in which it is made. I think that he should go and do some good through the district agricultural association to the cultivators whose cause he has so much at heart. I know he is sincerely desirous of doing good to the agriculturists. I say that this is the best way of doing good to the agriculturists.

Sir, I think I have answered most of the points that have been raised in the debate on the cut.

Rao Bahadur L. V. PARULEKAR: Sir, I beg to withdraw the motion.

Motion, by leave, withdrawn.

The Honourable the PRESIDENT: I wanted to point out one thing, and I was waiting for the honourable member Sardar Bhimbhai Naik. I think he will agree with me that when a subject matter is under debate, honourable members who take part in the debate and raise certain points which they demand and expect to be answered, should remain in the House to hear what the reply is. The honourable member Khan Bahadur Ghulam Nabi Shah raised two or three important points; they were answered, but he was not here. Sardar Bhimbhai Naik raised some important points; they were answered, and he was not present. Members on the opposite side expect Cabinet Members to be in their places all the time. If they are absent for any length of time during a discussion, members on the opposite side might properly take objection to it.

Now, regarding to-morrow, honourable members will remember that they have got the consent of the Honourable the Revenue Member to

[The President]

take up Land Revenue Demand to-morrow. Some motions for cuts under this head have yet to be moved. The position is this—I would like to be corrected by the Honourable the Leader of the House if I am not properly interpreting it—the position is this. The House may take up Land Revenue the first thing to-morrow and go on till the evening. If honourable members will apply themselves to a general discussion of the whole demand or a general discussion of some of the sub-heads of it, and not take up every motion that is tabled, it is possible that by the evening Land Revenue may be finished. There are 40 motions tabled under Land Revenue; many of them are repetitions of some others. If honourable members want to save time, they can have a general debate on one general cut. Well, honourable members are well experienced in that, and if they wish to save time, they can do so. After that, the day after to-morrow is the guillotine day. On that day, discussion can go on only until five. After that the demands will be moved and put to the House without discussion. My idea is that if Land Revenue is finished and if there is time, before the remainder of the demands are taken up, this demand can be taken up and finished.

The Honourable Sir GHULAM HUSSAIN: On a point of order, Sir. Now, the House is in possession of a demand, and the discussion on it is not completed. How can they jump to another demand?

The Honourable the PRESIDENT: I thought the Honourable the Leader himself had agreed to the course I have pointed out.

The Honourable Sir GHULAM HUSSAIN: That is against all law and constitution.

The Honourable the PRESIDENT: That simplifies matters very much.

The Honourable Sir GHULAM HUSSAIN: I am willing to have Land Revenue taken up to-morrow, but I think it will be quite contrary to the Rules and the Standing Orders to take up that demand before the one before the House is completed.

The Honourable the PRESIDENT: I am agreeable to the course that this discussion should be finished first to-morrow and then Land Revenue demand be proceeded with. I thought the Honourable the Leader himself wanted that Land Revenue should be taken up first to-morrow.

The Honourable Sir GHULAM HUSSAIN: I did not want it myself; that was the desire of the House, and I agreed.

The Honourable the PRESIDENT: Then, we finish this before we go on to Land Revenue.

Mr. G. S. GANGOLI: Sir, we are prepared to grant this demand now, and close the debate.

The Honourable the PRESIDENT: Nothing like it then.

7 p.m. Original demand put, and agreed to.

The Honourable the PRESIDENT: Now, the House is adjourned till 2 p.m., to-morrow, when Land Revenue will be the subject for discussion.

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Vol. XXXIX—Part XIX

Tuesday, the 13th March 1934.

The Council re-assembled at the Council Hall, Bombay, on Tuesday, the 13th March 1934, at 2 p.m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present:

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr. A. B.
ADVANI, Mr. P. B.
AMINUDDIN, Mr. SAIYID
ANGADI, Rao Bahadur S. N.
ARBUTHNOT, Mr. C. W. E.
ASAVALE, Rao Bahadur R. S.
BAKHALE, Mr. R. R.
BANGI, Mr. A. K. J.
BELL, the Honourable Mr. R. D.
BIRADAR, Sardar MAHABOOBALI KHAN
BOLE, Rao Bahadur S. K.
BULLOCKE, Mr. A. GREVILLE
CHIKODI, Mr. P. R.
CHITALE, Rao Bahadur G. K.
CLEE, Mr. C. B. B.
COLLACO, Dr. J. A.
COOPER, the Honourable Khan Bahadur D. B.
COVERNTON, Mr. S. H.
DAVIS, Mr. G.
DESAI, Rao Saheb B. G.
DESAI, Mr. S. B.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
D'SOUZA, Dr. J. ALBAN
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GARRETT, Mr. J. H.
GAZDAR, Mr. MAHOMED HASHIM
GHARPUREY, Lt.-Col. K. G.
GHULAM HUSSAIN, the Honourable Sir
GHULAM HYDER SHAH, Mr.
GHULAM NABI SHAH, Khan Bahadur
GILDER, Dr. M. D.
GOKHALE, Mr. L. R.
GREAVES, Mr. J. B.
JAN MAHOMED KHAN, Khan Bahadur
JITEKAR, Mr. HAJI IBRAHIM

JOG, Mr. V. N.
JONES, Major W. ELLIS
KALBHOR, Mr. G. M.
KAMAT, Mr. B. S.
KAMBLI, the Honourable Dewan Bahadur S. T.
KARBHARI, Mr. M. M.
KENNEDY, Mr. T. S.
KHUHRO, Khan Bahadur M. A.
KNIGHT, Mr. H. F.
KULKARNI, Rao Saheb P. D.
MATCHESWALLA, Mr. G. E.
MEHERBAKSH, Khan Bahadur S.
MEHTA, Mr. M. H.
MITHA, Mr. MAHOMED SULEMAN CASSUM
MORE, Mr. J. G.
NAIK, Sardar Rao Bahadur B. R.
NAMDEORAO BUDHAJIRAO, Mr.
NAVLE, Rao Bahadur N. E.
OWEN, Mr. A. C.
PANJABI, Mr. K. L.
PARULEKAR, Rao Bahadur L. V.
PATEL, Khan Bahadur A. E.
PATEL, Mr. BHAILAL SARABHAI
PATEL, Mr. C. N.
PATEL, Khan Bahadur VALI BAKSH A.
PATIL, Mr. N. N.
PATIL, Mr. V. N.
PATIL, Rao Saheb V. S.
PETIT, Mr. J. B.
PRADHAN, Rao Bahadur G. V.
RAHIMTOOLA, Mr. HOOSENALLY M.
RESALDAR, Mr. A. K.
ROOSE, Mr. F. O. J.
SERVAI, Mr. A. E.
SHAIKH ABDUL AZIZ, Mr.
SHAIKH ABDUL MAJID, Mr.
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SHINDE, Mr. R. B.
SINDHA, Mr. MADHAVSANG JORBHAI
SMART, Mr. W. W.
SOLANKI, Dr. P. G.
SURVE, Mr. A. N.
SURVE, Mr. V. A.
SYED MIRAN MAHOMED SHAH
SYED MUNAWAR, Mr.
TALPUR, MIR BANDEH ALI KHAN
THAKOR OF KERWADA, Sardar BHASAHEB RAISINHJI
TOLANI, Mr. S. S.
TURNER, Mr. C. W. A.

VAISHAMPAYAN, Dr. V. G.
VAKIL, Mr. PESTANSHAH N.
VANDEKAR, Rao Bahadur R. V.

NEW MEMBERS SWORN.

Mr. G. Davis, I.C.S., Mr. H. F. Knight, I.C.S., and Mr. C. W. E. Arbuthnot, C.I.E., made the prescribed oath of allegiance to His Majesty the King-Emperor, and took their seats in the Council.

SHORT NOTICE QUESTION AND ANSWER.

Mr. A. N. SURVE (Bombay City, North): Sir, I beg to ask the following short notice question :—

Will the Honourable the Home and General Member be pleased to give the following information :—

(*a*) whether a prisoner in the Yeravda Jail named Gopal Shankar Dandekar is being forcibly fed because he has entered upon a hunger strike, and

(*b*) if so, the date on which he commenced his fast and the cause which led to it ?

The Honourable Mr. R. D. BELL : Sir, the first clause of the question was whether a certain prisoner is being forcibly fed. To that the answer is " No ", and so, the second clause does not arise. But this prisoner did go on hunger strike on the 1st of February and he was admitted to hospital and artificially fed from the 16th of February. He abandoned his fast, however, on the 1st of March and has been feeding normally since.

DEMANDS FOR GRANTS—(*Discussion resumed*).

The Honourable Sir GHULAM HUSSAIN : Mr. President, I move a demand of Rs. 53,94,000 under 5-Land Revenue, Reserved.

Question proposed.

Sardar Rao Bahadur B. R. NAIK (Surat District) : Sir, I move :

Reduce by Rs. 1,000—Total Demand—Rs. 53,94,000 under 5-Land Revenue, Reserved.

Sir, since the commencement of this session of the Council the honourable members of this side of the House as well as I believe the honourable members on the other side also were very anxious to discuss the land revenue subject and my contention will be supported by the speech of His Excellency the Governor, from which I will, with your permission, read one paragraph :

" A matter of grave anxiety to my Government at the present time is the continuance of the economic depression and the strain that this puts on the resources of the cultivator. We have been carefully studying this question and ensuring that our district officers shall keep us in the closest possible touch with the position in the districts. I am not surprised to see from the agenda of your present session that you too, Gentlemen, take the keenest interest in the question, and that many resolutions thereon are down for discussion. I shall await the result of these discussions with interest, and hope that they may produce useful material to enable my Government to supplement the information received from their representatives in the districts and to evolve a policy suitable to deal with this situation."

[Sardar Rao Bahadur B. R. Naik]

Then, Sir, the Honourable the Leader of the House said in paragraph 9 of his budget speech:

"The continuance of economic depression throughout the Presidency is a matter of most serious concern to Government and they are examining in concert with other Governments in India what measures are necessary for the alleviation of the distress of the agricultural classes."

So, Sir, I am quite right in believing that the honourable members on the opposite side were as anxious as honourable members on this side.

Sir, in taking up this question, I do not want to go into the past history of land revenue in this presidency, neither do I want to discuss the system and policy of land revenue. But I will begin with a resolution passed by this Council in the year 1924. It was moved by the honourable member Mr. R. G. Pradhan, asking for an enquiry committee to be set up. The committee was subsequently set up, and it was known as the Land Revenue Assessment Enquiry Committee. That committee sat in the year 1925, and took both written and oral evidence of officials and non-officials and the report of that committee is to my knowledge before every honourable member of this House. Sir, since then, as we all know, the trouble in Bardoli and Chorasi on revision settlements arose, and a special enquiry committee was appointed by this Government, consisting of two eminent civilians of this presidency, one of whom is at present on the High Court Bench and the other is no less a person than the Home Secretary of this Government. After the publication of the report of this committee, the Government of this presidency took upon themselves the task of amending the Land Revenue Code. In one of the discussions the then Revenue Member, Sir Louis Rieu, admitted that the land revenue policy and system of this presidency was unscientific and required overhauling. His successor, Sir Frank Hudson, as soon as he took charge of this portfolio invited some of the honourable members of this House including myself to a conference and discussed the policy and principles on which the land revenue should be based. Sir, we all remember that in one or two discussions, he admitted that the Bill to amend the Land Revenue Code was almost ready, but then, Sir, he said in the year 1929 or 1930 that as there was a slump in prices and as it might perhaps be temporary, on the average of one or two years' prices, Government did not want to run the risk of coming forward with an amendment of the Land Revenue Code. He advised this side of the House to be patient and wait for two or three years more, so that on an average of five years' prices, Government will be in a better position to come forward with an amendment of the Land Revenue Code, and revise the assessment of the remaining talukas of the presidency on the basis of that amendment. As we all know, after the report of the Broomfield-Maxwell committee, the revision of several talukas which was due then was stopped, and Government issued orders that no revision should take place till the Land Revenue Code is amended. This is the history, so far as the amendment of the Land Revenue Code is concerned.

Now, Sir, I will take my stand on one sentence which occurs in the Resolution of the Government of Bombay, and I want to show to this

[Sardar Rao Bahadur B. R. Naik]

honourable House whether the time has not come when the agriculturists of this presidency are really in need of relief so far as the land revenue demand is concerned, and whether they are not justified in asking for it and entitled to that relief. In their Resolution of 19th July 1927 Government say:

"Some critics consider the years 1914 to 1925 to be abnormal, although the particular years in which there have been temporary and abnormal conditions have not been specified. There has admittedly been a permanent rise in prices since 1914, and although they may not be now so high as five years ago and possibly they may decline a little, nevertheless the final average figures must be substantially higher than the figures for the first fourteen years of the century."

I would request the Honourable the Leader of the House to note the last sentence "nevertheless the final average figures must be substantially higher than the figures for the first fourteen years of the century." It goes on to say:

"The effect of a worldwide war cannot be merely to leave the course of affairs simply as it was."

On that basis again, the Government Resolution says:

"Therefore an addition of 18 per cent. to the total assessment is not likely to adversely affect the margin of profit to the agriculturist."

Now, Sir, the Government of Bombay took it for certain that the prices of agricultural commodities would never go down to the level of prices which ruled from 1901 to 1914, and on that assumption they have increased the assessments of several talukas. Therefore, Sir, I have to tax the patience of this honourable House when I give figures of the prices of commodities, as well as the cost of production and the charges of labour. Unless I do that, I do not think I will be able to make out my case. I want to prove, Sir, that the prices of commodities at present ruling are below the prices ruling in the beginning of this century; I want to prove that the agricultural labour charges are doubled as compared with the charges in the beginning of the century. Therefore, I say, Sir, that the agriculturists are entitled to and justified in asking for relief.

Sir, there are three or four principal commodities of agricultural produce in this presidency. The first and foremost money crop is cotton. Then comes rice and jowar, and the fourth is bajri. Of course the other crops are insignificant and need not be taken into consideration. [*An Honourable Member:* What about wheat?] Wheat is an important crop in Sind, but in the rest of the presidency it is an insignificant one.

I am giving the figures for the years before 1914, because the Government of Bombay have taken their stand on the figures for the years before 1914 and the figures after 1927, and therefore, in order to give a comparison I am taking the years before 1914. The earliest figure for cotton I could get is for the year 1906. In 1906 Broach Cotton was 253; 1907, 255; 1908, 240; 1909, 318; 1910, 347; 1911, 271; 1912, 306; 1913, 281; 1914, 202; 1915, 283; 1916, 412; 1917, 614; 1918, 538; 1919, 493; 1920, 314; 1921, 485; 1922, 503; 1923, 561; 1924, 459; 1925, 362; 1926, 300; 1927, 384; 1928, 346; 1929, 273; 1930, 188; 1931, 181; 1932-33, 200; and in the present year, to-day, it is Rs. 199-12-0. These are the

[Sardar Rao Bahadur B. R. Naik]

figures. Now I will give the average figures. The average of the figures which I have quoted for the years before 1914 comes to Rs. 284 for Broach. Then, Sir, 1914 to 1925 are the years which the resolution says critics have referred to as abnormal. Of course among the critics I was one. I had made representation to the Government of Bombay in this connection and they had replied to me. The years referred to in the Government Resolution were not considered abnormal by Government! while I had maintained that they were abnormal years. However, the average for the years 1914 to 1925 comes to Rs. 442 for Broach cotton. Then, Sir, I come to the years 1928 to 1934 the period after the issuing of the resolution referred to above. The average for the years 1928 to 1934 comes to 232, which is less than the average for eight years before 1914 by 18½ per cent. and the rise between the years 1914 and 1925, as compared with the figure of to-day is almost about 100 per cent. I want to compare the average figures of eight years before 1914 with the average for the last six years. The average price for Broach cotton was Rs. 284 before 1914 and the average for the last six years is Rs. 232, that is, 18½ per cent. less than what it was before 1914.

Now, let us take the other crops. I will take the year 1890. The price of rice during that period was Rs. 3-14-0 per maund—I am taking 80 tolas per seer and not the Bombay or Gujarat seer.

	Rs.	a.	p.
1900	4	0	0
1902-3	3	13	0
1934	2	6	0
Take jowari.			
1890	1	14	0
1900	2	10	0
1902-03	2	9	0
1934	2	2	0
Take bajri.			
1890	2	8	0
1900	2	13	0
1902	2	10	0
1934	2	4	0

Now, what about the labour charges? At the beginning of the century—I am taking the period of the first revision settlement—3 annas for a male and 1½ to 2 annas for female.

The Honourable Sir GHULAM HUSSAIN: Agricultural labour?

Sardar Rao Bahadur B. R. NAIK: I am talking here about agricultural labour only.

Three annas for a male and 1 anna 6 pies to 2 annas for a female. These are the figures given by Government. To-day the agricultural labour is 6 annas for a male and 4 annas for a female with one meal. There is 100 per cent. increase in agricultural labour.

CORRECTION SLIP TO BOMBAY LEGISLATIVE COUNCIL DEBATES.

In Volume XXXIX (Part XIX) of the Official Report of the Bombay Legislative Council Debates—

at page 1147, in line 16 from the bottom, *for* the figure and words " 400 million cwts." *read* " 4 million cwts."

The Honourable Sir GHULAM HUSSAIN: Am I to understand from the honourable member that agricultural labour is prospering?

Sardar Rao Bahadur B. R. NAIK: The Honourable the Revenue Member enquired whether agricultural labour was prospering. I will come to that. (*Interruption.*) He will interrupt me and I will miss the thread of my argument.

This is about the commodity prices and labour charges.

Now, Sir, the first settlement took place from the year 1858 to 1873-74. Here is the crux of the whole question. Why the land revenue of this presidency is much higher than the other presidencies will be shown from the figures which I shall quote just now. The Government of Bombay—I do not say they deliberately chose but it so happened—was very fortunate by extraneous circumstances to take up the first settlement at a period when the agriculturists could not have complained against the high pitch. I am talking of Gujarat particularly because I have got the settlement reports with me. The first settlement took place between 1860 and 1873 in Gujarat and also in some talukas of Khandesh. Within five years ending 1853-54, the average export of cotton was 1¾ million cwts. valued at Rs. 2,15,00,000.

The Honourable Sir GHULAM HUSSAIN: When did the first revision take place?

Sardar Rao Bahadur B. R. NAIK: From 1858 to 1873 the first settlement. You must have got it. Then the revision settlement takes place every 30 years.

Honourable members know that during the American war, a great demand of cotton was created which gave a windfall to Government.

The Honourable Sir GHULAM HUSSAIN: What book is the honourable member quoting from?

Sardar Rao Bahadur B. R. NAIK: Gazetteer of India and other Government publications. In the year 1853-54 Bombay presidency exported cotton to the value of 215 lakhs only. During the five years ending 1864-69 Bombay presidency exported about 400 million cwts. of cotton of an average value of 20 crores per year. In the single year of 1864-65 the value of cotton exported reached 30 crores, when the revision settlement of Chorasi, Bardoli, Olpad and other talukas took place. The average price per candy during this period of five years comes to Rs. 425. When the price went up to such a high figure as Rs. 425, the assessment for several talukas was fixed and that is why the assessment was fixed so high. The other day the Honourable the Revenue Member told us—of course I must be frank and honest—that since 1921 there was no increase in the land revenue except in a few talukas.

The Honourable Sir GHULAM HUSSAIN: In some talukas.

Sardar Rao Bahadur B. R. NAIK: Yes. I will give the total figures. The first settlement gave the Government a revenue of 2·7 crores. At the time when the British took over this presidency the revenue was 117 lakhs. In the subsequent year, that is, in 1818, it went up to 1,60,00,000

[Sardar Rao Bahadur B. R. Naik]

and as a result of the first settlement it reached the figure 2·7 crores and by the first revision settlement it went up to 3·3 crores.

I shall be told by one of the Commissioners that people took more land since the first settlement and so my comparison is wrong. I shall quote figures to prove that it is not so. In the beginning of the century fully assessed occupied Government land was 24,400,858 acres excluding Sind. In the year 1931-32 the area was 24,957,636 acres excluding Sind, an increase of 1¼ per cent. over the occupied area in the beginning of the century. Now, look at the revenue paid to Government. I am giving the land revenue, excluding the local fund cess, I am excluding the inams, which come to 90 lakhs or so, as shown in the budget. I am also excluding Sind as the conditions are different there. It was Rs. 3,06,89,877 in 1902, and in 1931-32, Rs. 3,69,19,662—a rise of 16¼ per cent. The increase in occupation of land for the last 30 years—from 1902 to 1932—in presidency proper was only 1¼ per cent. or 5 lakhs of acres, while the increase in revenue was 63 lakhs, or 16¼ per cent. over the figure of 1902.

2-30 p.m.

The Honourable Sir GHULAM HUSSAIN: The comparison is only in acreage, Sir. They might be ordinary garden lands or the best cotton lands. Is there any sense in this comparison ?

Sardar Rao Bahadur B. R. NAIK: The comparative figures are both for acreage and land revenue, perhaps the Honourable the Leader does not follow me properly. I respectfully request him to challenge my figures if they are incorrect. The figures may be taken for what they are worth. I have given these figures both for land revenue and acreage as we were told the other day that there was no increase in the land revenue of this presidency and I tried to show that there was increase in land revenue.

Yesterday, I was told by the Honourable Leader of the House, when I was discussing the question of agriculture, that I was trying to conceal the figures of land revenue in Madras. I know it was Rs. 7,60 lakhs couple of years ago. But my honourable friend knows more than anybody else in this House that the area of Madras Presidency is almost double that of Bombay Presidency. What is the total area of Bombay Presidency, excluding Indian States ? It is 77,000 square miles. What is the total area of Madras Presidency, excluding Indian States ? It is 136,012 square miles, almost double that of Bombay Presidency. And what is the population that bears this burden ?

The Honourable Sir GHULAM HUSSAIN: Sir, that is a fallacious comparison. In Thar Parkar District, in Sind, the desert area is very large, and there is very little cultivation. So we cannot merely compare the total areas of the two Presidencies.

Sardar Rao Bahadur B. R. NAIK: There might be deserts in Madras also. But this does not help the Honourable the Leader. If instead of desert area there was cultivable area the revenue of the Presidency would have been more to that extent.

An Honourable MEMBER: Can you give the cultivated area to both ?

Sardar Rao Bahadur B. R. NAIK: The population of Bombay is 18,000,000 excluding native states and that of Madras 45,200,000. I hope the Honourable the Leader of the House will try to work out the incidence of land revenue per head in Bombay and Madras.

Now, Sir, I do not think it will be worth while giving separate figures for Gujarat and other parts of the presidency, because all parts of the presidency are more or less affected. But I think the Honourable the Leader of the House had admitted that Gujarat pays the highest land revenue in proportion to acreage. As he admits that, I need not go into the figures. Otherwise, it is easy for me to prove it. Therefore, I will not take up the time of the House by giving separate figures for the Northern, Central and Southern Divisions. I have given the figures for the whole of the Bombay Presidency proper.

Now, Sir, I want to deal with one point at this stage. The Honourable the Leader of the House told us that there has been a rise in the wage of agricultural labour, because an agricultural labourer is getting 6 annas where he used to get 3 annas in the beginning of the century, so it is a sign of the prosperity of the labourer. I do not admit that it is a sign of prosperity. Nobody knows better than my honourable friend the Leader of the House that on account of the abnormal rise in commodity prices during the boom period the cost of living had risen for all, from the humble labourer to the Member of the Executive Council.

The Honourable Sir GHULAM HUSSAIN: That is my point also.

Sardar Rao Bahadur B. R. NAIK: On account of the cost of living having increased in 1924–25, the agricultural labourers were getting their requirements in the same quantity or less as they used to get in 1902, in spite of their money wages having increased from 3 annas to 8 annas. Here is a statement of the Bombay Government, that the prices would never fall to the level they were in the beginning of the century. But we know now that the price of rice has gone down from Rs. 4 to Rs. 2-8-0; the price of jowar also has fallen lower than what it was in 1902. I am not talking about index figures now. I would only point out that in the case of rice, it has gone down by 65 per cent., in the case of cotton it has gone down by 18½ per cent. and in the case of jowar by 16 per cent., and the wages of labour have gone up by 100 per cent. I want to ask in all earnestness whether the time has not come when these agriculturists should be given some relief by way of all round remissions or reductions.

We were told by the predecessor of the Honourable the Revenue Member, Sir Frank Hudson, that the Land Revenue Bill was ready but that it was not the intention of Government to bring it before the present Council, as they wanted to place it before the newly elected Council under the coming reforms. We do not know when the reforms may be inaugurated. They may be inaugurated after two years. Then the Bill will be placed before the Council; and after the Bill is passed, it will take another two or three years to frame rules and regulations. We know how the rules framed under the Primary Education Act have nullified the benefits of that Act, and the same thing may happen to the new Land

[Sardar Rao Bahadur B. R. Naik]

Revenue Act when it is passed. But how long are the agriculturists to suffer? Have we any hope of an immediate rise in prices? I say, "No, unless Government are going to take such steps as other Governments in the world have taken". Take the example of America. The agriculturists are in the same plight everywhere on account of the depression. But the American Government in one year, by manipulation of the currency and other means have raised the prices by 46 per cent. I am prepared to be corrected if I am wrong. They have raised prices of agricultural commodities in America by 46 per cent. So, unless this Government take some steps to raise the prices——

The Honourable Sir GHULAM HUSSAIN: Sir, is the question of currency relevant to this debate?

Sardar Rao Bahadur B. R. NAIK: I am simply mentioning it as an argument. I say, unless this Government are prepared to adopt measures to raise commodity prices, as other Governments have done, they must give some relief to the agriculturists by way of a general remission and if Government will lose directly few lakhs they will benefit indirectly. In 1927, when the words of the resolution which I have quoted were penned by the Government, the food index taking 1914 as the basis, was 143 and the non-food index was 148. What is it today? About 98. So it clearly indicates that the commodity prices have gone down much below the prices pevailing in 1922, 1924 and 1925, which were abnormal years. We then all cried that the prices were abnormal, but the Government of Bombay wanted to make revisions in several talukas of the Presidency and get as much revenue as possible. Therefore they did not listen to us but told us that the prices would never go to the level of 1914. That prophecy has turned out to be incorrect. Therefore they must give some relief to the agriculturists.

I do not want to say anything on the land revenue policy of the Government of this Presidency. I have spoken on that before. I have quoted instance after instance. I have quoted high officials; I have quoted eminent statesmen of England and Europe and India also. I had quoted Lord Salisbury; I had quoted Sir Charles Wood; I quoted Sir Louis Mallet and others; then I quoted Elphinstone; I quoted Sir Bartle Frere; I quoted Baden-Powell and other eminent authorities. But what was the reply given by the Honourable the then Revenue Member? Sir Frank Hudson told us that all these gentlemen had never set foot on the Indian soil and therefore did not know anything about the conditions of India. I quoted an eminent member of the Indian Civil Service—Sir William Hunter whom I again quote today. He said that the land revenue policy of this Government——

The Honourable Sir GHULAM HUSSAIN: What year was that?

Sardar Rao Bahadur B. R. NAIK: I am referring to what he said in 1879, but it is much more applicable today, because your land revenue then was only about 2¾ crores, whereas it is now 5,20 lakhs. So, if you ask that question, it goes against you. Sir William Hunter in 1879 said that the land revenue policy of this Government was such that it did not

[Sardar Rao Bahadur B. R. Naik]

leave sufficient for the agriculturists to live upon. These words are not mine, they were not uttered by one who had never set foot on Indian soil.

Sir, year before last we were told by the honourable member the Commissioner, Southern Division (Mr. Mackie)—whom I do not see here —that Government only takes 1/20th part of the crop that is produced. That is, if the crop is worth Rs. 10, Government takes only 8 annas. I pray and beseech the Government to accept 1/10th of the crop, which agriculturists will be willing to give. Here in this House one of your Commissioners says that the Government of Bombay takes only 1/20th part of the produce in the form of land revenue——

An Honourable MEMBER: In kind?

Sardar Rao Bahadur B. R. NAIK: He says in value. The agriculturists will be generous and give even 1/10th of their produce if only Government are prepared to accept it.

When I said last year that formerly your land revenue was 2 crores, the same honourable member, the Commissioner, S. D., told us: "This is a speech which could have been delivered before an ignorant audience." As if the members of this honourable House were all ignorant! He said that the unoccupied land had since then been occupied by people in large area and therefore the revenue had increased. Just now I gave the figures since 1900. Taking his argument however, whatever unoccupied land there was in the village it was used by the village community as a grazing ground, without paying any revenue; I suppose the Honourable the Leader of the House knows these things very well. He must have studied this question very carefully, and those who know anything about the Peshwa's rule know very well that that was the system. Even today, the honourable member Mr. Garrett will bear me out when I say that all the unoccupied survey numbers and *gouchurans* are used by the village community free of charge. There are certain survey numbers which were formerly occupied but subsequently abandoned and used by the people without paying anything. I do not say that anybody owned them, but they were used. To that extent the incidence of taxation was less in those days.

Sir, I have placed the figures as they are given in the official records before this House, and if Government are satisfied and convinced that there is a case, I appeal to them to consider my request very sympathetically. Probably I will be asked: Wherefrom will the Government be able to bring the money? I admit that the Government's financial position is bad, but, Sir, I do not think that because Government cannot find money, there is any justification to do injustice to their peasantry, which is the backbone of the State. I repeat, Sir, that the slump in prices is enormous. The agriculturists in some cases are not even able to get the cost of production of the crop. They cannot make both ends meet. But I can read the mind of my honourable friend the Revenue Member. I know he is going to taunt me in his reply. Therefore, before he taunts me, I will say that I myself am an Inamdar. I will be

[Sardar Rao Bahadur B. R. Naik]

asked : Have you reduced the land revenue in the case of your peasants ? My answer is : Yes, Sir. I have done what I could do. My honourable friend Mr. Garrett knows the condition of my district well. When the rates of assessment were increased by 18 and 24 per cent., in 1927, my villages were also included being settled and surveyed villages and Government having shares in them. The peasants of the two villages sent an application to this Government through me and that application is on their file and the reduction was made from 18 to 3 per cent., in one case and 14 per cent., in another. After this reduction people of the villages were not satisfied and they had made another representation also and the reply which they had received was that Government could not undertake the revision of one village for the benefit of the people. This is not the first time that I am stating this. The House will remember that at the time when the Bardoli and Chorasi assessment question was under discussion and when Sir Cowasji Jehangir was the General Member, when I said that I was losing about Rs. 800 to Rs. 1,000 every year as an argument in favour of the reduction of assessment in the Bardoli and Chorasi talukas, he asked me in what way I was losing, and I had made this matter clear. I say again that I should have gained more if the assessment was increased. But I said that we must keep these people contented and we must also look to their capacity, if we were not to see the lands in our villages given up on account of high pitch of assessment.

The Honourable the Revenue Member will recollect that in the frost year of 1928–29 I recommended and gave a remission to the tenants of my villages to the extent of 33 per cent. Government have got a share in my villages and when I told them that I was prepared to forego my share to the extent of 33 per cent., if remissions were given to the ryots, they got the remissions.

The Honourable Sir GHULAM HUSSAIN : That was generosity at the expense of Government.

Sardar Rao Bahadur B. R. NAIK : In revision settlements the Inamdars have to say if the villages are surveyed and settled, but if Government——

The Honourable Sir GHULAM HUSSAIN : As I just said, that is generosity at the expense of others.

Sardar Rao Bahadur B. R. NAIK : At my cost also. I do not mean to say that I was generous. What I mean to say is that I am not so harsh as Government are on this matter. I do not want to lose my revenue without sufficient ground, I know my business, but I may tell you that when I know that my tenants cannot pay and I know that their indebtedness increases year after year, I take a reasonable view of the matter and do not sit tight on them as Government do. The officials complain that the people of this presidency and, for the matter of that, of the whole of India spend too much on marriages and festivals, and so on. I tell these officials that these people do not spend in their whole lifetime what the rich people and high officials spend in one day. After all, what do

[Sardar Rao Bahadur B. R. Naik]

they spend on marriages? Ordinary agriculturists use few earthenware pots of toddy and engage tom-toms during their marriage ceremonies. Should they not enjoy that much even? Are they not human beings? The honourable members opposite enjoy every day the luxuries that are available at the Willingdon Sports Club. Should not the villagers make merry on a small scale even once in their life-time? I know some advanced and intermediate class of agriculturists have spent beyond their means in marriages and on other occasions, but for the sake of a few the whole agricultural class to be taken as extravagent is not fair.

The Honourable Sir GHULAM HUSSAIN: I do not enjoy the luxuries of the Willingdon Sports Club every day.

Sardar Rao Bahadur B. R. NAIK: I know that you sometimes enjoy at race course, but I am also talking of big zamindars, and other officers and rich people who spend far more money on these things than the poor ordinary peasants on marriages in their life-time. When officials say to me, "Look here, Rao Bahadur Naik, you do not know how much money these people waste on their marriage and other ceremonies and festivals. They do not know how to use their money to the best advantage", I reply to them, "I have had the benefit of living with Europeans in other parts of the world and I know that they have four meals a day including the afternoon lunch. Of course, I have been a party to such lunches and I have enjoyed them, but let me tell you that the Europeans spend on a dinner attended by 30 people on the whole more than the villagers spend on a whole marriage ceremony". I want to say, Sir, that nobody can deny the fact that the indebtedness of the agriculturists is accumulating year after year and is added to year after year by the interest piling up. This fact has been pointed out by the Provincial Banking Inquiry Committee, by the Central Banking Inquiry Committee and by other Commissions and Committees. It is no use repeating the same story again, but, Sir, I would not have stood up today to make this speech but I do so because the Honourable the Revenue Member is an Indian and therefore I appeal to his good sense and conscience that the present is an opportunity which he should seize and try to find out whether there is any way in which he can give some relief either by raising the commodity prices artificially or by giving them *ad hoc* remissions or concessions in some form by a certain percentage. I do not want to fix any percentage, it may be 10 per cent or 12½ per cent. The strong feeling on this question can be easily judged by the number of resolutions that have been tabled on this subject. If Government want further proof of it they will find in the fact that nobody rose to move his cut motion on agriculture yesterday and they were prepared to sit up till 8 o'clock to finish that head so that they might discuss land revenue today. It is quite possible that we may not be able to prevail upon Government in any way. The honourable members of this House I say are all reasonable men. Some of them are title-holders including myself. If you want co-operation from us and if you want our support, you too must behave towards us in a way that we shall be respected by our respective constituencies, thereby perhaps the honourable members

[Sardar Rao Bahadur B. R. Naik]

may be more useful to you in other directions also. It was with this object and with this intention that I rose to speak, not because I wanted to embarrass the Government. That was not my object. I say, Sir, "Do something by which the people may feel that Government always look after the interests of the agriculturists in time of need, that Government feel intensely for the agriculturists". Let Government, I say, act on this occasion in such a way that our electors will say to us on our return to our respective constituencies "Yes, you, as our representatives in the Council, have done something for us. We know you are respected by Government and that your word carries some weight with the powers that be". I am of course not going to claim a division on this motion. I know what the fate of such a demand on my part would be, looking to the present constitution of the Council. I do not deny that, but I hope and I do so with the firm conviction that now that we have an Indian Revenue Member, who knows things for himself and who knows how the agriculturists feel the pinch he will try to enter into the skins of the people and do something which will give them some relief. I think it was General Gordon of China fame who had said "Who can rule over the people very ably and efficiently? One who gets into the skin of the people". The Honourable the Revenue Member is an Indian. What I want to say is that the European Revenue Members being alien whom we have had in the past were not able to do what Indian Members can do. I say, Sir, an Indian Revenue Member can get into closer touch with Indians and has greater opportunity of coming into closer touch with the people, than an European Revenue Member, and therefore an Indian Revenue Member is better able to find out the condition of the agriculturists than an European Revenue Member can hope to do. An Indian Revenue Member can feel it in his heart and it is for this reason that I appeal to him to do something. It may be 5 or 10 per cent. reduction I do not mind. It will be certainly a very good gesture and will give Government great help in other directions also. I do not wish to enter into politics or to introduce politics into this debate, but I firmly believe that if Government are wise, no action of theirs would help them more than giving relief at this moment to the agriculturists who will thereby be convinced that Government are, in fact, solicitous about their welfare. If the Honourable the Revenue Member adopts the suggestion I have made, the agriculturists will be bound to feel that here is an Indian Revenue Member who is not slow to show that Government, when the time comes, always go to the rescue of the agriculturists, and if now, when the Province has a new Governor at the helm of affairs, his Government were to make this gesture by giving some relief by way of flat rate reductions to the agriculturists, I think such a gesture will always be to the interest as much of Government as of the people.

With these remarks, Sir, I move my motion.

Question proposed.

Khan Bahadur GHULAM NABI SHAH (Thar Parkar District) (Addressed the House in Urdu): Sir, I rise to support the cut moved by the honourable member Sardar Rao Bahadur Naik. Now, I first wish

[Khan Bahadur Ghulam Nabi Shah]

to refer to the question of settlement within the Barrage area, specially Thar Parkar district which I represent here. The first officer was Mr. Naraindas, who fixed the price of cotton pods at Rs. 12 per maund, while Mr. Green fixed it at Rs. 8-12-0. The real price in the market of the cotton pods has never gone beyond Rs. 4-8-0 in the rural areas. The expense of the zamindar is to be taken into consideration. This will work out the net income of Zamindars at Rs. 11-8-0 per acre. The Government share of 24 per cent., will come to Rs. 2-12-0 only. But instead of Rs. 2-12-0 Government have raised the assessment to Rs. 6-0-0 per acre. Now, Sir, if Government is not going to take into consideration even the established figures of the market, where are we to go? The rates of grains are also decreasing from time to time. The same principle therefore applies to grains.

Further, Sir, practical experience has shown that where Government have taken even precautionary measures and put, "Karawas" on the crop of Zamindars, there also the results have been that either Government has taken away 80 per cent. or left nothing to the Zamindar to fall back upon for his maintenance. Further, Sir, the Government is entitled to increase the rates only on two grounds, namely, increase in water and increase in the price of agricultural produce. So far as the latter is concerned, I have shown that there has been no increase, but rather a decrease from time to time, while so far as the quantity of water is concerned, the condition is that whereas Government gave one cusec for 300 acres of land, now they give one cusec for 360 acres in Jamrao tract; and in Mithrao where they gave one cusec for 120, now they have increased it to one cusec for 360. In the Mithrao area the original scheme was to give 90,000 acres for rice cultivation, but now they have reduced it to 38,000 only in order to give water to Nankhote and Nabisar where Government wish to dispose of their own lands. This decrease in water supply, in all justice, should be restored to the zamindars in the Mithrao area.

Moreover inexperienced engineers have been appointed, for instance the executive engineer, Khipro, who has reduced modules between the Kharif and Rabi seasons. Their actions have also resulted in losses to zamindars and also to Government.

The condition of Thar Parkar district deserves greater pity than the other tracts, inasmuch as it has to pay debts to the extent of rupees one crore. The floods of 1927 and 1929 have rendered the people destitute. The deputation of the zamindars of the district waited on the Honourable the Revenue Member and placed their pitiable condition before him. I would therefore earnestly urge that Government will be pleased to take into consideration their memorandum and render maximum relief to the people of Thar Parkar which in my opinion should in no case be less than 50 per cent.

Government will be well advised to appoint a committee consisting of officials and non-officials to inquire into the condition of the agriculturists in Sind and ascertain the real rates of the crops there and then fix up the assessment.

The rules of remission are very strict. They operate very harshly in Sind. Even if the zamindari share is in excess of the revenue assessment

[Khan Bahadur Ghulam Nabi Shah].

by four annas, the remission of land revenue is refused. This puts the zamindars to a loss and they have to meet all their expenses on cultivation and "khati" etc., from their own pocket. Therefore, those rules should be revised. In granting remission, Government do not give credit for expenditure. The people of Thar Parkar have appealed to Government for the revision of rules, but nothing has been done so far.

Mr. V. A. SURVE (Ratnagiri District) (Addressed the House in Marathi): Mr. President, I rise to support the resolution moved by my honourable friend Sardar Rao Bahadur Bhimbhai Naik.

Government's policy regarding Land Revenue Assessment has been announced from time to time, and Government Resolutions too in that connection have been issued from time to time, but the Revenue authorities completely ignore them while fixing the land revenue assessment. At present in the Ratnagiri District itself, work of non-agricultural assessment is going on. But nobody is giving any authoritative explanation as to the resolution under which the survey in this connection is being carried out. In *Dharekari* villages in my district, land occupied by houses, stables, huts, buildings, old and new, is being surveyed. Some khatedars have been even served with assessment notices. From this it appears that the rate of this assessment is one rupee and a quarter per *guntha* in cities and ten annas per guntha in villages, and khatedars are being served with notices to pay this assessment within a reasonable time. But how is it reasonable? Neither the Deputy Collector, nor the Collector nor even the Commissioner, says anything in this matter.

There is a clear Government Resolution No. 4758, dated 3rd July 1886, which lays down that the Land Revenue Code of 1879 cannot effect any changes in the assessment of talukas settled under the Bombay Survey and Settlement Act of 1865 and section 48 of the Land Revenue Code, too, lays down the same thing. There are some talukas in the Ratnagiri District settled under the Act of 1865 wherein the above resolution can very well be given effect to. Arrangements are contemplated to levy non-agricutural assessment on new as well as old building sites in these talukas also. In laying down the policy of assessment under the Land Revenue Code, Government issued after the enactment of the said Code a Resolution No. 9283, dated 9th November 1883, by which every khatedar was as per former custom allowed five gunthas of land for his building site, free of assessment. That system was being followed in my district up till now. But now preparations are being made to levy this non-agricultural assessment even on those old *Parda Numbers*. And if a house-owner uses part of his old house for business purposes, he is deemed to have altered the use of the house and even fine is recovered from him. The people held a meeting on 18th January 1934 and passed certain resolutions asking Government to redress this grievance of theirs and these have already reached Government. But nobody cares to redress this grievance. Were I to advise the people that as a protest against this policy of Government officials in this matter, they should not pay this non-agricultural assessment, I would be put in prison, but it will reveal the fact that the officers of Government themselves transgress the very policy of Government and resolutions issued by Government

[Mr. V. A. Surve]

and thus practise disobedience of laws. I do hereby request the Honourable the Revenue Member to issue a Circular order to stop all these things. If an owner of a house were to use it solely for business purposes, I would raise no objection to the levy of non-agricultural assessment on the land occupied thereby. But in the case of assessment on lands occupied by other buildings like houses, stables, etc., action is being taken contrary to Government Resolutions referred to by me and an enquiry is needed in the matter.

There are several such similar cases. In the case of one survey number there are some 14 to 15 co-sharers in it and the survey number is entered in the land records in the name of one person only. A notice of demand for the recovery of land revenue in respect thereof is served on the *khatedar* only. If a petition is submitted to the Mamlatdar requesting him to serve similar notices on other co-sharers, he gives a reply that he sees no reason to do so under the law. I believe that the law does not come in the way of recovering from each co-sharer his respective share of assessment of land revenue. But owing to the reasons I have mentioned one individual is held responsible for the payment of land revenue due from all the other co-sharers. There is a village called Choravna in my taluka. The land revenue for a piece of land situate there and owned by 31 co-sharers amounts to Rs. 150-4-0. The responsibility of paying this whole amount of land revenue lies on a single *khatedar* alone. As Government do not demand payment of land revenue from all the other co-sharers, only a single individual is required to pay off the said amount of land revenue by putting to sale even his cooking utensils.

Now I give an illustration of the way of recovering land revenue Formerly the amount of land revenue used to be recovered in four instalments in my part of the district. But in these days of depression when agricultural produce fetches a very poor value, and when there is no remedy of getting even a single pie from outside, a system of recovering the same amount of assessment in two instalments has been introduced.

I give another illustration quite different from the one I have already given. There is a village called "Bela" in the Javli taluka of the Satara district where there is a *khatedar* by name Govind Jijabarao Kadam. From this *khatedar* an assessment amounting to Rs. 11-8-10 was recovered in the year 1921. In the year 1923 an amount of Rs. 10-14-9 was recovered in respect of land revenue. In the year 1925 an amount of Rs. 11-9-1, in the year 1927 an amount of Rs. 14-7-6 and in the year 1929 an amount of Rs. 15-6-0—such amounts were recovered from him in respect of land revenue. What leads to this increase in the land revenue assessment when there is no (corresponding) increase in the land of the *khatedar?*

Similar state of affairs prevails in respect of the tobacco licenses. The work of granting these licenses and levying fees therefor has been entrusted to the Revenue authorities. The law lays down Rs. 150 as the maximum fee charged for the wholesale license. Of course, this amount of fee is to be determined by taking into account the profits derived by a licensee on the sale transaction of the tobacco. This is the obvious

[Mr. V. A. Surve]

object of the law. Had it not been so, there was no reason for mentioning the maximum limit of the fee. But the amount of profits is not taken into account at all while granting these licenses and charging this fee. The Deputy Collector fixes the amount of fee on official inquiry and on preferring an appeal (against his decision) to the Collector with a request to determine this amount in proportion to the amount of profit, the Collector also confirms the above decision relying on the report of his subordinate officers without hearing the appellant and without calling for any evidence.

A classification of licenses to sell tobacco by retail has been made in the Act and the scale of fees has been fixed on a population basis, e.g., the Act has prescribed Rs. 10 as maximum fee for a license of 'A' scale and Rs. 5 as the maximum for the license of 'B' scale for a village having a population of less than 5,000 but more than 2,000. This means that Government expect this much amount as the maximum income likely to be recovered on account of license fee for tobacco from a village of this much population. Is this not the interpretation thereof? If it were not to be interpreted like that, what was then the propriety of prescribing the population basis?

But the local Revenue authorities who are vested with the power of granting licenses, have issued 8 to 10 licenses even in one such village without paying attention to the population basis. The said village is burdened with the sum of about Rs. 59 as the retail selling license fee and a sum of Rs. 125 as the wholesale license fee, and the same have been recovered. Now, the time has come for issuing fresh licenses for the new year. Government should therefore publish a leaflet in order to remove this misinterpretation of the objects of the law.

It is natural that Government might apprehend some loss in revenue in case they try to remove the misinterpretation. In the Land Revenue Department there is one branch called "the City Land Record" on which Government spend about 1¾ lakhs of rupees. What is the necessity of maintaining this branch when there is a District Survey Officer in each district? By abolishing this branch Government will make a saving of nearly two lakhs of rupees. So also, what is the necessity of Deputy Collectors? What material work do they do except calculating the annawari of the crops? It can be very well said that the rest of their work is like that of a post office. By retrenching these posts Government can save much of their expenses.

At this time, I do not intend to make any reference to the Police Department, except the suggestion that one District Superintendent of Police can very well supervise the work of two districts.

The Honourable Sir GHULAM HUSSAIN: The Panch Mahals people are demanding a separate District Superintendent of Police for their District.

Mr. V. A. SURVE: Their vision is not clear or broad enough. But we are helpless in the matter of the Civil Service.

Lastly I have to make one request to Government that they should not charge land revenue assessment on the building sites of the poor and,

[Mr. V. A. Surve]

in view of the statements that I have made with regard to this non-agricultural assessment, Government should make enquiries in the matter and state whether they are facts or not.

Sardar Rao Bahadur B. R. NAIK: On a point of explanation. In order to clear misunderstanding in the mind of any honourable member, I may say that the figures I have given do not include Sind.

3-30 p.m.

Rao Bahadur G. K. CHITALE (Ahmednagar District): Sir, I very much appreciate the sportive spirit of the Honourable the Finance Member in submitting himself to be the target of criticism on the policy of land revenue for these two days. Having been in the Government for a pretty long time and conversant with its affairs almost in minutest details, he counts upon achieving a splendid victory, even though we members may offer criticism here and there. But I hope, Sir, he will appreciate that we do not wish to make his position impossible because he must have been struck by the fact that many cuts which were intended to be moved and which might have made a hole in his department have been voluntarily withdrawn. We are quite content with criticising the land revenue policy by moving a cut of Rs. 1,000 only. I hope this will be appreciated by the Honourable Member and when he comes to reply he will not bewilder us by parading crores and lakhs which he has given by way of suspension or remission in the past, but state clearly what he intends doing this year. I shall therefore restrict myself to two aspects of the land revenue policy. The first and foremost will be the recent orders of Government. I do not wish to explore history so far back as 1860 or from Malik Amber to the British days; I will confine myself to the present policy, because the cut relates to the revenue that is now raised. What I propose doing is to show that the present revenue law and procedure is arbitrary and works hardship. Then, the second point will be that the cultivators have been so badly hit, owing to the heaviness of their debt not only to Government but also to other people, that they are unable to pay easily their assessment in cash. The third point will be that the land is exhausting itself and is giving decreased yields. After touching on these three points, I will apply myself to the rules of suspension and remission.

Now, Sir, if the Honourable the Finance Member looks into the findings of the Banking Enquiry Committee he will be satisfied completely as regards the agriculturists' load of debt. The third point—whether the lands are giving decreased yield—is a debatable one, and statistics may be produced on both sides. I am quite sure that the Honourable the Finance Member can produce figures to show the contrary, but coming as they must be from village kulkarnis and patils, they are not very reliable. Coming to my second point, which is really very important, only the other day, the Honourable the Finance Member made a point that the pitch of assessment in the Deccan or Gujarat was so small that anybody could bear it. He said it was not more than Rs. 5 per acre. He based it on the law of averages. But may I point out to him that that law cannot apply in this case? That law cannot stand the test of

[Rao Bahadur G. K. Chitale]

analytical reasoning. Now, if I were to tell him that the Back Bay has an average depth of only 4 feet and invite him to walk across it on the basis of that average, I am sure that if he accepts my invitation and tries to cross it, within twenty yards of its shore he will get himself drowned. So, the law of averages cannot be applied in such cases. We have to be very careful in applying that law. Now, coming to my point. It is undoubtedly the case that the official figures bear out that commodity prices have depreciated to such an extent that the commodity value of the present land revenue, which is levied in cash, is three to five times what it was when the settlement was made. That means to say, to pay the land revenue in cash, I will have now to sell three or five times the quantity of commodities that I sold originally. This is a point that should be borne in mind. The margin of profits in raising commercial crops—our presidency produces these crops in pretty good quantities—has vanished. Therefore, the payment of the same amount of cash for land revenue as used to be paid before has become beyond the capacity of the agriculturists to bear. In the case of a small holder who has to pay only Rs. 5 or Rs. 6 assessment, the hardship may not be so great as in the case of those who have to pay big amounts. I am not speaking without my book. I myself own land; I pay Rs. 340 by way of assessment; I have all the lands to myself——

The Honourable Sir GHULAM HUSSAIN: How many acres?

Rao Bahadur G. K. CHITALE: It is about 300 acres. It will be a revelation to my honourable friend, who is himself a landholder on a bigger scale, to hear that if I had not other sources of income to pay the assessment, I would have had to go into debt or, what is worse, sell the land to the sowcar or have it auctioned by Government and bought by Government for an anna. The rigor of the revenue officers is such that I cannot but refer to it here. I hope the Honourable the Revenue Member will take my criticism for what it is worth. But I do feel and feel honestly that when men like Mr. Vartak, who served Government honestly as Chief Engineer, is fined two rupees and one rupee for not paying assessment in time, the Revenue Department deserves as much rebuke as we can give on the floor of this House. Sir, what language shall I use when a revenue officer fines a gentleman of that type two rupees and one rupee for not paying the assessment in time? Sir, I make a present of this to the Honourable the Revenue Member and also the Member for Irrigation. Sir, we had instances of that kind at the time of our first President. We know with what feelings and with what expressions he abhorred the idea of being pursued by revenue officials. Did the revenue officials think that Mr. Vartak, a responsible Government official of very long standing, was not willing to pay? Could that be imagined? To my mind, this is a great blot on the administration, and it brings the whole administration into contempt. Take another instance. In Nagar District, hundreds of acres have been sold for realising arrears of land revenue, and they have been taken by Government on a nominal bid of one anna. Well, Sir, I am not quite sure, because that was a case under irrigation dues——

The Honourable Sir GHULAM HUSSAIN: It was for irrigation dues.

Rao Bahadur G. K. CHITALE: I am talking of Kopergaon. Irrigation dues are recovered as arrears of land revenue. I am not quite sure about the legality of it. That the land could be taken for a nominal bid of one anna by the village kulkarni or talati is of doubtful legality. I do not know what happened afterwards. When the people came to me, I said it was of very doubtful legality. But who will fight with Government? Who can dare? There are so many Acts, so many objections about jurisdiction, and what not, that it is impossible to prosecute even one suit successfully. The litigation is also a protracted one. Therefore, I think that the rigour with which the revenue policy is being pursued in the districts is adding to the difficulties of the agriculturists.

Coming to the rules of suspension and remission. You will notice, Sir, that the present rules issued by Government are to be in force experimentally for the next two years. I am referring to the suspension and remission rules enforced by Resolution No. L.C. 604, dated the 24th July 1933. In this Resolution Government accept the recommendation made by Commissioners—I believe—that "in cases of abnormally heavy fall in prices below the price level on which the settlement is based, Government will consider the propriety of issuing special orders for relief." Sir, the meaning of this is not quite clear; it is not clear what relief is intended. I hope I rightly interpret it. "In cases of abnormally heavy fall in prices below the price level on which the settlement is based",—I believe, Sir, that condition has come to pass, and that will have to be admitted by the Honourable the Finance Member. At least during the last two or three years there has been an abnormally heavy fall in prices below the levels on which the settlements of the past thirty years have been based. Then, what does the Resolution say? "Government will consider the propriety of issuing special orders for relief." Now, under the suspension and remission rules, they do not consider individual cases. I believe I am right. Individual cases are usually looked into by the Collectors themselves; they seldom come up to Government. I believe, Sir, judging from what the Government have stated in the communique which they have issued on 14th February 1934, that they have reserved to themselves the power of passing final orders after receiving the reports of their revenue officers. Now, Sir, the basis of this communique, issued on the 14th February 1934, must have been at least a month old, if not older still. This provision in the communique, namely, about the mamlatdars publishing the provisional decisions in the taluka kacheri and in the chawdi, looks very good on paper. Perhaps the Honourable the Revenue Member may say that after this, if the anewari is not correctly put, the people themselves are to blame, because these remedies are open to them. But is he quite sure that these provisional decisions are published in such a manner as to come to the notice of the people concerned? Is he quite sure that they are published in such a way that they can be read? Or is that provision made simply to satisfy us? Practical politics require not only that we should have good rules, but also that they should be

[Rao Bahadur G. K. Chitale]

appreciated by the people who are affected by them. Now, although my honourable friend has been divorced from the profession for a very long time, he knows how the sale proclamations and other orders are put up or pasted on the notice boards of the courts. Nobody pays the slightest attention to them. Therefore, it appears to me that though this is a very good provision, it does not give any effective relief.

Now, coming to the last point, it is this: I find in this press communique my district conspicuous by its absence. [*An Honourable Member*: "Fortunate."] Although I pleaded for it, I have not yet got the report of the district officials as regards the fall in prices of rice and nagli which is generally raised by the Kolis of Akola and the Thakars. I have a right to enquire what that report is. Does not the level of the price of rice affect them at all? Because I find some concession given in Nasik——

An Honourable MEMBER: Not in Nasik.

Rao Bahadur G. K. CHITALE: Perhaps my honourable friend will speak on that. Rice, which is produced in those parts and which is cultivated by the poorer people, is not fetching more price when Rangoon rice and rice from other places is being dumped and the margin of profit curtailed. Therefore my honourable and esteemed friend the Revenue Member, when passing final orders on the reports received on this subject, should look at the question from this point of view and should try to do justice to the poor people committed to his care. Of course I admit that the Honourable the Revenue Member must be finding it very difficult to make both ends meet. But I ask: what steps has he taken so far which other Governments, similarly placed, have taken? I find that in Madras they have been giving remissions to the extent of 60 to 70 lakhs for the last few years——

The Honourable Sir GHULAM HUSSAIN: May I correct the honourable member, Sir? They have given remissions only in one year to the extent of 60 lakhs—only this year.

Rao Bahadur G. K. CHITALE: I think twice—Fasli years 1343 and 1344. I will show you the report if necessary.

The Honourable Sir GHULAM HUSSAIN: That may be. But not for a few years, as the honourable member said.

Rao Bahadur G. K. CHITALE: In the last two years. But they are not content with that only. They have passed a small Act—the Commercial Crops Act—in order to give some benefits to the agriculturists, by lowering the railway freights, etc. After doing this, they are trying to see that the agriculturists' crops are well marketed and get the best price. They are trying to see that these facilities for better marketing are established in the Presidency itself, so that the agriculturists, when they are very needy, may not sell off their agricultural produce at a very low price. For instance, I shall refer to my own district. My district produces about 40,000 to 60,000 bales of cotton every year. That is the normal crop. Now, cotton was selling a few months back at Rs. 12 or Rs. 14 per palla, but in the last two months it went up to

[Rao Bahadur G. K. Chitale]

Rs. 18 and Rs. 19. My enquiries show that the margin of profit between the old price and the new price was pocketed by the merchants and not by the agriculturists. Of course it may appear to be a sweeping statement, and it may be to a very small extent now. Therefore, this Commercial Crops Act is necessary. That Act only deals with those crops which we usually export, and my district is well known as a granary which raises enough for the people inhabiting that poor district and also has a surplus stock to export.

Then, marketing facilities are also necessary. I think it was a couple of years ago that I mentioned that fact on the floor of this House, but so far I have not seen anything which shows that the Government are alive to their responsibility. If the Government cannot lower the pitch of assessment or cannot give liberal remissions, it is their duty to find out other means by which the staying power of the agriculturists can be raised even to a small extent. I therefore hope that the Honourable the Revenue Member will do his best to look into those two questions which I am offering as a bit of constructive criticism.

I would now appeal to the honourable member who has moved the cut: for God's sake do not withdraw the cut. Either we accept the policy of Government or we do not accept it. If we feel that the policy is wrong, then do not withdraw the cut. Otherwise, what is the use of talking? Talk, talk and go on talking. As a matter of fact, we become a talking machine. [*Interruption.*] I find the tendency growing nowadays to talk very bitterly against Government, *samjav* them and afterwards withdraw the cut. You should make up your mind once for all: is the present land revenue policy of Government correct? Does it appeal to you? If it does, by all means talk on, and the less you do it the better. If on the contrary you are satisfied in your conscience that the policy is not correct, take it to a division and pass this cut. [*Interruption.*] Your decision will be registered for posterity. The people who will succeed us will see that we were not satisfied with the present policy which is pursued by Government. The Government will not be embarrassed at all. What is Rs. 1,000 to the Revenue Member? He has got many lakhs in his pockets. [*An Honourable Member:* "Many crores!"] I know that he has many lakhs in his pocket, which he will show when he empties his pocket next March.

4 p.m.

Rao Bahadur S. K. BOLE: Is the honourable member addressing the mover of the cut or is he addressing the House?

Rao Bahadur G. K. CHITALE: I am addressing the House. I maintain that this cut ought to be taken to a division in order to register our opinion. To that extent at least it has its value. As I said, we will not be embarrassing Government if the cut is carried—which is rather problematical—but if we do carry it, as we did carry a cut of 5 lakhs in Sir Frank Hudson's time, I think we shall be satisfied with having registered at least one victory.

Khan Bahadur M. A. KHUHRO (Larkana District): Sir, I take this opportunity to express my views on the question of the land revenue

[Khan Bahadur M. A. Khuhro]

system which is prevalent today in the Bombay Presidency proper and that in the province of Sind. With the main complaint that the land revenue system is very faulty so far as Sind as well as this Presidency is concerned, I fully agree.

The condition of the agriculturists today is specially deplorable in the province of Sind and is getting from bad to worse ever since the period of depression began in 1929–30. It was never a happy one even before that period because the extent of their indebtedness was very great, which fact is disclosed even by the Banking Inquiry Committee appointed by Government in 1929. Sir, it may be pointed out that the present depression came in after the year 1929–30 and it was in 1931 that Government realised the extraordinary fall in prices of agricultural products and gave certain rebates, however inadequate they were, and did so year after year for the last three years, but before that even, the condition of the agriculturists due to their indebtedness was quite as bad as it could be imagined or described. This certainly proves that there is some inherent defect in the very system of land revenue which has gone to a great extent to ruin the economic condition of the agriculturists of this presidency. In the year 1929–30, for which the figures were collected by the Banking Inquiry Committee, the amount of debt outstanding against the agriculturists was no less than 17 crores and that debt only reflects the debt taken from Government or co-operative societies or co-operative banks but it does not indicate the actual amount of debt borrowed by the agriculturists from the moneylenders, particularly in the province of Sind. The very Banking Inquiry Committee have very clearly said that in the province of Sind particularly they have been unable to collect the figures of the debts for the money borrowed from the moneylenders direct by the agriculturists, and in another paragraph this very Committee say that in the province of Sind mostly the agriculturists have been borrowing from the moneylenders. They say that "the total indebtedness of Sind bears a lower proportion to its annual figure of agricultural requirements and that that is due to the fact that the Sind agriculturist depends more on the moneylender for his current agricultural needs than does his confrere in the presidency proper". So, Sir, this amount of 17 crores is not the proper figure which could be quoted for the year 1929–30, but it must be much more, in the neighbourhood of 30 crores even in that year. After that, there continued four years of depression and fall in prices, the rebates given by Government have been distinctly inadequate. The indebtedness of the agriculturists has enormously increased, not only to the co-operative societies and banks, not only to the Government for failure of payment of Government dues but mainly to the moneylenders. Sir, it is indeed deplorable that the Government of this presidency has not taken any extra measures and has not even cared to consider what should be the proper methods of improving the economic condition of the agriculturists. If we were even to take the example of the neighbouring Government of the Punjab, within the last 30 or 35 years they have taken measures from time to time to improve the condition of the agriculturists or at least to help them to a great extent. The first

[Khan Bahadur M. A. Khuhro]

well-known measure of 1901, which is so often mentioned in this House, was with regard to land alienation. It is of course a very unpopular Bill so far as the moneylenders of the province of Sind are concerned, but Government did make inquiry and appointed an officer who is at present the Revenue Secretary of this Government who prepared a report and recommended a Bill to be passed by the Government, but Government had never the courage to come to the help of the agriculturists and to put it on their statute book simply because there was a well-organised agitation from the moneylending classes in the province of Sind.

Then, Sir, in the year 1931-32, the Punjab Government passed a Moneylenders' Act whereby they have limited the extent of interest that is charged by moneylenders to the agriculturists. In Sind the moneylenders have a complete latitude, there is no restriction as to the amount of interest to be charged to the agriculturists by the moneylenders and in many cases it is not less than 36 per cent. Some honourable members of this House may think it is an exaggeration but it is not because in support of my assertion I am prepared to quote the very words of the Banking Inquiry Committee who say on page 55 of their report that the rate of interest charged by the moneylenders in the province of Sind is 36 per cent. and in the rest of the presidency it is nowhere higher than 24 per cent. but it varies between 12 and 24 per cent. So, Sir, the rate of interest is much higher in Sind than it is in the presidency and therefore it is obvious that the condition of the agriculturist in Sind is much worse than even the condition of the agriculturist in the presidency proper. This is because there is no law and no Act whereby Government can interfere and stop this sort of excessive charge which the agriculturists are compelled to pay.

Mr. S. S. TOLANI: What about the Deccan Agriculturists' Relief Act?

Khan Bahadur M. A. KHUHRO: My honourable friend refers me to the Deccan Agriculturists' Relief Act. It is an Act which has been condemned on the floor of this House as a very faulty piece of legislation and about four or five years ago Sir Ernest Hotson, who was then the Home Member of this Government, gave a promise that Government would at the earliest opportunity have this Act improved in such a manner that it could be made applicable to the agriculturists in a more appropriate manner and more useful for their purposes. This Act is never at present being properly applied, and in order to prove this statement of mine, and to show in what manner the civil courts to-day are acting towards the agriculturists, I will quote from the report of the Criminal and Civil Justice of Sind for the year 1932. This is the latest publication on the Civil and Judicial Administration of the Province of Sind. The District Judge, Larkana, has reported to the Judicial Commissioner who is the head of the Judiciary in Sind how the civil courts are issuing *ex parte* decrees and how justice is being imparted to the ignorant and poor agriculturists of the province of Sind. This

[Khan Bahadur M. A. Khuhro]

paragraph will prove very interesting to the honourable House and so I shall read it:

"Instances have come to my notice where litigants have sued on forged thumb impressions of living persons without the least compunction or fear of consequences. As I reported in 1917, the state of account books and the colossal ignorance of the agriculturists offer a great chance for false litigation. Such a state of things is at once demoralising and constitutes a grave menace to the administration of justice. I have issued a circular to all sub-judges in my district impressing upon them the necessity of checking false litigation. I do not think that my district is the only place which can be pointed out as a black spot for I find Mirpurkhas and Nowshero equally bad, if not worse, and I am strongly of the opinion that a considerable amount of agricultural indebtedness is closely connected with the working of the civil courts and that machinery requires to be thoroughly overhauled."

Sir, the last portion of the above quotation is very significant, that *the civil courts machinery is closely connected with the indebtedness of the agriculturists.* Every person knows at present, every official and non-official in Sind knows, that in Sind the condition of the agriculturist is indeed hopeless, and that in spite of that, the civil courts in their day to day administration have not shown the slightest consideration for the most deplorable condition of the agriculturists and that decrees *ex parte* or otherwise are being issued repeatedly. The Deccan Agriculturists' Relief Act has completely failed in its purpose and in 1929 the Banking Inquiry Committee showed that the very definition of the word "Agriculturist" was very vague and that it helped the moneylenders more than the agriculturists. The words they have used are:

"In the Deccan Agriculturists' Relief Act an agriculturist is defined as one who derives his income principally from agriculture. The more successful the sowkar was in acquiring lands either from his debtors or by purchase the more entitled he was to be called an 'agriculturist'."

This clearly shows that this Committee have come to this conclusion that the definition of the word "agriculturist" is extraordinarily defective. Thus it will be clear to the house that the laws which are at present applicable to the agriculturists in the province of Sind are very defective and serve no very useful purpose so far as the agriculturists are concerned. The condition of the agriculturists of Sind has greatly deteriorated on that account. At least the debt has enormously increased in volume and it is practically impossible for them to pay it back. They are unable to pay the moneylenders, they are unable to pay the co-operative banks and societies and it has now come to this stage that it is not possible for them to pay even the land revenue dues to Government.

Now, Sir, recently I saw in the newspapers—and the Honourable the Revenue Member also must have seen it—that the Government of the Punjab are taking further measures to help the agriculturists by appointing Conciliation Boards. Two years ago they appointed an Inquiry Committee and that Committee issued its report about a year back, and after due consideration, they have come to the conclusion that conciliation boards should be appointed in the province of the Punjab wherever there are debts which it is not possible for the agriculturists to pay for reasons of excessive interest being charged to them or for reasons of falsely inflating the figures of actual borrowed amount, they will have a

[Khan Bahadur M. A. Khuhro]

right to go to these boards for arbitration. The conciliation boards are boards more or less of appeal to which the agriculturists have an opportunity of going and appealing for redress. The boards have to decide in fairness to the agriculturists and in fairness to the moneylenders and they shall have to determine what would be a fair and reasonable demand on the part of the moneylenders——

The Honourable Sir GHULAM HUSSAIN: What is the personnel of those boards?

Khan Bahadur M. A. KHUHRO: I do not know the details. The matter is only just at present being discussed in the Punjab Council. The Bill has only recently been published, but speaking generally about it, I believe the conciliation boards will consist of the District Judge of each district as the Chairman and of some official and non-official members and will form into small committees of arbitration with legal sanction behind them.

With regard to the inherent defects of the land revenue system as I mentioned in the beginning, that is another point I want to make out now. In 1925–26 Government appointed their Land Revenue Assessment Committee and that committee's report was issued in the year 1926. On that committee one of the members was Mr. Shivdasani who is no longer a member of this Council. Mr. Shivdasani suggested that in order to alter the present position and to make it more fair, reasonable and logical so far as the agriculturists were concerned, Government should collect the land revenue in kind rather than in cash. At that time the suggestion was pooh-poohed by the majority of the members of the committee, because it was not then realised that the position would change so materially in the course of the next few years that it would not be possible for the agriculturists to pay such exorbitant Government demands in cash.

The other recommendation made by the committee—a very important recommendation indeed—was about the pitch of land assessment. They recommended 25 per cent. by a majority. Of course, certain official members did not agree. I do not know which settlements have taken effect after the recommendation of that committee, but at least so far as Sind is concerned, the revision of settlements in the entire Barrage area was undertaken only two years back, and the pitch of assessment which was assumed by the settlement officer, late Mr. Green, was 40 per cent. He took it for granted that Government have accepted the principle of getting 40 per cent. of the net yield of the zamindars. Nothing was brought before this House. No Bill was introduced, no rules were placed on the Council table authorising the settlement officers to assume that 40 per cent. should be the Government charge on the net produce of the zamindars. But if you were to read his settlement report, that is the presumption which he has made, and on that he has based his proposals.

[Khan Bahadur M. A. Khuhro]

This was perhaps done by executive order, against which I must protest, as it is very unfair to the agriculturists of the province. If there were an Act passed by this Council, where the representatives of the people were given full chance to express their views, and after that the Legislative Council passed the Act, then certainly we should have no objection if the provisions of that Act were applied and the settlements were carried out on those lines. But it is merely being done by executive orders, and the people are not given ample opportunity by Government to send in their objections, which could be considered properly. The whole thing of the Barrage area settlements was rushed through, and within three or four months' time the whole process was completed. The settlement officer was appointed in the month of February; he completed his report in the month of May; the Commissioner reported within two weeks on it and Government issued orders in the month of July. For the whole of the Barrage tract comprising of about 40 talukas, the settlements were done within such a short period of 3 or 4 months.

Now, Sir, apart from the complaint about the pitch of assessment being too high and being arbitrarily fixed, the other complaint is that the outturn is not fairly assumed. The outturn which is assumed by the settlement officer is distinctly higher than what the lands at present yield. I know of many individual cases, in which I have seen that the share of produce assumed to be 40 per cent. actually works out to be 60 to 65 per cent. which the settlement officer has mistakenly fixed to the serious detriment of the zamindars of the Barrage area, thus leaving hardly 33 to 35 per cent. for the zamindars to be content with. So, Sir, even the outturn which has been assumed is excessive, and the agriculturists concerned have not received a fair deal.

Now, Sir, it is quite true—and I presume that the Honourable the Revenue Member will say so when he replies—that the province of Sind has received rebates from year to year for the last three or four years, on account of the extraordinary depression ever since 1930. But my complaint is one of a general nature, that these rebates have been very inadequate, and secondly, that there has been a distinction made every time between Barrage and non-Barrage areas, which distinction, under no circumstances, is justified at present. When a crop is successful it makes absolutely no difference whether it is in the Barrage area or outside it. It makes no difference whether it is grown in Larkana district, or Karachi district, or Hyderabad district, as the price remains the same, and the outturn is not affected so long as the water supply is adequate. If there are abnormal reasons, for instance, failure of water supply or locusts or other calamities, then of course the ordinary rules of remission do apply; the mukhtyarkars inspect the survey numbers and grant remissions. Such cases are not covered by the special remissions on account of the abnormal fall in prices. So, when Government are considering the question of allowing rebates on account of the fall in prices, a distinction between the Barrage and non-Barrage areas is wholly unjustified. There is no logic or sense in maintaining any distinction between these two areas.

The Honourable Sir GHULAM HUSSAIN: Do I understand the honourable member to mean that we must treat both on the same basis, for instance, the Karachi district and the Fuleli canals area? Does he mean that we should give the same treatment to the Karachi district and to the Fuleli canals area and other tracts?

Khan Bahadur M. A. KHUHRO: My point is that when Government are granting rebates only for the fall in prices, then the treatment given to all areas should be the same. In addition to this reason of fall in prices there may be other reasons for which rebates are granted. But so far as I know, in the last two or three years, excepting in the case of certain tracts in the Karachi district, the rest of Sind got rebates on account of the abnormal fall in prices. In the neighbouring districts, in Sukkur or Jacobabad, or Sukkur, the condition is not worse than in Larkana or Thar Parkar. The conditions are the same, and therefore there should be no distinction made in the matter of granting rebates on account of the fall in prices in the same manner throughout. Of course, in Karachi there are certain extraordinary circumstances, like failure of water supply etc., which may call for special consideration.

Then, Sir, I would like to make one suggestion, which perhaps Government may or may not be considering already. It has on some other occasions too been brought to the notice of Government. So far as the province of Sind goes, I think the present system of land assessment needs to be altered, and instead of that Government should provide some sort of automatic system, whereby it may not be necessary for zamindars to carry on agitation year after year for getting rebates. The system ought to be such that reduction in Land Revenue should automatically come in, considering the range of prices and considering the outturn of the lands. My suggestion is that Government should appoint an officer of the grade of Collector, or any other suitable grade, such as Assistant Collector or Deputy Collector, whom they could trust, and he should compile the figures of the rates of agricultural products that are prevalent at the time when the crop is ready for marketing. Also, this officer should function as a permanent settlement officer undertaking crop experiments, to determine the outturn of the different crops in different talukas of the province, periodically. Then, assuming a certain pitch of assessment—whatever is determined by this House—Government should announce from year to year that these are the rates prevailing and so much is the reduction as compared with the rates prevalent at the period when the settlement was effected. According to the prices of crops and according to the crop experiments the rebate should automatically be announced by Government. At present it is felt by a large section of the people in the province of Sind that rebates allowed at present are inadequate and are not properly and scientifically determined. What I have suggested will operate in both ways. When there are better times and higher prices, Government will be able to get more revenue, which, otherwise, on a long term settlement, they will not be able to get. At present the complaint of Government officials is that when there were higher prices from 1922 to 1928, the zamindars

[Khan Bahadur M. A. Khuhro]

never shared their extra profits with Government. But that is the fault of their own system, which they have themselves provided.

The Honourable Sir GHULAM HUSSAIN: We are sticking to the same system, even when it is to our disadvantage.

Khan Bahadur M. A. KHUHRO: If they had an automatic system like the one I have suggested, in better times, when there are higher prices obtainable for the produce, Government will be able to get higher land revenue automatically.

The Honourable the PRESIDENT: I hope the honourable member has finished.

Khan Bahadur M. A. KHUHRO: I will take 10 to 15 minutes more, Sir.

The House adjourned for tea till 5 p.m.

(*The House re-assembled after tea at 5 p.m.*)

Khan Bahadur M. A. KHUHRO: Sir, before I proceed to the other point, I should like to further explain the new system of land revenue which I was mentioning just before we adjourned for tea. I designated that system as the automatic system. That system is very well known to the Honourable the Revenue Member, because it has already come on official record. I do not take any credit for suggesting this novel system. Not only the agriculturists but also the Government will be benefited by the system I am suggesting now. It will be in the interests of both the agriculturists and the Government.

The Honourable Sir GHULAM HUSSAIN: What is that system?

Khan Bahadur M. A. KHUHRO: I am presently describing the land revenue system which may be adopted in Sind in place of the existing one if acceptable. Government should have a controller of prices appointed who should watch the prices at the time when crop is ready for marketing. He should maintain up to date price list of the different crops in the market at that time. The average of these prices may be struck every season to determine the Government share of revenues.

The Honourable Sir GHULAM HUSSAIN: Is it not his experience that at that particular time no reasonable prices are offered for the commodities?

Khan Bahadur M. A. KHUHRO: I do not accept that statement entirely. I wish to be pardoned for that. Prices then do fall, because of extra crop in the market. You do not make any allowances for that reason. Government demand the cash payment at the time when the agriculturists are disposing of their crops and that rather affects them very adversely as they are compelled to sell at any price that is offered to them in order to meet the Government demand. That is a potential complaint raised by agriculturists from time to time. The Government demand from time to time cash payment and if they do not pay they are

[Khan Bahadur M. A. Khuhro]

heavily fined. Therefore they are forced to sell their crops and particularly in these days of low prices it is impossible for them to obtain cash easily. So, they have got to go to moneylenders, or co-operative banks or sell their produce at low market rates. If you extend the range of period for payment by two or three months, there will not be so much difficulty. The kharif crop is normally ready in December. You take the average of prices from December up to January or February, it will roughly give a correct figure of the ruling market rates. The fundamental point is what will be the pitch of assessment? What pitch of assessment Government will fix? When it has been determined that a certain share is the legitimate share of Government, then it is quite easy to fix the rates of Government Land Revenue due from year to year. At the time of settlement the different prices of the different crops, such as wheat, paddy, cotton etc., will be taken into consideration. In proportion to the variation in prices, the zamindars will get rebate without having recourse to memorials, petitions and deputations. At present what happens is this. When the time for the collection of land assessment comes, a month or two before that the zamindars realizing that they cannot satisfy the Government demands, convene meetings, submit memorials and petitions to Government etc. There is no uniform system. There is one system in one province and another system in another. No uniform policy has been adopted in Sind in granting rebates. The system varies according to the sweet will of the Collectors of different districts. Government could avoid all these difficulties if they appointed one officer who can co-ordinate work and supply these correct figures. These figures should be published in the *Sind Official Gazette*, and also in local newspapers from time to time so that if anybody has got any objection he must make a representation to the committee of officials and non-officials attached to the controlling officer. Thus the non-officials will be given an opportunity of criticising those figures.

For crop experiments, there is already one system which is followed by the settlement officers. When settlement is due, a settlement officer is appointed for one or two talukas. Normally, revision settlement takes place in Sind every 20 years but this has been upset owing to the Barrage. A revision settlement was made in the Barrage area in 1932 for a period of five years only. Otherwise the period for settlement in Sind is 20 years. When the settlement is due Government appoint a settlement officer of Collector's grade who makes crop experiments in each taluka. He takes with him a number of non-officials and undertakes experiment of crops. In order to make it more definite Government should lay down that the officer should be one officer for the whole of Sind. He should carry on crop experiments from place to place. He must select a particular sub-division in a particular district and then in another district and so on. Thus, the work of detailed settlement will be considerably reduced. In each Taluka he should be assisted by a small non-official sub-committee.

The Honourable Sir GHULAM HUSSAIN: Revisions of settlements are then unnecessary.

Khan Bahadur M. A. KHUHRO: The initial settlement should be made at first once for all for the whole province of Sind. And afterwards from year to year, that officer will continue to verify the results of the crop experiments. The Agricultural Department can also assist in these crop experiments. This will not add to any appreciable extent to the financial burden of the Government. Even at present Government appoint a settlement officer for 2 or 3 talukas each time and he takes 8 or 9 months for settlement operations. There are more than 50 talukas in Sind. There will thus be very little difference in expenditure between the present system and the one I am now explaining——

The Honourable Sir GHULAM HUSSAIN: May I ask him a question? If you take only the prices as the criterion for assessing lands, should Larkana which has got a much greater outturn than Fuleli be assessed at the same rate as Fuleli?

Khan Bahadur M. A. KHUHRO: I do not mean only prices but prices after all are the main factor. What I mean to say is that in the beginning you will take into consideration all the factors while determining the settlement rates for different areas. All the factors, like prices, outturns etc., will be considered at that stage, by the settlement officer. In fact this is always done by every settlement officer.

The Honourable Sir GHULAM HUSSAIN: This will require a new revision settlement every year.

Khan Bahadur M. A. KHUHRO: The outturn is not affected every year. The outturns may be affected, if at all at long intervals——

The Honourable Sir GHULAM HUSSAIN: What about the lands about half a mile from Larkana and the lands in Kambar?

Khan Bahadur M. A. KHUHRO: How does it matter whether they are near or far off? Cartage is always to be calculated in determining the rates of assessment for different groups.

The Honourable Sir GHULAM HUSSAIN: Nearer market?

Khan Bahadur M. A. KHUHRO: If you were to read the report of the settlement officers you will find that all these points are taken into consideration. I am prepared to explain to you. Now, I do not want to explain the details of the scheme, as that will be unnecessarily taking time of this honourable House. Later, if opportunity is given, I can explain the details.

The Honourable Sir GHULAM HUSSAIN: How can I reply to him unless he makes it clear exactly what the scheme is?

Khan Bahadur M. A. KHUHRO: The other point which I have got to mention is, in the current year Government have not yet announced their intention in regard to rebates of Land assessment in the province of Sind. Usually, the first instalment of kharif crop is paid on the 15th February of each year and the second instalment is due on the 1st of April of the year. In the past years Government did show this concession of suspending the payment of the first instalment until the decision was announced. This year, they have not done so up to now. The

[Khan Bahadur M. A. Khuhro]

zamindars are penalised to pay one rupee more for every survey number, if they fail to pay the first instalment in time. This will even come to a substantial amount. In this way the fines collected in 1929-30 alone amounted to 88 thousand. If this concession had been shown this year also, at least about one lakh of rupees of the zamindars would have been saved. This is an additional burden unfortunately imposed in the current year on the poor zamindar of Sind.

The Honourable Sir GHULAM HUSSAIN: Where did you get that figure from ?

Khan Bahadur M. A. KHUHRO: I got the figure of Rs. 88,000 from the Banking Enquiry Committee Report. In 1929-30 Government realised Rs. 88,000. Now the area under cultivation having increased, I think that the fine would amount to at least one lakh.

In addition to that in the current year we are confronted with another serious difficulty. Towards the end of 1923 Government thought of imposing lease money on lands obtained on khas makal from year to year. In most cases these lands are held by zamindars ever since the settlement was made by the British Government for the first time, that is in 1869-70 or even before that. Subsequently, owing to the vagaries of the Indus some lands were eroded. The Commissioner in Sind by special circular ordered that for these alluvial lands when they reappear on site and are rendered fit for cultivation, zamindars must obtain permission from Collectors from year to year, for administrative convenience. This practice is therefore in vogue since very long. Zamindars have therefore strongly protested at this unfair charge and I understand the matter is under the consideration of Government. This year quite suddenly this unjust levy has assumed a serious turn and this sudden decision on the part of Government has seriously upset the zamindars. I am told that the Collectors are contemplating in addition to impose a fine on people who have cultivated these lands. It will be again an additional burden on the agriculturists, unless Government come to their rescue by announcing their decision. I have received several telegrams and so also I hope Government have received similar telegrams. These Collectors in Sind in some places have given orders to Muktiarkars to fill in the forms for imposition of fines. The condition of the agriculturists is already bad and when they are not in a position to pay the land assessment wherefrom will they pay the fine ?

Sir, there are numerous complaints of the agriculturists which require close attention, and it is the earnest demand of the people of the province of Sind that, in order to make a thorough investigation into these, Government should consider the advisability of appointing a committee to go into this question and make recommendations. The committee should consider not only the question of the land revenue system that is prevalent and in what way it should be modified, but also the question of the relation between money-lenders and agriculturists, the terms under which loans are advanced and how the condition of the agriculturists is being made worse from day to day. The question of civil

[Khan Bahadur M. A. Khuhro]

courts, of course, comes under the purview of Administration of Justice, but I may mention that the civil courts at present do not take cognizance at all of the present economic condition of the people. Even now, as in normal times, they are issuing decrees *ex parte*, and otherwise lands of agriculturists are being sold from time to time. I hear that certain collectors and deputy collectors have been reporting that when the lands are put to auction there are no purchasers for a fair price and it is not possible to realise the amount of the decree. So, Sir, if some consideration is paid to this factor and the execution of such decrees is suspended and not enforced so rigorously, the difficulties of the agriculturists will be met to a certain extent.

For all these reasons, I very strongly commend to the Honourable the Revenue Member the consideration of appointing such a committee of enquiry as I have indicated and the taking of early steps to alleviate the distress of the agriculturists in the province.

MIR BANDEH ALI KHAN TALPUR (Hyderabad District): Sir, never has such a time as this confronted the people of this province, when I think that Government ought to extend their sympathetic hand and relieve the people of the presidency from the poverty-stricken condition in which they have remained for such a long time. Much has already been stated by my honourable friends who preceded me, and, therefore I do not want to take much of the time of the House. I shall state what I have to say in a few words and confine myself to Sind, the province wherefrom I come, and particularly to my district.

Sir, the incidence of the land tax has been rather very heavy in Sind, and I am afraid it is proving very burdensome to the agriculturists there. It is rather a great pity that the assessment should have been raised to such a high level at a time when the prices have come down to such a low level. The average yield per acre in Sind, taking cotton for example, is about 10 maunds. Out of these 10 maunds, 5 maunds go to the *hari*, or cultivator, and 5 maunds to the zamindar. Now, Sir, the price this year did not exceed Rs. 6 per maund, and at times it was Rs. 4 or Rs. 4-8-0 per maund. That means, that the share of the zamindar was roughly Rs. 15 to Rs. 20. Out of this Rs. 15 or Rs. 20, he had to pay Rs. 6-8-0 as land assessment—and then he had to spend much on cultivation, and had also to bear other extra costs, which practically left him nothing at the end or, if there was any profit, it was very little. I do not think, Sir, this is the time when such a heavy rate of assessment should be imposed on the agriculturists of the province. The agriculturists are, in reality, the backbone of the Government.

Besides, after the inception of the Barrage, we find that it has not worked very satisfactorily, and the yield of the lands to the zamindars is not considerable. In many cases, I find that they have not gained as much as what they used to do when the previous system of irrigation was in existence. With the introduction of the Barrage there has been a sort of dual system in the administration. On the one hand are the revenue officers and on the other the officers of the Barrage administration. We

[Mir Bandeh Ali Khan Talpur]

find that from the Chief Engineer right down to the abdars, there are a hierarchy of people who are being paid by the taxpayers. It has been suggested many a time in this House, that retrenchment should be effected at least in the Revenue Department so far as the supervising tapedars and tapedars are concerned, because nowadays, under the Barrage, their duties are being performed by abdars and canal assistants. So, I do not see why there should be a dual system under the Barrage.

We find, Sir, that other Governments like the Punjab Government have shown a liberal attitude towards agriculturists and have shown sympathy to them and granted them larger remission to alleviate their sufferings. I think, Sir, our Government also should follow the same example because the times are such that without such concessions it is impossible for a zamindar to carry on his profession of agriculture.

Another thing which I would like to bring to the notice of this House is with regard to the lands in the Barrage zone which are being sold. Even with the low prices of agricultural commodities and the general depression, the price of Barrage lands has been raised to such a pitch that it is not possible for Sindhi zamindars to buy more land. No doubt, in the first flush of their enthusiasm they do take the lands on the instalment system, but, Sir, I do not think that after paying the first instalment or two, they will be able to pay the other instalments if the present prices prevail during that time also.

The Honourable Sir GHULAM HUSSAIN: I might inform the honourable member that they have already paid more than two instalments.

MIR BANDEH ALI KHAN TALPUR: If they have paid two instalments already, they must have begged or borrowed or resorted to some other means. If they have borrowed, they will have to pay interest to the money-lenders. I wanted to bring this to the notice of Government, because the result has been that many outsiders, Punjabis and others, have come to buy land in Sind, because the land in the Lloyd Barrage zone seems to them comparatively much cheaper than land in their own province. [*The Honourable Sir Ghulam Hussain*: Hear, hear.] I brought that to the notice of Government, because in course of time all the land in the Barrage zone will be swallowed by outsiders and the typical Sindhi zamindars will soon disappear. Therefore, something must be done to stop this debacle of other people to the province of Sind. Of course, the land has to be sold by Government in order to get back the heavy outlay on the Barrage, but there should be some system devised under which it will be convenient to the people of Sind to take up land, or the prices of land should be reduced to some extent in order to suit the pockets of the zamindars of Sind.

I also find that the classification of land in the Barrage zone is not quite a sound one. The land has been classified into three grades—A, B and C—and the prices have been fixed according to the grade. Sometimes we find that B grade has been classed as A grade and C grade

[Mir Bandeh Ali Khan Talpur]

as B grade. These lands have been given to the purchasers at rates of assessment fixed for A, B and C classes respectively. This enhancement in the rate of assessment should have been deferred at least for a period of two or three years, or I should say, even five years, because these are the initial stages of the working of the Barrage, and during this period people are likely to suffer, in fact they have suffered. In the first instance, there have been several breaches in the Barrage canal, distributaries and channels, and in many instances crops have suffered on account of scarcity of water and water not reaching the fields in proper time on account of the breaches. So, I think, it would be much better if, during these few years, enhancement of assessment is deferred till Government were satisfied that the Barrage was really working satisfactorily and giving outturns to the satisfaction of the people.

Well, Sir, I do not think I have to say more. With these words, I resume my seat.

Mr. L. R. GOKHALE (Poona City): Sir, I must express my gratitude to the Honourable the Leader of the House for having given us this occasion to discuss the subject of land revenue for two days. Had it not been for his goodness, probably we would not have reached this subject.

5-30 p.m.

I want to confine myself to the general aspect of this question. I do not want to go into the details. But before I proceed with the general aspect of the question, I want to have one or two points cleared. On page 54 of the White Book, under A-1(1)—Pay of Officers—Deputy Collector, Rs. 7,200 are shown as the budget estimate for 1933–34, whereas for the next year, 1934–35, Rs. 15,000 have been shown. The number of Deputy Collectors is one for both years. I cannot see why the amount has more than doubled for the next year.

The Honourable Sir GHULAM HUSSAIN: I would have explained the whole position if a cut had been tabled in respect of that item.

The Honourable the PRESIDENT: But now the general discussion is going on.

The Honourable Sir GHULAM HUSSAIN: I will reply to that.

Mr. L. R. GOKHALE: Then, again, on the same page, under A-1(2)—Pay of establishment, against Northern Division, the budget estimate for 1933–34, is *nil*, while that for 1934–35 is Rs. 3,660. It is not clear why this provision has been made for the next year only, when it was not there in 1933–34. Another item is Rs. 1,680 on the same page and for the same Division. There is no reason given why this new provision has been made for the next year only. Then at page 55, under A-1(4)—pay of menials, we see a provision of Rs. 43,950 for 1934–35 and *nil* for 1933–34. It must be some adjustment.

The Honourable Sir GHULAM HUSSAIN: I will explain every item.

Mr. L. R. GOKHALE: I do not mind if the explanation is given later on.

The Honourable Sir GHULAM HUSSAIN: I can give it now if the honourable member wants it.

The Honourable the PRESIDENT: The honourable member may proceed.

Mr. L. R. GOKHALE: These are some of the items which I have not understood from the budget as it is presented.

Having said this much about the details, I would like to say that the main question before this honourable House at present is about the policy of Government with regard to land revenue. It is clear that honourable members belonging to the various parties are not satisfied with the policy of Government in the matter. There are 20 resolutions which refer to land revenue tabled for discussion in this session—remissions, suspensions, indebtedness of the agriculturists, etc. Out of these 20 resolutions, 11 are from members of the non-Brahmin party, as they style themselves. [*Interruption.*] They do represent the agriculturists, as the others also do. [*Interruption.*] There are 7 resolutions tabled by the representatives of the Nationalist party. The remaining two resolutions on this subject stand in the name of my honourable friends the representatives of Sind. Naturally, there is no resolution moved by the representatives of the European group. That is of course quite natural. Probably they have very little to do with the agriculturists. Out of the 20 resolutions tabled, not a single stands in the name of any representative of the European group. That indicates that the European group is not eager to know what the condition of the agriculturists is. [*An Honourable Member:* "Are they landowners?"] Well, they are the landowners of the whole world, perhaps. That makes very little difference. It appears very strange also that very few of them are present to-day.

The Honourable the PRESIDENT: Resolution regarding what?

Mr. L. R. GOKHALE: Regarding the land revenue policy of Government. All these resolutions contain suggestions on the part of the various members. Very little has been said about that policy by honourable members representing the European community so far. [*Interruption.*] I do not think the honourable member Rao Bahadur Angadi has any business to enquire of me as to what has been done by whom. It is an unnecessary interruption; perhaps it is a pleasure to him, but it is a trouble to the House.

All these resolutions, if analysed, point out two facts: one is the inability of the agriculturists to pay the current assessment and the suspensions of the previous years. There are various proposals made in those resolutions. Some say that there should be a sliding scale according to the amount of the assessment. There are others which say that all the suspensions should be treated as wiped out and further remissions should be granted and nothing of the past arrears should be recovered. That is the extreme view that has been expressed by some honourable members. There are other resolutions which suggest that the remissions should vary from 10 per cent. to 50 per cent. according to the nature

[Mr. L. R. Gokhale]

of the crop and the conditions of particular localities. That is the proposal of the leader of one of the parties here.

Scanning all these suggestions, it appears very clear that there is one common ground, namely, that the agriculturists are not able to pay their assessment. And these suggestions are made without any distinction of politics or of caste or creed. That is a representation on behalf of the agriculturists put together by all.

Then, the second point that has been suggested in the resolutions is the unsatisfactory character of the Land Revenue Code. The Land Revenue Code was passed in 1879. Since then there have been no less than 28 amendments of the Code from time to time. There are already one or two amendments before the honourable House which may be discussed later on. But what does it indicate? It indicates that it is an out-of-date enactment not suitable to the present times and requires thorough overhauling. I do not want to go into the history of this legislation or the proposed amendments, about which there was discussion in this honourable House about 6 years ago. But I say that if there was any reason to seek an amendment of the Land Revenue Code then, that reason has now become very much stronger. The conditions have changed. The world economic condition has changed. Furthermore, it is not certain when the prices will settle. Under these circumstances, the old land revenue enactment is out of vogue. I think it is a justifiable claim on the part of the representatives of the agriculturists to ask Government to wake up to the present conditions and take immediate action for the amendment of the Land Revenue Code.

The Land Revenue Code is the only enactment which provides for the assessment and recovery of land revenue. There is no other enactment which provides for these two things. Both these questions—assessment and recovery—are of vital importance to the agriculturists. As regards assessment, two suggestions have been made in the resolutions tabled for discussion. One suggestion is that the assessment should be recovered in kind. The Government perhaps would have laughed at the suggestion to charge assessment in kind five years ago, but now, as things stand, it is in the interests of both the Government and the people, to have the assessment recovered, if possible, in kind. I say "if possible". I am quite aware of the difficulties that may have to be encountered in collecting the revenue in kind. Probably Government may have to maintain big shops for disposing of quantities of grain, godowns and so on, and I do not know what machinery Government will have to employ. But these are points of detail. But the fact remains, that it is seriously thought by some of the honourable members of this House that a system should be introduced allowing the agriculturists to pay their assessment in kind, and it appears to be a reasonable claim, because if Government has to take some share of the income, they should not be deprived of its legitimate share. I know Government urged that at one time the agriculturists were making 10 times the amount that they are making now and why should they complain now, because they are suffering, because they have to pay one-third of what they earn. That complaint is not

[Mr. L. R. Gokhale]

unreasonable. Of course under the old system Government was entitled to one-sixth land revenue. The present arrangement is that the Government takes more than one-sixth, sometimes one-third; as my honourable friend Rao Bahadur Chitale pointed out, he has to pay more than he earns sometimes. This is abnormal, but that is the position. In view of this, the demand that the assessment should be collected in kind is not unreasonable and should be considered.

Now, I come to the sliding scale system—another system that has been suggested. The present system of levying assessment is somewhat coercive. A certain officer of Government visits a place, calls certain people who are interested in Government, the annewari is fixed and the tenant is informed of it. There is no thoughtful consideration given to the future or to the present circumstances from the point of view of the agriculturist. This sort of arrangement is quite unsatisfactory. That is the reason why there has been so much ill-feeling against the present system of assessment. If you think that this ill-feeling on the part of the agriculturist is a manipulated feeling created by some interested persons or agitators, that idea should at once be dismissed from your mind. It is the genuine feeling of the agriculturists which is at the bottom of this. He really feels that the Government is pressing him to pay when he is not able to meet the demands. It is in the interest of the Government and the people to have a revision of the present system of assessment. Also, the question of revision every 25 years, will have to be gone into. Some say that the period is too short and the Government takes away the profits of the labour of the tenants and that there is no time left to recoup what he has spent in improvement. But the question should be considered as to what should be the period when the revision should be made. I am not one of those who advocate a permanent settlement. I do not think it will suit the present circumstances. But it does not mean that reasonable time should not be given to the tenant after revising the assessment to recoup the money spent.

The indebtedness of the ryots is an admitted fact. Government has to admit it. Everybody admits it. The only difference lies in the reasons given for that indebtedness.

The Honourable Sir GHULAM HUSSAIN: What about the proposed sliding scale? The honourable member wanted us to apply a sliding scale.

Mr. L. R. GOKHALE: I will just state that. By sliding scale I mean that if a period of 50 years is fixed for revising the assessment again instead of 25 years, every 10 years or 20 years small increments should be allowed to the agriculturists according to the conditions prevailing at that time. Some such arrangement ought to be made, there is no alternative.

The Honourable Sir GHULAM HUSSAIN: Excuse me. I misunderstood him. The smaller man should be charged lower, and the bigger man higher assessment?

Mr. L. R. GOKHALE: I do not want to say that. That is not my point. The rate should be the same considering all the circumstances that exist.

The Honourable Sir GHULAM HUSSAIN: Even for the small and poor agriculturist?

Mr. L. R. GOKHALE: That will apply to every agriculturist, poor or rich. My point is that there are circumstances which should be considered when fixing on a sliding scale so that the highest levy should be made after 50 years so that it will give the agriculturist some breathing time to improve his land and Government will be able to secure the benefit of the improvement.

Then, Sir, about the indebtedness of the ryots, the question is to find out the causes that have brought about that indebtedness. I find there are a number of resolutions containing proposals for appointment of committees. Some want a committee of officials and non-officials, others want a committee of only non-officials, and I for one want a committee of officials and non-officials but with a non-official majority which committee, I think, will be a workable committee and in the interest of the people. The purpose of that committee should be to ascertain the indebtedness of individual agriculturists and the way in which that indebtedness is to be liquidated. Whether Government should advance a crore of rupees as suggested by one of the honourable members or whether the Government should give tagavi or something should be done of a co-operative character, I would leave all those details for the consideration of Government and the committee proposed to be appointed. It is high time some inquiry is made into the indebtedness of the agriculturists. Their present indebtedness is very heavy and the agriculturists cannot get rid of it. So the question is whether a scheme can be evolved by the help of which the debts can be liquidated or at least considerably reduced. We may be asked, I am sure, to wait till the new reforms come in. I believe it is our duty as past masters responsible for having managed or mismanaged —I do not want to say which—to put the house in order and make it over to the reformed council with a clean hand and a clean conscience that "we have done our best but this is the condition in which we make over the Government to you". I do not see the force of the argument that this matter should be left over till the new reforms come in. I cannot follow the suggestion that the adjustment of this important matter and the overhauling of the machinery of Government should wait till the new reforms. My suggestion therefore is that immediate steps should be taken to amend the Land Revenue Code and to establish a committee to inquire into the indebtedness of the ryots. About the causes of the indebtedness there is bound to be a difference of opinion. One view is that the indebtedness is due to extravagant expenses in marriages or in ceremonies following births or deaths and the spendthrift habits of the agriculturists. This is one view put forth by officials. As regards expenses attendant on marriages among Marathas or poor Brahmins, the cost of a feast or feeding say 10 people may be equal to the price of a cake purchased from a confectioner. Among Hindus, the institution of marriage is looked upon as a sacrament, not as

[Mr. B. R. Gokhale]

a mere contract. That is another difficulty. Marriages in the case of other communities can be contracted in a minute but in the case of Hindus it is a sacrament, not a contract dissoluble at any moment. As it is looked upon as a sacrament, some expenses have to be incurred. These are century long habits of the people which we cannot improve overnight. The second point is expenses on ceremonies following births or deaths. I do not think the money spent on these is very heavy except perhaps among high class Hindus. The chief cause is want of education or literacy. The people are being subjected to the inducement or the habit of drinking liquor that has been specially introduced in modern times, and also the habit of gambling which is being more or less encouraged by Government for the purposes of revenue. These are the four things that are the cause of the agriculturists' indebtedness, and the fifth, last but not the least, is the heavy assessment they have to pay. The assessment is as heavy as the usurious loans of the money-lenders and both of them stand in the same category, perhaps a bit more. So these are the causes of the indebtedness of the agriculturists. As regards educating them, they are such a large mass of people and require so much money that unless the pruning knife is very sharply used, there is no chance of money being available for improving the literacy of the agriculturists, however much we may desire to do so. So, if we cannot reach that millenium, at any rate let us try to see that the other evils in their way are removed. First is the Government assessment, the second in order is the sowkars' or creditors' interest in their dealings with them, the third is the drink question, the fourth is the gambling instinct and the fifth is the modern life which is responsible for whatever spendthrift habits there may be among the people. These are the reasons which I think should be inquired into by the committee of inquiry which Government may appoint.

Sir, one more point that I want to suggest is about the remark made by my honourable friend Sardar Rao Bahadur Naik. He said that the agricultural labour is rather severely hit and that his income has been materially reduced as a labourer. The increase which was there on account of the boom period has gone down during the last few years in every other walk of life but not so in the case of the agricultural labourer. The result is that labourers in other walks of life get less than what they did during the boom period owing to the depression and low prices, but that depression and the low prices have not affected so much the agricultural labour. Of course, the other day I made it very clear to the House that owing to the limited number of agricultural labourers available in the villages, they are in a position to dictate their own terms and to command higher wages, with the result that an agricultural labourer earns in a day sufficient to last him for two or three days more. If he earns 8 or 10 annas in one day, that lasts him for two or three days on account of the low prices of commodities. He is not sensible enough to make as much as possible and take a little longer holiday afterwards or if he has enough money, to pay off Government dues or the sowkar's dues. That is a matter in which he requires education. The fact however

[Mr. L. R. Gokhale]

remains that agricultural labour has not suffered so much as the other labour has suffered. The consequence has been that the real agriculturist as such is the worst hit, he has to pay higher wages to agricultural labour but secures a lower return by the sale of his commodities. This is the real cause of the miserable condition in which he finds himself today. How that condition can be improved cannot be suggested in a minute by any one. That must be left to the committee which Government may contemplate appointing. Otherwise, all the remarks made by the honourable member Sardar Rao Bahadur Naik and the conclusions he has arrived at I generally agree with and I do feel that Government should not any more delay taking steps to improve the economic conditions of the agriculturists of the presidency including Sind.

Of course, my general complaint about this department is that the work of the officers of the department is not commensurate with the return that the department gets from that work. I find also in the budget estimates large amounts proposed for paying to the servants—I do not mean the members of the All-India services. There is a good deal of margin available yet to reduce the expenses in this department. Of course, if I had had time to go through item by item, I could have shown in how many ways expenses could have been curtailed, but that is not possible and so I shall content myself with remarking that there is much room for reducing the expenditure in the Revenue Department as in every other department and that whatever is secured by cutting down the expenditure should go towards the education of the agriculturists which ultimately will be the surest way of improving their miserable condition to some extent.

With these remarks, I do support this cut. I do not know whether it will be pushed to a division, but I think it should go to a division so that the feeling of the House will go on record and be a guide to the other side who will know how very keenly we are moved by the condition of the agriculturists.

Mr. S. H. COVERNTON : Sir, the honourable member the last speaker referred to certain matters appearing on pages 54 and 55.

As regards page 55, the honourable member referred to the item "Pay of Menials, Rs. 43,950". That amount is not a new item at all; it represents provision for the pay of certain menials such as hamals, sweepers, chowkidars, punkah coolies and one or two other kinds of menials whom Government used to pay out of contingencies. These people are attached to certain offices and they were formerly paid out of the contingencies attached to those offices, which all come under the head of 5-Land Revenue. The Accountant General however ruled that they should be shown in the accounts separately from contract contingencies. If the figure for contract contingencies this year and the pay of menials are added together, it will be seen that it comes to roughly Rs. 1,64,000 which is rather less than the last year's figure for contract contingencies of Rs. 1,70,000; so that far from there being an increase there is actually a decrease. That is as regards page 55.

[Mr. S. H. Covernton]

As regards page 54, I am not quite sure whether the honourable member's difficulty was in regard to A-1 (1) or A-1 (2) or both.

Mr. L. R. GOKHALE: First as regards A-1 (1).

Mr. S. H. COVERNTON: I take the case of the Deputy Collector, Bombay, for whom there is a provision of Rs. 15,000 for this year as against Rs. 7,200 for last year. Last year there happened to be in Bombay a rather junior Deputy Collector drawing a low pay. He has been transferred to a post in the mofussil and the present occupant of the post is a very senior Deputy Collector, one actually I think in the Selection Grade and on top of it. This explains why a larger amount appears in the case of the Deputy Collector, Bombay, this year than what appeared last year. So there is no difference in the total expenditure.

As regards the items under A-1 (2) "Pay of Establishment", I take it that the honourable member referred to two items under the head Northern Division—Rs. 3,660 and Rs. 1,680. That represents the pay of some officials called Bandh Karkuns who, I understand, are a cross between a talati and circle inspector and who are employed in talukdari villages. A talukdari village has no revenue village establishment, and Government has to employ an official to perform the functions which, in an ordinary Government village, a talati does. That official is called the Bandh Karkun, and he has also a pattawala attached to him just as a circle inspector has. This establishment existed before, but it was temporary. Last year it was made permanent; and honourable members will find under the head of Temporary Establishment, Northern Division, that there has been a corresponding decrease from Rs. 6,121 to Rs. 595. The Bandh Karkuns and their servants in previous years went in under the temporary establishment.

6 p.m.

Mr. L. R. GOKHALE: How many are there?

Mr. S. H. COVERNTON: I am afraid I could not tell the number. The number is the same; there has been no increase. The pay is about the same as that of circle inspectors.

Mr. L. R. GOKHALE: The difference is of about Rs. 3,600. That means Rs. 300 per month. Is it one officer, or more than one? What is his pay? I think the Commissioner, Northern Division, will give us an idea as to whether this amount of Rs. 3,600 is for one officer.

Mr. S. H. COVERNTON: There is a considerable number of Bandh Karkuns.

Mr. L. R. GOKHALE: How many are there, and what is their pay?

Mr. S. H. COVERNTON: He gets roughly something between a talati's and a karkun's pay, the lowest grade of karkun, I imagine. Even so, it will be observed that there is a slight increase over last year's figure, if these figures are all added together. That is partly due to annual increments, and still more to the fact that this year only one month's cut is shown, whereas last year there was 11 months' cut at 5 per cent. and 1 month's cut at 10 per cent.

Mr. L. R. GOKHALE: As regards contract contingencies and other contingencies, why is such a big amount spent under "contract contingencies"? There is another item of other contingencies. What is the purpose in not putting it under "contract contingencies"?

Mr. S. H. COVERNTON: I am afraid I could not hear the honourable member.

Mr. L. R. GOKHALE: It will be found on page 55; there is Rs. 1,20,000 under "contract contingencies" and Rs. 29,580 under "non-contract contingencies". I would like to know what is the purpose of such a large amount as about Rs. 30,000 under "non-contract contingencies". Why is that head so very important and so very expensive?

Mr. S. H. COVERNTON: I am afraid I cannot remember for the moment exactly what kind of expenses are coming under this head. They are somewhat of a varying nature. I cannot remember the exact details.

Mr. P. R. CHIKODI (Belgaum District): Sir, I rise to support the cut. In my opinion, this is not the time for discussing either the defects of the land revenue system or the faults in the administration of the Land Revenue Code. What is of the utmost importance at the moment, it seems to me, is the kind and quantity of relief which the agriculturists stand in need of.

Just at the present moment, the Revenue authorities have been pressing for the payment of the assessment. The sowcar is pressing for his own dues. Then the agriculturist has got to pay his dues or arrears to the co-operative societies, and a special officer has been sent round to collect the dues on behalf of the co-operative societies. Taking these facts into consideration, it is very easy to imagine what the hardships are under which the agriculturist today is groaning. The staying power of the agriculturist has reached its lowest. This is the fourth year of depression, and the prices, both of food grains and of commercial crops, have gone down. The extent to which they have gone down, so far as I have been able to ascertain from the three districts in the Karnatak, namely, Belgaum, Bijapur and Dharwar, is 50 per cent. below the normal. Sir, I have got these figures from the information that has been collected through the agency of the Revenue Department and published in the Labour Gazette by Government. The figures for three or four years have been given, and how the prices have been falling will be seen there. Now, with this state of things before us, owing to the inability of the agriculturist to get a fair value for the commodities which he grows, what kind of relief he should be given is the most important question that now stands before every one. Unless Government leave aside their indifference and unless the public comes forward to tackle this problem seriously, rest assured, if the village people go into the hands of agitators, it the villagers take up cudgels against the Government, then at least those who have been co-operating with Government till now will not be responsible; and then if Government, at the time of need, were to turn round and say "Come on, good fellows.

[Mr. P. R. Chikodi]

Co-operate with us. Use your influence to calm the village people," we shall be helpless. That lesson has been very bitterly learnt in 1930, and still here Government are pursuing the same policy—I do not know through whose fault and at what cost. If Government are wise, instead of trying to increase the revenue in order to meet the growing expenditure and to balance the budget, they ought to cut down the expenditure so as to suit the falling revenue. The revenue that they expect to collect during the current year and also during the next year clearly shows that they have not taken into account the state of things in which the agriculturists are placed at present. The figures put in there are normal, as if nothing has happened, as if the people have been getting bumper crops, and not only bumper crops but as though they have been getting more value than they used to get, or the same value that they used to get in the days of the War and boom times. But that is not the state of things.

Sir, only a few days ago Government announced certain concessions. But they do not, it seems to me, touch even the fringe of the whole thing. I do not know whether those concessions are in respect of both rabi and kharif crops. It seems they do not refer to rabi crops. If remissions have been given, they have been given only to the extent of 3 or 4 annas in the rupee and that too to rice tracts alone and not to areas producing other crops. Nowhere have they given adequate help. Everywhere at least one assessment has got to be collected, and so far as the Central Division is concerned, the orders are that 1½ assessments have got to be collected. So also in the Dharwar District of the Southern Division. Throughout the whole Presidency, except in the case of a few districts, 1½ assessments are to be collected. Of course, a little better relief is given to the district of Belgaum, but that does not mean that Belgaum District has got all that it is entitled to under the circumstances.

Mr. G. S. GANGOLI: Better than other districts.

Mr. P. R. CHIKODI: No. Now, Sir, let us see what other presidencies have done in this connection. The example of other presidencies is absolutely relevant to this question, because the fall in prices and the general state of depression are factors which are applicable everywhere, not only to the whole of India but to the whole of the world. Hence the relief given by the Presidency of Madras and the relief given by the Punjab province may be considered with advantage. In the Bombay Presidency remissions of a few lakhs have no doubt been given but even those are not well distributed.

The Honourable Sir GHULAM HUSSAIN: We have given more concessions than Madras.

Mr. P. R. CHIKODI: I have not finished with regard to Madras. Supposing Madras has done better, then I am going to ask you whether you are going to act upon what Madras has done? Sir, what is the amount of relief given in the Madras Presidency? Revenue of about Rs. 1,55,00,000 has been remitted within the last three years. And

[Mr. P. R. Chikodi]

what is the amount given by the Bombay Presidency during the same period? Let the Honourable the Finance Member say. Here, Sir, I have got the budget memorandum and the speech of the Finance Member of the Madras Presidency in respect of the Budget for 1934-35, and in that budget memorandum of the Madras Government they have clearly given the figures of what they have done so far as these concessions are concerned. For the current year the concession given there is remission of 12½ per cent. in the land revenue. But that is not the full story. Ever since the slump began the Madras Government have been giving remissions which have amounted to about Rs. 1,55,00,000 during the three years. May I know what the Bombay Government have done till now?

The Honourable Sir GHULAM HUSSAIN: You do not consider what the Bombay Government have been doing. It is much more than Madras.

Mr. P. R. CHIKODI: Yes, Sir, I did try to study; but the necessary information was not available. The other day I asked what was the value of the concessions given by the Bombay Government and what is the estimate of the concessions that the Bombay Presidency is going to get. Then, this very Finance Member said "They cannot be estimated. They will be given after the year is over." The Madras Government just placed the whole case before their Council. Here the Government say they do not know the exact estimate. Now I read to the honourable House the following from the Madras Government's Memorandum, 1934-35, page 23, paragraph 20:—

"Ordinary Revenue.—Subsequent to the presentation of the budget for 1933-34, orders were passed allowing concessions in the matter of the collection of land revenue for Fasli 1342. The concession was repeated on a more extended scale for Fasli 1343, and, for budget purposes, it has been assumed that a similar concession will be allowed in Fasli 1344. The loss of revenue involved in these concessions and its distribution over the financial years concerned are as follows:—

Fasli 1342	.. 33·38 lakhs.
Fasli 1343	.. 59·73 lakhs.
Fasli 1344	.. 61·85 lakhs.
	154·96 lakhs".

In round figures Rs. 1,55,00,000.

The Honourable Sir GHULAM HUSSAIN: Is it for 3 years or for 4 years?

Mr. P. R. CHIKODI: For three years.

The Honourable Sir GHULAM HUSSAIN: What is their assessment?

Mr. P. R. CHIKODI: I am coming to that and shall also deal with the cost of collection. The Madras Presidency has got a land revenue of Rs. 7,25,00,000. What are the administrative charges?

The Honourable Sir GHULAM HUSSAIN: That is a wrong figure. The other honourable member quoted one figure and this honourable member quotes another figure.

Mr. P. R. CHIKODI: Look here. I am quoting here the figures from Budget for 1934–35. Now for the collection of Rs. 4,78,00,000 the Bombay Government have been spending Rs. 66,00,000, that is, 13·7 per cent. of the realisations. But what is the expenditure incurred under the head "Land Revenue" by the Madras Government whose main source of income is the land revenue of Rs. 7,25,00,000? It is only 2·7 per cent. of that revenue.

The Honourable the PRESIDENT: The Honourable the Revenue Member wants to know whether these figures are from an authoritative source which can be relied upon.

Mr. P. R. CHIKODI: These are the latest figures from the Madras Government budget for 1934–35. I got it from the library.

The Honourable Sir GHULAM HUSSAIN: Is this honourable member right, or the other honourable member?

Mr. P. R. CHIKODI: The honourable member Rao Bahadur Bhimbhai quoted the last year's figure. I have quoted the figures from the latest budget for the year 1934–35. It is to-day in the library. The figure for the land revenue for the year 1934–35 is Rs. 7,25,00,000 and expenditure is Rs. 19,97,600. From this the percentage can be calculated, as it is a mere matter of arithmetic. Anybody can do this.

Even in the Punjab the cost of administration is not so much.

The Honourable Sir GHULAM HUSSAIN: He is talking without the book. Does he know that in the Punjab the Irrigation Officers collect the revenue?

Mr. P. R. CHIKODI: I know that. I cannot bring all the books from the library. I shall quote the Punjab figures. But before doing that I may be permitted to say that, so far as the land revenue is concerned, it is not the only thing that hits hard the agriculturists of this presidency. Along with it, there is the irrigation revenue which has got to be looked into if you care for the agriculturists. Then, there is the grazing fees which have got to be reduced to the lowest level. Though these points may not be relevant to the discussion I am pointing out to Government the full picture of the hardships of the agriculturists.

Then, Sir, what has the Punjab done? I have quoted the Madras figures. Now, my honourable friend the Leader of the House always wants reliable statements. Here is the speech of Sir Henry Craik, Bart., K.C.S.I., I.C.S., Finance Member, introducing the budget estimate for the year 1934–35 in the Punjab Legislative Council. On page 13, paragraph 14, he says:

"I have alluded to enormous remissions of taxation. Since kharif 1930 special remissions of land revenue and abiana, apart from the remissions granted under the ordinary rules....."

I emphasize these words, viz., "apart from the remissions granted under the ordinary rules". The reason for this emphasis is this. Both the Madras Government and the Punjab Government have got two sorts of concessions—one on account of the fall in prices and another

[Mr. P. R. Chikodi]

on account of the rules of suspensions and remissions under which the agriculturists are ordinarily entitled to remissions. Do our Bombay Government give two such concessions? The Bombay Government sit tight over their rules of remission and suspension and rules of annewari. I will proceed further:

"I have alluded to enormous remissions of taxation. Since kharif 1930 special remissions of land revenue and abiana, apart from the remissions granted under the ordinary rules, have aggregated more than 278 lakhs, and, in addition to these, 30 lakhs of taccavi loans have have been written off. Remissions given in the canal colonies on malikhana, that is, rent for Crown lands, and on leases for temporary cultivation have amounted to over 32 lakhs. Thus the total amount directly remitted comes to 340 lakhs, apart from the suspension of claims on account of nazrana and acreage rate, the latter being the rate charged for the construction of internal watercourses, amounting to nearly 23 lakhs. In addition, very large concessions have been made to persons who bought land in the canal colonies at auction sales. The total amount of contractual obligations remitted in this way is calculated to be more than 2½ crores of rupees.

The grand total of the amount of Government dues thus foregone within a period of four years comes to the enormous figure of about 613 lakhs of rupees, a figure which is, I venture to think, a sufficient reply to those critics who attack our land revenue administration as inelastic and as making no allowance for bad times."

This is what the Pubjab Government have done so far as the agriculturists are concerned. If something of this kind is placed before the House,we will be only very glad. We may even be satisfied with the information or we may criticise it. But I am sorry to see that the Government do not seem to be doing anything of that kind.

Now, Sir, what is necessary is that the present distress should not be treated as an ordinary calamity such as a famine or failure of rainfall. The ordinary rules of remission and suspension are applicable to such circumstances. But the present depression is entirely of a different nature. It is unprecedented in the history of the world and therefore extraordinary measures have to be adopted. I do not say that any relief can be got by cutting down the expenditure immediately. I know the expenditure is very heavy. But I also know that it cannot be cut down immediately. At the same time the relief needed is so very urgent that money somehow has got to be found. I for one would support Government if they will raise a loan rather than effect retrenchment by cutting down the activities of nation-building departments, such as Agriculture, Veterinary, Co-operation, Education, etc., which are very necessary. In spite of the fact that these are very hard days when money cannot be found, I say that these departments should not be touched for the reason that these activities go to increase the earning capacity of the agriculturists. For this purpose, I for one will not mind if a loan is raised. The amount raised by this loan ought to be earmarked for this purpose. That is the only way to solve this problem. Otherwise we will have to leave to our successors a legacy of not only political troubles but of economic chaos. With these words I support the cut.

Mr. W. W. SMART: Sir, the mover of this motion, Sardar Rao Bahadur B. R. Naik, gave a detailed account of revision settlement in the Bombay Presidency and pointed out that the original settlement of the Surat

[Mr. W. W. Smart]

taluka and some other talukas in Surat district was carried out at a time when the prices were abnormally high. He pointed out that the prices have gone down very much since then. It is perfectly true that the rates of assessment in Gujarat, especially in the Chorasi taluka, are very much higher than they are in the rest of the presidency.

Mr. G. S. GANGOLI: What is the rate per acre?

Mr. W. W. SMART: I cannot tell you. It is many years since I was in the Northern Division.

That may be perfectly true. But it is a notorious and well-known fact that the assessments in the Deccan were fixed after a series of famine years. The settlement officers had been very careful in fixing the assessment in certain parts of the Deccan. In the Indapur taluka and in a good part of the Sholapur district and in other dry parts of the Deccan you can only expect good harvest once in five years. Consequently, they fixed the assessment at a low rate. I hope honourable members will bear this fact in mind. If they bear this in mind, they will notice that Government have, taking these facts into consideration, taken up a more liberal attitude in the recovery of assessment in Gujarat than in the Deccan. I wish to point out to the honourable member who compared the condition in 1901 with what exists to-day that remission and suspension rules were passed in the interval and consequently very great relief was given to the agriculturists. All our assessments, before the suspension and remission rules were passed, were based on the assumption of an average crop for a series of years, and allowance was made for bad years, and when the suspension and remission rules were introduced, in addition to the allowances which had already been made in fixing the assessment, the cultivators got suspensions and remissions in bad years.

6-30 p.m.

Sardar Rao Bahadur B. R. NAIK: Were there no remissions made in 1901-02 and before?

Mr. W. W. SMART: No; certainly not. Lord Curzon, I understand, brought that into force.

Sardar Rao Bahadur B. R. NAIK: I hope the Commissioner will read this report. Six lakhs and odd were remitted in the year 1902. I have got the *jamabandi* report for 1902, and in that nearly seven lakhs are mentioned as having been remitted.

Mr. W. W. SMART: Were they under the ordinary suspension and remission rules?

Sardar Rao Bahadur B. R. NAIK: It does not state that; it says that so much was suspended and so much remitted. I have shown it to the honourable member Mr. Freke, and he knows it.

Mr. W. W. SMART: I think the honourable member is wrong. So far as my recollection goes—I came out to India in 1900—I am perfectly certain that the ordinary suspension and remission rules were not then

[Mr. W. W. Smart]

in vogue. The remission that the honourable member mentions may have been due to the great famine in Gujarat. That is another matter altogether.

Sardar Rao Bahadur B. R. NAIK : I am talking of 1902-03.

Mr. W. W. SMART : That must have been special relief owing to the famine. Let us look into the ordinary suspension and remission rules, and you will see that different treatment is accorded to different parts of the presidency. You will notice that Gujarat is treated in a very much more generous way under the suspension and remission rules than the Deccan, for instance.

Sardar Rao Bahadur B. R. NAIK : That is not my argument at all, that one district was treated differently from another.

Mr. W. W. SMART : My argument is this, that Government treat the different parts of the presidency differently. They are liberal in their treatment of Gujarat, which is highly assessed, and they are less liberal in regard to the Deccan which happens to have a low assessment. Now, in addition to the ordinary suspension and remission rules, which were introduced after the date the honourable mover referred to, Government now come forward and give special remissions if any sort of calamity occurs. In 1927, very liberal remissions were given in Gujarat owing to the floods ; and, again, in 1929 in Gujarat very liberal remissions were given on account of frost. Again, this year, in the case of the frost affected areas, both in Gujarat and in the Deccan, Government have come forward with liberal remissions, total or partial remissions according to the damage done. Now, none of these concessions were, as far as I know, given to that extent in the years which the honourable mover referred to, the old days.

Sardar Rao Bahadur B. R. NAIK : I have passed on the *jamabandi* book : you can see.

Mr. W. W. SMART : That may not be under the ordinary suspension and remission rules. I am informed that the suspension and remission rules came out in 1903 or much later.

Now, another thing which has to be taken into consideration is that the Deccan canals have made a difference in the rates of the assessment. Most of the Deccan canals, the important ones at any rate, are comparatively recent,—I refer to the Pravara and Godavari Canals and the improved Nira Left Bank and Right Bank canals,—and Government considered it quite legitimate to raise the assessment in the tracts which were commanded by those canals, as much extra prosperity followed their introduction.

Now, the honourable member Rao Bahadur Chitale referred to the Akola taluka in Ahmednagar District. He said " Why have Government not considered the poor Koli cultivator in the hills in Akola when they have given relief to the richer people who live in the Konkan ? " Now, there again, I have got the latest settlement report of the Akola taluka. The poor Kolis to whom he referred live in the group of villages marked

[Mr. W. W. Smart]

No. 9. Let us see what the average assessment of rice is in that tract. It is quite a recent settlement, made in 1916. For old rice, the average assessment under the revision settlement is Rs. 1-10-2, and for new rice it is Rs. 0-13-2. If you compare these rice assessments with those in the Konkan, there is absolutely no comparison. I think they are a quarter—on the average about a quarter—of what they are in the Konkan. I do not think it is in the least necessary for Government to give any relief to the Kolis of that tract. If you will read the settlement report of Akola, you will see that Government did not accept in that tract the recommendations of the settlement officer. The settlement officer recommended an increase of 25 per cent. in group 9; but Government ordered that only half that, 2 annas in the rupee—12½ per cent.—should be the increase.

The honourable member Rao Bahadur G. K. Chitale also referred to the conduct of the subordinate revenue authorities. He said that it was an extraordinary thing to fine such a person as a retired superintending engineer. I think this shows the most extraordinary spirit. Surely, a retired superintending engineer is much more able to pay the assessment on the due date than a poor cultivator. If the honourable member had said that they should have fined Mr. Vartak Rs. 10, because he was a rich man and had failed to pay the assessment when he ought to have done, I should have agreed with him. And I should have agreed with him if he had said that the revenue officers ought to consider the case of the poor cultivator.

Just lately I have had a look at the rents which are now being levied by the various managed estates. And a perusal of that will show that anything between 2 and 5 times the assessment is recovered for ordinary dry land and a great deal more than that for better dry land. When you come to canal land—irrigated land—4 times is the lowest and it goes up to 25 times. I should be happy to show the figures to any honourable member here. If the assessment is so heavy, how is it that the landlord manages to take such high rents?

Rao Bahadur G. V. PRADHAN: May I know from what district the figures have been collected?

Mr. W. W. SMART: From the actual figures of several estates in Poona District.

An Honourable MEMBER: Municipal area?

Mr. W. W. SMART: Lands held by managed estates of Poona: They also include lands held by these estates in the Ahmednagar district. The actual figures are from the Poona Collector's office.

Mr. L. R. GOKHALE: On a point of information, Sir——

Mr. W. W. SMART: I cannot give way; I cannot give all these details now. If you ask me afterwards, I shall be happy to show you.

What I wish to point out is, if the landlord is charging anything from 3 to 4 multiples of the assessment as rent, and the Government

[Mr. W. W. Smart]

assessment is so high, how does the cultivator who actually cultivates the land manage to pay the landlords ? I think it is estimated that if we took one-third of the rent as actual assessment, it is a very moderate demand on the part of Government. But the landlords recover far more than 3 times the assessment.

Mr. L. R. GOKHALE : They do not.

Mr. W. W. SMART : In many cases they do.

There is no other point, Sir.

Mr. C. N. PATEL (Kaira District) : Mr. President, Sir, the few remarks that I want to offer on this occasion are not meant to embarrass Government, or, at any rate, the present members of Government, because, in my opinion, they have inherited a system which has been bad from the very beginning. What I want to convey is this : that the land revenue policy is the weakest plank in Government's platform. Government have got a very nice lawyer as their spokesman, and he will in a lawyer-like fashion try to convince this House, with perhaps a jugglery of figures. All the same, this is a subject which needs the greatest attention of Government, and this is a subject on which Government should come out with a definite policy. Sir, in the first instance, the whole difficulty arises from the way you look at this land revenue. What do you want to call it ? Do you want to call it a tax or a rent ? Are you going to levy it from the people as a tax or as a rent ? Is it your idea that the land revenue should have a bearing on the actual benefit derived by the agriculturist, or that you are entitled to a fixed sum whether or not any benefit is derived by the agriculturist ?

I want to make one general remark at this stage, and that is that the conditions and requirements of the agriculturist as such have not engrossed the attention of Government as they ought to. In fact, I do not find that Government have interested themselves as regards the conditions and requirements of the agriculturist as such, and they have, in fact, paid very little attention to a study of the agricultural problems of this presidency. I should be very much happy to be told that there are any statistics collected every year in regard to the condition of the agriculturists, the prices they get, the cost of agriculture, the average income of an agriculturist—the general well-being of the agriculturist, in short, if there are such figures available, I would like to know what the agriculturists have been losing year after year in their daily avocations, and what are the total losses of the presidency from natural and unnatural causes year after year ? In 1927, Gujarat had unprecedented floods. I do not know if Government have got figures as regards the total damage done in that year or for the matter of that the figures of damage by frost in 1929 and in the present year. That will give an idea of the real condition of the agriculturist. That may also enable us to appreciate the alleged generous policy of suspensions and remissions which Government have adopted since the year 1927 and to see whether, as the honourable member the last speaker said, Gujarat has been very fairly and

[Mr. C. N. Patel]

perhaps liberally treated. We will be in a position in that case to know whether that assertion is true or not.

Sir, the general principle of taxation is that it should be commensurate with your income. I would like to know from Government benches as to what income they assess the agriculturist at, who pays an assessment of Rs. 50. Is it anything like Rs. 1,000 net ? I do not mean gross income. I mean his actual income, after deducting the cost of cultivation, labour charges, etc. If the income is assessed to be Rs. 1,000, then, if a Government servant who earns a decent income of Rs. 1,999 is not liable to pay any tax, then, is it fair that a man who makes only Rs. 1,000 should be made to pay a tax ? What is it that you are taking from the agriculturist ? If it is rent, then I will come to that point later on. For the present let us see whether this tax is commensurate with the tax you are levying upon different kinds of professions. Sir, in this country the agriculturists form the bulk of the population, and they, in fact are the mainstay of the country. They are the real people whose welfare or otherwise should count with Government, and it is they who pay the greater part of the revenue of the State, so far as our Presidency is concerned. What is being done to ameliorate their lot ? So far as the labourers are concerned, we have got the *Labour Gazette*. What is being done to study the condition of the agriculturists and help them in the way of better living and to look after their welfare ? We have been told that the Government have been very generous to the agriculturists in Gujarat. If any spokesman on behalf of Government at the time of replying to the criticism levelled by this side of the House is good enough to give us figures as regards the land tax in Gujarat at the time when Gujarat came into the hands of Government and the land tax levied by them today, we will be in a position to know how liberally Gujarat is being treated. The revision settlements in Gujarat took place when the prices were highest. Revision is due and overdue in several parts of Gujarat, but it is not being taken up. If this is done, Government will have, in all justice, to bring down the assessment rates, which will naturally result in loss of revenue to Government. That is the reason, to my mind, why Government hold their hands at the present time and do not revise the rates. That being so, Government will themselves concede that so far as Gujarat is concerned, instead of being liberally treated, it has been very harshly treated. I know quite well that Government will not be in a position just now to help the agriculturists of Gujarat by a general revision of settlement. But what I want that they should do is that in view of the heavy burden which Gujarat has been bearing all these years, and in view of the fact that very little has been done for the general uplift of the agriculturist classes in Gujarat and in the whole of the Presidency, Government will see their way to give real help and real remissions to the agriculturists. Honestly speaking, Sir, agriculture is not paying in Gujarat at the present day, and the natural calamaties of Gujarat, coupled with the abnormal depression in prices, have brought the agriculturists to a very pitiable condition. As a matter of fact, the private agriculturist on a smaller scale is fast disappearing. He is getting indebted more and more day after day with

[Mr. C. N. Patel]

the result that the lands pass into the hands of money-lenders. This is not a thing which Government would ever desire. It is this middle class agriculturist who should really be protected. He has to part with his land and become a labourer, and in some respects the agriculturist labourer is better off than the landholder himself, because the latter is not in a position in these times to make both ends meet and he is getting indebted more and more day after day. This being the state of things, I submit very earnestly that Government should study his condition dispassionately and come to his help in the proper spirit. Sir, the agriculturist is the heaviest taxed man in this Presidency. Apart from land revenue, he has to bear all the other burdens along with the other people. Besides all these things, the sowkar piles upon his head the burden of litigation costs——

The Honourable the PRESIDENT: The honourable member should finish his remarks before the time is up.

Mr. C. N. PATEL: I hope to be able to finish, Sir. As I said, because of the various burdens which he has to bear, it has become impossible for him to pull on any longer, unless Government devise some means and come to his aid. Loans have been advanced to the agriculturists by Government at a very high rate of interest. If I mistake not, it is something like 9 per cent. per annum. Then, the agriculturists of several parts of my district are indebted to the co-operative societies and Banias. If really Government have the good of the agriculturists at heart, they should come out with a scheme by which this burden on the agriculturists can be reduced, by either borrowing money themselves and advancing it at a low rate of interest to the agriculturists or by devising some other means, with a view to improve their condition. It is very unfortunate to have to remark that Government have not been able to do anything whatever in this direction. In fact, the co-operative societies and Government as creditors have been in several respects harsher than the private creditors. If Government were to look at this question dispassionately, they would find that instead of advancing money to a section of the population which deserves help most on very low terms, their policy has been the other way. I would request Government even to go the length of borrowing at this time, when the money market is so favourable, and devise means whereby the agriculturist can be helped in reducing his indebtedness.

My remark that the agriculturist is taxed the most is borne out by the fact that many people of Gujarat are practically giving up agriculture and diverting their attention to becoming labourers in mills and other industries. In fact, some of them now think it more paying to be porters at the railway stations than honest agriculturists on fields. [*Interruption.*] Really speaking, a porter's profession is not so honourable as that of an agriculturist, and the very fact that the agriculturists are forced to go and work as porters at railway stations [*Interruption*] shows that agriculture is not nowadays a paying business.

Rao Bahadur S. K. BOLE: Then the number of porters will be more than that of the passengers.

Mr. C. N. PATEL: There is another submission that I want to make very earnestly to Government, and it is this: I really appreciate the little that has been promised on the floor of this House, but the way the Government orders are being executed by the men on the spot leaves much to be desired. You have issued circulars and you have perhaps implemented your circulars by private instructions, but to speak honestly, the agriculturists will not be benefited in spite of your best hopes and best intentions, because it is the Assistant Collector and the Circle Inspector and the Mamlatdar on the spot who have to enter into the spirit of your instructions and carry them out. Unless they are made to enter into the spirit of your instructions and to carry them out in the spirit in which these promises are held out, the agriculturist will not profit by them; and the daily reports that we are hearing of the exactions that are being forced in Ahmedabad and Kaira districts—my honourable friend Mr. Bhailal Patel has received several communications which I understand have been passed on to the honourable member the Commissioner, Northern Division—go to show that the instructions are not being carried out in the proper spirit.

I shall require about 5 minutes more, Sir.

The Honourable the PRESIDENT: No.

Mr. C. N. PATEL: Then I will finish in two minutes. These instances show that the orders of Government are not being respected and followed in the manner they should have been. I would earnestly appeal to the Commissioner of my Division to see that the promises he has held out on the floor of this House are carried out by his subordinates.

Mr. J. H. GARRETT: Sir, this is a very serious accusation and I think that the honourable member should substantiate it with definite instances, which I shall be very glad to enquire into.

Mr. C. N. PATEL: That is why I asked for five minutes more, in order to be able to finish my say to-morrow, if you don't mind. If I am allowed, I would like to give some facts. This is a very interesting question involving a large section of the people, and I would like to give the honourable member the Commissioner certain facts and figures which it will be in the interest of the Government themselves to enquire into. I hope that he will see his way to remedy the wrong, if there is any.

The Honourable the PRESIDENT: How many charges are there?

Mr. C. N. PATEL: I would like to collect as many as possible.

The Honourable the PRESIDENT: Then, only five minutes to-morrow.

Before the House adjourns till to-morrow, I have to point out that to-morrow is the guillotine day; therefore, all discussion will stop at 5 o'clock. I must give the Honourable the Revenue Member sufficient time for a reply before that. I should think he will require—half an hour?

The Honourable Sir GHULAM HUSSAIN: At least two hours, Sir. [*Interruption.*]

The Honourable the PRESIDENT: Order, order. I must give him sufficient time for a reply.

The Honourable Sir GHULAM HUSSAIN: Sir, incorrect statements have been made during the discussion, and they require to be corrected.

The Honourable the PRESIDENT: As is usual on a guillotine day, the House will meet at 12 o'clock tomorrow and adjourn for tea at 3-30.

It being 7 p.m. the House adjourned till 12 noon on Wednesday, the 14th March 1934.

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Wednesday, the 14th March 1934.

The Council re-assembled at the Council Hall, Bombay, on Wednesday the 14th March 1934, at 12 noon, the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present:

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr. A. B.
ADVANI, Mr. P. B.
AMINUDDIN, Mr. SAIYID
ANGADI, Rao Bahadur S. N.
ARBUTHNOT, Mr. C. W. E.
ASAVALE, Rao Bahadur R. S.
BAKHALE, Mr. R. R.
BANGI, Mr. A. K. J.
BELL, the Honourable Mr. R. D.
BIRADAR, Sardar MAHABOOBALI KHAN
BOLE, Rao Bahadur S. K.
BULLOCKE, Mr. A. GREVILLE
CHIKODI, Mr. P. R.
CHITALE, Rao Bahadur G. K.
CLEE, Mr. C. B. B.
COOPER, the Honourable Khan Bahadur D. B.
COVERNTON, Mr. S. H.
DAVIS, Mr. G.
DESAI, Rao Saheb B. G.
DESAI, Mr. S. B.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
D'SOUZA, Dr. J. ALBAN
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GARRETT, Mr. J. H.
GAZDAR, Mr. MAHOMED HASHIM
GHARPUREY, Lt.-Col. K. G.
GHULAM HUSSAIN, the Honourable Sir
GHULAM HYDER SHAH, Mr.
GILDER, Dr. M. D.
GOKHALE, Mr. L. R.
GOVER RORA, Mr.
GREAVES, Mr. J. B.
HUMPHREY, Mr. JOHN
JITEKAR, Mr. HAJI IBRAHIM
JOG, Mr. V. N.
JONES, Major W. ELLIS
KALBHOR, Mr. G. M.

KAMAT, Mr. B. S.
KAMBLI, the Honourable Dewan Bahadur S. T.
KARBHARI, Mr. M. M.
KENNEDY, Mr. T. S.
KHUHRO, Khan Bahadur M. A.
KNIGHT, Mr. H. F.
KULKARNI, Rao Saheb P. D.
LELY, Mr. W. G.
MATCHESWALLA, Mr. G. E.
MEHERBAKSH, Khan Bahadur S.
MEHTA, Mr. M. H.
MITHA, Mr. MAHOMED SULEMAN CASSUM
MODAK, Rev. R. S.
MORE, Mr. J. G.
NAIK, Sardar Rao Bahadur B. R.
NAMDEORAO BUDHAJIRAO, Mr.
NAVLE, Rao Bahadur N. E.
OWEN, Mr. A. C.
PANJABI, Mr. K. L.
PARULEKAR, Rao Bahadur L. V.
PATEL, Khan Bahadur A. E.
PATEL, Mr. BHAILAL SARABHAI
PATEL, Mr. C. N.
PATEL, Khan Bahadur VALI BAKSH A.
PATIL, Mr. N. N.
PATIL, Mr. V. N.
PATIL, Rao Saheb V. S.
PETIT, Mr. J. B.
PRADHAN, Rao Bahadur G. V.
PRATER, Mr. S. H.
RAHIMTOOLA, Mr. HOOSENALLY M.
RESALDAR, Mr. A. K.
ROOSE, Mr. F. O. J.
SERVAI, Mr. A. E.
SHAIKH ABDUL AZIZ, Mr.
SHAIKH ABDUL MAJID, Mr.
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SHINDE, Mr. R. B.
SINDHA, Mr. MADHAVSANG JORBHAI
SMART, Mr. W. W.
SOLANKI, Dr. P. G.
SURVE, Mr. A. N.
SURVE, Mr. V. A.
SYED MIRAN MAHOMED SHAH
SYED MUNAWAR, Mr.
TALPUR, MIR BANDEH ALI KHAN
THAKOR OF KERWADA, Sardar BHASAHEB RAISINHJI
TOLANI, Mr. S. S.
TURNER, Mr. C. W. A.

VAISHAMPAYAN, Dr. V. G.
VAKIL, Mr. PESTANSHAH N.
VANDEKAR, Rao Bahadur R. V.
WADKE, Mr. B. P.

DEMANDS FOR GRANTS.

5, *Land Revenue.*

Question again proposed:

"Reduce by Rs. 1,000—Total Demand—Rs. 53,94,000, under 5, Land Revenue (Reserved)."

Mr. C. N. PATEL (Kaira District): Sir, yesterday I was asked by the Commissioner, Northern Division, to cite instances in which the spirit of the instructions issued by Government was not being followed. I would like to mention just one general locality, namely, the whole of the right bank of the Shedi river in the Kaira district. All the lands situated in the villages on the right bank of the Shedi river have suffered most last year, both in the monsoon and by frosts. In the monsoon on account of heavy rains, and in the beginning for want of rain, the crops were not at all satisfactory. The annewari which was originally fixed was very high, and then came the frosts, when almost all the crops were destroyed, and the position is that those persons who had tobacco and cotton as their winter crops have been practically ruined. This being the state of things, I would ask the Commissioner, Northern Division, to enquire into the cases of these villages particularly, and also of several villages in the Matar and Mehmedabad talukas, where also a dispassionate enquiry will satisfy him that the people have been very hard hit, and are especially entitled, looking to the spirit of the Government offer and Government promises, to remissions on a very large scale this year. I will leave the cases in the Ahmedabad district to be dealt with by my honourable friend Mr. Bhailal Patel, who is better informed about them, and I will content myself with general observations as regards my district.

Sir, in order to ameliorate the condition of the agriculturists, great attempts are being made in other countries. In fact, we are quite innocent of such attempts in our country. For instance, the cheaper sort of crops are very difficult to sell outside the district itself, because the cost of conveyance is sometimes more than the cost of the crop itself. It will be interesting to know that even in new colonies, the Governments of those colonies are giving special rates and special help to the agriculturists, in order to enable them to market their crops. It is something like a shilling per 150 lbs. for maize and a shilling for 2 cwt. of cotton seed for carrying to a distance of 500 miles in Kenya. Have we got anything like that? It is the Revenue Department of the colony which bears the losses even as regards the railways. The railways are given their actual cost and the difference is borne by the state. I may be inclined not to grudge the charge of Rs. 6 on an acre that you are charging in my district, provided you give some facilities of this kind in my district. For the matter of that, a man nearer to Bombay, growing

[Mr. C. N. Patel]

vegetables or some such things, will be better off than the man in my district, because the man from my district will have no market for selling his goods at a profitable rate. You have got to devise ways and means whereby even keeping your revenue demand as it is, you could help the agriculturist. You could take even better profit, provided you devised ways and means whereby you would enable him to earn a better margin of profit. That is why I earnestly appeal to Government to consider this aspect of the case and if they cannot do anything towards reducing the existing land revenue demand, at any rate to devise ways and means whereby the agriculturists will be in a position to pay, and perhaps, if necessary to pay more. With these remarks, I support the cut.

Mr. SHAIKH ABDUL MAJID (Karachi District): Sir, the first and foremost question for the consideration of this honourable House is whether the rates of assessment, both on water and land, existing at the present moment, have been fixed on some equitable basis, or they are being fixed arbitrarily from time to time without due regard to the paying capacity of the landholders, and without due regard to the prosperity and contentment of the agricultural classes as a whole. Honourable members from the Presidency proper have placed their views before the House, and some of my honourable colleagues from Sind too have exposed the vagaries of the existing land revenue system. My honourable friend Khan Bahadur Khuhro has enunciated a new principle for the consideration of the Government, a principle, which he says was also accepted by Mr. Dow, the Revenue Officer of the Lloyd Barrage. This principle, as far as I have been able to understand, necessitates the maintenance of a record of prices of agricultural produce and the outturn of different fields. In other words, the rate of land revenue assessment should be determined by two factors, one of prices and the other being the actual yield. These two main factors, coupled with the bare needs of the agriculturists as human beings, including of course the cost of cultivation, should determine the rates of assessment. I believe, Sir, the laying down of some such principle and a definite policy to that effect is worthy of consideration at the hands of Government. Revenue officers of note, who have any acquaintance with my province, are more or less of the same opinion, that the settlement officers are not guided by any equitable principle in the determination of land revenue assessment.

Sir, the other point which was emphasised by my honourable friend who preceded me just now equally deserves to be carefully examined. He has laid stress on the principle of income-tax to be applied to the landholder. The injustice of the land revenue system is apparent from the fact that the rates per acre are the same for all landholders, irrespective of the consideration whether their holdings amount to 5 acres or 5,000 acres. Both have to pay the same rates of assessment. In all reason, Sir, all those khatedars whose annual income is less than Rs. 1,000 should not be charged any tax either for land or for water. Others, whose income is Rs. 1,000 or more should be charged in accordance with the rules of income tax.

[Mr. Shaikh Abdul Majid]

There can be no other satisfactory explanation of the heavy indebtedness of the agricultural community than this, that the agricultural classes are more heavily taxed than the non-agriculturists. The fall in the prices of agricultural produce has more adversely affected the agricultural classes than the non-agriculturists. Sir, the most delicate situation created by the slump in prices urgently demands that the provincial Governments should revise their land revenue policy. The situation is more delicate than it is supposed to be. Lots of landholders during the last 4 or 5 years have been compelled to sell off their ornaments and their cattle and even their furniture in order to pay the Government dues. The lands are either mortgaged with the baniya or with the co-operative societies, and neither the baniyas nor the banks are now willing to advance them loans for making their two ends meet. I would request the honourable members sitting on Government benches to visit some typical villages in each taluka and to decide for themselves whether it is high time or not to revise the land revenue policy of Government and to make it more humane and less exacting. There is the cultivator, the actual tiller, and there is the zamindar, the middleman, who supplies the capital, who clears the canals, advances tagavi. The actual cultivator would be found involved in irredeemable debt, ill fed, ill clothed, ill housed and ill educated. His life is full of ills, and there is no redeeming feature in the life that he leads. The zamindar's condition may be a little better, but in no way enviable. The land revenue policy of the Government has killed both the middleman and the tenant. Some of them have been compelled to lead a life of crime, and some others would be compelled to do so sooner or later, thus becoming a danger to society. So, never was the need for revising the land revenue policy so great as it is at the present moment. I do not blame the present Government for the conditions obtaining, but I do blame them for adhering to those conditions. There is absolutely no reason to justify a slavish adherence to a system that has been inherited with all its defects. It is the sacred duty of the present Government to tackle the problem of its revenue policy in a spirit of fairness and justice.

Sir, remissions which are generally grudgingly given are no palliative for the sufferings of the people. The mukhtyarkars are terribly afraid of giving remissions, lest they may be suspected of being in collusion with the applicants. In a variety of ways they reject applications; and the last resort is to overestimate the produce, for, the mukhtiarkars are not bound to accept the estimates of the amins. The Collectors are in terror of the Commissioners and the Commissioners are in terror of the Government, or at least they have to think of the slender resources of the Government. So from top to toe the system is such as does not allow sufficient scope to the Revenue officers to grant remissions on a liberal scale. Moreover, so far as Sind is concerned, the mukhtiarkars start remission inspection usually on the 1st November, and it takes them nearly two months to complete the remission inspection of the taluka. But in certain parts of the taluka the crop must be harvested

[Mr. Shaikh Abdul Majid]

earlier, and it cannot wait for the mukhtiarkar's visit. The crop has to be saved from falling down, from theft and from the onslaughts of the cattle, and the *hari* becomes impatient to go away. For these reasons, it has to be harvested at the earliest moment, and for that very reason remission applications are rejected. There is another defect in the rules of remission in that the Mukhtiarkar who assesses the crop has no power to take into consideration the cost of cultivation. If the crop in a certain survey number is enough to pay the Government dues then no remission is allowed in the case of such survey number. When it happens to be less than Government dues, some sort of remission is recommended.

Sir, there is an impression on the minds of some honourable members of this House that the zamindars of Sind have been receiving excessively favourable treatment at the hands of the Government of Bombay. This impression in my humble opinion is erroneous. [*An Honourable Member:* Nobody has said that.] That is what I know. Ever since the connection of my province with the Bombay Government, the agricultural community in Sind has suffered the most. Without indulging in any vague generalisations, I shall quote one or two extracts from the Gazetteer of Sind. On page 336 it is stated:

"The position of the Zamindar has not improved under British rule. That he should retain his feudal power and patriarchal authority was not to be expected and the British policy was from the beginning directed to encouraging the humbler tillers of the soil to aspire to independence. But it was no part of that policy to reduce the natural leaders of the people to insolvency and force them to part with their ancestral estates. This nevertheless was the almost immediate effect of the introduction of regular British administration."

Mr. G. S. GANGOLI: Have you compared the figures?

Mr. SHAIKH ABDUL MAJID: I shall give you the figures if I get time. Ask the Honourable the President.

The Honourable the PRESIDENT: He is very much hard pressed for time.

Mr. SHAIKH ABDUL MAJID: The confession embodied in the above quotation is a sad commentary on the solicitude of the Government of Bombay for the welfare of the agricultural community in Sind.

There is another impression on the minds of people that the Mussalmans in Sind are very favourably treated by the Government of Bombay. I would quote from the same authority to show that at the beginning of the British occupation of Sind "the landholders large and small were Mussalmans like the cultivators under them". But now, Sir, 40 per cent. of the lands have passed into the hands of non-agriculturists. At present the lands have gone into the hands of moneylenders on the one hand, and on the other the officials also have joined them in depriving the agricultural class of their possessions by a variety of dubious methods. If a portion of the land has passed into the hands of the moneylender he can at least claim some sort of compensation, whether proportionate or disproportionate, to the credit he advances. But I do not understand why the nearest relatives of the official class in Sind also should take advantage of the position of the zamindars and purchase lands

[Mr. Shaikh Abdul Majid]

with their help. An impartial enquiry is bound to reveal to what extent the agriculturists were made to part with their ancestral property for the simple reason of saving themselves from the *zoolum* of a certain section of the official class. My late honourable friend Mr. Mir Mahomed Baloch had on more than one occasion referred to such instances. I have no mind to repeat them here now. My honourable friend Khan Bahadur Khuhro drew the attention of Government to a certain case relating to the income returns of a supervising tapedar of Jacobabad who has now been punished with a small reduction in salary, not for possessing property which he could not have legitimately earned, but for not filing the actual returns. It is no exaggeration to say that the meanest servants in Sind have built houses which any middle class man in Bombay would envy to possess. There must be some check on this type of land-hunger of a section of officials. I am ashamed to confess that some Mussalman officials also have begun to emulate the example of their non-Mussalman brethren.

There was a proposal some time ago to protect the agriculturists of Sind by a legislation on the lines of the Land Alienation Act of the Punjab but Government succumbed to the agitation of the vested interests. That Bill upon which so much money and so much energy was spent never saw the light of day, and perhaps is never destined to see the light of day, so long as we continue to be a part of the Bombay presidency. A combination of various cruel factors and circumstances has contributed to the dwindling of the prosperity of the agricultural community in Sind. It is not my intention to discuss each and every one of these factors. The land revenue policy, the absence of Land Alienation Act and the Moneylenders Act, high rate of illiteracy and corruption have combined to create a situation which is full of gravity and danger to the prosperity of the province as a whole.

Then, Sir, sometimes we are referred to the high rate of assessment which obtains in the presidency proper and are reminded how leniently we are being treated by the Bombay Government. But the quality of soil in Sind is poor; that has been even admitted in the Parliamentary Blue Book by the Secretary of State for India in which he says:

"The special feature of Sind settlement is the allowance for fallows which are common owing to the poorness of soil, the abundance of waste land, and the absence of sufficient supply of manure."

Sind, having a poor soil cannot be compared to the presidency proper, in the matter of rate of assessment. It is further stated on page 5 of the Report of the Settlement Enquiry Committee presided over by Mr. G. E. Chatfield. They state:

"Canal water is a luxury in the Presidency, it is a necessity in Sind. In the former the irrigation supply is to a greater extent the creation of Government and the profits are comparatively small. In the Presidency Government may sell its canal water to the highest bidder, but in Sind the rates must be adjusted with caution or the existence of the zamindar is imperilled."

That was the opinion of the Commission that was appointed by the Bombay Government to revise the settlement period in Sind. It is

[Mr. Shaikh Abdul Majid]

further stated that agriculture is a paying business as is evident from the sale and purchase of lands. Sir, there are so many factors which have encouraged to a certain extent the sale of lands and I had better quote the Honourable the Leader of the House himself who has given reasons so far back as 1916 as to why people sell their lands.

The Honourable the PRESIDENT: The honourable member may save the time of the House by not referring to those bygone days.

The THAKOR OF KERWADA: It is important. It is his opinion, unless he has modified it now.

Mr. SHAIKH ABDUL MAJID: Then, the Honourable Sir Ghulam Hussain Hidayatallah said:

"That land is not found or deemed to be paying is clear from the fact that most of the land is passing out of the hands of the original holders. What would induce or compel the latter to sell but the knowledge or experience that the land does not pay them?"

This is the evidence of a very competent authority and he is the authority at the present moment over the land revenue policy of this Government. It behoves him to revise the policy which he has the power to do and thus earn the blessings of the people of this presidency.

There was one matter to which reference was made by the honourable member Khan Bahadur Khuhro. That is about the eksali and panch-sali lands. This lease money is imposed on the zamindars who, with the permission of Government, cultivate these lands for one year or for five years as the case may be. These lands have been possessed by the zamindars for many decades. They held these lands as pucca kabuli lands prior to 1870, the year of original settlement. What surprises me most is this. This lease money is imposed not only on lands within the Barrage zone but also in the non-Barrage areas, which have suffered on account of the withdrawal of water by the Barrage canals. Appeals have been made to the local officials that this lease money will not encourage poor agriculturists to take lands for cultivation. I do not know what has been the effect of these appeals. My own information is that if the old system is not restored Government will suffer in their land revenue as well as the people will suffer.

Then, Sir, from time to time, the state of corruption that exists in
12-30 p.m. Sind has been brought to the notice of Government.

The Honourable the PRESIDENT: The honourable member has already spoken for 25 minutes.

Mr. SHAIKH ABDUL MAJID: Sir, I will only say one or two words on this point and resume my seat. No adequate steps have been taken by Government—that is only what I wanted to say—to put a stop to this systematic corruption, *lapo* and *rasai*, which merrily continue on in different parts of the province. The agricultural community has been almost ruined on account of their indebtedness; and if these illegal exactions are not stopped, they will be ruined further.

Rao Bahadur G. V. PRADHAN (Nasik District): Sir, from all sections of the Council we have heard complaints as regards the assessment of land revenue in all parts of the presidency. It is no intention of mine to go over the same grounds. But it may be asked why if the land revenue is so heavy and agriculture is unprofitable, the agriculturists still stick to the land and cultivate it and go on paying the assessment. The answer is simple: most of these people have nothing else to do. The economic law fails in this particular case, because the people have absolutely nothing else in which they can engage themselves. The only way in which they can maintain themselves is to continue on the land and take what little they get out of that, even though they can maintain thereon only for six months in the year, and have to borrow as much as possible and pay the land revenue from the borrowings. But ultimately, they have reached a stage when further borrowing is impossible; and that stage has been reached now. The small things which they had, petty ornaments of gold and silver fortunately or unfortunately fetched better prices and the sale of those ornaments enabled them to pay the assessments for so long a time. And, now, even those things are gone, and the poor agriculturists are without gold and silver. The result is very serious. Moreover, the land revenue is collected at a time when the prices of their produce are lowest and they have to sell away their crops at those low prices. In these circumstances, they have now hardly enough left to feed themselves and their families. If these things continue, and if the revision of the Land Revenue Code is left over till the reforms come in, for about two years or more, then I shall not be surprised if at least in some parts of the presidency agrarian riots break out, which would not be easily checked, whatever may be the force at your disposal. It is not empty threat; the people have actually come to this stage. They cannot pay the land assessment any more; they cannot borrow any more; they have not got any more articles to sell. If this continues for a year or so, then the result is bound to be a serious calamity both to the Government and the public at large. This is a warning to be seriously considered and if this question is not properly tackled the results will be extremely serious not only for the Bombay Presidency, but perhaps also for the whole of India. It has been stated that the Bill to amend the Land Revenue Code is ready but that Govern ment are waiting for the reforms to come in, when this Council will become fully elected. But if the present land revenue system goes on for another two or three years—the reforms, it appears, will not come in for at least two more years—then there will be no relief for those two or three years. I have not the least objection if the revision of the Land Revenue Code is taken up at a later date, but the question is whether in the meantime the assessment should continue to be collected in the way we have been collecting it, or whether we should have a more liberal way of collecting it. That is a question which requires serious consideration. The Honourable the Finance Member, in the beginning of his budget speech, has tried his utmost to show that we have achieved a balanced budget after a hard trial. But I would like to remind him that that balanced budget was achieved by proposing to continue the land revenue collections in the same way as before, with, no doubt,

[Rao Bahadur G. V. Pradhan]

a few remissions here and there. Even with that the surplus is only 5 lakhs. But subsequent to his speech, even that position has changed. The balanced budget we have been boasting of will become a deficit budget as soon as the Cotton Cess Repeal Bill is passed, and this will not take more than a week now. We need not now care for a balanced budget. We have seen the result of our balanced budgets. As a result of this balanced budget, we have been left in the lurch, while other provinces which did not balance their budgets have been helped by the central Government. We have been bringing evil after evil upon ourselves by additional taxation with the result that we have been neglected by the central Government, while those who refused to bring evils of additional taxation upon themselves have been helped by the central Government.

Yesterday, the honourable member the Commissioner of the Central Division said land assessments in the Deccan were kept low as compared with those in Alibag, Ratnagiri or Sind, because good crops were expected in the Deccan only once in five years. Sir, our miseries do not end with having a good crop only once in five years. As we have seen during the past two or three years, even when we have the fortune to have a good crop, the prices realised for the crops have gone very low, with the result that we are unable to pay even that low assessment, and the agriculturist will have to mortgage his next good crop five years hence. Yet, on account of certain curious calculations made by Government, our rice lands, lands which produce nothing else but rice,—there are five talukas in Nasik District in which there are lands which produce nothing but rice—do not get any remission, although the rice lands in Ratnagiri District, in Alibag and even in Sind, have been given remissions. We have to pay not only the assessment of this year but also the arrears of previous years; not only the assessment, but also tagavi in the same proportion as the assessment. That is the law.

Mr. W. W. SMART: These statements are incorrect, Sir.

Rao Bahadur G. V. PRADHAN: The Government resolution is perfectly clear that so far as the Deccan is concerned—Nasik District is included in this—one and a half year's assessment shall be recovered this year. And we heard it only a few days ago that the basis of collection of tagavi follows the basis adopted for the assessment. I do not see how my statement is incorrect. What we want is, as Government have decided that rice lands should have some remission, all rice lands, wherever they are, should receive the same remission—whether they are situated in Sind, Ratnagiri or Poona, there should be no difference—because the price of rice has fallen throughout the whole of the country. Of course, if any land produces something over and above rice, then the matter would be different. But in the five talukas of the Nasik district, of which I have spoken, there is nothing but rice produced in many lands. That much for the remissions, which have been given only to particular areas which seem to be the favourites of Government and refused to other areas producing rice.

[Rao Bahadur G. V. Pradhan]

There are also some other ways in which the Government can help during these hard times. For example, just as the Government of Bombay has got a moratorium from the Government of India for the debts due to the Government of India, the agriculturists may be given a moratorium for their debts by Government issuing a resolution that the decrees against agriculturists which are being executed by the mamlatdars and collectors shall not be executed by sale of land for a year or two,—at least till the end of the year 1935. If that is done, it will give a respite to the agriculturist, within which he can pay his creditors and save his land.

There is another grievance as regards the way in which the Land Revenue Code is being administered in the province. As soon as the landlord comes to the court of the mamlatdar for recovering his assessment, the assessment which he has paid or his rent, the court gives him not only the whole assessment or rent but also 25 per cent. more by way of fine, so that within a month or two he is enabled to realise an interest of 25 per cent., which comes to 200 per cent. per year. A circular order be issued to all mamlatdars that at least for the years 1934 and 1935—I mean for the next two years—no additional recovery, by way of penalty, to the extent of 25 per cent. should be levied from the tenants when assistance suits are decided. That was done once before, and I see no reason why it should not be done over again. I hope Government will come to the aid of the agriculturists in some of these ways.

We heard it stated yesterday that the landlords are collecting as rent from the tenants 4 to 20 times the assessment. If this statement is correct, then it is certainly disastrous for the tenant. But I am certain that that statement will not be borne out if we take a survey of any village in the whole of the Deccan. For the matter of that, if we take a survey of any village and find out what the rental is as compared to the assessment, the rental will never come to more than 4 times the assessment, much less 20 times as stated by the honourable member the Commissioner——

The Honourable Sir GHULAM HUSSAIN: You admit it is four times the assessment.

Rao Bahadur G. V. PRADHAN: At the most, it may be 4 times. But the honourable member the Commissioner, Central Division, stated that the minimum was 4 times and the maximum 20 times. There may be certain exceptions, for example garden lands——

The Honourable Sir GHULAM HUSSAIN: That is so.

Rao Bahadur G. V. PRADHAN: I am talking of the Deccan.

Mr. W. W. SMART: Sir, I made that statement—that the rents were 4 to 25 times the assessment—in connection with canal lands.

Rao Bahadur G. V. PRADHAN: There, it is not a question of assessment only. The assessment may be Re. 1, but there is the water cess, which is Rs. 45. Twenty times the assessment will give only Rs. 20, whereas the assessment and the water cess will come to Rs. 46. The

[Rao Bahadur G. V. Pradhan]

water cess is Rs. 45 per acre, according to your own admission you have to compare tax of Rs. 46 an acre with a rental of Rs. 20 or even 25 per acre! Even there, the statement seems to be inaccurate and false—incorrect.

The Honourable Mr. R. D. BELL: Sir, the honourable member should withdraw that word "false".

The Honourable the PRESIDENT: Yes, the honourable member should withdraw that word.

Rao Bahadur G. V. PRADHAN: I take back that word, but, Sir, it is certainly inaccurate.

As to how the assessment should be revised till the Land Revenue Code is revised is certainly a matter which requires a great deal of consideration. Several methods have been suggested, but it has not been possible for me to state exactly as to how it should be done.

But then, if no other reasonable way can be found, a flat reduction of assessment to 12 annas in a rupee everywhere will meet the situation. But it should apply to the whole of the province, so that there will be no cry of favouritism for one part as against another——

The Honourable Sir GHULAM HUSSAIN: Twelve annas in a rupee?

Rao Bahadur G. V. PRADHAN: Something like that. I do not mean to fix it to 12 annas. Whatever remission is given should be at a flat rate throughout the province. I am not going to discriminate between Gujarat and Sind and Deccan. This assessment is at present fixed and we are collecting the whole of the assessment at present except in a few talukas containing rice lands here and there. As a matter of fact, the prices of all cereals have gone down; the prices of sugarcane also have gone down considerably. The reduction in prices is not confined to rice. Under these circumstances, all productive lands should receive the same sort of remission in order that all should reap the same benefit. Favouritism should not, under any circumstances, form consideration of Government.

It has been stated by some members from Sind that it is not true that Sind has been treated favourably. We are not really discussing the question as to whether Sind is being treated favourably or not or whether Gujarat is being treated favourably or whether Deccan is being treated favourably. What we want is that all parts should be treated equally and all should receive the same remission, whatever that remission may be. Our case at present is this. There may be plenty of corn produced, but there is no demand for corn, so that the prices of all cereals have come down considerably. It is tantamount to famine, and you should change the rules so as to enable you to use the famine fund of 75 lakhs partly for the reduction of assessment for this year and partly for the next year. If that can be done by the necessary change in the rules, even that will satisfy at least to a certain extent, all sections of the people.

Sir, I support the cut proposed.

Mr. J. H. GARRETT: Sir, the debate on this cut has centred chiefly round the economic situation, and the burden of many of the speeches has been that the remedy lies in a reduction of land revenue. Before I mention one or two specific points raised by the various speakers, I would ask this honourable House to consider whether the situation of the farmer is quite as serious as most of the speakers have represented it to be. The slump in price is, of course, the most serious factor which has received very earnest consideration from all officers engaged in the recovery of land revenue. On the debit side I may say you have this slump, and, in addition, certain local calamities such as the floods of 1927 and the frost of 1929 and the frost in the current year, which have been of local incidence. On the credit side you have, fortunately, a succession of good seasons resulting in an ample supply of food for the farmer and his labourers and an ample supply of fodder for his cattle; a good rainfall which has filled the irrigation tanks and removed a very serious source of anxiety which prevailed about 5 years ago in Gujarat, namely, the sinking of the water level. Wells have now recovered the level which existed before the famine. The condition of the farmer at present is good; his physical condition is good. The effect of this fall in prices is nothing compared to what would be his condition after a few bad seasons. I have seen the conditions in the Deccan in 1918, which was not one of the worst famines; I have seen the conditions in Gujarat in 1923 onwards, when cattle were dying with no fodder to keep them alive and the people themselves did not know how to carry on the cultivation during the ensuing season. And that situation I consider was, from the point of view of the farmer, more serious than at present. The farmer now must reduce expenditure on anything except necessities, but it is not my experience, as far as the Northern Division is concerned, that he is unable to carry on the ordinary operations of agriculture. In fact, I do not agree with those speakers who have advocated the wide distribution of tagai. Tagai should be given only for purposes of immediate necessity such as the purchase of bullocks or the purchase of seed. In most cases the farmer has those necessities now and it does not seem to be advisable that, except in rare cases, he should have to incur further debt. Those farmers who have wisely husbanded their money are not really in need of tagai; those who were thriftless of course are in some difficulties. But I doubt whether it is wise to increase their future difficulties by giving them easy money now. On the whole, the morale of the farmer is good; he is not downhearted, and it does not seem to me advisable to emphasise too strongly the disaster due to this fall in prices. If it is spoken of too often, it will be fully believed by all and eventually they will become despondent. This situation does not exist at present. The reduction of land revenue would not affect this position to any great extent even though it was reduced by a figure far below what would be reasonable from the point of view of finance.

I would now refer to the remarks of the honourable member from Kaira (Mr. C. N. Patel) who yesterday alleged that the revenue officers—the Collector, the Mamlatdars, the Prant officers—were not carrying out the orders which Government had passed to meet this situation.

[Mr. J. H. Garrett]

I protested against that statement, and I am glad to find that today the honourable member has practically withdrawn that allegation. The point which he made was not any imputation upon the local officers, but it was merely a particular case relating to the difficulties of a certain area. He referred to the riverain tracts on the banks of the Shedi river and to the talukas of Matar and Mehmedabad, which are rice-growing areas. I know Matar is a poor taluka, but it has had special relief, in that the assessment was reduced by 4 annas in the rupee a few years ago and it is permanent, until the assessment is revised. Similarly, in the Mehmedabad taluka, a reduction of 3 annas in the rupee has been made; in addition to that, this year we have given the general concession that no assessment exceeding one year's land revenue will be collected; and further, as this area was affected by frost, they get the benefit of the frost concessions. I would also remark that the irrigated area in Matar taluka is in many ways better off than the South Daskroi taluka owing to the decision of the High Court which gives the Kalambandi villages of the Khari cut canal the right to more water than the villages in the North Daskroi Taluka. I do not therefore think that this complaint is one which should be seriously pressed. Government and the revenue officers have done everything they could to meet the situation in that area.

That, I think, was the chief point raised by the honourable member. The other points have already been dealt with by my colleague, the Commissioner, Central Division.

Mr. V. N. JOG (Dharwar District): Sir, I was completely disappointed with the speeches which were made by the honourable member the Commissioner of the Central Division and just now by the honourable member the Commissioner of the Northern Division. Sir, this is a matter in which the Government should consider the condition of the agriculturist sympathetically. It is not a question whether the agriculturists were at fault in not spending wisely or in running into debt. It is a question now more of the heart than of the head and it is of no use trying to prove that the condition of the agriculturist is of his own making.

What we are concerned with now is the actual plight of the agriculturist, and I appeal to the Honourable the Revenue Member, who is himself one of the landowners and also one who is intimately connected with the people in every way, to consider for the present the position of the agriculturist as it is today. It cannot be gainsaid that the position of the agriculturist is now critical. It is no use describing in detail what it is. All the honourable members from the mofussil, who are intimately connected with the agriculturists, have described the serious plight in which he stands. Even though the seasons were better, as the honourable member the Commissioner of the Northern Division said, he has no cash. He might have received good yield, but on account of the slump in prices, his position has become worse. Even with regard to the yield I doubt whether the honourable member the Commissioner, Northern Division's remarks would apply to the part of the Presidency which

[Mr. V. N. Jog]

I have the honour to represent, namely, Karnatak. I have already said in my speech at the budget that full crops were not got on account of excessive rain for the last two years. Even some lands could not be sown. The position there is not better than 1918 or 1923, as he said was the case in Gujarat. But even assuming that the position described by him in Gujarat is correct and that the agriculturists have been having a good crop for the last two or three years, the honourable mover of the cut has shown by figures which cannot be challenged—of course there might be certain mistakes or miscalculations here and there—that the price level has gone down much below the 1901 to 1903 level, since which year almost all the settlements were revised.

He said that the cost of labour had also increased. So, the thing

1 p.m.

which we have to take into consideration in this respect is whether the cultivator as such, after meeting the necessary cost of cultivation, is able to retain anything to pay this heavy assessment. Sir, it is asked and many times it is hurled against us, viz. "where are the incomes or the rents of the boom periods?" The whole question is, are there those savings left with the people? If at all they had made any large incomes during those six or seven years of the boom period, are there now those savings left with the people? That is the question. Let us now take into consideration the fact whether they have got those hoardings or those savings earned by the agriculturists in the boom period. I submit that whether the agriculturists are poor or rich, those savings are not there at all and that if at all they had made any savings, they have been put into the land again, or they have been put into the deposits of co-operative societies which have been in turn invested as loans to the very agriculturists. So, here and there you may find a few individuals who might have made some gains, but we are to consider this question from the general point of view. It is a matter known to all that the agriculturists and landowners have no savings whatever now and that they are unable even to pay for the land cultivation. I was surprised to hear the honourable member the Commissioner, Northern Division, say that tagavi should only be granted for immediate needs of the agriculturists and for agricultural operations only and he is under the impression that the agriculturist has got money with him to carry on these operations. I do not know the conditions in the Northern Division but from the speeches of honourable members who come from that division, their impression seems to be that the agriculturist has no money even to carry on agricultural operations but as for my own part, I can safely say, as I said once before at the time of the general budget discussion, that even for the agricultural operations in general the agriculturist has no money to carry on and it is with this view that I tabled the second resolution about Tagai loan out of the four which I wanted to move. It is not only that he is in difficulty to carry on agricultural operations but he is unable, after the costs of cultivation are met, to pay even the Government assessment.

Then, Sir, it was said that the landlord is making a gain of two or three times—even I will take the higher figure—four times the assessment.

[Mr. V. N. Jog]

Take any landlords who have let their lands. The condition of those who are cultivating the lands themselves is already described and partially admitted to be bad. Even in the case of landlords, I submit, Sir, it is very difficult to find a landlord for the last two or three years who is getting even as much as the assessment. I challenge. Let any six instances be taken where landlords have let the lands and let Government satisfy themselves whether the landlord has got even the rent which the tenant has agreed to pay. Even though *Madat* suits have been filed, if the records of the mamlatdars' offices are searched, it will be found that the landlord has not been able to get even one-fourth of the rent for which he let the land to the tenant. In my own case for instance, for the last two years I have been paying assessment from my own pocket because the decrees which have been obtained have not been satisfied because the agriculturists have nothing to pay. I point out this instance as a particular case which is typical of many other landlords. Most of the landlords, even though they have remitted about half the rent and even though they have obtained a *Madat* decree, they have not been able to recover anything from their tenants. As I have said, let any six instances be chosen in a particular village and let the Government ascertain whether the landlord has recovered the rent which the tenant agreed to pay or even half of it for the last two or three years. So much with regard to the argument of the honourable member the Commissioner, Central Division, that the landlords have been able to recover rents three or four times the assessment.

Are we, Sir, to wait and allow this state of things to go on for ever? It was said that we should ask for this legislation in the new reforms. If this question is one which should be solved, it ought to be solved quickly. The cultivator cannot wait and it has been agreed on this side of the House at least that the present system of land revenue is not what it should be. It has been several times proved that the assessments in many cases are oppressive and that they are based upon certain material which was not the right material to base upon. Sir, even before the present reforms came into existence, it was placed before the Joint Parliamentary Committee that the legislation on land revenue must be brought under greater control and the Joint Parliamentary Committee laid down that legislation in this matter should be quickly undertaken. We have been now working the reforms for nearly 15 years and no effort has been made effectively to bring this legislation under control of the legislature. The Joint Parliamentary Committee had recommended that "the subject is one which probably would not be transferred to Ministers until the electorate included a satisfactory representation of rural interests, those of the peasantry as well as the landlords, and the system should be established on a clear statutory basis before this change takes place." That was the recommendation. They say in other places that this system should be overhauled, namely, the system of assessment, the pitch of assessment, the system of recovery and all other cognate matters. Since the reforms came into being, we have had so many resolutions at least in this Council, one in 1922, then in 1924, 1926

[Mr. V. N. Jog]

and 1928. Yesterday my honourable friend referred to certain resolutions of 1924 when the committee on land assessment was appointed and also of the year 1926. We know, Sir, that though that Committee made certain recommendations, Government did not like to accept the majority findings with respect to the basis of assessment, the period for which it should be fixed and the pitch of the assessment, which were all mentioned in the Joint Parliamentary Committee report, but they had their own report and they wanted to base the assessment on the rental value, and we know as a matter of fact that a Bill for having the assessment to the extent of 50 per cent. of the rental value was actually introduced in this House and that after the trouble of Bardoli Government learnt a lesson that the rental statistics were not the safest basis as was found out by the committee which was appointed to go into the grievances of the Bardoli peasants. Even in this House, after the introduction of the bill a resolution was moved in 1928 which challenged the rental basis as incorrect and recommended that a bill be drafted in consultation with certain members of the house. I myself moved it and said that the basis which had been taken was not satisfactory to us and that it was an incorrect basis and that if a Bill is to be brought, the Bill should be brought in consultation with the honourable members of the House with regard to these various factors on which the new legislation was to be based. The House passed that resolution in August 1928. Even after five years, Government have not been taking us into confidence and are not bringing that legislation which was recommended to be brought into force even before the new transfer was made. Now, Sir, though within a year or two or more this department—if there is to be provincial autonomy which I hope there will be—is to be transferred to the Minister, are we to wait till the transfer although the Joint Parliamentary Committee said that before such transfer the new legislation should be passed? Therefore, I submit that according to that recommendation,—there are only one or two years now—and hope that the Honourable the Revenue Member will soon take in hand this piece of legislation. There is also that recommendation that before this subject is transferred to the Minister the system of land revenue should be put on a proper basis. It is overdue for a long time now. The plight of the agriculturist is such that it cannot be delayed much longer. If we want the patient to survive, we should give him the dose at the proper time and if we do not do so, I do not know whether the patient will be there to receive whatever remedy may come to be administered to him.

With these words, I support the cut moved by my honourable friend.

Mr. J. G. MORE (Sholapur District): Sir, I am not at all surprised at the replies that have been received from the opposite benches because it is obvious that Government is not acting on a sound principle but they are acting on the principle that the Government is not for the people but the people are for the Government. This shows that they are not looking upon the agriculturists with any liberality or even I might say with sympathy. We have been told that the credit side of the agriculturist is very good but they do not always look at the debit

[Mr. J. G. More]

side also, their much repeated sympathy for the agriculturist notwithstanding. We are told that if tagavi is advanced to the agriculturist, his indebtedness will be increased. Certainly it is bound to be increased but Government will have to give certain facilities to the agriculturists—facilities which the sowkars do not give. If tagavi is to be denied to the agriculturists, then necessarily Government should be prepared to see that the agriculturist is driven to the sowkar, which of course is not at all desirable. Of all the revenue of Government, land revenue is a constant source of income to Government and that source varies very little from time to time, and if the agriculturists are the backbone of Government and when Government know that the agriculturists are placed in a very precarious position, why do not Government take steps to afford adequate relief to the agriculturists?

Sir, so far as the Central Division is concerned, Government are rather unwilling to give liberal remissions. That might be perhaps so, but I may state the case of the Sholapur district in which before the crops were visited by frost or cold wave, reports of valuations of crops were submitted to the Collector. If the reports of valuations were submitted before the crops met with frost or cold wave, is that data not sufficient for the Government to take into consideration those factors and give concessions, whatever might be the extent of those concessions?

The Honourable Sir GHULAM HUSSAIN: Read the Government Resolution.

Mr. J. G. MORE: I have read the Press Note. But the concession given to the Central Division is not satisfactory.

Then there is the question of valuation of crops. The annewari system has been discussed in this House, and we received an assurance from the Honourable the Leader of the House that Government will enquire into the matter. This time I was very particular about that system. To my surprise I find that the rules laid down by Government are not followed in most of the cases when reports are made by the circle inspector to the mamlatdar. What happens is that the circle inspector may sit at a taluka place, ask the kulkarni to come down there with two persons, get the report written there and send it to the mamlatdar. That happens in most cases. Or he may go to a village, sit in the *chavdi*, without going out and taking an inspection of the crop. He may ask two persons to sign the report, and that report is forwarded to the mamlatdar. This happens invariably in most of the cases. It is always happening in every district, I think. So far as my experience goes, it is always happening in the Sholapur district. If these are the reports which they get for considering whether the agriculturists of my district or of any other districts are in need of any remission or suspension, then certainly Government are calculating remisions on a wrong basis.

Then there is another grievance to which I wish to draw the attention of the Commissioner, Central Division. It is this, that an extra amount of 6 pies in the rupee of land assessment is being collected on account of Mahar baluta in the district. I do not deny that if the Mahars or other depressed class persons render service to the villagers, they are entitled

[Mr. J. G. More]

to receive baluta from the people. But in cases where they do not render any service to the agriculturist, why should they be asked to pay to the Mahars for the services which they render to the Government? There are such cases in my district. In 6 or 7 places the members of the depressed classes specifically refused to render any service to the agriculturists, but the district officers there have made a special request to the agriculturists to pay off the Mahars who render exclusive service to the Government. This is a matter which I hope the Commissioner of the Central Division will be pleased to look into. In some villages they have held meetings, and the resolutions passed at them have been forwarded by the villagers to the Commissioner of the Central Division. With these words, I resume my seat.

Mr. G. S. GANGOLI (Kanara District): Sir, while supporting others in supporting this cut, I have got an entirely different tale of woes and sorrows to communicate. I am sorry I do not know whom I am addressing, because neither the Commissioner, Southern Division, nor the Honourable the Revenue Member is in the House just at present. It is for them to redress our grievances, but both the Honourable the Revenue Member and the Commissioner of the division are absent.

The Honourable the PRESIDENT: The Secretary of the Revenue Department is there.

Mr. G. S. GANGOLI: In the first place, it was a surprise and wonder to the Honourable the Revenue Member how, if the land revenue was really enhanced, the figure in the budget is the same. My submission is that the figure shown in the budget is only a rough estimate of what Government intend to get or what they desire to get from the agriculturists; that is not the real assessment. I should have been glad to know what the real land assessment for this presidency is. We are nowhere shown that figure. According to me, it must be more than 6 crores. What they show in the budget is only a rough estimate of what they desire to get. Then, if land revenue is suspended for two years, it has perforce to be remitted for the third year. Such remission is deducted. Then again, if lands fall fallow and they are not cultivated, they do not get land revenue. Then, in certain parts land is cultivated by rotation, and only once in two or three years they get land revenue, and such revenue only is included here. My submission is that the actual land revenue for the presidency is more than 6 crores, though they have shown it as nearly 5 crores or so in the budget. Even apart from that, the item of grazing fees and the item of irrigation dues, etc. are transferred to several other heads, which may come to more than one crore. That too is not included in the actual land revenue. And they come and say that because the figure is not swollen, they have not enhanced the land revenue in the presidency proper.

Now, Sir, while we are debating this matter here, I really wonder what the plight of the agriculturists in the villages is. Every last pie is being recovered from them there. The first instalment is already recovered, and there is no one to help them. All this cry is so far limited

[Mr. G. S. Gangoli]

to the sorrow and helpless plight of the villagers, their inability to pay land revenue, their heavy debts and so on, and yet I have not heard any assurance as to how their grievances are to be redressed. Another of our cries is that there is no revision of the land revenue system, and that in several cases the orders and actions of the subordinates are not checked by the higher officers.

With these general remarks, I want to refer to the most neglected district of this presidency, namely, Kanara. The last report of Land Revenue Administration is for the year 1931–32. For that year, we had an assurance from the then Finance Member (Sir Govindrao Pradhan) who said "The Honourable the Revenue Member has given remission of 3 annas in Thana, Kolaba and Ratnagiri districts, and 4 annas in parts of Kanara and Belgaum districts." This was on the 20th February 1932. But to my surprise, Sir, I find that not a single pie was remitted in Kanara, in spite of the assurance that there would be a remission of 4 annas in certain villages. What is remitted is *nil*. Then, Sir, it is also stated on page 73 of the Administration Report for the year 1931–32 that "in the Southern Division, in the Kanara district alone 1,179 acres were fallow." That is to say, the lands were not cultivated. Even with so much land lying fallow, they have recovered every pie possible; thus how can they say that they have given a remission of 4 annas? As regards this year, the Honourable the Revenue Member just now asked my honourable friend Mr. More to read the Government Resolution. But the Government Resolution shows nothing for Kanara. There is no remission of a single pie even. Therefore, I say Kanara is a very heavily taxed district; perhaps, it is the heaviest taxed district, as the assessment in Kanara is Rs. 14 per acre. For the other districts the highest rate is only Rs. 5 per acre, whereas in Kanara it is Rs. 14 per acre.

The Honourable Sir GHULAM HUSSAIN: That is for garden lands.

Mr. G. S. GANGOLI: And for paddy lands it is Rs. 8 per acre. That too is very heavy.

Then, Sir, it is the cheapest district to rule. I remember the Surgeon General enquired of me whether there is any electrical apparatus in the civil hospital. I can say that in the whole of the district there is no electrical apparatus anywhere. My honourable friend Mr. Kamat asked me whether I was not stating facts which are not correct or according to him whether I was not exaggerating matters. But what I state are the facts. Another of my honourable friends asked me whether there was any electric supply scheme or railway in Kanara. My reply is, there is none. With all that we are to pay nearly Rs. 14 per acre as assessment on garden land and Rs. 8 per acre on rice land year after year in spite of forest policy, wild beasts, reptiles and malaria. We have been crying out on the floor of this House for some relief and yet not a single pie is remitted in consideration of the depression.

In addition to that there is the most horrible feature of the Government's land revenue policy in Kanara, and that is eviction. People are

[Mr. G. S. Gangoli]

turned out of their human dwellings and agricultural holdings. I have got so many instances of this. It may be surprising for the Honourable the Revenue Member to know that in some of these cases, it is the revenue subordinates who reported against the landholders and later they have purchased the lands themselves for a rupee or two in addition to moveables. If enquiries are made even now, it will be found that several circle inspectors and other subordinates of the Revenue Department have purchased these lands in the name of their dependents. And all this is covered under the guise of the civil disobedience movement. To prove that, I would refer him to the Administration Report, page 101, where it is stated that land assessed at Rs. 2,916 was sold for Rs. 6,200. That is to say, land which is assessed at Re. 1 is sold for Rs. 2.

In Kanara they have resorted to another novel procedure. The land of one person is handed over to another person, if he pays double the land revenue as the price.

Sardar Rao Bahadur B. R. NAIK: That is not a new thing.

Mr. G. S. GANGOLI: But a condition is imposed, that under no circumstances is the purchaser to part with his land not only to the person to whom the land originally belonged and who was a defaulter but even to his relatives, by sale or in any other manner. On these conditions persons are encouraged to take up the land at a price double the land assessment. In addition, those who have so purchased land, are given titles and nominated members of local bodies, and if they are unable to pay the land revenue, the Commissioner makes grants to them from his discretionary grant for the purpose of paying the land revenue of such lands.

Our next grievance is against the annewari system. The annewari system is not correct there, and even with the existing annewari system, the rules are not clearly interpreted, at least in action. I have known of several instances in which, although there has been a total failure of crops, not a pie is remitted. We have, as has been already made out, 200 to 300 inches of rain and other difficulties to contend with, and yet not a single pie is remitted. This is not our only woe.

I now come to the subject of irrigation, which I once wanted to touch, but as it was thought that it was outside the subject then under discussion, I dropped it. I shall now refer to it, and say that we pay 80 per cent. of land revenue for irrigation charges, and the amount is 8 lakhs a year. In return for that they spend only Rs. 20,000 a year, and say that they have no money to spare for the repairs to the tanks and other sources of water supply and the water-courses. I wonder, Sir, why we should be made to pay land revenue in such huge quantities when we have no return. In one word, Sir, why should such a man, who gets no return from the Government, go on paying year after year? Why should he be treated like a monkey in the forest? Why should he be taxed and not a monkey in the forest? He gets no roads, he gets no dispensaries, he gets no post offices, no schools, nor any of the barest amenities of life not to say of any modern privileges and yet he has got to pay the highest land

[Mr. G. S. Gangoli]

revenue and even his canals and tanks are not repaired. He has to pay the heaviest land revenue in the presidency, and always he is most neglected. We do not know how long these things can be allowed to continue.

In addition to this, what is the treatment given to him ? He is not provided even with educational facilities. Simply because the man who is a cultivating gardener happens to be a Brahmin, he is taken as one belonging to the forward class, and no adequate educational facilities are granted to him. Not only that, but even the grant allowed for the school board of the district local board is withdrawn, because the average attendance is low. People cannot be expected to attend schools when they are living in the midst of thick forests and wild animals, reptiles and malaria; and yet, because the average attendance is small even the grants that were allowed are summarily withdrawn. If the ryots, the agriculturists pay land revenue and if they are hard hit, I do not know why they should not be given some little educational facilities. Why should not they be classed as backward or intermediate ? Are only the backward classes to be helped, and those that pay the land revenue to be treated like monkeys year after year ? And all that the Kanara agriculturist gets in return is warrants, forfeitures and arrests under section 157 of the Land Revenue Code. Sir, all the honourable members supported the Special Powers Act because it was to be applied to only one district. The then Home Member (Sir Frank Hudson) said he never considered that only one district would be affected by that Act. I say that it is only one district which is affected by the Emergency Powers Act. Sir, no one can be arrested for non-payment of taxes under the Emergency Powers Act. And yet, we have got a reply from the Honourable the Revenue Member that in several cases they were arrested under section 157 of the Land Revenue Code. If I wish to surrender lands to Government I am not free. All my utensils will be sold. Again, I am not allowed to relinquish my property when I desire. I must pay the entire land revenue for my entire *khata* and then relinquish the property. That is also another grievance. Year after year hundreds and thousands of acres are going out of the hands of the cultivators, and yet they have to pay the land revenue. I really appeal to the Honourable the Revenue Member just to look into the matter. Because it happens to be a district which is at a long distance from the seat of Government, should we really drive them to desperation ? If I say this, then they will again say that I am exaggerating. But it is not so. What I am saying is the truth, and it is really a very sorry tale that I have to relate. Sir, these people would welcome an earthquake rather than this administration. With these words, I support the cut.

Mr. C. G. FREKE : Sir, matters of land revenue policy have been explained by the Commissioners and the Revenue Secretary. I wish to deal very briefly with the general economic and statistical side of the case. The honourable members Sardar Bhimbhai and Rao Bahadur Pradhan have laid emphasis on a general fall in the price level; and Rao Bahadur G. V. Pradhan

1-30 p.m.

[Mr. C. G. Freke]

has recommended that there should be an all-round general reduction of land revenue assessments. That is, I take it, clearly based upon a general fall in the price level. When the honourable mover of this motion opened his case, he referred to the early settlements round about 1870–73, to the revisions at the beginning of the present century and to prices at the present time. In regard to the history of Indian prices so far back as 1873, there is I think only one record and that is the All-India Series of Index numbers of prices which includes over 40 articles and dates from the year 1873. In order to check the general proposition that from the time the land revenue assessments were fixed there has been an all-round fall in prices, I have turned to this publication which gives the wholesale prices of over 40 articles. In the year 1873 the figure is taken as 100. The figures for—

1901–02	..	..	..	106
1902–03	..	..	..	99
1903–04	..	..	..	101

One may say, therefore, that round about the period of 1902–03 the wholesale price index number was at approximately the same level as that of 1873. Now, Sir, in comparison with these figures, the corresponding number for 1933 is about 120. These are the wholesale price index numbers for India as a whole. I do not say that they are immediately applicable to any particular district. I do not say that they would automatically apply to the Bombay Presidency. But they are a clear indication of price movements which are connected with money or currency or any general movement of prices. They are a general indication.

Sardar Rao Bahadur B. R. NAIK : 120 from what date ? I was not present here.

Mr. C. G. FREKE : I may be permitted to repeat the figures for the benefit of the honourable mover of the cut. I was quoting the figures from the All-India Series of Index numbers of prices which dates from the year 1873. The number for that year is taken as 100. The honourable member quoted the price figures for 1901, 1902 and 1903. Therefore I am taking the wholesale price index numbers for those years which are :

1901–02	..	..	..	106
1902–03	..	..	..	99
1903–04	..	..	..	101

I have drawn the general deduction that the level of the prices at that time was approximately the same as in 1873. I have then quoted the figure for 1933 which is about 120.

The next point I would make is this. The last speaker the honourable member Mr. Gangoli stated that the budget figure is only an estimate of what Government expect to collect. Well, Sir, that is perfectly correct. Of course, it is quite simple to go back from the budget estimate to the latest account figure. In regard to taking the account figures, I venture

[Mr. C. G. Freke]

to suggest that taxation is what is actually paid by the cultivator. The burden of taxation is what is actually paid. There may be changes in the remission and suspension rules, there may be various changes in procedure and policy; but the burden of taxation is the actual amount of money that is collected. In the three years 1901-02 to 1903-04, the average land revenue was 438 lakhs a year. The corresponding figure immediately before the War in the years 1911 to 1913 was 502 lakhs a year.

Mr. G. S. GANGOLI: On a point of information. Unless they quote the exact figure, they can exact from one part and remit it to another part and we know nothing.

Mr. C. G. FREKE: I do not think that is a point of information. I am dealing with the general burden of taxation over the presidency as a whole.

Now, the corresponding figure for comparison with 438 lakhs 30 years ago and 502 lakhs before the War, is the latest accounts figure for 1932-33, 471 lakhs, that is to say, more than a quarter of a crore less than it was immediately before the War. It is about 33 lakhs more than it was 30 years ago, in comparison with which time the general level of wholesale prices is now about twenty per cent. higher.

Sardar Rao Bahadur B. R. NAIK: You have taken the actuals of the last three years.

The Honourable Sir GHULAM HUSSAIN: Actual collections.

Mr. C. G. FREKE: The figure I quoted was the figure for 1932-33. The budget estimate for 1934-35 is what is expected to be collected this year.

Beyond that I do not wish to go into the land revenue policy, that will be dealt with by the honourable member. I only wished to place before the House clearly the exact figures. On the one side I have pointed out the changes in the general price level and on the other side I have indicated the exact accounts figures of land revenue collected.

Mr. G. S. GANGOLI: Should we not know what is exactly the land revenue for the presidency?

Mr. MAHOMED HASHIM GAZDAR (Karachi City): Sir, the subject has been fully discussed by both sides of the House about assessments, remissions, suspensions, policy of Government about land revenue, reduction of revenue staff, deputy collectors and tapedars on account of employment of canal assistants and abdars in irrigation department who are doing revenue work formerly done by tapedars in Sind. I do not wish to say one word about any of them. But I would like to bring to the notice of the Government and the honourable House the case of the zamindars in the Karachi district who stand on a distinctly different basis. In other parts of Sind, we have canals and we have got wells. In the Karachi district, in spite of the construction of the canals, the zamindars are not getting adequate water supply and consequently they are not able to cultivate their lands. In addition to the fact that

[Mr. Mahomed Hashim Gazdar]

there is no well water for irrigation, there is very little rainfall. So I request the Honourable the Revenue Member that, while giving remission, he should bear this in mind that the Karachi district deserves special consideration because its miserableness is not only due to depression in rates.

The next point is about the zamindars in Sind. My honourable friends Khan Bahadur Khuhro and Mr. Shaikh Abdul Majid have already placed before the House the miserable condition of the Muslim zamindars. Therefore, I would simply emphasise the necessity of amending the Deccan Agriculturists' Relief Act, because as it stands it is doing no good to the zamindars in Sind. Also Government should be pleased to take up enactments like the Land Alienation Act, the Moneylenders Act and the Conciliation Boards Act and so on on the lines of the Punjab Acts for similar requirements.

My next point is about the intensity of cultivation allowed in the Lloyd Barrage area which is 81 per cent. This is what is being followed now. This is producing water logging and deterioration of soil. Sind has a poor soil and there is plenty of salt. Many experts have expressed the opinion that 60 per cent. of the area commanded should be the maximum annual cultivation for Sind. So, I would request Government to investigate into this matter.

Sir, the other chief point I want to bring to the notice of Government and this honourable House is the question of *lapo*. This Government appointed a committee about this matter and after the receipt of the Report they were pleased to issue very strict rules that this should not be collected and the purpose for which that was collected should be discouraged. I want to explain to this House what *lapo* means, lest they might forget——

The Honourable the PRESIDENT: I think they remember it very well.

Mr. MAHOMED HASHIM GAZDAR: Lapo is an unofficial assessment levied on lands of zamindars in Sind by tapedars. If Rs. 2 is the lapo levied together with the assessment for every survey number and if the zamindar refuses to pay the lapo the tapedar refuses to receive even the Government assessment. All methods of extortion are then brought into force and the zamindars are thus compelled to pay. Even most of the honourable zamindar members of this House from Sind have been compelled to pay. What are the methods of extortion I will explain. (*An Honourable Member:* What about the proceeds ?) For instance the tapedar writes even to a member of this Council that one of his survey numbers is not in proper condition and therefore he must pay twice the assessment. Or he would say in his notice of doubling the assessment that the ridge of cultivated area has been shifted 5 inches to the other side; and therefore the zamindar should pay Rs. 200 as fine in addition. I remember one honourable member of this House, who refused to pay, got an official letter that his name has been on black list of Remehal Abadgars (habitual offenders), that is, people who cultivate without

[Mr. Mahomed Hashim Gazdar]

permission. They keep registers of people who do not pay and employ all sorts of methods to compel them to pay lapo. The Government of Bombay are very kind to all cultivators in the presidency and in Sind. But unfortunately Sind is not like the rest of the presidency. We were ruled by a great Moghul in Sind. We know the great Moghul in Simla and Whitehall. There is a greater Moghul in Sind who is beyond public criticism and who cannot be improved at all.

An Honourable MEMBER : Who is that ?

Mr. MAHOMED HASHIM GAZDAR : The Commissioner in Sind. Sir, the Commissioners of all the other divisions come here, hear what the honourable members, the representatives of the people, have to say, and try to mend matters, or, at least, get acquainted with what this honourable House has got to say. They try also, in their own way, to remove misunderstandings and place facts before this honourable House. In this way a lot is done to improve the conditions existing in the presidency proper. And, Sir, we are very thankful for that. Sometimes even His Excellency the Governor visits us and frankly places his policy before the House and wants to know what we should do. He goes beyond that ; he honours us with his august presence in the Governor's gallery and hears what we have got to say, and considers and digests what we place before this honourable House and before Government. I think he is influenced by what is stated in this House. That being so, Sir, I do not understand why the Commissioner in Sind should not be nominated on this House, so that he may hear what we have got to say here. Whatever is stated here is creative of no good absolutely so far as Sind is concerned ; we are wasting our time, because it does not influence him ; he is not compelled to reply to anything we say here. Well, Sir, this *lapo* is collected by every tapedar and deposited with the mukhtyarkar or mamlatdar, who keeps regular accounts of all the payments made for the touring expenses of officers—from the Commissioner downwards to the deputy collector. Sir, Government have passed very strict rules that if any officer is found to have received any *rasai* he should be immediately dismissed. But the Commissioner in Sind, who has got the power of dismissal, himself takes *rasai*, and his whole camp insist on *rasai* being made. Then, how are other subordinate officers going to improve ? I will just give you one example. In one place, the Commissioner's camp received 15 fowls, 4 lbs. of butter——

The Honourable Sir GHULAM HUSSAIN : Sir, I hope the honourable member will prove his statement that the Commissioner also took *rasai*.

Mr. MAHOMED HASHIM GAZDAR : Sir, I have at least seen the accounts of a mukhtyarkar for Rs. 3,000 which he paid in a particular season on a *rasai* account of officers. I think if a committee is appointed and he is given protection, he may produce it. But I have seen it with my own eyes. One tapedar showed me the accounts of a Collector's camp. In a camp of five days *rasai* expenses came to Rs. 700. He

[Mr. Mahomed Hashim Gazdar]

keeps account of every anna and pie. (*An Honourable Member:* What is his name?) I do not like to name the officer. What I want is that Government should take notice of this matter. The honourable member the late Mr. Mir Mahomed Baloch cried for the transfer of a mukhtyarkar who had been too long in one taluka. But it did not influence the Commissioner of Sind, who is not here, and that mukhtyarkar is today enjoying in the same taluka. Further what are the functions of the Commissioner in Sind while on tour? Is it shooting from 6 a.m. to 6 p.m.? He has refused to hear grievances of people on spot. If so what use his touring at public expense? His travelling allowance should be stopped.

Sir, I do not want to go into the details of all although I have got a lot to say. But I want to put one respectful request before Government that they should pull up the young assistant collectors who are posted in Sind. The British administration was known for dealing out justice with impartiality between different parties and for keeping the bad characters of a district in good behaviour. Now, I find—of course, social mixing of officers with the public is not bad, but there should be a limit—I find some of the assistant collectors going and receiving parties from zamindars, at which parties dancing girls are invited. Where these officers sit with these zamindars in dancing parties other people of the taluka i.e., smaller fries come and sit about hundred yards away and see the drinking and dancing that is going on. I do not mind what they do privately, but when they do it publicly the indirect effect on the thieves, dacoits and patharidars (who harbour cattle thieves) in the district is really very bad. Not only that, that zamindar host may dominate over the smaller zamindars due to the undue influence he may gain over such young assistant collectors and officers. I request the Honourable the Revenue Member to issue a confidential circular that this thing should not be repeated. It is in the interest of good administration; the reputation of the Britishers is at stake. Well, Sir, I do not think I should say anything more as time allowed to me is so short.

Rao Saheb P. D. KULKARNI (Poona District): Sir, the agriculturists in the Deccan are in their death bed. It is no use our wasting time in making a diagnosis; we are spending our time discussing whether the agriculturist is at fault or the Government is at fault. What we have to do is to give immediate relief to them. With one voice, from various centres, they are asking for remissions and suspensions. That is the remedy we have to apply. Otherwise, it will be like milching a cow without caring for the calf. We shall be deprived of the milk for ever. That will be the result of the policy that is being pursued by Government in our division.

I for one would venture to lay the fault at the door of Government, because I find from the figures given in the Budget, that this Government are spending much over the recovery of the revenue; they are maintaining a costly establishment out of the poor men's money. I find that

[Rao Saheb P. D. Kulkarni]

the expenditure over the establishment in Madras is Re. 0-0-5 per rupee; in the Central Provinces, Re. 0-1-2; in the Punjab, Re. 0-1-3; in the United Provinces, Re. 0-2-0; in Bombay, it is the highest, Re. 0-2-1. We have to pay these charges "giving the pinch to our own belly." The expenditure under this head is increasing every year. When we maintain such a costly establishment there is little hope of relief for the agriculturist. The expenditure in 1934-35 is Rs. 15,22,15,000 and in 1933-34 (budget) is Rs. 15,18,37,000. That is an increase of Rs. 3,78,000. There is another thing. Take the budget figure of 1933-34 at page 18 and compare it with the revised estimate. We see that they are always in the habit of under-estimating the expenditure. It is no fault to under-estimate the income, but when they go and under-estimate the expenditure it is not creditable to the Finance Department at least. The expenditure in 1933-34 (revised estimate) is Rs. 15,44,17,000, while the budget estimate for 1933-34 is Rs. 15,18,37,000. The difference between the budget estimate and the revised estimate is Rs. 3,78,000. Is this creditable? Let that go. Our taxable capacity has been exhausted already. Now, it is time to cry halt and redress the grievances of the people of the presidency. We are paying more than any other province. The incidence of taxation per head in different provinces is as follows:—United Provinces, Rs. 2-14-0; Madras, 3-1-1; Central Provinces, Rs. 3-4-6; the Punjab, Rs. 4-8-3; Bombay, Rs. 5-12-9. That means we have to pay double what they pay in United Provinces. We pay Rs. 2-14-9 more than a man who lives in United Provinces. This is the punishment for living in the Bombay Presidency. For paying double the revenue, what amenities do we get? Our agriculturists and our irrigators are dying. There is the Government sitting in Poona during the rainy season; there is the Commissioner of Central Division in Poona. Yet the Poona district is the most aggrieved district; it is overlooked and neglected. There is a proverb "Nearer the church is further from God." Although we live nearer the authorities than other parts of the presidency, our difficulties are not attended to. It is the duty of the Government to come with concrete proposals for a remedy. See page 2 of His Excellency's speech, extracts from which have already been read by previous speakers, and also the statement of the Honourable the Revenue Member when presenting the budget (page 3). It is clear that there is a heart-felt recognition of the agriculturists' grievances. We want now concrete proposals. Vague assurances will not satisfy our grievances. Throwing of two or three crumbs here and there, remissions in a taluka here and a taluka there, will not be sufficient. This is creating divisions. The policy is to pit one section of the public against the other. That is what is creating disbelief in the policy of the present Government. Please do not do this. The Commissioner of one division has allowed one or two lakhs of rupees to lapse by not giving recoveries in Madat Decrees. These are concrete examples of step-motherly treatments given to the districts. Landlords and tenants both are dissatisfied in their own way by the feats of policy shown here.

[Rao Saheb P. D. Kulkarni]

Now, I come particularly to the grievances of my own district, and I will deal with them in five minutes. Government make hard and fast rules for the recovery of revenue; they auction and sell our lands. But they do not give us any facilities to produce the revenue. I shall give one instance. We pay land revenue to the extent of 4¾ crores. But what do we get in return? It is necessary and essential that we must have bullocks for agricultural purposes. But no grazing grounds or *gayrans* have been provided by Government. According to the reply given to questions and answers here, there are 178 villages in Khed taluka of my District, in 36 out of which there are sufficient grazing grounds. The remaining 142 have very little or no grazing grounds at all. And out of the 36 villages, 21 are inam villages and 15 are Government villages. If this is the state of things, how are we to flourish in our profession, which is agriculture? Hundreds of acres are available in Revenue Forest, but they are given to policemen or police patils or some other Government servants, for services rendered probably, or for whatever other reason we do not know. Money is taken from us from various sources. I shall refer to one instance in the Central Division. How we are to satisfy all these demands on our poor resources! In order to build a chavdi in one village in the Satara district, every khatedar was compelled to pay 2 annas or 4 annas. I asked a question and the reply was that they paid willingly. They have no money to build their own houses, and they are willing to contribute money to build a chavdi! Can it be believed?

2 p.m.

Then there is this jugglery with regard to anewari. For the last 46 years I have not seen a single notice attached to the chavdi on the question of anewari. We are quite innocent of that. I asked so many questions and requested the Honourable the Revenue Member to place before the House the reports and panchnamas signed by the villagers of my taluka made in that connection. That request was turned down. And yet we are told that irresponsible allegations are made in the House. Therefore this is one of the irresponsible allegations. Do we deserve this treatment? We pay 4 crores of land revenue every year, and the recoveries are made on the basis of this kind of uncertain anewari and the poor agriculturists are quite ignorant of the procedure followed by the officers in fixing the assessment. The prant officer comes to the village, selects a piece of good land, takes one ear of corn and fixes the anewari of the whole village relying on that basis. If the Mamlatdar differs from him he shows him that ear of corn and everything is settled then to his heart's content. The assessment of the whole village is determined on such and other strange basis. Very surprising to the educated mind indeed!

It is said that though the prices have gone down, the income has not gone down. The honourable member the Finance Secretary may prove this mathematically. We are cultivating land without any profit. That is the case particularly in my district. I shall read from the Land

[Rao Saheb P. D. Kulkarni]

Revenue Administration Report for 1931–32, page 39. It is the admission coming from that side of the House:

"Jaggery is the most important article of trade in the irrigated tracts of the Ahmednagar and Poona districts, but owing to the low prices of the commodity prevailing throughout the year, cane growers were badly hit and in many cases could not operate at a profit."

That is what the Land Revenue Administration Report says. The agriculturists are showing their unwillingness to cultivate their lands unless some concessions are given in form of remission in these hard days. With these words, I support the cut which has been moved by my honourable friend Sardar Rao Bahadur Naik.

The Honourable the PRESIDENT: I know there are still a large number of honourable members anxious to speak on the subject before the House. I can manage to give at the most 10 minutes to each of the few honourable members who rise off and on, provided they do not repeat the arguments. Of course they realise that much of the ground has been already covered. If they try to exceed 10 minutes, I shall ring the bell and they will have to resume their seats. Otherwise it would be impossible to finish this debate.

SYED MIRAN MAHOMED SHAH (Hyderabad District): Sir, at the fag end of this debate, I cannot expect to get enough time to express the views of my constituents on the floor of this House. However, I wish to endorse what my honourable friends representing Sind and the Presidency proper have said with regard to the condition of the agriculturists. We have been able to show the calamities that have overtaken the agriculturists everywhere, and every honourable member who preceded me has conclusively proved by facts and figures that this Government has lagged very much behind the other provinces in ameliorating the condition of the agriculturists; because apparently, this Presidency being styled as an industrial province rather than as an agricultural one has always been clamouring for benefits to its industries. But the figures in the budget will show that the chief source of income of this Presidency is agriculture. The income from industries goes to the coffers of the Central Government. In spite of that, whatever Government has been able to do, it has been doing for the benefit of the industries and not for the amelioration of the condition of the agriculturists. I bear no grudge against the industries, but the Government's chief aim should be the amelioration of the condition of the agriculturist on whom depend the finances not only of this Presidency but of the whole of India. Sind, which I have the honour to represent in this honourable House, is purely an agricultural province, Therefore it requires greater consideration at the hands of Government than the other parts of the Presidency which can fall back on other industries for subsidiary sources of income.

In my speech during the general discussion of the budget, I was able to show by facts and figures that Government have been very unjust to Sind, in that they have imposed higher rates of assessment in the Barrage area irrespective of the provisions of law—the provisions of the

[Syed Miran Mahomed Shah]

Land Revenue Code and the rules thereunder. I conclusively showed that the provisions of law require that the revision of settlement should be introduced in the first year of the new settlement and not in the last year of the old settlement, which Government did in the case of the Barrage. Instead of introducing it in the first year, that is, in August 1932, they introduced it in July 1932. This deprived the zamindars of the benefit of the difference that they were entitled to under section 104 between the old and new rates. The old rate was Rs. 4 and the new rate is Rs. 6-4—a difference of Rs. 2-4 per acre. That is the loss which the zamindar suffers on account of the action—I should say illegal action—of Government. When the zamindars suggested to Government that the matter should be referred to the legal authorities, Government refused to listen to their request. Apart from this legal flaw, even the prices do not justify the rates which have been imposed now in the Barrage area. I was able to show that the price of cotton did not rise beyond Rs. 4-8 per maund up to this time and that the rate of cotton in the Karachi market did not go beyond Rs. 15 at any time, which also brings down the rate to Rs. 5 per maund. The Government share at the rate of 25 per cent. would be calculated only on Rs. 4-8 and not on Rs. 6-4. So that, on legal grounds as well as on the basis of facts and figures, the zamindars in the Barrage area are entitled to a greater rebate than in the case of others. It is not a mere question of concessions or doles to be given to the zamindars. On every ground, they are entitled to a very liberal rebate and remission—50 per cent. is the least. As the time at my disposal is very short, I have advocated the cause of my constituents only, therefore honourable members will excuse me if I do not go into details with regard to the general condition of the agriculturists in the Presidency. To our misfortune, we have not received any response from the Honourable the Revenue Member to this claim. I hope that at the conclusion of this debate he will announce some relief to my constituents who have been sending wires to me and to him also. I do not know why he should be so silent. He should expedite the authorities if he has not received the reports.

The condition of the agriculturists has been discussed threadbare in this House. The same remarks apply to the Sind agriculturists also. I think the Honourable the Revenue Member in his reply may suggest that the remissions which Government may give will not go to relieve the poor Haris, the cultivators, for whom so much sympathy is evinced on this side of the House. I anticipate what my honourable friend is going to say and tell him that the Haris are not in the least affected by the rates of assessment. I will give an example. Suppose there is cotton cultivation. Then the Hari will give one-half of the cotton crop to the zamindar and take one-half for himself. Suppose 10 maunds is the outturn of one acre. Suppose Government charge Rs. 4 per acre. He takes away 5 maunds out of those 10 maunds and leaves zamindar only 5 maunds. The price of 5 maunds at the rate of 4-8-0 per maund will be 22-8-0. Deduct working expenses 11-0-0 per acre. The net profit to zamindar is Rs. 11-8-0 per acre.

[Syed Miran Mahomed Shah]

Now, whether Government charges Rs. 4 or Rs. 6-4-0 per acre it does not matter to *hari*. But I as zamindar have to pay Government whatever Government imposes on me. So that if Government is going to give any rebate, it will surely relieve my pocket, but Government may urge "why should we relieve only the distress of the zamindars and not of the *haris*?" But, Sir, who pays to Government the land revenue? It is we, the zamindars, who collect the land revenue and it is we who bear the brunt, we do everything. It is not right to take only our income into consideration but the expenditure also ought to be taken into consideration. My honourable friends from Sind have very successfully proved the many burdens that weigh heavily on the shoulders of the zamindars of Sind. I have got a list of the different things for which the zamindars have to pay. They are land revenue, local fund cess, Government fines, tagavi instalments and interest on tagavi, tolls, dispensary fees, fees of schools, cost of cultivation, maintenance of boundary marks, cost of watercourses and rectangulation, rasai and lapo (which are illegal gratifications), contributions to public funds and so on. These items are all the burdens of the zamindar. He is the agent of Government, he pays directly to Government, Government has nothing to do with the *hari*, so that if the relief is afforded to the zamindar, it should in fairness go to relieve him who has to shoulder the burdens enumerated by me now. On all these grounds, I urge upon my honourable friend the Honourable the Revenue Member that he will take all these things into consideration and that he will presently announce a liberal rebate to be conveyed to his old constituents.

Mr. A. N. SURVE (Bombay City, North): Mr. President——

The Honourable the PRESIDENT: Not more than ten minutes.

Mr. A. N. SURVE: Very well, Sir. I find that Government have been pleased to announce certain remissions for which I thank them even if they be small mercies, but I have to point out that the intentions of Government are not likely to be carried out so far as the people of Kolaba and Ratnagiri districts are concerned. I wish to draw the attention of the Honourable the Leader of the House to the remissions granted in the Southern Division, especially in the Kolaba and Ratnagiri districts. The press-note No. 37 of 14th February 1934 states that "the special suspensions given during the last two years in the Rice Tracts are remitted." In this connection, I have to point out that especially in these two districts, there is a considerable portion of land which is held under the khoti tenure. All these khoti tenants have to pay their dues to the khots in fixed proportions, partly in money and partly in produce. If the khot and the tenant were to share the produce, then he would get the benefit of the remissions, but as the matter stands, the tenant is under a contractual obligation to pay a fixed portion of the produce and, in addition to that, some fixed amount of money. My submission is that the tenant has not received the benefit of the suspension which is now converted into remission, because during the past two years the matter was only of mere suspension and therefore the khot must

[Mr. A. N. Surve]

have already realised the dues during the past two years. That part, without giving the tenant any benefit of the suspensions, the khot has actually received, and the tenant has been left high and dry and he has got absolutely no benefit out of the concessions which have been given by the Government by way of suspensions which are now converted into remissions. I will tell you how very badly the tenant is hit. There are certain villages in the Ratnagiri District where the Government assessment is, say, one rupee. Then 20 times that assessment is the khot's *faida*. The tenant has to pay that one rupee of Government assessment and also 20 times that multiple to the khot as his *faida*. The khot receives his remission of 2 annas——

The Honourable Sir GHULAM HUSSAIN: Actually the khot gets that out of the tenant, twenty times the assessment?

Mr. A. N. SURVE: Exactly, that is what I am saying. The khot gets not only one rupee of Government assessment but he also gets in addition 20 rupees as the khot's *faida*. In this way the tenant gets absolutely no benefit. Even the remission which the landlord gets is shared only out of Government assessment, nothing out of the khot's *faida*. That is the point I am trying to bring to the notice of Government, that if it is the intention of Government to give concessions to those who are most hit by the present fall in prices, the persons most deserving of Government munificence are the tenants and, as the matter stands, they have been quite unprotected, they have been left out of consideration altogether, and for that reason I request the Honourable the Revenue Member to take measures to see that the tenants will get a share in the benefits because practically for the last two years they have been unprotected, therefore let Government take some steps this year at least because I see that Government, so far as this year's revenue is concerned, are only prepared to give three annas remissions in certain talukas only named in the Press Note and not throughout the entire district. Therefore the consequence will be this that the khot will have the right of assistance suit in those talukas to which remissions are not granted; he has pocketed the past two years' suspensions now converted into remissions and for the present year he will go to the mamlatdar and say "I want your assistance" and then the tenant will have to pay this year's assessment plus 25 per cent. penalty. So, this is a point which should be borne in mind, viz. that the benefit of the remission should be secured to the tenant notwithstanding the payment in full he may have made to the khot.

Then, Sir, the second point to which I wish to draw attention is that in the Ratnagiri District only three talukas, namely, Rajapur, Devgad and Khed and Mandangad Mahal have been given the concession of this remission. I say, Sir, that in the Ratnagiri District, in several other talukas than those I have just mentioned, revision settlements were introduced after the boom period, and in those talukas also the pitch of land assessment is very heavy. If there is any reason for giving concessions in the Rajapur, Devgad and other talukas named by me

[Mr. A. N. Surve]

merely because the revision settlements were introduced after 1925, then there is all the more reason to give similar concessions to these other talukas also where the revision settlements were introduced with a rate of assessment which was based on prices ruling during the boom period. That point also, I hope, Sir, the Honourable the Revenue Member will be pleased to take into his consideration.

Then, Sir, under the new revision settlements Government have hit upon a new source of income and to that also I wish to draw the attention of the Honourable the Revenue Member, I mean the non-agricultural assessment of which we have heard so much recently. It is a matter which is likely to prove an engine of oppression to the *dharekaris* as well as the tenants of the khots. In this connection you find that the British rule has been introduced in the Konkan, especially in the Ratnagiri District, from 1818 and from that time to this time there were houses but nobody ever cared to levy any assessment known as non-agricultural assessment on houses, but, Sir, I find now that reports have been coming which state that even homesteads are being assessed to land revenue simply because they happened to be built there on agricultural lands. At present our information on that point is rather scanty. In course of time we will get fuller information, and perhaps we shall be able to speak more definitely but even the rate that is charged is very heavy i.e., Rs. 25 per acre for *warkas* land. That is a very exorbitant rate.

There is another point, namely, that the tenant of a khot has generally to accommodate his family on the land of the khot. Then if Government introduce this new assessment, then it will be giving an additional means to the khot to oppress his tenant because he will then say "My land is now assessed, formerly it was not assessed and therefore I shall have so much more from you." At present the tenants of khots are practically free at least from this particular kind of oppression, but of course they are being heavily oppressed in other ways. You know, Sir, I have been tabling a resolution on this subject but I am sorry that for the past two or three years at any rate I have never had an opportunity of raising a full debate on that resolution. Therefore, the tenants ought to be the special care of Government and they must not be left to the khots to be exploited at their free will. The tenants have had enough, I think, of oppressive treatment at the hands of the khots so far. Therefore, Sir, on the general point you will see that there is a very good reason why Government should take special steps to protect the tenants.

Mr. B. S. KAMAT: Sir, I propose to take only two minutes and to surrender the rest of my time for the benefit of some other honourable member, especially because my honourable friend on my right (Mr. A. N. Surve) has already referred to the grievances from the Ratnagiri District to which I wanted to draw the attention of the Honourable the Revenue Member. My information is that the revenue officers of the Ratnagiri District propose to levy non-agricultural assessment on house-sites even within municipal areas and, furthermore, what my honourable

[Mr. B. S. Kamat]

friend failed to point out, they propose to levy this assessment on house-sites with retrospective effect for about 30 years, so that the enhanced assessment at the rate of Rs. 25 to Rs. 50 for house-sites would be recovered from the son because his father or grandfather built the house there some years ago. I should like information on this point.

I am also told that it is the belief of the people in the district that even the father or grandfather had committed no sin because these houses were built under the belief that under the rules of Government and Government Resolutions issued in the Revenue Department in the early 'sixties such house-sites were declared to be exempt from the non-agricultural assessment. I should like therefore to know whether there is any foundation for the belief that Government had given exemptions to those people who built the houses 50 or 60 years ago from non-agricultural assessment and whether it is now proposed to recover all this with retrospective effect for 30 to 40 years even at a time when the clamour is for remissions on every side.

Rao Bahadur S. N. ANGADI (Belgaum District): Sir, I am very glad that after all you have given me an opportunity of speaking on the floor of this House on this subject. The condition of the agriculturist has been very fully described by several honourable members. The poor fellow is pounced upon by Government, by landlords, by traders, by shopkeepers, by pleaders, by middlemen and several other classes of people. He is a person who is suffering most and who has not been able to enlist the sympathy of Government. It must be said that the land revenue system is a wrong system. I entirely agree with that view. The land revenue system has not made any distinction between the bare subsistence incomes and the large incomes, has not drawn any distinction between the real cultivator and the absentee landlord. I think, Sir, when the land revenue system is going to be revised—and it should be revised as immediately as possible—it must be revised on the basis I have suggested, namely, that there must be a distinction between the real cultivators and the absentee landlords, and there must be some distinction between the mere subsistence income and the large incomes. Unless these bases are accepted, I do not think the Government will ever be able to keep the peasantry contented and happy. After all, Sir, the basis of the assessment ought to be the contentment and happiness of the peasant. We know, Sir, that this presidency is a presidency of villages; India is a country of villages, and it is our duty to do as much as is possible to contribute towards their happiness and contentment.

2-30 p.m.

As a matter of fact, it is known that the condition of the agriculturist is going from bad to worse. He is sinking deeper and deeper into poverty. He is going more and more into the clutches of the *sowcar*, and finds himself in an absolutely helpless position, without anybody to care for his wants.

Now, when I say that the land revenue system requires to be revised on these lines, I must make it clear as to how it is going to affect us, because I am sure that a hue and cry will be raised by several landlords

[Rao Bahadur S. N. Angadi]

about the revision of the land revenue system on the basis I have suggested. I know that most of us have tabled resolutions asking for remissions, but I am extremely doubtful whether much benefit will really reach the real cultivators. After all, we are all led away by the hue and cry of big landlords. If I am paying Rs. 500 assessment to Government and if I get 50 per cent. remission, it means a gain of Rs. 250 to me. Therefore it is necessary to see how many absentee landlords there are, and what is the number of the cultivating class. Unless this is known, I think the whole discussion is absolutely useless. I am not in a position to give figures about the entire presidency, but I have tried to find out the figures for my own district, and they are very illustrative and very eloquent. I find that the total number of holders is about 1,30,000; the number of persons who hold land up to 5 acres is only 59,663; the number of holders who hold land from 5 acres to 15 acres is 35,393; and the number of holders from 15 to 25 acres is 9,750. These will make about 95,000 in all out of a total number of 1,30,000. The total area under cultivation in that district is 16,29,060 acres. These small holders, who form a little over two-thirds of the number, hold between themselves only 5,67,000 acres, and out of these 16,29,060 acres, roughly 7,00,000 acres, are held by absentee landlords. And now, what is an absentee landlord? He is either a person who is getting tremendous rents and is staying in a city like Bombay or Poona or Belgaum or somewhere else, a person who has never gone to his fields, never seen them, and has never cared to work them, or he must be a person who has got some job under Government and therefore he does not care for the income he is going to get from his land. Under these circumstances, the question will be whether it is really desirable to show that amount of sympathy which Government ought to show to the real cultivators, the cultivators who are really hit very hard and who possess a very small amount of land between themselves. The figures which I have given speak so eloquently that I do not know whether the remissions which are announced and which we have read about are really going to help the poor cultivators. Sir, the holder of 5 acres at the most might be required to pay to Government in my district on the average, say, from Rs. 7 to Rs. 8. Now, supposing Government are prepared to grant him 50 per cent. remission, will it solve his problem? It will not. Therefore, the question is whether such a man must not be completely exempted from any payment whatsoever to Government, and unless this cultivating class, which is the real peasantry, is protected, I do not think you will ever be able to remove the discontent. It is impossible. Therefore, when you are going to revise the land revenue system, you must see that you fix a certain minimum as in the case of income tax. A shopkeeper getting Rs. 999-15-11 will escape income tax, while here is a man who owns only 5 acres and yet has got to pay regularly to Government, and there is none who is really caring for him. We are all very enthusiastic about asking for remissions, but it must be seen in whose name we are asking for them, because if remissions are granted, I think it would mean a very big slice to the big landlords. I doubt whether the benefits which reach the pockets of these

[Rao Bahadur S. N. Angadi]

big landlords will ever reach the tenants. I was told by my honourable friend Mr. Jog that he was actually put out of pocket so far as he himself was concerned. I do not know whether he has leased his lands to his brother-in-law. I do not want to say anything against him personally, but the point is that even assuming his example to be absolutely correct, I take it that it must be an exception. Otherwise, I do not understand how these landlords would keep the lands to themselves, if they were really out of pocket year after year. They ought to relinquish their lands if they have been suffering a loss year after year. That is the only logical conclusion which one comes to; and they have not been doing it. If they did it, it would be a great boon to the real cultivating classes. Therefore I say it is absolutely necessary to see that the real cultivating class is protected.

As I have shown, Sir, very clearly, it is absolutely necessary that the system must be changed and changed very radically, and when it is going to be changed, these points have got to be borne in mind. If you take a leap in the dark, it might not be of any real benefit to the class of people who ought to get relief. With these words, I support the cut.

Mr. M. M. KARBHARI (Thana and Bombay Suburban Districts): Sir, with your permission, in supporting this cut, I shall request you to allow me to identify myself with the villages and the conditions of the agricultural population existing in the villages. It was very gratifying to me to listen to this debate in this House with great interest and great gratification. I am glad to learn that the various members of the House, though belonging to different professions, having realised that the material prosperity of the country depends upon the agricultural labour of the country, have come forward to ask for relief and voiced my grievances and shown effectively to this honourable House to what a miserable plight the agricultural population of the villages has been reduced.

Sir, if anything has been brought more effectively to my mind, and if anything, after these discussions, has been proved very effectively, it is this, that the remissions and suspensions, or the reduction of the land revenue or the protection of the landholder are not the only remedies that are needed for the virtual prosperity of this presidency. But it has disclosed to my mind the fabric—the most uneconomic and unsound fabric,—on which this provincial Government is based. What I mean is that though Government want to take measures to give relief to the taxpayers, in this case the taxpayers being agriculturists, this Government which cannot control the fiscal policy, which cannot control the monetary value of goods, which cannot control exports and imports, to my mind, is practically ineffective and unable to give any relief to the agricultural class. I therefore say that if anything has been proved by this discussion in this House, it is this, that if Government want at all to benefit this province, it can only do so by securing the full fiscal provincial autonomy to this presidency.

[Mr. M. M. Karbhari]

Sir, let me say one thing. It has been suggested by various members and by Government also that the agricultural revenue of this presidency has remained very steady. But, Sir, under the Reforms we have really suffered from some handicaps, and the burden of the agriculturist has been more than doubled. The indirect taxation levied by the village panchayats, the indirect taxation recovered from us by the tolls, the indirect taxation that we have to bear on account of the forest and on account of the excise policy of the Government has virtually exploited the agricultural population of the villages. Therefore, Sir, to say that the agricultural population are paying the same land revenue is a fallacy, which can be disputed at any moment. Sir, without saying anything more on this point, I would support the cut and end.

Rao Bahadur S. K. BOLE: Sir, the agriculturists of the Ratnagiri district will be very hard hit if Government will levy assessments on the land on which the people have built their houses. Sir, it is proposed by Government to levy an assessment at the rate of 5 annas per guntha in villages and at the rate of Re. 1-4-0 in towns. If they do that, I think the agriculturists of that district will be hard hit. Sir, as it is the Ratnagiri district is very poor and the district is not in a position to raise crops sufficient to maintain the people even for four months in a year. They have to import grain for their maintenance from outside. So the condition of the cultivators there is very bad.

Under these circumstances, I would request Government to reconsider the matter. The survey of 1867–68 was made in pursuance of an Act of 1865. It was not the intention of the framers of Act V of 1865 that section 48 should apply to *kharabi* lands on which houses are built. The Revenue Department Resolution No. 6758 dated the 3rd July 1886 and the Resolution No. 6308 dated 19th September 1887 also confirm this view. Besides this, if you take Resolution No. 5344 dated the 25th July 1893 into consideration Government cannot levy any assessment on the land as they had guaranteed in 1916 that there would be no survey for 30 years. So, I submit that the proposal is not justified. Government should not go behind their pledge.

Now, I would emphasise the point made by my honourable friend Rao Bahadur Angadi, who requested Government to revise the land assessment and levy the assessment on a graded scale on the basis of income tax—the higher the income the higher the rate of assessment. If Government will do that, the petty landlords will get relief. Then, Sir, there are absentee landlords and in their case, I would request Government to acquire their lands and distribute them among the peasants and establish peasant proprietorship. If they do that, the peasants will be pleased and there will be contentment and prosperity in the country.

As to the khoti system the less said the letter. That system in the Ratnagiri district is a great blot on the British Administration. The condition of the tenants there is very miserable. They have not only to pay high rents but to submit to the sweet will of the khot. They

[Rao Bahadur S. K. Bole]

are subjected to great hardship. If they do not abide by the orders of the khot, their houses are demolished, they are not allowed to draw water from the village well and they are not allowed to graze their cattle in the village. So, there is no go but to submit to the wishes of the khot. Therefore, I would request Government to repeal the Khoti Act. This proposal was made by Captain Wingate so early as 1865. He asked Government to abolish khoti rights by giving them compensation and hand over the lands to the tenants but Government have not moved in the matter. Then, again when I moved a resolution recommending to Government to enact a tenancy legislation, Sir Frank Hudson was in charge of the portfolio. When the resolution was discussed, he gave the assurance that he would take up the work early the next morning before I was out of my bed. But mornings after mornings have gone and even Sir Frank Hudson has gone. But the legislation has not seen the light of the day. He has given us word and it is for his successor to see that his word is kept. Unless Government repeals the Khoti Act and introduces tenancy legislation the condition of the tenants will not be improved. With these words I resume my seat.

Mr. BHAILAL SARABHAI PATEL (Ahmedabad District): Sir, I will just draw the attention of Government to the last but one paragraph of the portion affecting Gujarat of the press note about Frost which reads like this:

"In cases in which the annewari of the whole village or individual *katha* works out at 2 annas or less total remission of the current year's revenue should be granted instead of the usual suspension."

That to my mind is an inadequate recognition of the admitted fact of the damage done by frost, because the Honourable the Leader of the House has told us that Government are the owners of the land. On his own theory, if the Government are the owners, they should expect the tenants to take a certain share of the produce or at least the cost of cultivation which the tenant has incurred out of his pocket. Does the Honourable the Leader of the House expect that the tenant would have expended only 2 annas on the cultivation? On any calculation you will find that the cost of cultivation cannot be so low as 2 annas. Under this scheme the so-called final relief of remission is limited to those unfortunate cases only where even the cost of cultivation is not covered. My submission therefore is that this remission would be real if it had been proposed to be given to all those cases where the annewari works out at atleast 4 annas. As a test for it, this is the 44th day after the last recurrence of frost, would Government be pleased to give the names of villages which stand to get this benefit? In fact north Gujarat is admitted to be worst affected and there are hundreds of complaints daily coming to me. But I have no information of a single village where total remission has been granted. I know enquiries are being made. But this shows the inadequacy of the press note. Of course I am collecting the figures and handing them over to the Commissioner. So, I do not propose to go into details.

[Mr. Bhailal Sarabhai Patel]

But there is one thing which has to be remembered. There is a large part of talukdari area where there are tillers of the soil. In this respect what matters to me is not what Government would ultimately get out of them but what they have to pay. Government would be entitled to get from the talukdari estates 60 per cent. of the assessed revenue in the shape of Jama. Vighoti is five times the assessment. That would show to the House as to what particular care should be taken in the framing of this annewari. Dholka is one of those talukas with 140 villages. The provisional annewari of this taluka was published by the mamlatdar on the 10th February 1934. The last frost recurrence was on the night of 30th January. Therefore, if you expect your mamlatdar to make a reliable annewari, the annewari for all the 140 villages must be made between the 31st of January and 10th of February; otherwise when the mamlatdar is in another village the frost must have occurred in the village where he has already made the annewari. This will mean that the whole annewari will have to be revised. I put it to you whether it will be humanly possible for a single officer to make the annewari of the whole taluka within 10 days. This comes to on an average 14 villages per day. I do not dispute the statement of the honourable member the Commissioner that these officers are very experienced officers. Out of the two officers, the mamlatdar and the assistant collector, the mamlatdar, in point of fact, is more experienced. But I have got 10 cases reported to me where provisional annewari of the mamlatdar has been raised by the assistant collector. Without meaning anything to the individual assistant collectors concerned, I submit that if it is a question of experience it is the mamlatdar who has that experience to give reliable information as he is in close touch with the people. The mamlatdar published a certain figure and the assistant collector, a gentleman who very recently finished his probation, a young man of 25 or 27, has revised it and that is his experience. In all these cases where according to the mamlatdar it should have been half suspension it has been raised to the category of full payment. These are aspects which I want the higher officers to look into and correct without loss of time.

I felt almost I was in despair when I heard the Commissioner describing the Gujarat cultivators, their bullocks and so on. I grant that the Gujarat cultivator knows something of the business side of the matter. As a matter of principle he keeps better bullocks. Take the talukdari areas where a plough tax is levied at Rs. 10 per plough. Why should a tenant of a talukdari village keep 2 pairs of inefficient bullocks when he has to pay the tax per plough? Why should a man pay Rs. 20 when he can have the same work done by one good pair? I simply want to correct the impression of the honourable member the Commissioner. It is a mere matter of business. To judge a man's capacity from his bullocks is really foreign to the question under consideration. We are not judging the position of a man from the horse or carriage he maintains. When you talk of bullocks and carts or things of that sort they are instruments necessary in the trade.

[Mr. Bhailal Sarabhai Patel]

The honourable member the Commissioner then said that there was no case for reduction of revenue. That is exactly the point. This honourable House has been informed that out of all the divisions in this presidency, it is only in Gujarat that 20 per cent. of the gross produce is levied as assessment while the other provinces only pay 7 per cent. It grieved me very much to hear the head of the division say that there is no case for reduction. The honourable member the Commissioner said that the Gujarat agriculturist is not down-hearted; I say he is somewhat spirited but that is because he has been driven to desperation. Therefore, I submit that the honourable member the Commissioner should not misjudge the Gujarat agriculturists but set these things right without loss of time.

Dr. M. K. DIXIT (Surat District): (*rose.*)

The Honourable the PRESIDENT: The honourable member can only have five minutes.

3 p.m.

Dr. M. K. DIXIT: Sir, I will even surrender three minutes of my share.

There has been a sort of universal condemnation of the present land revenue system followed by Government from this side of the House, and it is time that Government changed their policy and adopted some better system of land revenue collections. Sir, this is the head which yields us the largest revenue. We are deriving a revenue of nearly 5 crores under this head, and that is why I say that this is the head which yields us the largest revenue. But we find that the system under which that is collected is universally condemned by people who represent the agricultural interests of this presidency. It is no good carrying on the routine business and simply offering remissions and suspensions when it becomes necessary. The very fact that remissions and suspensions have to be given shows that the agriculturist has reached a level beyond which if he goes he will be drowned. If one season goes wrong, if there is a frost or failure of rains, he asks for remissions and suspensions. What does it mean? It means that the fellow is on the verge of bankruptcy, and if he does not receive any help from Government, he is doomed and is absolutely ruined. It is not enough assistance to lighten his burden for one year. It is no use postponing the evil day. The burden of taxation from this head of revenue must somehow or other be reduced and relief given to the agriculturists, and the deficit made up from some other source. This is all I wanted to say about the revenue policy of Government.

There is just one other point which I wish to place before this House, and particularly before the honourable member the Commissioner for the Northern Division. In these days when the agriculturists are unable to pay the ordinary Government assessment, the subordinate revenue officers are very active fining people for encroachments, which, I am told, are really not encroachments. I will just mention two villages which have been reported to me. They are in Bulsar taluka: the villages of Charvada and Lilapur, where people have been fined to the

[Dr. M. K. Dixit]

extent of Rs. 96 for encroachments. Now, Sir, I am told they are not real encroachments. They are only hedges planted several years ago—*thuriah* plants the ordinary form of hedges which are to be found in Gujarat—and the plants planted several years ago have grown and extended as they are bound to extend, by throwing out branches, though the main stems may be on the line of demarcation between Government and private lands. Instead of asking the farmers to shear the branches which look like encroachments, the revenue officers are fining them for encroachments. That is exactly what I have been told. I bring it to the notice of the honourable member the Commissioner, and I hope he will enquire into the matter. With these words, I support the cut, and leave the rest of the figures to my honourable friend Sardar Bhimbhai Naik.

The Honourable the PRESIDENT: Now, I will close the debate on this cut here. I should like to point out to honourable members that I arranged the debate on this cut in such a way as to give an opportunity first to all those honourable members who had tabled cuts under this head but had given up those cuts to raise only a general debate and save time. The honourable member Mr. Surve was the last of such members and after that I gave an opportunity to those honourable members who had not tabled any cut. Now, there are 25 minutes before the time when the House should rise for tea, and I wish that the honourable mover of the cut should finish his remarks within those 25 minutes. I would ask him to meet the points which have been raised on his speech and not produce any new points at all. If he confines himself to that, I am sure 25 minutes will be enough. After that, I would give an opportunity to the Honourable the Revenue Member.

Sardar Rao Bahadur B. R. NAIK (Surat District): Sir, I thank you very much for coming to my rescue by giving me a limited time, because my honourable friend sitting to my left (Dr. M. K. Dixit) has advised me to-day that I should not speak at all on the ground of my health. But the subject is so important to my mind that even at some risk I wish to reply to the debate which finished just now.

In my opening speech, Sir, I made out a case that between the years 1902 and 1932 there was an increase in land revenue of 63 lakhs for Presidency proper. The honourable member Mr. Freke has stated that the increase was only 34 lakhs. In order to prove his figure he took into account the remissions of the last three years and took the average realised revenue of the last three years. I did not take the remissions into consideration: I took the demands under the head of land revenue as remissions are given on specific grounds, namely for the failure of crops and all the cultivators do not get the advantage of remissions. I wonder why he took the average for the last three years only and tried to give this House to understand that the collection was only 4,72 lakhs. If at all he wanted to take averages, after deducting the remissions, he ought to have taken a longer period than the past three years. We all know that during the last three years, Government had to give large remissions. How those remissions were made is another

[Sardar Rao Bahadur B. R. Naik]

point, to which I will come later on. If you take the last 14 years, the years under the reforms, the average of the total collections comes to 4,92 lakhs. So, as a matter of fact, I have made some mistake somewhere. The increase, therefore, is not 63 lakhs but 70 lakhs. Will my honourable friend give a reply to this point? Why should he take the average of the last three years only?

The Honourable Sir GHULAM HUSSAIN: What are we discussing, Sir? Are we discussing the remissions for the next year, or the remissions of past years?

Dr. M. K. DIXIT: He is discussing the policy.

Sardar Rao Bahadur B. R. NAIK: Sir, I am answering the point made that the land revenue has increased only by 34 lakhs, and not 63 lakhs, as I made out. The honourable member the Finance Secretary says "Take the average of the last three years".

The Honourable Sir GHULAM HUSSAIN: You are discussing the case for a remission of this year's assessment. What is the assessment this year?

Sardar Rao Bahadur B. R. NAIK: That is a great misapprehension, Sir. I never asked for a remission only for this year.

The Honourable Sir GHULAM HUSSAIN: (*Made an observation which was inaudible.*)

Sardar Rao Bahadur B. R. NAIK: I am asking for a remission not only for this year. I said and I say it again that in view of the fall in commodity prices, the land revenue must be reduced by a certain percentage at a flat rate not only for this year but for future years also, till the prices recover. I never asked remissions only for damages caused due to frost or other calamities this year. Apart from the damages caused by frost and other natural calamities, I asked that the pitch of the assessment fixed in the revision settlement should be lowered.

The Honourable Sir GHULAM HUSSAIN: When was the last settlement? For some parts it was 1903.

Sardar Rao Bahadur B. R. NAIK: Several settlements took place between 1916 and 1926. The second revision settlement in the presidency took place between the years 1916 and 1926, when the index price was very high.

The Honourable Sir GHULAM HUSSAIN: Which talukas? It cannot be for the whole presidency.

Sardar Rao Bahadur B. R. NAIK: Chorasi, Bardoli, Ratnagiri, Bassein—and there are so many other talukas, and I have no time to detail them now.

The Honourable the PRESIDENT: Within those ten years, the whole presidency?

Sardar Rao Bahadur B. R. NAIK: Not the whole presidency.

The Honourable Sir GHULAM HUSSAIN: Settlements have not been revised in the whole Presidency.

Sardar Rao Bahadur B. R. NAIK: I did not say the whole presidency was revised. I said that in several talukas in the presidency second revision settlements took place. It was after the Broomfield report that Government stopped revision settlements in places where they fell due. If you do not deduct the remissions, my figure of 63 lakhs is quite correct. The increase in revenue is 63 lakhs as compared with 1902. This was the point I wanted to make. Now, what was the remission made in the last three years? I admit a large amount of remissions was made during the last three years. But how were the remissions made? I will give the figures from 1929-30. In 1929-30 a remission of Rs. 25,72,000 was made in Sind; in the presidency proper, the remission was Rs. 10,94,633—in all the districts of the presidency proper. In 1930-31, Rs. 38,73,000 in Sind and Rs. 10,94,633 in the presidency proper. In 1931-32, Rs. 19,60,631 in Sind and Rs. 8,04,172 in the presidency proper. The total during the last three years has been 1,14 lakhs. I admit that. By taking this out from the actual demand, my honourable friend the Finance Secretary has been able to show that the average for three years is 4,72 lakhs, and therefore the increase is only 34 lakhs and not 63 lakhs as pointed out by me.

As regards prices, with due respect to the honourable member the Finance Secretary, I am not going to accept. He must either say that the publication prepared under the authority of the Secretary of State for India is incorrect or that the authority quoted by him is incorrect. I have given the prices of rice, bajri, jowari and cotton. I will now give the names of the places where these prices ruled. I did not give them the other day, in order to save time. I compared the figures for 1902-03 with the figures for 1931-32. Jowari, bajri, rice and cotton, these are the four commodities which I took for comparison. I have also got the figures between 1914 and 1933. The index number in 1914 was 100; it was 58 for rice in December last. Does the honourable member the Finance Secretary mean to say that the prices in 1914 were double the prices of 1902-03?

Mr. C. G. FREKE: Forty-eight per cent. was the average increase in 1914 over the period of 1902-03.

Sardar Rao Bahadur B. R. NAIK: I am told by the honourable member sitting behind that the honourable member Mr. Freke is taking the average of 40 commodities and that too for all India. Then of course it is quite obvious that my figures cannot tally with his. I have said plainly that I have given my figures for four commodities, four principal money crops and for the Bombay Presidency only. Cotton is the principal money crop. Next comes jowari. As my honourable friend behind me Mr. Kamat will bear me out, the provincial Banking Enquiry Committee took these four staple and principal commodities in the Presidency. The other seed crops are minor crops. I have therefore worked out my figures for these four commodities. I will not waste the time of the House, but I will just give the places where

[Sardar Rao Bahadur B. R. Naik]

the prices which I have quoted ruled. In the year 1902-03 in Ahmedabad the price of bajri was 16 seers per rupee; Bombay City 13; Poona 14; Dharwar 19 and Karwar 13. Jowari—Ahmedabad 17; Bombay 14; Poona 17; Dharwar 20 and Karwar 14. Rice—Hyderabad (Sind) 9 seers; Ahmedabad 10; Bombay City 10; Poona 10; Dharwar 11 and Karwar 10. These were the prices which were ruling in 1902-03 and which I quoted the other day. I will also give the wholesale prices. Bajri was Rs. 2-13-6—I have no time to calculate it in seers now—and to-day it is Rs. 2-10-0. Jowari was Rs. 2-10 and to-day it is Rs. 2-2—a difference of 8 annas. Then rice was Rs. 4 and now it is Rs. 2-6. If the honourable member the Finance Secretary wants to verify these prices he may send his men to the bazaar for that purpose. I therefore contend that the figures which I quoted are correct.

Then, Sir, much has been made of suspensions and remissions. I ask the Honourable the Leader of the House whether every cultivator in the Presidency does get remission. Those who are affected by calamities do get remissions. My question was quite different. My point is about the basic principle of assessment. Section 107 of the Land Revenue Code says "In revising assessment of land revenue regard shall be had to the value of land and in the case of land used for the purposes of agriculture to the profit of agriculture, provided that improvement made by the agriculturist at his cost shall not be taken into consideration". The honourable member Mr. Smart the other day said that we take about 33 per cent. of the rentals. I do not want to enter into an argument whether you take 33 per cent. or more. But I have got your own books to show that you are taking up to 45 per cent. But my point is that rentals are governed by the prices of commodities.

The Honourable Sir GHULAM HUSSAIN: May I ask him what he is charging his tenants?

Sardar Rao Bahadur B. R. NAIK: I am coming to that. I shall give over my rights of collection to you as a contractor, if you want it.

The Honourable Sir GHULAM HUSSAIN: Has he given any remissions?

Sardar Rao Bahadur B. R. NAIK: I have said that yesterday. I say that the rentals are also governed by the commodity prices. If commodity prices are low, then the rents must be automatically low and the pitch of assessment should therefore be proportionately lower. The question of remissions and suspensions is quite different. Government take 10 years' average—good years as well as bad years—and fix the assessment at, say, 33 per cent. or 45 per cent. of the rentals. My contention is that when prices fall, the rentals also fall automatically. Therefore there is a clear case for reducing the pitch of assessment. The Taxation Enquiry Committee recommended that the assessment should be 25 per cent. of the rentals, after deducting the cost of production. Section 107 also says the same thing. Now, I do not want to indulge in theories and talk about economics. I have got a revision settlement report in which your officer says that the rise in prices when

[Sardar Rao Bahadur B. R. Naik]

he was fixing the settlement was 93 per cent. above that of one prevailing during the previous settlement period and on that basis he raised the assessment of that taluka. I ask Government to send the same officer to the same taluka now and ask him to make a revision settlement. Taking Mr. Freke's basis, namely, that the prices are on a level with those prevailing in 1902 when the first revision settlement was made, let us see whether he proposes an increase or a decrease in the assessment. (*Interruption.*) I know there is a clear case for reduction. Of course on account of the financial position you may say: "Yes, we do appreciate the difficulties of the agriculturists. We understand that there is a case, but we have no means of giving relief." But when your officers come forward and say that the agriculturists are not badly off, I feel that I should stress my case. My honourable friend Mr. Garrett is very well acquainted with the whole of the Northern Division. He has been there for several years. He says that the agriculturists of Gujarat are not hard hit or are not in bad plight. I ask in all seriousness and in humility, what is the increase in the total indebtedness of the agriculturists of Gujarat? Let him find out from his own records how much land in Gujarat has passed into the hands of sowcars since the year 1901. If he cannot get the figures, I will tell him that there is a steady increase of land passing into the hands of sowcars in Gujarat, in spite of the so-called prosperity, as the honourable member Mr. Garrett says. If the agriculturist was not badly off, he would never have sold the land——

The Honourable Sir GHULAM HUSSAIN: May I know how it passes into the hands of sowcars?

Sardar Rao Bahadur B. R. NAIK: On account of indebtedness. The agriculturists are incurring debts and therefore they are compelled to sell their lands. In the first instance they mortgage their lands by giving nominal sale deeds. If they are able to pay the debts early, they can redeem the lands, but the lands can never be redeemed and have thus passed into the hands of sowcars.

The Honourable the PRESIDENT: I presume due to the land revenue policy?

Sardar Rao Bahadur B. R. NAIK: Yes, combined with other factors.

The Honourable Sir GHULAM HUSSAIN: May I ask whether the honourable member has purchased any lands? That information may be very useful to me.

Sardar Rao Bahadur B. R. NAIK: Who says that I have not purchased? I do not deny that I have purchased land.

The Honourable Sir GHULAM HUSSAIN: You say the agriculturists are not able to pay land revenue. You are an agriculturist. How could you afford to purchase land if you could not afford to pay land revenue?

Sardar Rao Bahadur B. R. NAIK: The Honourable Member ought not to have asked that question. He ought to know better. I have purchased Inam villages in which case I have not to pay land revenue

[Sardar Rao Bahadur B. R.Naik]

but to recover land revenue. As I said, I will give the Honourable Member the contract of recovering the land revenue and the lands also——

The Honourable the PRESIDENT: Two minutes more.

Sardar Rao Bahadur B. R. NAIK: My honourable friend the Leader of the House is frequently interrupting me.

The Honourable the PRESIDENT: Why does the honourable member yield to him?

Sardar Rao Bahadur B. R. NAIK: I therefore say that there is no prosperity. It is no use arguing in that strain. You cannot deny the fact. This is a subject which requires hours and hours of discussion. I can cite 20 authorities—both English and Indian—but the Honourable the President will not allow me time. One European officer occupying a very high position says that the land revenue policy of Government has retarded the progress of agriculture.

The Honourable Sir GHULAM HUSSAIN: May I inform the honourable member that Europeans have taken up thousands of acres on the Barrage?

Sardar Rao Bahadur B. R. NAIK: Now, let us see about this anewari. Let us see what the greatest protagonist of the land revenue policy of Government, one who has left India, Mr. Anderson, the late Settlement Commissioner, has to say. He says:

"We then come to the first difficulty. What is a 16 anna crop? My answer is 'I do not know'. It is very sad that a Settlement Officer of many years' experience should not know. But it is a fact. Moreover if my readers say that they know, I will contradict them and say that they do not. And I know also that the last three Directors of Agriculture have assured me that they did not know. At the best we can only make a guess. Obviously if the whole rupee, that is the conception of a 16 anna crop, is wrong, all valuation based on it is wrong; and that is what we usually find. A class of Assistant and Deputy Collectors called for training in anna valuation and shown the same field of corn on the same day all valued it according to their own ideas and what they had been given to understand in the districts they came from, and they all valued it differently; and the Director of Agriculture said he could not say which of them was right and which wrong, because he did not know what the value was himself."

So, the highest authority on land revenue, so far as this Presidency is concerned, admits that it is very difficult to make any accurate valuation even by big officers. Now, anewaris are being made by patils, talatis, mukhtiarkars, mamlatdars, and so on.

I say the whole system is wrong. My object in moving this cut is not that remission or suspension should be given this year or next year. My object is this: since the last 5 years there has been a steady decline in commodity prices and the rentals on which you base your assessment have also steadily gone down. Therefore the time has come to give some relief to the agriculturists. There should therefore be a flat remission, or what you call the reduction in the rate of assessment. I am not at all concerned with these remissions and suspensions rules. Perhaps there may be very good reasons for you to give remissions and suspensions to the extent of Rs. 85 lakhs in Sind during the last three years and only about 29 lakhs during the same period in the Presidency

[Sardar Rao Bahadur B. R. Naik]

proper. I do not grudge my Sind friends this relief. There must be strong reasons for this action. But we want that some sort of permanent concession should be given till such time as prices remain at the present low level. If prices improve, you can easily approach this honourable House, or you have got the power to revise the assessment by an executive order. Look at what Mr. Anderson did. He said: raise this assessment to so much, and it was raised. The figures were ready there.

I got the copy of the Bill to-day which was placed in my pigeon-hole, and I congratulate the Honourable the Revenue Member on his having taken this step to remove the cotton duty. Of course the railways are also doing something. I anticipate that in your reply you will say that Government will lose so much by the abolition of town duty. But do not mix up that Bill with land revenue. Keep these two things separate. I appeal to the Honourable the Revenue Member and to the whole House that they will be pleased to take into consideration the condition of the agriculturist and take some concerted action in the matter to give relief to him.

3-30 p.m.

(*The House adjourned for tea till 4 p.m.*)

(*The House re-assembled after tea at 4 p.m.*)

The Honourable Sir GHULAM HUSSAIN: Mr. President, I have heard various honourable members of this House, and I am afraid that in the short time at my disposal, I will not be able to reply to the criticism of all of them except on general principles only. My honourable friend Mr. Kamat asked me about non-agricultural assessment in the Ratnagiri district, and said that our officers were giving retrospective effect to it. As far as my information goes, that is not correct. About Lapo and Rasai, I might tell my Sind friends that Government have been issuing orders from time to time to put a stop to these practices, but the honourable members should realise that without their co-operation and assistance, it is not possible for any Government to put a stop to these evils. As the proverb in Sind goes, "When there are those who give, there are those who take." It is for the honourable members to organise public opinion, it is for them to report any officer who makes these unlawful exactions from the people.

Now, Sir, I return to the main attack, which I divide into three parts, first, amendment of the Land Revenue Code; second, reduction of assessment—only to-day I heard my honourable friend the mover of the cut shifting his ground and asking for a reduction of assessment.

Sardar Rao Bahadur B. R. NAIK: I have not shifted my ground.

The Honourable Sir GHULAM HUSSAIN: The third is, remissions. As regards the amendment of the Land Revenue Code, Government were in right earnest about it. They appointed a Committee, but there was a difference of opinion between the members of that Committee. Had we pressed that legislation and carried it in this House, the very

[Sir Ghulam Hussain]

honourable members of this House would have told us that we had carried that legislation in the teeth of non-official opposition, with our nominated bloc. Therefore, we thought it better to leave it to a completely representative House, which would be fully elected after a year or so, and which would have Ministers with full responsibility. Now, Sir, when the Honourable Minister, my late colleague Sir Rustom Vakil, introduced the Village Panchayats Bill, one of the honourable members made certain observations which were very significant. He said that the Government was not fully responsible to the House. He said "Your Government is at present not fully responsible to the House. Yours is a discredited system. You are caretakers only. You should repair but should not add anything to the building." I will read some portion of his speech :—

"Sir, I would like to say that in my opinion the present Government is not competent to undertake this piece of legislation. The Government is aware that the present system of administration is a discredited system. I am not using that in any carping sense. I am only trying to depict the facts as we all know them. Sir, no section of the population of this country is satisfied with the administration and the working of this Government. Indeed, if one wants to state facts as they are, there is a powerful section in this country which is not prepared to admit and to acknowledge the moral authority of this Government to rule. Sir, we also know that we are on the threshold of a new constitution. We know that the constitution of India for a government of the people, by the people and for the people is on the anvil. We all know and I think we are justified in hoping that this new constitution will be forged within the short period of a year or two, and that a new government, supported fully by all sections of the community, will be installed. Sir, having regard to that consideration, I would like to point out to the Honourable Minister and to those honourable members who are occupying the Treasury Bench that they in their present position are no better than caretakers. Sir, by common consent a caretaker cannot undertake substantial alterations in the premises he is appointed to look after. At the most, during the interval before the real occupant comes to occupy his abode, he may undertake repairs in order to keep the building in working order." (*Vide* pages 1128-29, Vol. XXXV, 6th October 1932).

An Honourable MEMBER : That was a nominated member, was he not, who made that speech ?

The Honourable Sir GHULAM HUSSAIN : Dr. Ambedkar. Because my friends among the advanced classes did not return him to this Council, Government very kindly nominated him to represent the interests of his own community in this House.

Sardar Rao Bahadur B. R. NAIK : Does that stand good only for the Land Revenue Code or for other Acts also ?

The Honourable Sir GHULAM HUSSAIN : The honourable members will see that the Leader of the Opposition had moved a resolution to call all the leaders of the various political parties and compromise with them. But honourable members have always been urging in this House that an important party is not represented. Therefore they should realise that when the House is fully represented by all interests, then only should they undertake this important legislation. Now, Sir, what are the elements wanted ? My poor *hari* in Sind is not represented at all in this House. Under the new constitution he will get a vote. The poor tenants have not got sufficient representation. I would describe this House more or less as a Landlords' House. But we ought to have the tenants'

[Sir Ghulam Hussain]

representatives here also. The wider franchise under the new constitution will give them greater representation.

Mr. M. M. KARBHARI: What is Government doing?

The Honourable Sir GHULAM HUSSAIN: Now, Sir, when all interests are represented in this House, that will be the proper time for introducing this legislation. For when you have fully responsible Ministers you will all be able to join and decide what should be the rates of assessment. The Ministers will then be fully responsible to the legislature and to the country, and will have to find out ways and means of supplementing the revenues of this presidency.

Then, again, Sir, this is a system which is condemned by all members in this House, and yet they want us to build a new Code on this very system. How does it lie in their mouths to ask this? My honourable friends say that the poor tenant is not fully represented here because he has not got a vote. Now, the new representatives of the tenants in this very House might ask for a sliding scale of land revenue assessments, i.e., the smaller holder to be charged less, and the bigger holder more, and even in regard to remissions they might say "Give larger remissions to the smaller holder, and smaller remissions to the larger holder—

Sardar Rao Bahadur B. R. NAIK: We all agree.

The Honourable Sir GHULAM HUSSAIN: It is all very well to say you all agree. Your chance will come when you will have to decide this question. Now we should not be led away by self-interest. My honourable friend is an Inamdar, and he has acquired so much land—the whole Presidency knows about it—from the very agriculturists on whose behalf he says he is now pleading on the floor of this House. So, Sir, these are the considerations that have weighed with Government, and it is but in the fitness of things that the new responsible Ministers should undertake this legislation.

Mr. L. R. GOKHALE: Why was the Village Panchayats Bill passed?

The Honourable Sir GHULAM HUSSAIN: I do not want interruptions. At the same time, there has been a demand from the tenants and occupants of villages for tenancy legislation. What has been our reply to them? We have been telling them that when the new reforms come it will be left to the honourable House, as it will then be constituted, to introduce tenancy legislation. So, honourable members will see the position of Government in this matter. They do not want to create strife between the landlords and the tenants. They wish to leave it to the representatives of the people to undertake legislation, if they like, in the interests of one or both, as they decide to, and that will be the real test. If the then honourable House wants to reduce the assessment, it will be fully responsible for its action, and will have to find out ways and means of supplementing Government's revenue.

Now I come to my honourable friend the mover of the cut. He wants a reduction of assessment. May I ask him who is going to benefit by the reduction of assessment? Thousands and thousands in the presidency

[Sir Ghulam Hussain]

proper are holding 5 and 10 acre plots. What will be the benefit to them? A few big landlords will take away the benefit of that reduction. May I ask my honourable friend the mover of the cut, where was he when the assessment of the Chorasi taluka of the Surat district was revised in 1926, when his bale of cotton was fetching not Rs. 200, but Rs. 500 or 600? Did he come forward and say "Let me share this with the State and let the ratepayer benefit by it"? Therefore, it does not lie in his mouth now after the revision has taken place in 1926 to say "Reduce the assessment because prices have gone down." Is there any fairness in this? He must take the rough with the smooth. He cannot have it both ways. Yet, we are striving to meet the wishes of the zamindars as far as we can. We know that the prices have gone down. We have taken the middle course in order to meet the zamindars' wishes as far as we can. We are giving them liberal remissions, and where they have suffered from frost or other causes we are giving them remissions and suspensions.

We have been told so often in this House that Madras has done this and that the Punjab has done that. The province of Madras, Sir, is a purely agricultural province. Both Madras and the Punjab have been benefited by the Meston Settlement. The Madras treasury is so full that they are restoring the 5 per cent. cut which we cannot do even now. Have they reduced the assessment? The great thing they can point out is merely remissions. In the Punjab, the same is the case. Is that fair to a poor province like Bombay which has suffered by the Meston Settlement, and whose land revenue comes to 470 lakhs, as against 760 lakhs which is the land revenue of Madras which is giving remissions to the extent of 60 lakhs of rupees? So, honourable members ought to be fair to this House.

Now, Sir, I come to the most important point, viz. whether we feel for the agriculturists and show our feeling in deed. Honourable members will bear with me for a short time. We have been doing our best for the agriculturists. I have not heard in this House a real definition of the word "Agriculturist." The whole House has been speaking from morning till evening about the agriculturists. However, I will come to the point and say that even the remissions we are giving will not benefit the poor agriculturists about whom this House is so solicitous. It will go to the landlords and no one else.

Now, Sir, I am obliged to my honourable friend Sardar Rao Bahadur Naik for studying this question very carefully. He told us—or perhaps it was some other honourable member—that for the last three years Madras has been giving remissions, and that they have given during the last three years remissions to the tune of Rs. 1,50,00,000. That is what I understood. Now, I have informed the House that the land revenue of Madras is Rs. 7,60,00,000 while ours is about Rs. 4,70,00,000.

Sardar Rao Bahadur B. R. NAIK: The land revenue of Madras for 1934-35 is Rs. 7,25,00,000.

The Honourable Sir GHULAM HUSSAIN: Very well, I accept that figure; I do not mind 50 lakhs here or 25 lakhs there. Now, 725 lakhs a year for 2 years and 760 lakhs for the third year comes to about 22 crores of rupees for the three years. Now, on 22 crores, there is a remission of 150 lakhs. We are a poor province. What has been our land revenue in 1930-31, 1931-32 and 1932-33? It has not been more than roughly 14 crores in the three years. But in these very three years, how much remission have we given to the agriculturists? I will ask my honourable friend, who quoted certain figures to the House a short time ago, again to give the House the benefit of his figures.

Sardar Rao Bahadur B. R. NAIK: It is 114 lakhs.

The Honourable Sir GHULAM HUSSAIN: I leave it to honourable members to work out the percentage, and to judge for themselves whether Madras, a rich province, with a land revenue of nearly 8 crores, has given more liberal remissions to the agriculturists, or whether we, a poor province, with a land revenue of Rs. 4,60,00,000, have been more liberal to our agriculturists.

Sardar Rao Bahadur B. R. NAIK: Give us the causes also. Take the causes which have led Madras to make these remissions with those which compelled the Bombay Government to grant remissions. Here we had the locusts, floods and other calamities. You must take that into consideration.

The Honourable Sir GHULAM HUSSAIN: But the factor of reduced prices for the produce is the same throughout India.

Sardar Rao Bahadur B. R. NAIK: But those concessions——

The Honourable Sir GHULAM HUSSAIN: I do not want to be interrupted. He is determined not to be convinced. The fall in prices was the principal point he stressed. It was for that purpose that my honourable friend quoted figures, and he and others stated that because the prices were low, the Punjab and Madras gave remissions. I take my stand on that.

However, the total remissions we have given for the three years amount to 117 lakhs, and I would ask my honourable friends to work out the percentage for my benefit as well as for theirs. They will see that we have been more liberal in the remissions that we have given and that we are giving more than Madras. Even my honourable friends' demand in the first instance was for the grant of remissions to the extent of 5 per cent. Is 117 lakhs on 14 crores not more than 5 per cent.? It is nearly 10 per cent. Have we treated our agriculturists unfairly? Therefore, I would ask honourable members of this House kindly to take a detached and dispassionate view of the whole case, and to form their judgment on its merits alone. I feel for the agriculturists as much as they feel. They have shown one side of the picture, and I have placed the other side of the picture before the House.

Then about the Punjab, Sir, my honourable friend Mr. Chikodi will pardon me for saying that without understanding what is "abyani," what is "malka," what is this and that, he thought that the whole thing was remissions in the Punjab, and nothing else. He should study the

[Sir Ghulam Hussain]

subject carefully and try to understand it better from some gentlemen from the Punjab. He will then understand that wiping off tagavi loans is not granting remissions; so also with regard to the other terms. So, I hope honourable members will not attach much weight to what he said.

Sir, I may tell my honourable friends that shouting is no substitute for argument. In concluding his remarks, my honourable friend Mr. Chikodi said—I am speaking from memory, subject to his correction—that we must now borrow. Well, I am surprised to hear him suggest now that we should borrow in order to make up our deficit. My honourable friend is a member of the Public Accounts Committee, and he knows what mandate we got from that committee. He always said "The load of debt is so heavy; therefore do not borrow in future." And he has assigned no reason for his somersault.

Now, I come to my honourable friend Mr. Gokhale. He drew a very sorry picture of the agriculturist. I do not know whether he is a tenant or a landlord. (*An Honourable Member:* He is both.) If he is a landlord, I might refer him to the leases registered in the office of the Sub-Registrar of Haveli during the current year and of leases executed in the Haveli Taluka and Poona City in respect of bagayat land. Those are registered leases. If he likes, I will give him a copy of the list, and he will see that leases are taken at 5½ to 38 times the assessment. In the case of jirayat land, I must say to the credit of my honourable friend Rao Bahadur Pradhan that he admits it is 4 to 5 times the assessment. He is a man of business, an absentee landlord, who does not know what a plough is. He sits at home and gets 4 to 5 times the assessment as rent.

Rao Bahadur S. K. BOLE: He knows how to pocket the rents.

The Honourable Sir GHULAM HUSSAIN: Then, Sir, I am much obliged to him for his new suggestion that we should collect the assessment in kind. May I ask him, will this honourable House sanction the new establishment for collections and for disposals? May I ask him what will be the number of hands that we will have to employ for the purpose, and what will be the total cost? As a lawyer, and a great lawyer, he must know that, when he makes a definite statement, the onus of proof is on him. He ought to have worked out the cost and given us a brief idea of the system. Then, he should not forget the leakage there would be. I do not think, Sir, I should take him seriously. There is one good thing about him—he does not press his point when he is lukewarm about it.

Then, Sir, he says that he does not agree with the official view about the indebtedness of the agriculturists. He is entitled to have his own views. But he says that no inducement should be placed before the agriculturists to borrow, drink and gamble. All along I have been hearing honourable members saying that land does not pay. To-day is the twelfth day of the debate, and yet there are honourable members who say that there should be no inducement to the agriculturists to borrow, drink and gamble. That shows that their credit is good. Otherwise it is not possible for them to borrow. The honourable member

[Sir Ghulam Hussain]

suggested the appointment of a committee to make suggestions for weaning the agriculturists from the habit of drinking and gambling. How can we stop the habit of drinking among the agriculturists? We have the Gambling Act, and we can punish them if they gamble. But we cannot prevent them from drinking. A mere committee cannot put an end to these evils.

I come now to my honourable friend Khan Bahadur Khuhro. He suggested a new method of assessment. I have not been quite able to follow him. But this system will require every year the employment of a controlling officer, then an officer for estimating the outturn, and so on. Then, my honourable friend may come and tell me: 'You have shown favour to your friend Sir Shah Nawaz Bhutto. My lands are far away, and you are not allowing for the cartage.' We must take into consideration all these things. However, if my honourable friend formulates a scheme, he may give the benefit of it to my countrymen, now that the separation of Sind is under consideration.

Sir, the example of my honourable friends from Larkana who call themselves prince zamindars—I will call them zamindar princes—is very good for the agriculturists of all parts of the presidency to follow. My honourable friend Khan Bahadur Khuhro comes from the same district. My honourable friend Rao Bahadur Naik believes in thrift and prudence. My honourable friend Khan Bahadur Khuhro and my honourable friend Rao Bahadur Naik will pardon me if I say that the assessment in their case should be doubled if not trebled. I know that Rao Bahadur Bhimbhai has purchased recently some property also, and he cannot deny it. What should they teach the people? They should teach the agriculturists thrift and prudence.

My honourable friend then referred to the Alienation Act. Government did their best in the matter. They collected all the material possible, but an important section in Sind opposed the measure. The honourable member knows that himself. If my honourable friend so wishes, he can bring a Bill before this House and get it passed. He then referred to the Moneylenders Act. The same difficulty was felt there also. I do not know whether all the members of this House will support a measure of that character. As regards the conciliation board he mentioned, we are getting information from the Punjab. We are always ready to do all that lies in our power to help the real agriculturists.

Now, I come to my another learned friend, I mean Rao Bahadur Chitale. When I heard his speech, I thought he was paying as heavy assessment as my honourable friend Rao Bahadur Naik. When I referred to the previous debates, I found that the assessment for dry crop is Rs. 1-3-7. What can be lower than that?

Rao Bahadur G. K. CHITALE: It was originally 4 annas——

The Honourable Sir GHULAM HUSSAIN: Then you must thank Government. The assessment for rice land is Rs. 1-5-7. I am sure honourable members will emphatically say that this is not a heavy rate.

4-30 p.m.

[Sir Ghulam Hussain]

Several of my honourable friends were talking of the Punjab and Madras. But none of them would agree to the rates prevailing in Madras and the Punjab. They want to have the benefit of Madras and the Punjab, but do not like to pay the rates in force there.

Then a reference was made by one of my honourable friends to the fact that Mr. Vartak was fined one or two rupees. Mr. Vartak is as much a friend of mine as he is of the honourable member. My honourable friends from Sind will bear me out when I say that Mr. Vartak is a man of discipline and his first duty is to observe the law. The law is not a respecter of persons. What the officials have done is to enforce the law. The law does not make any distinction between Mr. Vartak and anybody else. I myself have at times been served with notices for payment of revenue, though I am the Member in charge. If my honourable colleague to my right fails to pay the license fee for his motor car, the Police Commissioner will proceed against him straightway.

An Honourable MEMBER : Has he fined him ?

The Honourable Sir GHULAM HUSSAIN : I do not know.

I was very much pleased to hear that the poor agricultural labourers are prosperous. It is very gratifying to know that they are prosperous. They are the men who toil in the fields with the sweat of their brow. My honourable friend said that they are so prosperous that they work for a day or two and then remain at home.

An Honourable MEMBER : Because they say they cannot get work.

The Honourable Sir GHULAM HUSSAIN : They do not want to work. This is what we were clearly given to understand by my honourable friend Mr. Gokhale. He said that they could not get agricultural labour ; the latter are putting a premium on their wages, and yet people pay them, and they are very happy nowadays. That is very gratifying indeed. I was also delighted to hear from my honourable friend Sardar Rao Bahadur Naik that the agriculturists have raised their standard of living, and that it is for this reason that they feel the pinch. I might remind him that every one of us in this House has raised his standard of living and every one of us feels the pinch. Ask the commercial classes ; ask our lawyer friends ; all of them feel the pinch. The members on this side of the House also feel the pinch.

Rao Bahadur G. K. CHITALE : You feel the pinch ?

The Honourable Sir GHULAM HUSSAIN : Now, Sir, my honourable friend Rao Bahadur Naik referred to certain figures. I do not want to quarrel with him ; I am not a theorist ; I am a practical man.

Sardar Rao Bahadur B. R. NAIK : So am I.

The Honourable Sir GHULAM HUSSAIN : And he was replied to by the honourable member the Finance Secretary. We had these two experts in figures, my honourable friend the Finance Secretary and my honourable friend Sardar Rao Bahadur Naik. I might say that it does not matter to me who is right. Both of them may be right. But

[Sir Ghulam Hussain]

my point is, how much have we been getting during the last three years as land revenue—the net amount ? Not more than 4,70 lakhs.

Sardar Rao Bahadur B. R. NAIK : It is 4,78 lakhs.

The Honourable Sir GHULAM HUSSAIN : Our demand is 4,78 lakhs, but we are not sure how much we will get eventually. Never mind that. If my honourable friend goes back to the old years, he will find that in 1911–12 and 1912–13, it was nearly the same. In 1913–14 it jumped up. So, what has been coming into the treasury is 4,78 lakhs ; yet, we are giving out of that 4,78 lakhs about 40 or 50 lakhs of remissions.

Sardar Rao Bahadur B. R. NAIK : Every year ?

The Honourable Sir GHULAM HUSSAIN : Well, in the past three years.

Sardar Rao Bahadur B. R. NAIK : Remission of one hundred and fourteen lakhs in all.

The Honourable Sir GHULAM HUSSAIN : One hundred and seventeen lakhs.

Sardar Rao Bahadur B. R. NAIK : What is your suspension ?

The Honourable Sir GHULAM HUSSAIN : One hundred and seventeen lakhs are remissions, and suspensions nearly Rs. 57,99,000.

Sardar Rao Bahadur B. R. NAIK : Only one question if you will permit me, Mr. President. Out of this 1,17 lakhs remission, what was the percentage of remission per year in the presidency proper ?

The Honourable Sir GHULAM HUSSAIN : Sir, we Mahomedans are blamed for asking for separate representation. Here, the honourable member wants separate treatment for the Presidency and for Sind. He can work it out. Now, he has let the cat out of the bag, and my friends know his intentions.

Sardar Rao Bahadur B. R. NAIK : This is not the way to treat us.

The Honourable Sir GHULAM HUSSAIN : He is grudging a little more for Sind. He was all along talking in the name of the agriculturists. Is the Sind agriculturist different from the presidency agriculturist ? Yet you grudge him that little concession.

Sardar Rao Bahadur B. R. NAIK : It is only 2½ per cent. for the presidency proper. I am not grudging for Sind.

An Honourable MEMBER : Do not listen to him ; give us more.

The Honourable Sir GHULAM HUSSAIN : Now, Sir, I come to another point. The honourable member went into the history of settlements, and took us back to 1873. All the honourable members of the House know very well that every 30 years we have a revision of settlement. After 30 years we had a revision in 1903, and the next revision was due in 1933. During the boom years between 1903 and 1933, a large number of the cultivators in the presidency enjoyed the benefit of high prices, but none of them came forward to tell us

[Sir Ghulam Hussain]

"We shall share it wtih the other taxpayers who do not pay the land assessment." Now, they have been feeling the pinch only since 1926. Since 1926, how many years have passed ?

Sardar Rao Bahadur B. R. NAIK : It is since 1926, about 7 years.

The Honourable Sir GHULAM HUSSAIN : The new rates were enforced in 1926. This year is 1934. For thirty years, they enjoyed the benefit of high prices, but never shared it with the other taxpayers ; and, today only six years have passed since they began to feel the pinch and they are grumbling. Well, Sir, they ought to be fair to the State and to the other taxpayers. Had they come at that time and shared their benefits with the State, I am sure the State would not have grudged any help to them now. But they want to have it both ways. Well, they are having it both ways, and yet they want a third way also. They say that the prices have gone down, and we are willing to meet them by suspensions and remissions ; although when prices were high, they never shared their profits with the State. And yet, our good Government is being abused on the floor of this House. Although they never shared their prosperity with Government, in their adversity Government are trying to help them.

Rao Bahadur G. K. CHITALE : It is the fault of the Code, your faulty enactment.

The Honourable Sir GHULAM HUSSAIN : Now, Sir, all these 13 days I have heard complaints that provision is not made for roads, for the Agricultural Department, for Irrigation, Medical Relief, and what not. And up to today, the 13th or 14th day, nobody has suggested to me from where to find the money for all these demands. They think the Finance Member has an inexhaustible treasury or has the power to manufacture money. That is not so. No one can make bricks without straw, the Finance Member cannot create money out of nothing. The money has to come from the people. We are ready to adopt whatever reform they suggest, but no administration can be carried on without money. But there have been only demands from every side for more money, but no suggestion as to how to find it. On the contrary, they want to take away even the little money we have. May I put it to honourable members—is that responsible criticism ?

Now, I have heard so much of the poor agriculturist, but nobody has defined the term "agriculturist". Honourable members are aware that for 30 years our assessment is a fixed amount. If the prices go high, we do not get the benefit. If they go down, we try to meet the demands of the House in the shape of remissions and suspensions.

Now, Sir, I first come to my province, Sind. Will the agriculturist—the tiller of the soil—be benefited by any of the proposals made by the honourable member ? We have the Batai system in Sind. It differs in different districts, but generally it is half and half, or one-third and two-thirds, for the hari and the zamindar respectively. The zamindar has to pay the assessment. The hari is entitled to his share and nothing more. As soon as the distribution

[Sir Ghulam Hussain]

is made, he bids good-bye to the zamindar and walks away with his share. I do not know what the Sardars of the Presidency do for their tenants. But I must say to the credit of the Sardars of Sind that they feed and clothe their tenants and sometimes advance tagavi loans to them, in most cases without interest. There are black sheep there too. They exploit the poor agriculturists. But these are the exception, rather than the rule. I do not know what the condition is in the Presidency proper. My honourable friend, who is a Sardar of Gujarat, may enlighten me as to whether he advances money to his tenants without interest or whether he feeds and clothes them. Our remissions do not go into the pockets of the poor agriculturists about whom I have heard so much. They go into the pockets of my friends the zamindars. The same thing can be said about the Presidency proper. Here there are cash rents. I will not quote my figures. I accept the figures given by responsible members of this House, namely, that in Gujarat the rents are four to five times——

Sardar Rao Bahadur B. R. NAIK: Of what?

The Honourable Sir GHULAM HUSSAIN: Of the assessment.

Sardar Rao Bahadur B. R. NAIK: Rents?

The Honourable Sir GHULAM HUSSAIN: Yes.

Sardar Rao Bahadur B. R. NAIK: I contradict that.

The Honourable Sir GHULAM HUSSAIN: The honourable member told us that they are four to five times the assessment.

The Honourable the PRESIDENT: I think the honourable member Rao Bahadur Pradhan said that.

The Honourable Sir GHULAM HUSSAIN: If his condition is bad, how will the poor tenant be able to pay so much rent? In that case, the landlord is extorting these heavy rents, and therefore there ought to be no sympathy for him in this House, and we should not give concessions which go to enrich his pocket. He is already recovering three to four times or four to five times the assessment.

Mr. L. R. GOKHALE: That is not recovered. That is a nominal figure.

The Honourable Sir GHULAM HUSSAIN: It is recovered?—Is this House prepared to give the benefit of our concessions to the landlord?

Sardar Rao Bahadur B. R. NAIK: What is the percentage of landlords and small holders?

The Honourable Sir GHULAM HUSSAIN: I am coming to that. Suppose we give a remission. About 58,000 people hold only 5 acres each. What will each man get? Not even a rupee. Is the remission in the interests of the tenants? It will go to fill the pockets of the rich landowner. We will lose all this money without benefiting the real agriculturists, the toilers in the fields. I think the necessary action will be taken by the new Council, when the tenantry will also have a strong

[Sir Ghulam Hussain]

voice in the House. They will decide how to distribute these remissions and suspensions.

Well, Sir, on the first day of this session we heard it said that, if the town duty is abolished, it will benefit the agriculturists; and when there was a discussion on that matter, I was glad that my honourable friend Sardar Rao Bahadur Naik espoused the cause of the agriculturists and told us that if we abolished the town duty, it would benefit the agriculturists to the tune of 20 to 25 lakhs of rupees.

Sardar Rao Bahadur B. R. NAIK: Will that advantage not go to the pockets of landlords?

The Honourable Sir GHULAM HUSSAIN: It will benefit the landlords, but it will also benefit the smaller owners in proportion. If you do not want this benefit for the agriculturists, I am ready to continue the duty.

Mr. L. R. GOKHALE: The smaller man may have 60 per cent.

The Honourable Sir GHULAM HUSSAIN: What will be his share? Not very much. Four to six annas. In addition to that, what has the Port Trust done? They have reduced their charges also. That will benefit the agriculturists to the extent of 6 lakhs. Then, again, the Railways have reduced their freight charges, and that will benefit the agriculturists to the extent of 11 lakhs. Now, 20 to 25 lakhs, 6 lakhs more, and 11 lakhs more—all this will come to about 40 to 45 lakhs. All this benefit will go to the fertile lands of Gujarat where cotton grows. Some benefit will also go to Khandesh and some to Sind. So, honourable members will see that cotton growers will be benefited to the extent of about 40 to 45 lakhs of rupees, according to the calculation of their representative, who now smiles when I give these figures——

Sardar Rao Babadur B. R. NAIK: I said about 15 to 18 lakhs.

The Honourable Sir GHULAM HUSSAIN: I have taken notes of his speech. He said 20 to 25 lakhs; and with these additional concessions, 6 lakhs and 11 lakhs, the total figure is arrived at by simple arithmetic.

Sardar Rao Bahadur B. R. NAIK: I said 15 to 18 lakhs.

The Honourable Sir GHULAM HUSSAIN: I have shown what liberal remissions we have given to the agriculturists. I have also shown what the cash rents are in this Presidency.

An Honourable MEMBER: We are interested in what you are going to give.

The Honourable Sir GHULAM HUSSAIN: Nobody has criticised the two press notes that we have issued. That shows that in their heart of hearts they are satisfied with the concessions. One of the honourable members—I will not name him——wrote a letter of thanks to me. Another honourable member approached me with a deputation. I said: "What do you want?" He said he wanted a concession of three annas in the rupee in his district—I will not name it—and he and his deputation

[Sir Ghulam Hussain]

thanked Government for readily acceding to their request. But I am sorry to see that, though these honourable members thank Government privately, they have not the courage of their convictions to say a word in favour of this Government in the Council. Now, my honourable friend from Kanara—I do not find him here—(Mr. G. S. Gangoli: "I am here."). He said he got nothing. I have read out everything and commented on the resolutions. When I asked him: "What about your suspensions of 1930-31?" he could not answer me.

Mr. G. S. GANGOLI: Where are they, Sir?

The Honourable Sir GHULAM HUSSAIN: As regards Kanara, only the current year's demands are not collected except where the arrears are unauthorised. As regards past arrears, the arrears of 1930-31 are to be remitted while those of 1931-32 and 1932-33 are to be re-suspended——

Mr. G. S. GANGOLI: Are there any?

The Honourable Sir GHULAM HUSSAIN: There are.

Mr. G. S. GANGOLI: No.

The Honourable Sir GHULAM HUSSAIN: Does it lie in his mouth to say so, Sir? Imagine a responsible member of this House talking in that strain!

Mr. G. S. GANGOLI: Compare it with other districts.

The Honourable Sir GHULAM HUSSAIN: The honourable member is climbing down.

As my time is drawing near, if you, Sir, will allow me a little indulgence, I will satisfy my honourable friends from Sind also. My honourable friends from Sind complain that in spite of the low prices we have introduced a new settlement in the barrage area, but they should not forget that it is a temporary settlement. The barrage was constructed at a cost of not less than 20 to 24 crores of rupees to give an assured supply of water to the zamindars of Sind. I would remind them of the speeches they made when the scheme was under construction, and the rates they sanctioned then. Government thought that it would not be fair, though the zamindars would have the benefit of an assured supply of water, which I know has increased the outturn. Yet Government took a middle course, and levied rates which were much lower than those to which the representatives of the zamindars themselves had agreed. Read the debates of the Council.

Mr. MAHOMED HASHIM GAZDAR: We did not agree.

The Honourable Sir GHULAM HUSSAIN: Your representatives in the Council did. You may disown them now but most of them are——

Mr. SHAIKH ABDUL MAJID: Sind members did not agree to the enhancement of rates.

The Honourable Sir GHULAM HUSSAIN: The whole scheme was placed before the House. If the honourable members did not read it, it was not the fault of Government.

CORRECTION SLIP TO BOMBAY LEGISLATIVE COUNCIL DEBATES.

In Vol. XXXIX (Part XX) of the Official Report of the Bombay Legislative Council Debates—

at page 1256, in line 11, *delete* the word "not".

Mr. SHAIKH ABDUL MAJID : I have been through the whole of the debates of the year 1923.

The Honourable Sir GHULAM HUSSAIN : The scheme was placed before the Council. It is the fault of your representatives. They ought to have studied the whole question before voting. Now, Sir, if land in Sind is not paying, would the shrewd zamindars go on purchasing it? People from the Punjab are also coming forward to purchase land in Sind, as pointed out by my honourable friend Mir Bandeh Ali Khan Talpur. He was even feeling sore about it. He said "Why should Government give away these lands to Punjabis, and why not to Sindhis? So, Sir, it is admitted that Punjabis are coming forward to purchase land in Sind. Not only that, but the local *haris* have taken on lease lakhs of acres, and what have they to pay? They have to pay the regular enhanced assessment on the barrage and the lease money which is Rs. 4 to 5 an acre. If land is not paying, why should these men come forward to take it on lease? Nobody forces them to do so. Then even the local zamindars have purchased more lands.

Sir, my honourable friends are always talking of the Punjab, where the conditions are nearly the same. I have already quoted the rates there, which are much higher than those sanctioned for the barrage area for only five years.

Now, Sir, as my time is up, I will only summarise the whole case. The question of Sind rebates is under consideration, and the papers are with my honourable Colleague on my right (the Honourable the Home and General Member) who will, I trust, dispose of them within a short time. We have done a great deal to help the agriculturists. We have abolished the Town Duty on cotton, and the Port Trust have reduced their charges, and the railways have done the same. All that will benefit the cotton-grower to the extent of 40 to 50 lakhs of rupees. Then, Sir, we have issued a Press Note on the liberal remissions and suspensions that have been granted in areas affected by frost and other weather conditions. As regards tagavi, we have undertaken to give more liberal tagavi on certain conditions, and we have reduced the rate of interest on tagavi. We have done this in spite of the fact that we have been losing nearly 4 lakhs of rupees a year on tagavi arrears. I hope, therefore, honourable members will see that Government have tried to do their best, and I assure my honourable friends from Sind that they have received sympathetic consideration from Government on this as on every other occasion.

Question put. The House divided. Ayes, 20; Noes, 51.

Division No. 2.

Ayes.

BAKHALE, Mr. R. R.
CHITALE, Rao Bahadur G. K.
DESAI, Rao Saheb B. G.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
GANGOLI, Mr. G. S.
GILDER, Dr. M. D.
GOKHALE, Mr. L. R.
JOG, Mr. V. N.
KARBHARI, Mr. M. M.
KULKARNI, Rao Saheb P. D.
MEHTA, Mr. M. H.
MORE, Mr. J. G.
NAIK, Sardar Rao Bahadur B. R.

Ayes

PATEL, Mr. C. N.
PETIT, Mr. J. B.
PRADHAN, Rao Bahadur G. V.
SURVE, Mr. A. N.
SURVE, Mr. V. A.
VAISHAMPAYAN, Dr. V. G.

Tellers for the Ayes : Mr. M. M. KARBHARI AND Mr. J. G. MORE.

Noes.

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ADVANI, Mr. P. B.
AMINUDDIN, Mr. SAIYID
ARBUTHNOT, Mr. C. W. E.
ASAVALE, Rao Bahadur R. S.
BANGI, Mr. A. K. J.
BELL, the Honourable Mr. R. D.
BIRADAR, Sardar MAHABOOBALI KHAN
BOLE, Rao Bahadur S. K.
BULLOCKE, Mr. A. GREVILLE
CLEE, Mr. C. B. B.
COOPER, the Honourable Khan Bahadur D. B.
COVERNTON, Mr. S. H.
DAVIS, Mr. G.
FREKE, Mr. C. G.
GARRETT, Mr. J. H.
GAZDAR, Mr. MAHOMED HASHIM
GHARPUREY, Lt. Col. K. G.
GHULAM HUSSAIN, the Honourable Sir
GREAVES, Mr. J. B.
HUMPHREY, Mr. JOHN
JITEKAR, Mr. HAJI IBRAHIM
JONES, Major W. ELLIS
KALBHOR, Mr. G. M.
KAMBLI, the Honourable Dewan Bahadur S. T.
KENNEDY, Mr. T. S.
KHUHRO, Khan Bahadur M. A.
KNIGHT, Mr. H. F.
LELY, Mr. W. G.
MITHA, Mr. MAHOMED SULEMAN CASSUM
MODAK, Rev. R. S.
NAMDEORAO BUDHAJIRAO, Mr.
OWEN, Mr. A. C.
PANJABI, Mr. K. L.
PATEL, Khan Bahadur VALI BAKSH A.
PATIL, Mr. N. N.
PATIL, Mr. V. N.
PATIL, Rao Saheb V. S.
PRATER, Mr. S. H.
ROOSE, Mr. F. O. J.
SERVAI, Mr. A. E.
SHAIKH ABDUL AZIZ, Mr.
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SINDHA, Mr. MADHAVSANG JORBHAI
SMART, Mr. W. W.
SOLANKI, Dr. P. G.
SYED MIRAN MAHOMED SHAH
SYED MUNAWAR, Mr.
TALPUR, MIR BANDEH ALI KHAN
THAKOR OF KERWADA, Sardar BHASAHEB RAISINHJI
TURNER, Mr. C. W. A.
WADKE, Mr. B. P.

Tellers for the Noes : Mr. SYED MUNAWAR AND Dr. J. ALBAN D'SOUZA.

Total demand under 5-Land Revenue, put, and agreed to.

The Honourable Dewan Bahadur S. T. KAMBLI : Sir, I move for a grant of Rs. 51,03,000 under 6-Excise (transferred).

Question put, and agreed to.

The Honourable Sir GHULAM HUSSAIN : Sir, I move a demand for Rs. 4,27,000 under Stamps (reserved).

Question put, and agreed to.

The Honourable Khan Bahadur D. B. COOPER : Sir, I move for a demand of Rs. 28,77,000 under 8-Forest (transferred).

Question put, and agreed to.

The Honourable Khan Bahadur D. B. COOPER : Sir, I move for a demand for Rs. 59,000 under Forest, Capital Outlay (transferred).

Question put, and agreed to.

The Honourable Dewan Bahadur S. T. KAMBLI : Sir, I make a demand for Rs. 6,33,000 under 9-Registration (transferred).

Question put, and agreed to.

The Honourable Sir GHULAM HUSSAIN: Sir, I move a demand for Rs. 35,000 under 9A-Scheduled Taxes (reserved).

Question put, and agreed to.

The Honourable Mr. R. D. BELL: Sir, I beg to make a demand for the grant of Rs. 76,91,000 under "XIII *Deduct*—Working Expenses", "15-Other revenue expenditure financed from ordinary revenues" and "Refunds of revenue" under the heads "XIII" and "XIV".

Question put, and agreed to.

The Honourable Sir GHULAM HUSSAIN: Sir, I move a demand for Rs. 19,000 under "Interest on Ordinary Debt" (reserved).

Question put, and agreed to.

The Honourable Sir GHULAM HUSSAIN: Sir, I move a demand for Rs. 88,62,000 under 22-General Administration—Except Heads of Provinces, Ministers.

Question put, and agreed to.

The Honourable Sir GHULAM HUSSAIN: Sir, I move a demand for Rs. 98,000 under 22-General Administration Heads of Provinces, Ministers.

Question put, and agreed to.

The Honourable Mr. R. D. BELL: Sir, I beg to make a demand for a grant of Rs. 61,39,000 under 24-Administration of Justice.

Question put, and agreed to.

The Honourable Mr. R. D. BELL: Sir, I beg to make a demand for a grant of Rs. 19,99,000 under 25-Jails and Convict Settlements.

Question put, and agreed to.

The Honourable Mr. R. D. BELL: Sir, I beg to make a demand for a grant of Rs. 1,68,01,000 under 26-Police.

Question put, and agreed to.

The Honourable Mr. R. D. BELL: Sir, I beg to make a demand for a grant of Rs. 1,000 under 27-Ports and Pilotage—Reserved.

Question put, and agreed to.

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, I beg to make a demand for grant of Rs. 92,000 under 30-Scientific Departments.

Question put, and agreed to.

The Honourable Mr. R. D. BELL: I beg to make a demand for grant of Rs. 6,28,000 under Education—Reserved.

Question put, and agreed to.

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, I beg to make a demand for grant of Rs. 1,68,57,000 under 31-Education—Transferred.

Question put, and agreed to.

The Honourable Mr. R. D. BELL: Sir, I beg to make a demand for grant of Rs. 6,000 under 32-Medical—Reserved.

Question put, and agreed to.

The Honourable Khan Bahadur D. B. COOPER: Sir, I beg to make a demand for grant of Rs. 42,91,000 under 32-Medical—Transferred.

Question put, and agreed to.

The Honourable Khan Bahadur D. B. COOPER: Sir I beg to make a demand for grant of Rs. 24,19,000 under 33-Public Health—Transferred.

Question put, and agreed to.

The Honourable the PRESIDENT: That concludes the budget.

Re: GUDI PADWA HOLIDAY.

The Honourable the PRESIDENT: I have a requisition in my hand signed by thirty-five members—they have the support of some of their Muslim colleagues in the House—asking for a holiday on the 16th instant for Gudi Padwa. The House will remember that in 1931 a holiday was agreed to by honourable members. Even then, I remember to have told honourable members that that should not be made a precedent, because in previous years no such holiday was given. During the subsequent years—1932 and 1933—the holiday happened to fall on days subsequent to the prorogation of the Council. It is now left to honourable members and Government to decide whether they should have a holiday. The 15th and 16th instants are non-official days for private business.

Rao Bahadur G. K. CHITALE: Sir, I am against giving a holiday on Friday, because we will be losing a non-official day altogether.

Mr. J. B. PETIT: Sir, I also wish to give my vote against the proposed extra holiday as it will mean one day off the non-official days, which will be most unfortunate.

The Honourable the PRESIDENT: Do I understand that the non-official members are not in favour af the holiday?

Mr. R. R. BAKHALE: That is not the position, Sir. The position is, if Government will give us another day for private business, we have no objection to the 16th being declared a holiday. But we are most anxious not to lose any of the non-official days that are set down.

Mr. B. P. WADKE: Sir, I think this holiday must be given anyhow. There are two *shakas*, Shalivahana and Vikrama. In the Deccan we follow the Shalivahana *shaka*, and Gudi Padwa is the new year's day of the Shalivahana *shaka*. It is a sacred day also for Krishna. For the Maharashtrians it is the new year's day as well as a sacred day. In order to preserve our faith and beliefs, this day should be given as a holiday, so that it may not go out of our memory. I hope Government will be pleased to come to our help.

The Honourable the PRESIDENT: The honourable House is grateful to the honourable member for giving the history of Gudi Padwa. But the point is whether the House is ready to forego one of the two private days.

Honourable MEMBERS: No, Sir.

Mr. L. R. GOKHALE (Poona City): I think, Sir, that there ought to be some arrangement for this Gudi Padwa day, which is the new year's day of the Hindus in the Deccan. On the 21st, I believe, we have got a holiday on account of the Parsi new year's day. Because there are only a small number of Parsis in the presidency, it will not be proper to deprive them of that holiday. All I wish to say is that we ought to follow the same policy for all: every religion should have its new year's day as a holiday. That is the reason why 37 members have signed the requisition. Now, there are three full days set apart for Government business. I think Government business should not engage us for all the three days. If it is possible—if there is time available out of those three days—half a day out of those three days may be exchanged for a private day. (*An Honourable Member*: One day.) At least half a day. (*Honourable Members*: One day.) I hope I shall be allowed to have my say; I am not going to accept dictation from any one.

The Honourable the PRESIDENT: Let the honourable member have his say.

Mr. L. R. GOKHALE: If it is possible, the Council may sit an extra day. I know there is one difficulty in the way. After the 23rd, when the session is to end, there are a considerable number of holidays, and if the Council were to sit an extra day, it will come after the holidays. But the Ramnavami holiday comes on the 24th, and, if we agree, we may sit on that day.

What I want to suggest is that some such arrangement ought to be come to. Probably every one may stand on his rights. Probably it will be a question of convenience of the greatest number. We ought to find out some way to meet the situation, otherwise it will be a question of every day occurrence. We have got three new years' days in all. It is necessary that the members who have signed the requisition should be satisfied with the arrangement. Perhaps if the Honourable the Leader of the House suggests some solution with the help of Government, it will be all right. But it certainly is essential that the members who have signed the requisition should get a satisfactory reply. To dispose of that requisition by saying "No" is not reasonable. It being new year's day for the Hindus, their sentiments should be respected. Suppose 1st of January is declared a working day. How will the Christian members take it? We should try to find some solution, and I hope the Honourable the Leader of the House with his genius will come to our help in this matter.

5-30 p.m.

The Honourable Sir GHULAM HUSSAIN: Sir, I would have most willingly agreed to the request of the other side, but those who have signed this requisition have forgotten that Saturday, the 24th, is a holiday. Then, the 25th is Sunday; then the 26th, Monday, will be a holiday on account of Bakri-Id. My Mahomedan friends here have not realised that we will, by declaring this particular day a holiday, extend the Council session by 4 days. Are they prepared to sit for 4 days

[Sir Ghulam Hussain]

more here ? See our difficulty. It is not a question of one Saturday. Saturday, the 24th, is a holiday; the 25th is Sunday; and the 26th is also a holiday.

Mr. L. R. GOKHALE: We may sit longer on Saturday.

The Honourable Sir GHULAM HUSSAIN: Besides that, I do not know——(*Interruption.*)

The Honourable the PRESIDENT: Order, order.

The Honourable Sir GHULAM HUSSAIN: Besides, this particular day has not been declared a holiday anywhere, as far as I am aware.

Mr. L. R. GOKHALE: Except the Council, it is a holiday everywhere.

The Honourable Sir GHULAM HUSSAIN: It is not a public holiday.

Honourable MEMBERS: Everywhere.

The Honourable Sir GHULAM HUSSAIN: There are difficulties in the way. Otherwise we would most willingly have agreed to it. Even now, if the official work is finished and there is time, we will have no objection to non-official business being taken up for the remaining time. If honourable members are agreeable, we can even spare half a day from the official day. Of course if honourable members go on talking at great length, that will be impossible. In that case, we will not be able to finish the official work.

Mr. L. R. GOKHALE: If we sit longer on Saturday, that will be half a day, and this half day from the official day will make one day.

The Honourable the PRESIDENT: I find from the lists of public holidays for 1934 and the previous years also, that this holiday has not been mentioned as a public holiday.

Mr. R. R. BAKHALE: It is a local holiday; not a public holiday.

The Honourable the PRESIDENT: There is a chance, as the Honourable the Leader of the House said, of getting half a day from the Government days if honourable members abstain from making long speeches. However, my experience is sadder than that. That is an off-chance. Now the honourable members on this side of the House must decide for themselves.

The Honourable Sir GHULAM HUSSAIN: Sir, we cannot decide about the official day without the sanction of His Excellency, because under the rules when the days are once allotted for official work, we cannot make any alteration in them without His Excellency's authority. However, we are ready to approach His Excellency on behalf of this House.

The Honourable the PRESIDENT: There is that further constitutional difficulty. That is the position. The honourable members must decide for themselves. They should be prepared, if it comes to that, to lose one day out of the private days. If they are prepared to do that——

Honourable MEMBERS: We are not prepared to do that, Sir.

The Honourable the PRESIDENT: Will honourable members stand in their places—those who are not prepared to accept that condition? (*After a count*) 23. Now those who are prepared to take this off-chance of getting a day out of Government business but definitely give up a day of private business will please stand in their places. None. There will be no holiday on the 16th.

It being 40 *minutes past* 5 *p.m., the House adjourned till* 2 *p.m. on Thursday, the* 15*th March* 1934.

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Thursday, the 15th March 1934.

The Council re-assembled at the Council Hall, Bombay, on Thursday, the 15th March 1934, at 2 p.m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present:

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr. A. B.
ADVANI, Mr. P. B.
AMINUDDIN, Mr. SAIYID
ANGADI, Rao Bahadur S. N.
ARBUTHNOT, Mr. C. W. E.
ASAVALE, Rao Bahadur R. S.
BAKHALE, Mr. R. R.
BANGI, Mr. A. K. J.
BELL, the Honourable Mr. R. D.
BIRADAR, Sardar MAHABOOBALI KHAN
BOLE, Rao Bahadur S. K.
BULLOCKE, Mr. A. GREVILLE
CHIKODI, Mr. P. R.
CHITALE, Rao Bahadur G. K.
CLEE, Mr. C. B. B.
COLLACO, Dr. J. A.
COOPER, the Honourable Khan Bahadur D. B.
COVERNTON, Mr. S. H.
DAVIS, Mr. G.
DESAI, Rao Saheb B. G.
DESAI, Mr. H. R.
DESAI, Mr. S. B.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
D'SOUZA, Dr. J. ALBAN
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GARRETT, Mr. J. H.
GAZDAR, Mr. MAHOMED HASHIM
GHULAM HUSSAIN, the Honourable Sir
GHULAM HYDER SHAH, Mr.
GILDER, Dr. M. D.
GOKHALE, Mr. L. R.
GOVER RORA, Mr.
GREAVES, Mr. J. B.
HUMPHREY, Mr. JOHN
JITEKAR, Mr. HAJI IBRAHIM
JOG, Mr. V. N.

JONES, Major W. ELLIS
KALBHOR, Mr. G. M.
KAMAT, Mr. B. S.
KAMBLI, the Honourable Dewan Bahadur S. T.
KARBHARI, Mr. M. M.
KENNEDY, Mr. T. S.
KHUHRO, Khan Bahadur M. A.
KNIGHT, Mr. H. F.
KULKARNI, Rao Saheb P. D.
LANE, Mr. C. M.
LELY, Mr. W. G.
MATCHESWALLA, Mr. G. E.
MAXWELL, Mr. R. M.
MEHERBAKSH, Khan Bahadur S.
MEHTA, Mr. M. H.
MITHA, Mr. MAHOMED SULEMAN CASSUM
MODAK, Rev. R. S.
MORE, Mr. J. G.
NAIK, Sardar Rao Bahadur B. R.
NAMDEORAO BUDHAJIRAO, Mr.
NAVLE, Rao Bahadur N. E.
OWEN, Mr. A. C.
PANJABI, Mr. K. L.
PARULEKAR, Rao Bahadur L. V.
PATEL, Khan Bahadur A. E.
PATEL, Mr. BHAILAL SARABHAI
PATEL, Mr. C. N.
PATEL, Khan Bahadur VALI BAKSH A.
PATIL, Dewan Bahadur D. R.
PATIL, Mr. N. N.
PATIL, Mr. V. N.
PATIL, Rao Saheb V. S.
PETIT, Mr. J. B.
PRADHAN, Rao Bahadur G. V.
PRATER, Mr. S. H.
RAHIMTOOLA, Mr. HOOSENALLY M.
RESALDAR, Mr. A. K.
ROOSE, Mr. F. O. J.
SERVAI, Mr. A. E.
SHAIKH ABDUL AZIZ, Mr.
SHAIKH ABDUL MAJID, Mr.
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SHINDE, Mr. R. B.
SINDHA, Mr. MADHAVSANG JORBHAI
SOLANKI, Dr. P. G.
SURVE, Mr. A. N.
SURVE, Mr. V. A.
SYED MIRAN MAHOMED SHAH
SYED MUNAWAR, Mr.

TALPUR, MIR BANDEH ALI KHAN
THAKOR OF KERWADA, Sardar BHASAHEB RAISINHJI
TOLANI, Mr. S. S.
TURNER, Mr. C. W. A.
VAISHAMPAYAN, Dr. V. G.
VAKIL, Mr. PESTANSHAH N.
VANDEKAR, Rao Bahadur R. V.
WADKE, Mr. B. P.

NEW MEMBERS SWORN.

The following members made the prescribed oath of allegiance to His Majesty the King-Emperor, and took their seats in the Council :—

Mr. R. M. Maxwell, C.S.I., C.I.E., I.C.S.

Mr. C. M. Lane.

STARRED QUESTIONS AND ANSWERS.

DUAL CONTROL OF SECONDARY SCHOOLS.

*Rao Bahadur S. K. BOLE: Will the Honourable Minister for Education be pleased to state—

(*a*) whether Government are aware of the discontent caused by the dual control of the secondary schools both by Government and the University;

(*b*) whether it is a fact that many of the schools are affiliated for two years only;

(*c*) whether the attention of Government has been drawn to the allegation made by a correspondent in the issue of the *Times of India* of the 31st December 1933 to the effect that the object of affiliating the schools for two years only is that the University Commissioners can tramp about the districts every two years, canvass for the recurring elections, collect subscriptions for societies in which they may be interested and earn travelling allowance;

(*d*) if so, whether Government intend to remove the cause of discontent by doing away with the system of dual control?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) Dissatisfaction has been expressed in some quarters.

The Honourable Member's attention is invited to paragraph 8 of the Review of Administration No. XIV, Education.

(*b*) Yes.

(*c*) Government have seen the article in question.

(*d*) The Director of Public Instruction in his Report on Public Instruction for 1932-33, which will be issued shortly, has commented upon this question of dual control as follows :—

"The University exerts considerable influence over the courses followed in Secondary Schools through its Matriculation examination. It also registers schools for this examination and a school applying for registration is inspected by a special committee appointed by the

University for the purpose in order to ascertain whether it is fit to be registered. It may be questioned whether this inspection by a committee of the University is necessary and whether it would not be better for the University to register all schools which have been recognised by the Educational Department."

Government see no reason to doubt that the University will co-operate with them in improving the present system in any points in which improvement is shown to be desirable.

Rao Bahadur S. K. BOLE: With regard to reply to (*d*), may I know when Government are going to show to the University that the improvement is desirable?

The Honourable Dewan Bahadur S. T. KAMBLI: The Director of Public Instruction is supposed to bring this point to the notice of the University.

Rao Bahadur S. K. BOLE: When is he going to do that?

The Honourable Dewan Bahadur S. T. KAMBLI: When he thinks it necessary and desirable.

YERAVDA MENTAL HOSPITAL: RESERVATION OF POST OF SUPERINTENDENT.

* Dr. M. K. DIXIT (Surat District): Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) whether it is a fact that the European mental patients are admitted in the Ranchi Mental Hospital;

(*b*) whether it is a fact that the Government pays the Ranchi Mental Hospital for the maintenance of European patients from this Presidency in that hospital;

(*c*) if so, what sum was paid in the last two years on this account;

(*d*) whether it is a fact that the post of Superintendent, Yeravda Mental Hospital, is reserved for a European Officer of the service;

(*e*) whether the Government of Bombay have agreed to the reservation or have at any time protested against it;

(*f*) if the answer to (*a*) is in the affirmative, whether Government have considered the desirability of not reserving the post of Superintendent, Yeravda Mental Hospital, to European officer?

The Honourable Khan Bahadur D. B. COOPER: (*a*) Yes.

(*b*) and (*c*) As there are no European mental patients from this Presidency in the Ranchi Mental Hospital at present, Government do not now pay anything to that Hospital. The amounts paid to that Hospital during the last two years were as follows:—

	Rs.
1931-32	4,241
1932-33	1,458

(*d*) Yes.

(*e*) The local Government did not protest against the reservation of the post for a European I.M.S. Officer.

(*f*) Government have not considered the question since the orders of the Secretary of State were communicated to them in 1928, but they

propose now to examine the point and to consider whether the reservation referred to is still necessary.

Dr. M. K. DIXIT : These amounts in the years 1931–32 and 1932–33 were paid as the cost of the maintenance of the mental patients in the Ranchi Mental Hospital ?

The Honourable Khan Bahadur D. B. COOPER : Yes.

SPICE GARDENERS IN KANARA DISTRICT : DEPOPULATION.

*Mr. G. S. GANGOLI (Kanara District) : Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) the number of Havik Brahmins (Spice gardeners) in the talukas of Siddapur, Sirsi, Yellapur, Ankola and Supa Mahal in the district of Kanara in the years 1871, 1881, 1891, 1901, 1911, 1921 and 1931 ;

(*b*) the reasons for the decline in their population ;

(*c*) what steps Government propose to take to check their depopulation ;

(*d*) when the above talukas were transferred to Bombay Government ?

The Honourable Khan Bahadur D. B. COOPER : (*a*) In some of the census reports, the figures of Havik population have not been compiled by talukas. The subjoined table shows the total of their population in the Kanara district from 1871 to 1931 :—

Year.	Population.
1871	Not available
1881	39,710
1891	39,714
1901	40,560
1911	39,381
1921	36,109
1931	35,687

The taluka figures for the years 1901, 1911 and 1921 were as shown below :—

Taluka or Petha.	Population.		
	1901	1911	1921
Sirsi	11,052	10,080	9,450
Siddapur	9,017	7,995	7,405
Yellapur	6,600	6,176	5,426
Ankola	968	1,210	1,190
Supa	327	321	380
Total ..	27,964	25,782	23,851

(*b*) The majority of the Haviks live in the hilly forest area above the ghats. The main reason for decline in population between 1911 and

1921 was influenza. It is also due partly to malaria and the tendency to migrate to cities.

(*c*) A free supply of quinine is made available. Special medical officers have been appointed to treat those suffering from malaria. A copy of a press note dated 4th December 1933 is placed on the Table. Depopulation due to natural causes and social tendencies cannot be checked.

(*d*) In the year 1862.

PRESS NOTE.

P-374
4-12-1933

With the compliments of the Director of Information, Bombay.

Kanara is one of the most malarious districts in Bombay Presidency. Owing to peculiar conditions in this district, it has always been a difficult task to combat malaria. The villages in the district are small and scattered in the jungles and several agencies are required for distribution of quinine in this district. These features and the need of liberal supply of quinine were noted by His Excellency the Governor of Bombay during his recent tour in Kanara district and in accordance with the desire of His Excellency that as much relief as possible should be afforded to the malaria-stricken population. Government are undertaking the following measures :—

Four medical officers have been appointed on anti-malarial duty and they are at present working in Yellapur and Siddapur talukas and in Supa peta which are some of the most malarious tracts in Kanara. Two of these medical officers will be employed after the malaria season is over to visit villages in which malaria may be prevailing. These officers have been supplied with a sufficient stock of quinine and other drugs. Quinine is also supplied through the doctors of the Indian Red Cross Society, village officers, vaccinators and Inspectors of Sanitation and Vaccination and in some places through village school-masters. The Inspectors have been given special instructions to distribute quinine in the more remote villages which are not likely to be visited for the present by medical officers on anti-malaria duty. Orders have been issued to supply about 75,000 two-grain tablets of quinine to the Administrative Officer of the School Board for treatment of school children suffering from malaria. The total amount of quinine supplied to this district for the present is 1,00,000 five-grain and 1,10,400 two-grain tablets. The medical officers and vaccinators have been instructed to explain to the villagers how malaria is contracted and how it can be prevented. It is also proposed to start plasmoquine treatment in selected area at a favourable opportunity.

Dr. P. G. SOLANKI : Do these Haviks belong to the hill tribes ?

The Honourable Khan Bahadur D. B. COOPER : They are agriculturists.

Dr. P. G. SOLANKI : To what caste they belong ?

An Honourable MEMBER : They are Brahmins.

Dr. P. G. SOLANKI : Because it is stated here they live in the hilly forest, I wanted to have information whether they belong to the hill tribes.

Mr. G. S. GANGOLI : With reference to the reply to (*b*), the last sentence is ' It is also due partly to malaria and the tendency to migrate to cities.' Is there any single instance of the fact that anyone has migrated to cities ?

The Honourable Khan Bahadur D. B. COOPER : The reply is clear.

Mr. G. S. GANGOLI : I wish to bring to the notice of the Honourable Minister that the tendency is not like that. Can he mention one instance ?

The Honourable Khan Bahadur D. B. COOPER : Instances cannot be given. Government have placed the information in their possession before the House.

Mr. G. S. GANGOLI: It is exactly the point. They have not migrated. How have they shown this tendency to migrate?

The Honourable Khan Bahadur D. B. COOPER: It is news to us that they have not migrated.

Mr. G. S. GANGOLI: It is news to you. But take it as a fact from me.

FORFEITURES AND SALES OF PROPERTY FOR RECOVERY OF LAND REVENUE IN SIDDAPUR TALUKA.

*Mr. G. S. GANGOLI (Kanara District): Will the Honourable the Revenue and Finance Member be pleased to state, with reference to my question printed at page 147 of Volume XXXVIII of the Bombay Legislative Council debates—

(*a*) the extent of standing crops on the lands forfeited in Siddapur Taluka;

(*b*) the total number of dwelling houses and other buildings forfeited and their value;

(*c*) (*i*) How many of the lands and buildings forfeited were actually sold by auction, (*ii*) how many of them are still with Government and (*iii*) how many of them have been handed over to strangers for nominal or no price;

(*d*) (*i*) the total extent of the property handed over to strangers including the area, (*ii*) amount of standing crops, (*iii*) number of buildings and their value and (*iv*) the amount actually recovered by such grants?

The Honourable Sir GHULAM HUSSAIN: (*a*) 231 acres.

(*b*) There were 8 dwelling houses in the area which were forfeited. Their value is estimated at Rs. 1,295.

(*c*) (*i*) The lands and buildings were not sold by auction.

(*ii*) An area of 169 acres with 5 houses therein still remains as Government waste.

(*iii*) An area of 62 acres with 3 houses therein has been granted to 12 persons free of occupancy price and on restricted and impartible tenure.

(*d*) (*i*) 62 acres.

(*ii*) There were no standing crops at the time of the grant.

(*iii*) Three and their value is estimated at Rs. 1,250.

(*iv*) No amount was recovered from the grantees.

Mr. G. S. GANGOLI: With reference to reply (*d*) (*ii*) where it is stated 'There were no standing crops at the time of the grant' may I know what became of the standing crop?

The Honourable Sir GHULAM HUSSAIN: There were no standing crops.

Mr. G. S. GANGOLI: At a previous session I asked a supplementary question in regard to a question by the honourable member Rao Bahadur Kale "what became of the standing crop?". The Honourable the Revenue Member wanted notice. Now, I have given notice and want

to know from the Honourable Member as to what became of the standing crop.

The Honourable Sir GHULAM HUSSAIN: In the question, it is stated:

"the total extent of the property handed over to strangers including the area, (*ii*) amount of standing crops, (*iii*) number of buildings....."

There were no standing crops.

Mr. G. S. GANGOLI: I shall take the Honourable Member to part (*a*) of the reply. What became of the standing crops on the 231 acres?

The Honourable Sir GHULAM HUSSAIN: They might have been credited to Government.

Mr. G. S. GANGOLI: What was the value of the standing crops credited to Government?

The Honourable Sir GHULAM HUSSAIN: I want notice.

Mr. G. S. GANGOLI: If he looks up the previous Debate on page 147, Volume XXXVIII there was a question asked and the Honourable Member wanted notice.

The Honourable Sir GHULAM HUSSAIN: The reply is quite correct with reference to the question asked.

Mr. G. S. GANGOLI: At a previous session I asked a supplementary question as to what became of the standing crop and the Honourable Member wanted notice. I gave notice.

The Honourable the PRESIDENT: The honourable member has not specifically mentioned what information he wants from the Honourable the Revenue Member. The question is "the amount of standing crops". The Honourable Member replied "there were no standing crops".

Mr. G. S. GANGOLI: What became of the standing crops?

The Honourable the PRESIDENT: "There were no standing crops...."

Mr. G. S. GANGOLI: What became of the standing crops with regard to part (*a*) of the reply?

The Honourable Sir GHULAM HUSSAIN: They might have been credited to Government.

Mr. G. S. GANGOLI: I shall refer the Honourable the Revenue Member to the previous debate.

The Honourable Sir GHULAM HUSSAIN: He cannot argue at question time. The question is there and the reply is clear.

Mr. G. S. GANGOLI: Was the property with the standing crop forfeited and handed over to strangers?

The Honourable Sir GHULAM HUSSAIN: No.

Mr. G. S. GANGOLI: If it is not handed over, what became of the standing crop?

The Honourable Sir GHULAM HUSSAIN: It must have been disposed of by Government.

Mr. G. S. GANGOLI: Will he be pleased to say whether any part of it was credited to Government?

The Honourable Sir GHULAM HUSSAIN: Let him give notice.

Mr. G. S. GANGOLI: In reply to part (*c*) (*ii*) it is stated: "An area of 169 acres with 5 houses therein still remains as Government waste". May I know the value of the houses?

The Honourable Sir GHULAM HUSSAIN: I cannot be expected to give all these details offhand. I am in Bombay and this is in Kanara.

Mr. G. S. GANGOLI: In reply to (*b*) it is stated that there were 8 dwelling houses and their value is estimated at Rs. 1,295; and in reply to (*d*) (*iii*) it is stated that there are three houses and their value is estimated at Rs. 1,250.

The Honourable Sir GHULAM HUSSAIN: What is the question?

Mr. G. S. GANGOLI: Does the honourable member really believe that these five houses which are with Government are worth only Rs. 45?

The Honourable Sir GHULAM HUSSAIN: That is a matter of opinion.

Mr. G. S. GANGOLI: Is it so shown because they are in the hands of Government? Three houses are worth Rs. 1,250, but five are worth only Rs. 45!

The Honourable Sir GHULAM HUSSAIN: Those in the hands of Government may be only cottages. We call a cottage a 'house'.

Mr. G. S. GANGOLI: May I know why an area of 62 acres with 3 houses therein were granted free?

The Honourable Sir GHULAM HUSSAIN: In the interest of Government revenue.

Mr. G. S. GANGOLI: What is the revenue derived, if nothing was recovered?

The Honourable Sir GHULAM HUSSAIN: The land assessment.

Mr. G. S. GANGOLI: In the future?

The Honourable Sir GHULAM HUSSAIN: Yes.

Mr. G. S. GANGOLI: Is it a fact that the five houses are worth more than Rs. 10,000?

The Honourable Sir GHULAM HUSSAIN: I have no information.

Mr. G. S. GANGOLI: Will the Honourable the Revenue Member part with them if double that amount of Rs. 45 is offered?

The Honourable Sir GHULAM HUSSAIN: That is a suggestion for action?

Mr. G. S. GANGOLI: How long will they be kept idle in the hands of Government?

The Honourable Sir GHULAM HUSSAIN : They are not kept idle

Mr. G. S. GANGOLI : Who are the occupants of the houses in the hands of Government ?

The Honourable Sir GHULAM HUSSAIN : I cannot give their names.

Mr. G. S. GANGOLI : Sir, this is a serious matter. If the Honourable the Revenue Member will part with the houses, I shall pay double the amount of Rs. 45.

The Honourable Sir GHULAM HUSSAIN : If the honourable member makes an offer, we will consider it.

Mr. G. S. GANGOLI : Mere consideration is no reply.

The Honourable Sir GHULAM HUSSAIN : How can we commit ourselves ?

I.C.S. WEEK.

*Mr. M. H. GAZDAR (Karachi City) : Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) whether it is a fact that almost every year, both in Sind as well as in the Presidency proper, the I.C.S. Officers observe a week, known as the "I.C.S. Week" ;

(*b*) if so, who bears the cost of this function including the travelling expenses of the members—whether Government or the officers themselves ;

(*c*) if the cost is borne by Government, whether they have considered the desirability of discontinuing the celebration of the week in these days of financial stringency, and if so, with what result ?

The Honourable Sir GHULAM HUSSAIN : (*a*) Yes.

(*b*) The officers themselves.

(*c*) Does not arise.

Mr. M. H. GAZDAR : I want to know whether the period spent on the I.C.S. week is treated as on leave or on duty ?

The Honourable Sir GHULAM HUSSAIN : As casual leave.

DISPOSAL OF DECCAN COLLEGE LIBRARY.

*Mr. B. S. KAMAT : Will the Honourable Minister for Education be pleased to state—

(*a*) whether Government have sold, or made an agreement to sell the Buildings and grounds of the Deccan College, Poona, which they have decided to close down ;

(*b*) if so, to which purchaser, and for what price ;

(*c*) what decision they have come to with regard to the disposal of the Library of the said College ?

The Honourable Dewan Bahadur S. T. KAMBLI : (*a*) Yes. Subject to the sanction of the Court.

(*b*) To the Parsi Public School Society for about five lakhs.

(*c*) The books in the Library are to be distributed among other Government Arts Colleges.

Mr. B. S. KAMAT: Sir, a supplementary question with reference to (*a*). May I know what necessitated the obtaining of the sanction of the Court in connection with the sale of the Deccan College?

The Honourable Dewan Bahadur S. T. KAMBLI: Because it is held in trust.

Mr. B. S. KAMAT: May I know also if there is a trust deed in this connection?

The Honourable Dewan Bahadur S. T. KAMBLI: No trust deed was executed.

Mr. B. S. KAMAT: Does the trust show that this property should be held in perpetuity for education or higher education?

The Honourable Dewan Bahadur S. T. KAMBLI: When originally the donor made his munificent contribution for the building of the Deccan College, the condition was that it should be used for educational purposes.

Mr. B. S. KAMAT: May I know if any one of the public who is interested in the Deccan College would be allowed and notified to appear in court before Government obtain its sanction for parting with the property?

The Honourable Dewan Bahadur S. T. KAMBLI: That is a matter of law for the court to decide.

Mr. L. R. GOKHALE: Have Government applied for the sanction of the court as yet?

The Honourable Dewan Bahadur S. T. KAMBLI: Not yet; the application is being drafted.

Mr. L. R. GOKHALE: Do Government propose to do that within a reasonable time?

The Honourable Dewan Bahadur S. T. KAMBLI: Certainly.

Rao Bahadur G. K. CHITALE: With reference to (*a*), the question was "whether Government have sold, or made an agreement to sell" and the reply is "Yes." What does "Yes" mean? Have they sold or made an agreement to sell? Which of the two?

The Honourable Dewan Bahadur S. T. KAMBLI: Made an agreement to sell, subject to the sanction of the court. Until the sanction of the court is received, the sale will not be complete.

Mr. L. R. GOKHALE: Is there any document executed between the Government and the purchaser as regards the proposed sale; or is it only a sort of understanding?

The Honourable Dewan Bahadur S. T. KAMBLI: So far as I am aware, the matter has gone on by way of correspondence. I am not quite sure about it.

Mr. B. S. KAMAT: Supplementary question to (*b*). The reply is that this property has been sold for about five lakhs. May I know what the total investment of Government was over the Deccan College, and grounds, and other subsidiary buildings—roughly?

The Honourable Dewan Bahadur S. T. KAMBLI: If my honourable friend gives notice, I will find it out for him.

Mr. M. M. KARBHARI: Was this property——

Rao Bahadur S. N. ANGADI *rose.*

The Honourable the PRESIDENT: Order, order.

Mr. M. M. KARBHARI: Was this property offered for sale by advertisement?

The Honourable Dewan Bahadur S. T. KAMBLI: Offers were called for publicly.

Mr. M. M. KARBHARI: Were any tenders invited by advertisement?

The Honourable Dewan Bahadur S. T. KAMBLI: Offers were publicly invited.

Mr. M. M. KARBHARI: Was an advertisement given in the newspapers?

The Honourable Dewan Bahadur S. T. KAMBLI: If I remember aright, a press note was issued on the subject.

Rao Bahadur S. N. ANGADI: May I now how many offers there were in all? And which was the best of them?

The Honourable Dewan Bahadur S. T. KAMBLI: So far as I remember there was one more offer.

Rao Bahadur S. N. ANGADI: Which was the best of them?

The Honourable Dewan Bahadur S. T. KAMBLI: Government considered that this was the best of them.

Mr. R. R. BAKHALE: From which point of view?

The Honourable Dewan Bahadur S. T. KAMBLI: From all points of view.

Mr. B. S. KAMAT: Supplementary to (*c*). It has been rumoured that the portraits, in the library, of ex-principals and ex-professors, like Principal Selby, Dr. Bhandarkar and Principal Wordsworth are likely to be sold either by auction or otherwise. I do not know: is there any truth in that rumour?

The Honourable Dewan Bahadur S. T. KAMBLI: I am not aware of that.

Mr. L. R. GOKHALE: Is the property which belongs to the Deccan Gymkhana also to be sold along with the Deccan College buildings and grounds?

The Honourable Dewan Bahadur S. T. KAMBLI: Which property?

Mr. L. R. GOKHALE: The building of the Deccan College Students' Gymkhana and the Boating Club.

The Honourable Dewan Bahadur S. T. KAMBLI: I would require notice of that.

Mr. L. R. GOKHALE: Was there any library attached to the gymkhana?

The Honourable Dewan Bahadur S. T. KAMBLI: If he will give me notice, I will find it out for him.

Mr. L. R. GOKHALE: Is that library also going to be sold?

The Honourable Dewan Bahadur S. T. KAMBLI: My honourable friend assumes that the library is going to be sold; this assumption is incorrect.

Mr. L. R. GOKHALE: I do not mean sale. Are the books of the Deccan College Gymkhana Library also going to be distributed?

The Honourable Dewan Bahadur S. T. KAMBLI: The original question related to the library of the said college and the reply was given. This question relates to the library of the gymkhana. I would require notice of that question.

Mr. L. R. GOKHALE: Have the Government in their possession any information about the property of the Deccan College Gymkhana and of the Deccan College Gymkhana Library? I do not want any further details.

The Honourable Dewan Bahadur S. T. KAMBLI: If my honourable friend gives notice of that question, I shall find it out.

Rao Bahadur G. K. CHITALE: Who is now in possession of the property?

The Honourable Dewan Bahadur S. T. KAMBLI: Which property?

Rao Bahadur G. K. CHITALE: The whole property of the Deccan College and the gymkhana—clubs, pots, pans, chairs, boats, library books, etc.

The Honourable Dewan Bahadur S. T. KAMBLI: Does he want to know who is in physical possession of that property?

Rao Bahadur G. K. CHITALE: Yes.

The Honourable Dewan Bahadur S. T. KAMBLI: The bungalows and quarters meant for the staff are occupied by the professors and the Principal of the College, and some buildings are occupied by the resident students of the college, etc.

Rao Bahadur G. K. CHITALE: The College has been closed and closed for ever from the 12th instant.

The Honourable Dewan Bahadur S. T. KAMBLI: If that is so, the Principal may be said to be in possession of the whole property as head of the institution on behalf of Government. In other words, Government is in possession of the whole property.

Rao Bahadur G. K. CHITALE: What I am interested to know is whether a list has been made of the pots, pans, boats, books, etc., belonging to the Deccan College Cricket Club and the Deccan College Boat Club.

The Honourable Dewan Bahadur S. T. KAMBLI: I want to know how the supplementary question arises out of the original question.

Mr. L. R. GOKHALE: Are the boats of the Gymkhana included in the property proposed to be sold?

The Honourable Dewan Bahadur S. T. KAMBLI : Which property ?

Rao Bahadur G. K. CHITALE : Deccan College property.

Mr. L. R. GOKHALE : Does the property proposed to be sold include the Deccan College Gymkhana Boat Club ?

The Honourable Dewan Bahadur S. T. KAMBLI : I have already answered that question. I want notice of that question.

PROSTITUTION.

*Mr. M. M. KARBHARI (Thana and Bombay Suburban Districts) : Will the Honourable the Home and General Member be pleased to state—

(*a*) whether Government have any statistics to show the number of the blind, crippled and insane people in the Presidency who owe their disabilities to prostitution and to syphilis and gonorrhœa, which are the natural consequences of prostitution ;

(*b*) whether Government are aware that prostitution, as at present practised in this Presidency, is one of the greatest evils and a bane of the society ;

(*c*) if so, what measures, if any, Government have adopted or propose to adopt to stop such kind of prostitution ;

(*d*) how many Turkish baths, massage institutions and birth control clinics exist in the city of Bombay ;

(*e*) whether such places and institutions are controlled by rules and regulations, and whether they have been brought under the direct control and supervision of Government or of any other public institutions ;

(*f*) if not, the reasons therefor ?

The Honourable Mr. R. D. BELL : (*a*) No separate statistics showing the number of blind and crippled who owe their disabilities to syphilis and gonorrhœa are maintained in the Civil Hospitals in this Presidency. There are at present 29 insane persons under treatment in the Mental Hospitals in this Presidency who owe their disability to these diseases.

(*b*) Yes.

(*c*) The Bombay Prevention of Prostitution (Amendment) Act, XII of 1930, was passed in response to public opinion. It is too early yet to pass an opinion on its result. No legislation can stop prostitution ; the most that can be hoped for from legislation is that it will abate the traffic in prostitution by third parties and the Bombay Prevention of Prostitution Act has had this result. Further legislation is not at present under contemplation.

(*d*) There are 24 " bath and massage " establishments in Bombay City at present. The number of private birth-control clinics in the City is two. There is also a fully qualified nurse who imparts instructions on birth-control to married women who consult her.

(*e*) and (*f*) No. So far as the Turkish Baths and Massage establishments are concerned, it was not found practicable to control them either under the Bombay Prevention of Prostitution Act, 1923, or under the City of Bombay Municipal Act, 1888.

DHANRAJGIRJI HOSPITAL AT SHOLAPUR.

*Rao Saheb P. D. KULKARNI (Poona District): Will the Honourable Minister for Local Self-Government be pleased to state—

(a) when the Dhanrajgirji Hospital was opened at Sholapur;

(b) how many beds there are for indoor patients;

(c) how many beds are assigned to the maternity section;

(d) who is in charge of the maternity section;

(e) the total number of maternity cases attended to during the year 1932–33;

(f) how many probationary nurses of the Bombay Presidency Nursing Association are allowed to receive training in this hospital;

(g) since when this training class has been started?

The Honourable Khan Bahadur D. B. COOPER: (a) The Dhanrajgirji Hospital at Sholapur was opened on 4th November 1929. It started actual working on 8th November 1930.

(b) 75.

(c) 20.

(d) The following persons are in charge of the maternity section:—

(1) Lady Doctor—Mrs. Parchure, L.C.P.S.

(2) Matron—Mrs. Shreekhande, B.P.N.A.

(3) Consulting Surgeon to Maternity section and Chief Medical Officer of the hospital—Dr. B. V. Mulay, M.S.

(e) 134.

(f) 12 probationary nurses including midwives and the sick nurses are allowed to receive training.

(g) The training class has been started since 1st January 1933.

Rao Bahadur G. V. PRADHAN: With reference to question (f), is it true that the nursing course for midwives and nurses has been closed in the Civil Hospital?

The Honourable Khan Bahadur D. B. COOPER: I do not know.

Rao Bahadur R. V. VANDEKAR: With reference to (d), are there any other doctors attached to the teaching staff besides those mentioned in the answer to (d)?

The Honourable Khan Bahadur D. B. COOPER: I do not know. If the honourable member gives notice, I shall find out the information.

DHANRAJGIRJI HOSPITAL AT SHOLAPUR.

*Rao Bahadur G. V. PRADHAN (Nasik District): Will the Honourable Minister for Local Self-Government be pleased to state—

(a) when the Dhanrajgirji Hospital was opened at Sholapur;

(b) how many beds there are for indoor patients;

(c) how many beds are assigned to the maternity section;

(d) who is in charge of the maternity section;

(e) the total number of maternity cases attended to during the year 1932–33;

(f) how many probationary nurses of the Bombay Presidency Nursing Association are allowed to receive training in this hospital;

(g) since when this training class has been started?

The Honourable Khan Bahadur D. B. COOPER: (*a*) to (*g*) The Honourable Member is referred to the reply given by me to a similar question asked by Rao Saheb P. D. Kulkarni which is printed* in the list of starred questions.

SCARCITY OF WATER SUPPLY IN LOWER SIND: PROPOSED CONFERENCE.

*Mr. SHAIKH ABDUL MAJID (Karachi District): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether it is a fact that the Commissioner in Sind had convened a conference of Public Works Department and Revenue officials at Government House, Karachi, on 12th April 1933 to consider the problem of water supply in Lower Sind and to meet the requirements of the cultivators in Lower Sind;

(*b*) the names of the officers who attended that conference and the decisions of the conference;

(*c*) whether the petitions submitted to the Government by zamindars from time to time to avert water famine in Lower Sind were also considered;

(*d*) whether any representatives of the Zamindars' Associations were also invited to attend the conference;

(*e*) whether it is a fact that no Muslim zamindar was invited to attend the conference;

(*f*) whether it is a fact that the two Hindu zamindars, Rao Bahadur Hiranand of Hyderabad, Sind, and Rao Saheb Metharam of Karachi district who were invited to attend the conference had to sit outside all the while and were not consulted on the subject under discussion in any way;

(*g*) if so, the reasons why the representatives of the zamindars were not allowed to participate in the discussions of the above conference;

(*h*) whether Government intend to consider the advisability of convening a conference representing Government on one hand and zamindars on the other to find out means and measures for averting the threatened water scarcity in Lower Sind?

The Honourable Mr. R. D. BELL: (*a*) Yes.

(*b*) The following are the names and designations of the officers who attended the Conference:—

1. R. E. Gibson, Esquire, C.I.E., I.C.S., Commissioner in Sind.
2. S. C. Mould, Esquire, C.I.E., I.S.E., Chief Engineer in Sind.
3. W. L. C. Trench, Esquire, M.Inst.C.E., I.S.E., Superintending Engineer, Southern Sind Circle.
4. N. H. Menesse, Esquire, I.S.E., Executive Engineer, Fuleli Canals Division.
5. W. E. Bushby, Esquire, A.M.Inst.C.E., I.S.E., Executive Engineer, Karachi Canals Division.
6. G. F. S. Collins, Esquire, C.I.E., O.B.E., I.C.S., Collector of Karachi.

* Printed in to-day's debates.

7. H. Dow, Esquire, C.I.E., I.C.S., Revenue Officer, Lloyd Barrage Scheme.

8. W. J. Jenkins, Esquire, M.A., B.Sc., Chief Agricultural Officer in Sind.

The Conference made certain recommendations which are under the consideration of Government.

(*c*) No, but the complaints received by the Commissioner in the last touring season were considered by him.

(*d*) No.

(*e*) Yes.

(*f*) and (*g*) Rao Bahadur Hiranand, President of the Fuleli Zamindars' Association, learning that a Conference was to be held, approached the Commissioner and volunteered to be present at the Conference to supply such information as might be required relating to local conditions on the Fuleli tract. Rao Saheb Metharam was asked to attend to represent the Shahbunder Division of the Karachi District in case he might similarly be required to supply information about his division. Actually, however, no occasion arose for these gentlemen to be called in to the Conference which was a purely official one. This was explained to them and they were thanked for the trouble they had taken to attend.

(*h*) No.

Mr. SHAIKH ABDUL MAJID: With regard to (*a*), have Government any objection to place a copy of the recommendations of the conference on the Council table, or at least to supply later on a copy of the recommendations to the members of this House?

The Honourable Mr. R. D. BELL: I would like to have notice of that question.

Mr. SHAIKH ABDUL MAJID: It arises out of the answer given, viz. "The Conference made certain recommendations which are under the consideration of Government." Another supplementary question which I would ask is: how much time would Government probably take in coming to a decision in regard to the recommendations of the conference?

The Honourable Mr. R. D. BELL: That part of the answer is perhaps misleading. There was only one recommendation on which it was necessary to take any action and that was a proposal to take steps to improve the water supply in Mulchand Wah and Hassanali Wah, and a project is being prepared for that purpose.

Mr. SHAIKH ABDUL MAJID: With regard to (*f*) and (*g*), it is stated that the conference was a purely official one. If that was so, may I know why Rao Saheb Metharam was invited to attend that conference?

The Honourable Mr. R. D. BELL: The reply is given in the printed answer.

Mr. SHAIKH ABDUL MAJID: But the printed answer mentions that he was "asked to attend to represent the Shahbunder Division of the Karachi District in case he might similarly be required to supply nformation about his division." That means he had been definitely

informed that only when there was need for him to come and participate in the conference he would be asked to come and attend it; otherwise he would have to sit outside the verandah.

The Honourable Mr. R. D. BELL: I think, Sir, the answer is plain as it is printed.

SYED MIRAN MAHOMED SHAH: Have Government taken into consideration the requirements of other parts of Lower Sind besides Mulchand Wah and Hassanali Wah?

The Honourable Mr. R. D. BELL: Yes, Sir. There were other questions relating to Lower Sind considered, but no action in respect to these questions was recommended.

SYED MIRAN MAHOMED SHAH: Have Government taken public opinion into consideration while coming to any decision in the matter? Have they consulted the representatives of the public before coming to this decision?

The Honourable Mr. R. D. BELL: Government have never been short of public opinion from Sind.

SYED MIRAN MAHOMED SHAH: I did not follow.

The Honourable Mr. R. D. BELL: I said Government are never short of public opinion from Sind.

Mr. SHAIKH ABDUL MAJID: I want to know exactly why, having been invited to attend the conference, Rao Saheb Metharam was not allowed to participate in that conference and why he was asked to sit outside along with Rao Bahadur Hiranand who, it is stated, volunteered to be present at the conference. I want to know why they were made to sit outside. Was it fair on the part of this official conference to invite them to attend and then to make them sit outside all the while from noon to evening?

The Honourable the PRESIDENT: Where is that?

Mr. SHAIKH ABDUL MAJID: My question is whether these two Hindu zamindars, Rao Bahadur Hiranand of Hyderabad and Rao Saheb Metharam of Karachi District, who were invited to attend the conference, had to sit outside all the while and were not consulted on the subject under discussion in any way.

The Honourable the PRESIDENT: Is there a reply to that?

Mr. SHAIKH ABDUL MAJID: Yes.

The Honourable the PRESIDENT: What is the reply to that portion of the question which the honourable member has referred to?

Mr. SHAIKH ABDUL MAJID: The reply is:

"Rao Bahadur Hiranand, President of the Fuleli Zamindars' Association, learning that a Conference was to be held, approached the Commissioner and volunteered to be present at the Conference to supply such information as might be required relating to local conditions in the Fuleli tract. Rao Saheb Metharam was asked to attend to represent the Shahbunder Division of the Karachi District in case he might similarly be required to supply information about his division."

My supplementary question in regard to this answer is whether it was fair on the part of the local officials, or whoever was responsible for convening this conference, to invite two respectable zamindars to attend the conference and then to make them sit outside all the while from noon to evening. And it is stated that they were thanked for the trouble they had taken to attend.

The Honourable Mr. R. D. BELL: Sir, one of these gentlemen volunteered to attend the conference in order to supply any information that the conference might require, and the Commissioner in Sind agreed to accept his very kind offer, and at the same time asked another gentleman from the Karachi district whether he would also like to attend the conference for the same purpose. The other gentleman agreed, but in neither case was any consultation required.

Mr. SHAIKH ABDUL MAJID: Is the Honourable the General Member absolutely sure that the letter of invitation sent to Rao Saheb Metharam was couched in so many terms that only in case he might be required to supply information he would be allowed to participate in the conference and that otherwise he would have to sit outside ?

The Honourable Mr. R. D. BELL: Is the honourable member sure that it was not so couched ?

Mr. SHAIKH ABDUL MAJID: Yes, Sir.

Mr. MAHOMED HASHIM GAZDAR: When such an important conference was called to discuss this question of scarcity of water in Karachi, I would like to know why Government did not consider it advisable to invite the representatives of the Karachi district to this Conference.

The Honourable Mr. R. D. BELL: The Conference was called by the Commissioner in Sind, not by Government.

Mr. SHAIKH ABDUL MAJID: With regard to the reply to (*h*), my supplementary question is, whether in view of the new conditions that have been created as the result of the Barrage and whether in view of the new methods of cultivation that are being proposed for the Lower Sind zamindars and whether in view of the improvements in the canals that are being effected to the detriment of the agricultural community in the Karachi district particularly, is it or is it not necessary to convene a conference representing zamindars and the Government to come to some sort of a definite plan of work for the future ?

The Honourable Mr. R. D. BELL: Not at present, Sir.

Mr. MAHOMED HASHIM GAZDAR: May I know whether the Commissioner in Sind does not realise the importance of the honourable member who represents the Karachi district in this House being present at that conference or is the Government not responsible for the Commissioner's action ?

The Honourable Mr. R. D. BELL: I have no information about the views of the Commissioner in Sind on that question.

OFFICIAL ASSIGNEE, BOMBAY: DELAY IN DISTRIBUTION OF INSOLVENTS' MONEYS.

*Mr. SYED MUNAWAR: Will the Honourable the Home and General Member be pleased to state—

(*a*) whether the attention of Government has been drawn to the Schedule of Estates in the hands of the Official Assignee on the 31st January 1932 published in the *Government Gazette* of 25th May 1933;

(*b*) if so, the reasons why it takes about sixteen months to publish the same;

(*c*) whether the Official Assignee held more than 30 lakhs of rupees;

(*d*) if so, the reasons for not distributing the same among the creditors;

(*e*) whether moneys are yet held by the Official Assignee in insolvencies of 1911;

(*f*) if so, the reasons why these moneys are not distributed;

(*g*) whether Government are aware of the discontent among the public at the long delay that takes place in distributing the moneys of the insolvents among the creditors?

The Honourable Mr. R. D. BELL: (*a*) Yes.

(*b*) The Schedule could not be published earlier as under Bombay Insolvency Rule 177, accounts of estates contained in it have to be audited before publication. The Government Auditors were busy elsewhere, and the audit could not be completed till about the end of March 1933.

(*c*) Yes.

(*d*) The question appears to have been asked under misapprehension. In the Schedule there are 310 estates in which orders for distributing the assets had been made by the Court and one or more dividends had been declared prior to the 31st January 1932 and yet on 31st January 1932 there were some moneys remaining to the credit of the said estates, either because a *final* dividend had not been declared therein, or because in spite of the declaration of a final dividend within 12 months prior to 31st January 1932, some of the creditors of the estates had not received payment of the dividends due to them.

(*e*) and (*f*) Yes, in respect of two estates. One of them has since been wound up. As regards the other, a third and a final dividend was declared as far back as in 1919 but it was not wound up. Some further assets were realised in August 1931 and the estate was advertised with the leave of the Insolvency Judge for the declaration of a supplementary and final dividend on 19th June 1933. This dividend was declared on 2nd October 1933 and the estate is now practically wound up.

(*g*) Yes. In consequence of the congestion in the office, the Official Assignee's staff was strengthened in 1931 and there has been steady improvement since in the disposal of cases.

Mr. SYED MUNAWAR: With reference to answer to part (*b*), may I know whether, when Government auditors are busy elsewhere, the audit of the insolvency accounts will be delayed as has hitherto been done for sixteen months? May I know whether other auditors will be engaged to audit such accounts when Government auditors are busy elsewhere? I ask this question in order to prevent inordinate delays like the one in the case under reference.

The Honourable Mr. R. D. BELL: It is obvious that Government auditors must spread their work over the whole year and that some audits must therefore always come about 12 months after the end of the year to which they relate.

TAXI AND VICTORIA FARES IN BOMBAY CITY.

* Mr. SYED MUNAWAR: Will the Honourable the Home and General Member be pleased to state—

(*a*) whether it is a fact that the existing taxi and victoria fares in Bombay City were fixed in the boom period during the last Great War;

(*b*) whether he is aware that taxi and victoria drivers have in many cases charged less than the meter and scheduled fare during the last two years or so;

(*c*) if so, whether Government intend to reduce the existing fares of these conveyances?

The Honourable Mr. R. D. BELL: (*a*) No.

(*b*) No complaint has been received in this respect. Lower rates may have been charged in exceptional instances.

(*c*) No.

Mr. SYED MUNAWAR: With reference to reply to part (*a*), may I know when the taxi and victoria fares were fixed?

The Honourable Mr. R. D. BELL: The existing rate of 8 annas per mile was introduced in the year 1926.

Rao Bahadur R. S. ASAVALE: Is it not a fact that the present rate for victorias is 6 annas per mile?

The Honourable Mr. R. D. BELL: As regards hack victorias, the fare was reduced from 8 to 6 annas in 1927.

Mr. SYED MUNAWAR: Is it proposed to reduce similarly the taxi fares also?

The Honourable Mr. R. D. BELL: No, Sir.

BEGGARS IN BOMBAY CITY.

* Mr. SYED MUNAWAR: Will the Honourable the Home and General Member be pleased to state—

(*a*) the number of beggars convicted for begging in the streets of Bombay during the first three weeks of January 1934;

(*b*) the number of beggars deported to their places of origin;

(*c*) the amount spent on their railway or steamer fares;

(*d*) the budget head of expenditure to which the amount is to be debited;

(*e*) whether it is proposed to carry on this campaign systematically until the City gets rid of all able-bodied beggars;

(*f*) whether a similar arrangement is also made to deal with disabled beggars?

The Honourable Mr. R. D. BELL: (*a*) 552.

(*b*) 4.

(*c*) Rs. 36-2-0.

(*d*) "47, Miscellaneous (Reserved)—Deportation Charges".

(*e*) Beggars are deported from the City by the Commissioner of Police whenever possible in virtue of the powers vested in him by section 27 (2) of the City of Bombay Police Act.

(*f*) For the present action is taken mainly against able-bodied beggars.

CO-OPERATIVE MOVEMENT IN BOMBAY PRESIDENCY.

*Mr. SYED MUNAWAR: Will the Honourable Minister for Education be pleased to state—

(*a*) whether his attention has been drawn to the article by Sir Lalubhai Samaldas on page 12 of the *Times of India* dated the 8th February 1934 on the subject of "Co-operative movement in India";

(*b*) whether Government have considered the desirability of agreeing to have an all-India organisation for the movement;

(*c*) which of the views expressed in the article are concurred in by Government?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) Yes.

(*b*) and (*c*) Government have not yet received an official report of the proceedings of the Conference of Registrars of Co-operative Societies and have had no occasion to consider its position in regard to the questions discussed in Sir Lalubhai's article.

PAROLE ORDER AGAINST GULABCHAND DOSHI OF PANDHARPUR.

*Dr. V. G. VAISHAMPAYAN (Sholapur City): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether Government are aware that a new Party called "The Democratic Swaraj Party" has been newly and constitutionally formed in this Presidency, with its branches spread all over the Marathi-speaking districts;

(*b*) whether Government are aware that a District Committee of this party has been formed at Pandharpur for the Sholapur district;

(*c*) whether Government are aware that Mr. Gulabchand Doshi is the President of the Sholapur District Committee;

(*d*) whether Government are aware that Mr. Gulabchand Doshi is prohibited from entering the limits of Sholapur City and taluka;

(*e*) if so, how long Government propose to continue the order of prohibition against him?

The Honourable Mr. R. D. BELL: (*a*) to (*c*) Yes.

(*d*) He is prohibited from entering the Sholapur City and taluka, other than railway limits, except with the permission of the District Magistrate.

(*e*) The order of prohibition will be continued as long as it is deemed necessary.

Dr. V. G. VAISHAMPAYAN: If Mr. Gulabchand has declared himself to be a constitutionalist, why is it that these restrictions should still be considered necessary?

The Honourable Mr. R. D. BELL: I am not aware that he has declared himself a constitutionalist. If he has, he had better go to the District Magistrate and explain so.

Dr. V. G. VAISHAMPAYAN: Supplementary questions to parts (*a*) and (*c*). If Mr. Gulabchand has become the president of the district organisation of the newly formed constitutional party, why should the restrictions be continued against him? May I know whether this hardship has been inflicted upon him on account of his acquittal in appeal?

The Honourable Mr. R. D. BELL: I have no information.

Dr. V. G. VAISHAMPAYAN: Was he acquitted in the High Court, was he fined Rs. 20,000 by the District Magistrate, was he sentenced to 2 years' rigorous imprisonment?

The Honourable Mr. R. D. BELL: There was some appeal in the High Court, but I cannot give the honourable member accurate information now without notice.

CHITNISES AND HEAD CLERKS TO COLLECTORS: COMMUNITY.

*Rao Bahadur R. V. VANDEKAR (Nasik District): Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) the names of the districts in the Central and Southern Divisions where the chitnises to the Collectors belong to the non-Brahmin community;

(*b*) the names of the districts in the Central and Southern Divisions where the head clerks to the Collectors belong to the non-Brahmin community;

(*c*) the names of the districts in the Central and Southern Divisions where the chitnises and head clerks to the Collectors are both from the Brahmin community?

The Honourable Sir GHULAM HUSSAIN: (*a*) East Khandesh, West Khandesh, Sholapur, Bijapur, Belgaum, Dharwar, Ratnagiri and Kolaba.

(*b*) All districts in the Central Division, and Bijapur and Belgaum in the Southern Division.

(*c*) Kanara.

Mr. N. N. PATIL: May I know how many of these Non-Brahmin Chitnises belong to the advanced classes and how many to the intermediate?

The Honourable Sir GHULAM HUSSAIN : The honourable member has been given the number of districts where the Chitnises are Non-Brahmins. That gives the required information.

Mr. N. N. PATIL : I want to know how many of these Non-Brahmins belong to the intermediate section of the Non-Brahmins because the term " Non-Brahmin " is a very wide one and includes advanced classes also. I want to know how many of the Chitnises to the Collectors belong to the advanced section of the Non-Brahmins, how many to the intermediate section of the Non-Brahmins and how many to the backward section of the Non-Brahmins.

The Honourable Sir GHULAM HUSSAIN : Does the honourable member use the term " Non-Brahmin " as known in this Council, or as including Europeans, Jews, Christians, Mahomedans, Parsis and so on ?

Mr. B. S. KAMAT : Does it mean that in this Council the Non-Brahmins have not advanced ?

The Honourable Sir GHULAM HUSSAIN : I mean the Non-Brahmin Party. But I will find out what the honourable member wants to know if he gives me notice.

Dr. M. K. DIXIT : Is it not a fact that all Non-Brahmins are backward or intermediate and not advanced ?

The Honourable Sir GHULAM HUSSAIN : Not necessarily.

Mr. G. S. GANGOLI : Is it a fact that any one can become backward if he joins the Non-Brahmin Party in this Council ?

The Honourable Sir GHULAM HUSSAIN : No.

Rao Bahadur S. K. BOLE : May I know why there is a monopoly of Brahmins in Kanara, why the posts of head clerk and chitnis are held by Brahmins there ?

The Honourable Sir GHULAM HUSSAIN : That is the case only in one district. I might say it is by accident that they hold those posts.

Mr. V. N. JOG : Why don't you remove them also ?

The Honourable Sir GHULAM HUSSAIN : If that is the desire of the honourable members, I will do so.

Mr. G. S. GANGOLI : May I know from what part of the presidency they have gone there ?

The Honourable Sir GHULAM HUSSAIN : I do not know.

Rao Bahadur S. K. BOLE : Are there not qualified persons from amongst the intermediate classes to hold the posts of head clerks and chitnises in Kanara ?

The Honourable Sir GHULAM HUSSAIN : Government have always been appointing suitable candidates from amongst the non-Brahmins.

Mr. G. S. GANGOLI : Is any of those two from Kanara ?

The Honourable Sir GHULAM HUSSAIN : I do not know.

Mr. G. S. GANGOLI : They are not.

Mr. SHAIKH ABDUL AZIZ: Among the non-Brahmins how many are Mahomedans?

The Honourable Sir GHULAM HUSSAIN: I have already said that I cannot give that information without notice.

The Honourable the PRESIDENT: Next question.

BUFFALO STABLES IN VILE PARLE.

*Mr. B. P. WADKE (Bombay City, South): Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) whether it is a fact that the inhabitants of Vile Parle residing in the developed Town Planning Scheme area generally suffer from the nuisance caused by the presence of buffalo stables in the midst of and in close proximity to residential quarters;

(*b*) whether it is a fact that due to this nuisance residents constantly suffer from infectious diseases like typhoid;

(*c*) how many cases of typhoid have occurred during the years 1931–32 and 1932–33 in the above-mentioned area and in the village of Vile Parle and how many of them proved fatal;

(*d*) whether Government have taken or propose to take any action to remove the stables so as to give relief to the residents of the village?

The Honourable Khan Bahadur D. B. COOPER: (*a*) It is possible that some persons residing in the developed town planning scheme area suffer from the nuisance caused by buffalo stables. The municipality have received complaints in respect to only one stable located in the area.

(*b*) There was an outbreak of typhoid in 1933 in Vile Parle; but the Public Health Authorities do not attribute it to the presence of milch cattle stables, but to the contamination of wells by sewerage from the latrines in the vicinity thereof, as the outbreak had all the characteristics of a water-borne epidemic.

(*c*)

Year.	Attacks.	Deaths.
1931	No record.	4
1932	Do.	1
1933 up to 10th November 1933.	70	12

(*d*) Action is being taken by the Collector to remove the only byre in the town planning area which contains more than 4 buffaloes. The municipality has also framed by-laws for regulating the stabling etc., of milch cattle. The by-laws will be sanctioned by the Commissioner, Central Division, in due course. After the by-laws are sanctioned, the municipality will take the necessary action under the by-laws.

Mr. B. P. WADKE: With reference to the reply that the municipality has received complaints in respect to only one stable located in the area, may I know when that complaint was received by the municipality?

The Honourable Khan Bahadur D. B. COOPER: The honourable member had not asked for the date. He only asked about the receipt of complaints. If he will give notice, I will supply him with information as to the date.

Mr. B. P. WADKE : With regard to the reply in (*d*), it is stated that action is being taken. May I inform the Honourable Minister that the complaint was made in 1932, and the reply was received from the Salsette Development Officer under his No. 842 of 31st October 1932, and no action has been taken as yet? May I expect an assurance from the Honourable Minister that the statement made in part (*d*) will be given effect to before the ensuing monsoon?

The Honourable Khan Bahadur D. B. COOPER: There is the clear reply given that action is being taken.

Mr. B. P. WADKE: Will effect be given to the action before the ensuing monsoon, as the people are suffering?

The Honourable Khan Bahadur D. B. COOPER: That will depend upon the circumstances there.

Mr. B. P. WADKE: The circumstances are going on for the last three years. Is it such a difficult task that it requires a number of years to take necessary action? Will effect be given to it at least before the ensuing monsoon?

BILL No. X OF 1933 (A BILL TO REGULATE THE RENTS OF PREMISES IN THE BOMBAY PRESIDENCY).

Question again proposed "That the Bill be read a first time".

Rao Bahadur S. K. BOLE: Sir, I rise to support the Rent Restriction Bill. I have all along supported rent restriction measures, and that will be seen from the past records of the Council. Sir, it is true that there are some vacant rooms as well as vacant blocks in some parts of the city and it is also true that some house-owners have reduced the rents. But, at the same time, I may say that some parts of the city are very much congested, and so there is much demand for rooms in those parts, and consequently the rents have gone high. In these circumstances, in these times of depression and unemployment, I think some relief will have to be given to the tenants, if not to the extent of 25 per cent., to some reasonable extent at least. But that matter might be considered by the select committee.

Sir, there are no doles here, no insurance benefits, no old age pensions, but where there are doles, insurance benefits and old age pensions, as soon as the British Government introduced the Unemployment Bill, the workers there strongly protested against the measure. The measure proposed to reduce the amount of doles, but the workers resented the idea, and they took out their procession and marched to London. They held their meetings in Hyde Park and passed resolutions. Sir, they do not want these doles to be reduced, but they want the allowances that are given to the children to be increased. Not only that, but they want

[Rao Bahadur S. K. Bole]

rebates in rents. Sir, when in Britain where doles are given and other benefits are given they want rebates in rents, then it shows that it is very necessary to reduce the rents here in the city of Bombay.

Sir, Government have not started relief works for the unemployed here, and Government have not also established birth-control clinics. The census report shows that our population is going on increasing by leaps and bounds. Sir, in spite of the religious injunctions as regards self-control, "increase and multiply" has become the order of the day.

Mr. M. M. KARBHARI: Is all this relevant, Sir?

The Honourable the PRESIDENT: His argument is that the population is increasing and accommodation is decreasing, rents therefore must be controlled.

Rao Bahadur S. K. BOLE: I have practised self-control [*laughter*] and therefore I can speak with some authority on it. What is the use of producing children when there are no means for their maintenance, when there are no means to rent more rooms for their occupation? I might point out to the Honourable the Leader of the House that the enlightened Mysore Government as well as the Madras Government have established birth-control clinics, and they have given a lead in this matter. Had this Government established birth-control clinics, then there would not have been so much increase in population, and there would not have been so much demand for more rooms and more accommodation, and then the necessity of a Rent Restriction Act would not have arisen. Of course, I am not going to speak more on the subject of birth-control now, but taking into consideration the importance of the matter I have tabled a resolution recommending to Government to establish birth-control clinics in the presidency, and I shall speak on that matter when the resolution comes up for discussion in the House. Till that time I would ask Government to support the Bill and give some relief to the tenants in these days of depression and unemployment.

Mr. N. N. PATIL (Kolaba District): Sir, the present trade depression and the abnormal reduced purchasing power of the people has caused widespread unemployment. The problem of unemployment now requires an urgent and immediate remedy. The number of the partially employed is also extremely small. In both cases the income of the people has almost vanished. The prices of commodities have fallen, but the house-rent has not fallen in proportion to the capacity of the people to pay. The payment of rent in many cases is so oppressive that it leaves very little to the people to provide food to their families. It is, therefore, highly desirable that the landlords should not be allowed to prey upon the helpless poor. It is all very well for the rich landlords who live in palatial buildings, having drawing rooms, bed rooms, kitchens and separate quarters for their servants, to say that they are hard hit by the present times. But the miseries of the poor tenants who live in one room tenements can hardly be imagined by these landlords. No one will deny that these men are in need of immediate relief. Altered ncome demands alteration in house-rent. The purpose of the Bill

[Mr. N. N. Patil]

cannot be overlooked and matters as regards rent cannot be allowed to drift. It is idle to say that increased accommodation will reduce the house rent. It has not done so up to this time. It may take years before the house-rents are reduced by competition alone. The houses are a monopoly of a few capitalists, and if, with an interested motive, they try to oppose this measure, their opposition should be brushed aside and they should not be allowed to prey upon the poor people. This Bill, Sir, might have many technical defects. It may require some modifications and additions, and it is highly desirable, therefore, that it should be referred to the select committee to be considered there in all its aspects. I request the House, therefore, to refer this Bill to the select committee.

Mr. B. S. KAMAT: Mr. President, unlike my honourable friend Rao Bahadur Bole I consider that the Bill under discussion is of grave sociological importance to the community and must be treated with every seriousness and consideration. The Bill embodies somewhat a radical principle, namely, invoking the assistance of the State to interfere between class and class, in order to assist one class against another. My honourable friend Mr. Bakhale has devoted a great deal of attention and labour to this Bill. It deserves to be considered very carefully and seriously. He has adopted, if I may say so, a statistical method of trying to convince this House about certain housing problems in Bombay city. Now, Sir, the statistical method which he followed in his speech requires, as all statisticians know, very careful handling. If I therefore venture to criticise his Bill, I shall do so with a great deal of diffidence and a certain amount of reluctance—diffidence because I am aware that my esteemed friend who has taken for his professional career the question of labour is perhaps far more intimately conversant with labour conditions in Bombay than I can pretend to, although I know I have been a tenant in Bombay both during the War period for years and even since then. I said "with reluctance" because my honourable friend is attempting, if possible, to render relief to those people in Bombay city who require a great deal of relief. If I disagree with my honourable friend it might probably be because the conclusions which he seeks to derive from his statistics and the remedy which he strives to apply for the evil are in my opinion unjustifiable. I admit that there is overcrowding in Bombay city. That question is not in dispute. Let me also say at the outset that, although my honourable friend spoke for an hour or so over this Bill, he brought forth no evidence at all, either statistically or otherwise, regarding overcrowding in the other parts of the presidency than Bombay city. In the absence of any evidence from him on this point, I take it that he has no satisfactory evidence which this House might consider for applying the restriction of rents to the mofussil. Practically therefore I should say that 90 per cent. of his case goes overboard. He has confined himself to Bombay city only, not even caring to place before the House the housing accommodation in some big cities of the presidency like Karachi, Ahmedabad, Sholapur and Poona. I take it again that he has no case for these big cities as well.

[Mr. B. S. Kamat]

Confining ourselves to Bombay city only I shall follow his own three or four tests which he applied to prove his case. He referred in the beginning of his speech to war conditions during 1918 when the first Rent Restriction Bill was passed by the Government of Bombay. He quoted the mover of that Bill, Sir George Carmichael, and said that in those days Sir George Carmichael had applied certain tests to prove his case. My honourable friend contends that those conditions or tests could be applied to Bombay even to-day, and therefore he thinks that in view of the fact that conditions are similar this Bill ought to go through.

Now, for the first test which he applied, in order to prove that Bombay is passing at the present moment through war conditions or something approximating war conditions, he depended upon the Census Report. He contended that in 1931 Census, the population of Bombay city was somewhere about 11,61,000. At the previous Census of 1921 the population of Bombay was 11,76,000. I am taking round figures. The official figure for 1931 Census was lower than that for 1921 Census of Bombay by about 14,000 souls. This shortage he tried to explain away by the fact that, owing to stoppage of Mills in 1931, there was an exodus which he somehow calculates at 1½ lakhs people and consequently he explains away the shortage by saying that, owing to the civil disobedience movement probably about 10,000 would have escaped enumeration. Putting these figures together and adding this to the actual enumerated figure of 1931 Census he manages to arrive at the conclusion that the population of Bombay city in 1931 should be somewhere near 13 lakhs.

3 p.m.

Mr. R. R. BAKHALE: May I interrupt the honourable member? The figures I quoted, namely, 150,000 of people who have gone out of the city on account of unemployment and 10,000 who escaped enumeration are the figures calculated by the Executive Health Officer of the Bombay Corporation and not by me.

Mr. B. S. KAMAT: If my honourable friend had not interrupted me, I was coming to that point. Now that he has referred to the Executive Health Officer of the Corporation who, I may inform the House, practically carried out the census operations under the Census Commissioner, I should like to give to this House the detailed figures, both in connection with the population test and the insufficiency of houses to which I shall come later on. In regard to the inaccuracy of enumeration, it is the Health Officer himself who has complained in his Report to the Census Commissioner of the various difficulties which he had to contend with in carrying on the enumeration. He says:

"Non-co-operation or boycott of the Census was perhaps the greatest hindrance this year in carrying out the Census operations to a successful finish. Non-co-operation is an ugly word and the idea of its use in such a useful work is uglier still. The first step in connection with the Census operations is painting Census numbers on every building and painting circle and block numbers at the beginning, end and at corners in each block and circle. While the painting was in progress and even till its completion there was no opposition. Perhaps the Congress ban on the Census was being hatched during this time. Soon after the numbering work was over organised efforts were made for removing, tarring by dammer, disfiguring, obliterating and scratching the census numbers throughout the city in defiance of Government orders. Under the Criminal

[Mr. B. S. Kamat]

Code actions were taken by the Police for disfiguring and removing census numbers independently of the Census Office and of the Census Act and some persons were convicted but the movement did not stop. The Census Office did not take any notice of such persons beyond issuing instructions to the Charge Superintendents to repaint the numbers. After some time repainting also was found impossible and it was then devised to have in the House/Block lists municipal street numbers corresponding to the census numbers marked to enable the enumerator to identify the buildings at the time of enumeration."

That, Sir, was the initial difficulty at the time of the enumeration of the 1931 census. Whatever those difficulties may have been, the Executive Health Officer, speaking generally of the population of Bombay City, says that about 50,000 people belonging to the mill industry must have gone out of Bombay at the time of the census operations. There he has some data to go upon. He wrote to the millowners and found out from them how many mills were closed and how many millhands the closed mills used to engage. Calculating 4 members as the average family of a millhand, he calculated that 50,000 of the mill population must have participated in the exodus. This accounts for 50,000 only. The total figure of 150,000 which he has estimated as the number of people who had gone out on account of unemployment is nothing but a mere guess work, as the Executive Health Officer was unable to trace how many people in other industries were actually unemployed and how many had left Bombay. So, I contend, Sir, this addition of 150,000 to make up the total of 1,300,000 is more or less guess work, an imaginary figure—I admit not on the part of my honourable friend (Mr. Bakhale) but on the part of the Executive Health Officer. All the same, what I am aiming at is to show that the population census of 1931 could not be carried on under normal circumstances, and therefore any test based on such a faulty census is not a real test.

Leaving aside the figures of the last census operations, I wish to draw the attention of my honourable friend to another factor, which, I am afraid, he has overlooked when he compared the census of 1921 with the census of 1931. Probably, he overlooked Sir George Carmichael's speech on the Bill. While Sir George Carmichael was making out a case that rent restriction was necessary in 1918, he pointed out that in those times, the boom period, no less than 300,000 immigrants must have come into Bombay City; that is to say, the influx of outsiders, owing to the war boom between 1918 to 1921 must have been no less than 300,000 of people, a fact which cannot be challenged. It must be within the memory of everyone here that there was a terrible influx of people into Bombay in those days. And Sir George Carmichael pointed out two reasons why Bombay City was over-flooded with extra population in those days; firstly, because Bombay being the port of embarkation, all sorts of military troops and stores had to be sent out; and secondly, on the civil side those days being days of profit, people from all provinces of India had flocked here for making a harvest. The total of those people was something like 300,000 a factor which has been overlooked by my honourable friend when comparing 1921 with 1931. I dare say it would be difficult to imagine that in 1931, with the depression and the unemployment that was going on, 300,000 extra

[Mr. B. S. Kamat]

people from other provinces of India would have come to Bombay to suffer the pangs of unemployment. When comparing 1918 or 1921 with 1931, in view of the fact that the 1931 census figures were entirely faulty, and the fact that by no stretch of imagination can one conceive that the pressure of population in Bombay in 1931 was anything like the same as in 1918 or 1921, the first test that my honourable friend has applied to prove his War conditions here seems to be entirely an edifice on very insecure foundations.

I now come to the second test which he applied to prove his case, namely, insufficiency of housing accommodation in 1931. I am afraid here again, he has failed—failed, because he depended entirely on faulty statistics. As everyone knows, it takes a great deal of care and labour to derive correct conclusions from statistics. One has to see that the statistics are accurate, that the two sets of figures are comparable, that any extra factor pertaining to a particular area or year is allowed for, and some other special factor which has no bearing on a particular area is eliminated. These are the difficulties that a statistician always feels when he attempts to draw conclusions from a given set of figures. I am afraid this has happened in the case of the second test, namely, the insufficiency of housing accommodation in 1931 as compared with 1921. My honourable friend was trying to prove that between those two years the insufficiency became aggravated. In order to prove that point he has quoted some figures which I wish to analyse, and, if I may say so, X-ray. He says:

"The number of buildings increased by 6,618 from 45,716 in 1911 to 52,334 in 1921.... In 1931, the number of buildings decreased by 1,501...."

From this, he perhaps draws the conclusion that the housing accommodation in 1931 had gone down. Well, apparently, if you look at it superficially, that is correct: the total number of buildings in Bombay City in 1931 which was 50,000 is less by 1,501 than the total number in 1921 which was 52,000 odd. But the conclusion which he draws from that is an erroneous one. He has failed, if I may say so, to go more deeply into the question and analyse the figures and find out how many out of the total number of buildings in 1931, namely, 50,883, were buildings with say 3 floors, 4 floors, 5 floors and so on. There lies the fallacy. On page 82 of the Census Report, Housing Table II, he will notice a comparison of the number of buildings in 1921 and 1931 by floors. Ground floor buildings were 33,000 in 1921 and 30,000 in 1931. They have gone down. Two-floor buildings have gone up; buildings with 3 upper floors have gone up from 3,800 to 4,300; buildings with 4 upper floors have gone up from 2,100 to 2,400; and buildings five storeys high have gone up from 688 to 785. If you have to find out the actual housing accommodation, the number of tenements available, both for the rich and the poor, what you have to do is not simply to look at the figure of the number of buildings, but multiply that figure by the number of floors and find out how many floors there are to-day and how many tenements there are in each floor. Unless such a comparison is made between these two years, 1921 and 1931, and unless the result shows that the housing

[Mr. B. S. Kamat]

accommodation in 1931 is less, I do not think my honourable friend has proved that there is less accommodation in 1931.

Coming to his other figures, he has overlooked the fact that big chawls with very many floors have gone up from 4,725 to something like 9,000 to-day. That is a factor which is of great importance, because, in the first place those chawls are intended for the poorer classes of people, and secondly, they are modern as compared with the old kinds of chawls. These chawls have, so far as I understand, gone a great way to ameliorate the condition of housing of the poorer classes. I do not think my honourable friend has made due allowance for the number of chawls which have nearly doubled during the last ten years.

Then, again, in comparing the housing accommodation which existed in 1921 with what existed in 1931, he has failed to put before the House some other factors which are perhaps too well-known to everyone in Bombay, including the members of this House. The Bombay Government, in order to solve the housing problem, have built through the Development Department a large number of tenements; the Bombay Improvement Trust have, during the last 10 or 12 years, carried on their operations both in Improvement Trust estates and also outside such estates; the Bombay Municipality have built chawls or other kinds of houses for their employees or for the public; the railways have done the same for their employees; the Port Trust to a certain extent has done the same. My honourable friend has not given us the list of chawls and houses built by these several agencies, semi-public or Government. It is difficult for me to collect all this information for him. His thesis has suffered owing to his failure to give a regular list of the new houses which have come into existence since 1921. But I have a list of these; but probably my list is not from an official publication. Still, in order that the House may see what housing operations have been going on during the last 5 years, I propose to read some of the figures which have been supplied to me of the new tenements and buildings which have come into existence during the last five years in Bombay. On the Trust's estate, in 1927, 60 new buildings have come into existence; outside the Trust's estate for the same year 926 buildings have been brought into existence. Similarly in 1928–29, the figure for Trust estates is 48; and non-Trust estates, 930. For 1929–30, for Trust estates, 49, and non-Trust estates, 900. And so on for 1930–31 and 1931–32. The total number of buildings which have been added are 4,659 in five years. When he has compared the totals for 1921 and 1931, it is necessary to add these figures of the last five years. My honourable friend Mr. Petit has quoted these figures in his speech the other day, and I would recommend to every honourable member when he goes through Mr. Bakhale's speech also to go carefully through the other side of the picture presented by my honourable friend Mr. Petit.

Now, having first of all shown, in the first instance, how the whole of the enumeration of the census made by the Executive Health Officer during those days of the civil disobedience movement was faulty and

[Mr. B. S. Kamat]

defective, I have further shown how my honourable friend Mr. Bakhale in reading the figures of buildings has failed to multiply each building by the number of floors and tenements in them, and that has vitiated his conclusions. I propose now to come to the general conclusions of the Census Commissioner himself as regards the position of housing accommodation between 1921 and 1931. This will show us how far we are to accept the honourable member's conclusions based on certain figures of his as against the conclusions arrived at by the Census Commissioner. I refer him to page 85 of the Census Report. Criticising the system of taking the percentage of buildings classified according to number of tenements, this is what the Census Commissioner says:

"The figures do not of course mean what they appear to mean at first sight, namely, whereas in 1921, 18 per cent. of the buildings were buildings containing 21 to 40 occupants each, and now the percentage has risen to 20"———

which is adverse. He comes to the general conclusion—

"Housing conditions generally may have deteriorated,".....

Mr. R. R. BAKHALE: It is "has definitely deteriorated".

Mr. B. S. KAMAT: My edition contains the words "may have". I am reading the next sentence.

"Housing conditions generally may have deteriorated, though this is doubtful. But the figures now under discussion are incapable of proving that housing has deteriorated or improved."

This is the conclusion to which I am drawing Mr. Bakhale's attention. As the figures are incapable of proving one way or the other the question remains a very moot problem; nobody can prove either by these figures or any other figures whether the housing in Bombay has gone down or has improved. The question remains unproved. Therefore, I contend that the second test which my honourable friend Mr. Bakhale has applied to prove his proposition has failed. My friend Mr. Bakhale has tried to draw certain conclusions from the total number of tenements in Bombay city now as against the year 1921. Well, here again, the same remark applies. Statistics could be made to prove anything; and I would further like to show how my honourable friend Mr. Bakhale has gone wrong in one particular. He has made a reference to certain tenements containing 5 persons and under. That is perhaps one of the notorious Tables in the Census report, a notorious Table which has baffled even the Census Commissioner in drawing the correct conclusion from that table. I will quote the Census Commissioner himself. I refer him to page 85 of the Census report again. The present Census Commissioner quotes the remark of Mr. Sedgwick, the previous Census Commissioner of 1921. This table is designed to show the pressure of persons upon room space, that is to say, though the rooms are not measured, the number of persons per room is calculated, it being assumed that the size of a room will in the long run average out at about the same throughout the city. He illustrates the fallacy thus:

"This is possibly not correct. In Esplanade, the average size of a room is likely to be larger than, say, a room in Kamatipura. Nevertheless, the difference in average space in the two sections would probably be much less than might in theory be supposed."

[Mr. B. S. Kamat]

Further, he goes on to add:

"Rooms are divided in this table into four categories, not according to the size of the rooms or the floor area, but according to the number of occupants, namely, 5 persons and under; another category of 6 to 9 persons; a third category of 10 to 15 persons and a fourth category of 20 persons and over."

Mr. R. R. BAKHALE: May I ask the honourable member to read the sentence between these two quotations?

Mr. B. S. KAMAT: That sentence has no bearing on the question.

Mr. R. R. BAKHALE: It has every bearing.

Mr. B. S. KAMAT: I have no objection to read it, but if I try to think cogently the proposition which I am trying to show to be wrong, namely, the table of tenements of 5 persons and under, that sentence has no bearing from my point of view. The sentence I dropped is this. "In fact, for 'overcrowding', it is not the size of the rooms that matters but the number of rooms at the disposal of a family." I know perfectly well that Mr. Bakhale's view about overcrowding may be correct, but when you have to calculate comparative housing and overcrowding it is not the size but the number of rooms for separate families in a building which counts. That there is overcrowding I admitted, it is a self-evident proposition and there is no point in quoting that remark. But, then, the table to which I wish to draw Mr. Bakhale's attention and which has been characterised by the Census Commissioner as "statistically absurd" is the Table of those tenements containing 5 persons and under, and on which Mr. Bakhale has based his argument. Mr. Sorley, speaking of the Table, says:

"This first category alone of tenements containing 5 persons and under is statistically absurd. It includes all numbers of persons from zero to 5 living together in one room."

That is to say, this table lumps together sanitary and insanitary conditions of living and puts into one category conditions where there is no overcrowding and conditions where there is clear overcrowding. That, Sir, is the fallacy. That is the question before the House as regards the housing conditions as described on the basis of statistics.

Have I your permission to proceed, Sir?

The Honourable the PRESIDENT: Yes; there is no time limit, fortunately or unfortunately (*Laughter*).

Mr. B. S. KAMAT: Now, then, the third test which my honourable friend Mr. Bakhale has applied to prove that we are passing through war conditions is the question of comparison between 1921 and 1931 as regards the rise in rents. On page 376 of the Council Debates (February 24, 1934) he quotes for his authority the figures of the census taken by the Labour Office of working class family budgets in 1921–22. He has also on the same page quoted the figures of working class house rents in Bombay published in the May 1931 issue of the *Labour Gazette*. And he states, that the rise of rents over the 1921 figures was 69·3 per cent. in the case of working class one-room tenements. His point is that between 1914 and 1934, the rents of one-room tenements have gone

[Mr. B. S. Kamat]

up by 69 per cent. Perfectly true. I do not question the figure. But here again, the conclusions which he draws are, to my mind, faulty; faulty because, taken in the absolute it may be true that the rents are 69 per cent. higher for one-room tenements. But I look at it the other way. In 1914–15 the buildings were old-style buildings; in 1933–34 you have new types of sanitary buildings. There is larger space and better amenities. Taking, therefore, these two factors together, it is but natural that the rents which the landlords are charging may be proportionately higher. When you buy any article and when you have to compare prices, certainly you have to look to the fact if you get value for the money that you pay. If I buy a necktie at a wretched shop in the Grant Road corner for a rupee, and if I buy another necktie in a decent shop in the Fort area, say, for Rs. 1-6-0 or Rs. 1-8-0 it is not worth while stating that one article has cost me Rs. 1-6-0 or 1-8-0 so much per cent. higher. You have to look to the quality of the article. Now, Sir, what was the space in the old type of building in 1914 and what is the space now which you get for that 69 per cent. rise in rent? That is the material point. It may be true that people are unable to pay the 69 per cent. higher rent, but you cannot overlook the other side of the picture, and that other side of the picture I shall present to my honourable friend from the enquiry into the rents and the incidence of rents conducted by the Labour Office. I refer him to page 888 of the *Labour Gazette* for May 1931. I am aware that my honourable friend sometimes questions the figures of the Labour Office, when they do not suit him, for instance the cost of living index number——

Mr. R. R. BAKHALE: They themselves have condemned them.

Mr. B. S. KAMAT: But in the case of the May 1931 number of the *Labour Gazette*, he has himself cited to me the authority from which I am now quoting and drawing my conclusions. This has been his New Testament, and I am sure he will not question it. Now, the difference is this. In 1918, in one-room tenements in the old buildings the average number of persons per tenement was 3·53; to-day it is 4·28. The rooms are evidently larger and can accommodate a larger number of people. If the rent is high, then the accommodation is better. And this can be proved by two other tables which my honourable friend should have read. In 1914–15, a one-room tenement had an approximate average floor space of 30 square feet per person. To-day, when you pay higher rent, you are getting in the new tenements a floor space of 35·5 square feet, that is to say, something higher than what you used to get in the buildings in 1914–15. Take, again, the average size of a room. In those old days it was 109 square feet; it is now 152 square feet—nearly 50 per cent. increase in floor space is given by the landlord, when he is expecting about 69 per cent. extra rent. The fact of the matter is that the mere figure—69 per cent. higher rent— does not convey a correct idea of the real rise in rents, or the extra cost the landlord charges for the space which he rents out. To that extent, therefore, I hope I have been able to show that though the figures which my

[Mr. B. S. Kamat]

honourable friend has taken may be correct, taken in relation to the floor space and the size of the rooms to-day which the landlord gives you, the 69 per cent. rise is not a real rise.

The fourth test of my honourable friend was how much of the income of a person was absorbed in rents. Well, the figure there for the working classes is 7·7. In the case of the middle class people perhaps there is a larger incidence. They have to spend about 14·5 of their income on their house rents; but so far as the working classes are concerned, it has been found by the Labour Office that the percentage is 7·7. It is a matter of opinion whether this is high or whether this is low. The average income of a working class family in Bombay was Rs. 52 in 1922–23 and the average rent in the old days which that family had to pay for a one-room tenement was Rs. 3-8-0. To-day, for the new tenement, the rent has gone up to about Rs. 5. But, as I have explained, the new tenements give a larger space and better amenities. And the question, therefore, for this House to consider is whether we should encourage the putting up of a type of buildings which should be cheaper, giving less of floor space, less of ventilation and less of other amenities. Lastly, taking the problem as a whole, I wish to draw the attention of my honourable friend to the general conclusion of the Census Commissioner, as he has quoted the Census Commissioner on this question. I shall refer him to page 90 of the Census Commissioner's report:

"The figures do not indicate any general improvement in the housing conditions, but they do seem to suggest that housing conditions for the working classes are better in 1931 than in 1921."

He has quoted this sentence, but I do not know what interpretation he places on it. But the sentence, to my mind, is perfectly clear. I maintain, Sir, that so far as the working classes at any rate are concerned, the housing conditions, because of the new buildings which have come into existence, are better to-day, that is to say, in 1931, than those which prevailed in 1921. I would like to give the percentage of the betterment in one-room tenements. In 1921, the average number of occupants was 4·03; in 1931—10 years later—the number of occupants in one-room tenements has gone down to 4·01; that is to say, the pressure has decreased from 4·03 to 4·01—at any rate for the one-room tenements of the working classes. The position of the middle classes no doubt is worse than the position of the working classes. They have to take two-roomed and three-roomed tenements where the position has become worse so far as the pressure on the rooms is concerned. But so far as the working classes are concerned, their position is better in 1931 than in 1921.

Sir, I have taken all the four tests which my friend Mr. Bakhale has taken from Sir George Carmichael's figures and shown that he has looked at the picture from only one point of view, that he has not looked at the picture from different angles and that the position so far as the working classes are concerned is not as bad as he depicted it to be. I admit

[Mr. B. S. Kamat]

that so far as the middle classes are concerned, their plight is worse than the plight of the working classes.

I now come to the general question whether his remedy is the proper one. Granted that the position of the working classes is really bad, what is his remedy ? His remedy is to penalise the landlord class for the benefit of the working classes or the middle classes. I wonder whether that should be the remedy. Before we apply the rent restriction or rent control, we have to be perfectly sure that the landlord is rack-renting. In 1918 Sir George Carmichael made it perfectly clear that landlords in those days were every now and then, every two or three months, trying to evict tenants with the hope of increasing rents and there was no security of tenure for any tenant. My friend Mr. Bakhale has not proved that the same is the case to-day. Then he started to prove that War conditions are approximately prevalent at the present moment, but are landlords profiteering or rack-renting as in 1918 ? To place this matter beyond doubt, I wish to draw the attention of the House and also that of my friend Mr. Bakhale to a piece of evidence, which to my mind is as clear and as straightforward as any evidence could be, and that is from the *Labour Gazette* of May 1931 to which I have just now referred. I know, Sir, when ten friends in this House ask any other ten friends whether rents of their flats have gone up or gone down, the answers might be in ten different ways; you cannot deduce any conclusions from such answers. In fact, even the Tenants' Association, in the petition which they have presented to this House, have shown that rents have gone up in certain localities from 30 per cent. to 66 per cent. In A Ward according to them it may have gone up by 30 per cent., while in some other Ward it might have gone up by 66 per cent., but this method of quoting individual instances of a rise in rent is no definite conclusive evidence that there is a general tendency on the part of landlords to extort either 33 per cent. or 66 per cent. from the tenants in each and every Ward. The best piece of evidence on that question is the census of rents taken by the Labour Office with reference to conditions which are comparable, namely, with reference to the housing premises of the working classes in certain localities, and the variation given by the Labour Office is as follows. I know my honourable friend Mr. Bakhale has quoted this fact but he tried to put an interpretation upon it which to my mind is not the correct interpretation. The Labour Office obtained through their Investigators 2,175 schedules regarding tenements for which comparative rent data could be collected for the period before and after the repeal of the Rent Act in 1928. Now out of these 2,175 tenements, in 1,728 cases i.e. in 79 per cent. cases, the rents had remained stationary; Sir, I interpret this fact as meaning that out of this large number of tenements sampled, 79 per cent. of the landlords had not increased their rents——

Mr. R. R. BAKHALE: Over 1928 ?

Mr. B. S. KAMAT: Yes, and the Labour Office shows 13 per cent. of the landlords had practically reduced their rents. If you add 79 per cent. to that 13 per cent., it comes to 92 per cent.; it follows therefore that

[Mr. B. S. Kamat]

taking the housing conditions and the tenements sampled, 92 per cent. of the landlords had either not raised their rents or some of them behaved so excellently as to reduce their rents. It is only in the case of 8 per cent. of the landlords who had raised their rents. I ask my honourable friend Mr. Bakhale in all fairness and I ask this honourable House also, is it fair to one class of the community namely, the landlords, to say that because 8 per cent. of the landlords have demanded perhaps two annas in the rupee more than they used to do before, is it fair, I ask, that 92 per cent. of the people should be penalised by having rent control? As I am now on the general arguments, Sir, I ask my honourable friend Mr. Bakhale also if it is fair to have rent control because War conditions are now on according to him. If it is, I wonder why there should not be any other control as well, as there was during the War. During the War there was not only rent control in Bombay but there was control of rice, there was control of wheat, there was control of petrol. If there is to be control of house rents, I ask him, Sir, does he feel that War conditions are exactly similar and does he suggest that another class of the people should be penalised by control and that shopkeepers ought not to be allowed to charge prices for rice more than what they used to charge in 1930? If there is to be control, as in the War, for houses, *pari passu* there ought to be control for other commodities as well. Since my honourable friend Mr. Bakhale has not recommended that, I take it that he has failed to prove that war conditions are now on exactly in the same manner as they were prevailing in the Bombay Presidency or Bombay City in 1918. I think I have given him a quotation from his own *Labour Gazette* showing how the landlords are behaving fairly well and in the most reasonable manner and I trust those of his friends who are rather hard on the landlords will be fair-minded enough to concede that, taking the statistics as they are presented through the official channels regarding the working class population, the attitude of the landlords is not one of profiteering or rack-renting as the honourable members were led to believe by my honourable friend Mr. Bakhale. If that is the case, viz., if I have proved that 92 per cent. of the landlords are not profiteering, it only follows that my honourable friend Mr. Bakhale has not proved his case. Sir, it does not mean that the poorer classes of the people do not need sympathy and help. By all means, let them have sympathy, but the solution is not in the direction which my honourable friend wants. What should be the solution, he will ask me. It is for him and his Labour friends to find out a solution, but I am rather surprised at one thing, Sir. The report of the Labour Commission, another Bible of his, has given him the solution but he has not taken full advantage of the very valuable suggestions made by the Labour Commission in this regard. I should like to read to him and to the House one small quotation. By the way my honourable friend Mr. Bakhale is fond of quotations, and so I hope he will excuse me if I take him into another quotation.

Mr. R. R. BAKHALE: Go ahead.

Mr. B. S. KAMAT: I quote from page 211 of the Labour Commission's Report. The heading of the paragraph is INDUSTRY AND THE COMMUNITY. It runs:—

"..... Indian Industry is not a world in itself; it is an element, and by no means the most important element, in the economic life of the community. Care must be taken therefore, to ensure that, in adopting measures for the betterment of industry or of industrial workers, the interests of the community, as a whole, are not overlooked. It is obviously possible to raise the standard of living of sections of industrial workers by methods which would involve the diminution of the national income that is available for the other sections of the community."

Sir, I take it that this Commission was more or less pro-socialistic and yet they have pointed out the danger of trying to better the condition of industrial workers at the expense of some other sections of the community. The suggestions made by the Labour Commission are both for workers, like my honourable friend Mr. Bakhale and for Government as well. Now, Sir, if there is a shortage of houses in Bombay City or elsewhere, what is the remedy? Naturally by the economic law of supply and demand you must increase the supply. Now I ask my honourable friend Mr. Bakhale and his colleagues of the Labour type, is it likely that you will help to increase the supply of houses in Bombay which you want if you try to reduce by legislation the rents of the landlords? Can private enterprise come forward to invest money in brick and mortar if it is seen that every five years our friend Mr. Bakhale or some other Mr. Bakhale will come on the scene and try to cut down the rents to any arbitrary figure he likes? The whole thing to my mind is a short-sighted policy, almost suicidal both for the community at large and for the industrial workers themselves. What we really want is more cheap houses to be brought into existence for the benefit of the industrial workers. In order that these workers should get more houses and cheaper ones too, the Labour Commission has pointed out that the Municipalities and Government must co-operate and work hand in hand. The building bye-laws of the local bodies like the Bombay Municipal Corporation or the Improvement Trust must be so modified as to cheapen the cost of building. Where the floor space cost so much per rupee, it ought to be lower, though it may be that less elaborate and less ornamental buildings would have to be built, and Government, if they have any cheap land, must offer it to enterprising people not at exorbitant prices but at cheap rates, so that either municipalities or people will come forward to build houses.

Sir, the third suggestion made by the Labour Commission is with reference to co-operative housing. It is unfortunate, Sir, that owing to financial stringency the policy of Government of advancing loans through Housing Societies either to middle class people or to others to build houses in the suburbs, has been discontinued, but to me,—and the Labour Commission corroborates my view,—the real problem lies in offering cheap land and loans at a cheap rate of interest to people who are willing to build, secondly to so model the building bye-laws as to cheapen the houses and, thirdly, to offer through the co-operative housing societies loans to people who want to increase the supply of houses. If that policy is followed or a five-year plan for the next five

[Mr. B. S. Kamat]

years is followed, my honourable friend in the year 1939 will find that the poorer classes of the people, instead of getting houses or rather rooms at five rupees each per mensem, will get them at Rs. 3-8-0. My honourable friend Mr. Bakhale in his zeal for sympathising with the poorer classes of the people has missed, I am afraid, the real solution and is now seeking a solution entirely in the wrong way. I trust he will not misunderstand me when I am only trying to point out the other side of the shield; and I do hope that in trying to further the cause he has so much at heart he will not injure the interests of other sections of the community.

Mr. L. R. GOKHALE (Poona City): Sir, I have heard with great attention the two important speeches, one by my honourable friend Mr. Bakhale and the other equally important speech by my townsman and friend the honourable member Mr. Kamat. My friend the honourable member Mr. Kamat has said and said very rightly that statistics may be used to prove anything or may be found to prove anything. I quite agree with that. After having heard both the honourable members, I find that they, both of them, have proved from the statistics what they wanted to prove according to their own points of view, but I find in the case of both of them that by the help of those statistics they have proved nothing to the point. Then, I may add one word as regards quotations. Quotations also may be found to support their respective views, but I find that the quotations read out either by the honourable member Mr. Bakhale or by the honourable member Mr. Kamat help them in no way. The bare fact before us is, what is the condition of the labouring classes and the lower middle classes as regards the tenements in which they live and the rents that they have to pay? Before I proceed further, I will at once say that the remedies proposed by my honourable friend Mr. Kamat are really very good remedies—cheap lands, the co-operative system of building, and lower rents. But all this is prospective. It may take five years, it may take ten years, it may take perhaps more time, [*An Honourable Member:* It will never take place] or it may never take place. God forbid that it does not take place. I hope it does take place. When it takes place the question will be easy of solution. But what till then? That is the question. When there is this cheap accommodation for these classes, then of course, naturally the present high rents will come down. But what till then? And the demand that my honourable friend Mr. Bakhale makes is that immediately some relief should be given to those who are in need of it. And the question arises whether really they are or they are not in need of such relief. If they are, relief has to be given to them; if they are not, relief has not to be given to them.

Sir, I have heard with great attention the arguments of my honourable friend Mr. Kamat. He did not tell us what is the rate of interest the owners of these chawls for the poorer classes are getting. Before advancing any arguments either against or in favour of this Bill, I would have been very glad to know what is the percentage of interest these men are getting. If we found that it was not a commercial proposition

[Mr. L. R. Gokhale]

that these landlords had undertaken, and that they were suffering severely and were not getting a reasonable return on the money invested, that would have made a stronger case for the advocates of those who are against this Rent Bill. On the other hand, if we are satisfied that the percentage or rate of interest that they are able to secure is high enough, with a margin to enable them to reduce the rents, then I think there is a strong case in favour of the Rent Act. But I find that my honourable friend Mr. Kamat, who is so fond of statistics, has not tried to give us any idea as to the rate of interest that is obtained by the landlords.

Sir, I am told that there are about 80 per cent. one-room tenements in Bombay city, about 9 per cent. two-room tenements, and the rest are three and more room tenements. If 80 per cent. are one-room tenements, what must be the condition there as regards light, sanitation and other things, in a city like Bombay where the climate of course is not so very good ? Out of the 12 months in the year, for 8 months the climate is rather unbearable. So in such a climate, 80 per cent. of the tenants live in one-room tenements. Does not that require any solution at the hands of the Corporation of Bombay, at the hands of the Improvement Trust and Development authorities, at any rate, at the hands of this Legislative Council ? If they can help these men, they must by all means do it, and we have to see whether there is not room enough to help them, even against the interests of the landed proprietor.

Sir, I find one more circumstance which ought to go in favour of the proposed Bill, and it is this. I find, as we all know, that there is an amount of reduction in the pay of the labourer. There has been unemployment, there has been a reduction in the wages of the labourer. They are fighting very hard against the reduction. The millowners have reduced the wages as far as possible, and the justification is the lower prices of grain and other commodities. That may be so, but we have to remember the fact that there has been a material reduction in the earnings of the wage earners. If that is so, is it not necessary to give them relief, and that the landlords of these high rental tenements should be forced to reduce their rents within a reasonable limit and as far as possible ? I might say, Sir, that the pressure and the hardship in the case of those who belong to the lower middle classes are very heavy. I am sure that is true, because they cannot, with convenience, live in one-room tenements, with a family of a 3 or so [*Interruption*]—five or more than five. So, Sir, if these men cannot conveniently live in one-room tenements and they cannot afford to have two-room tenements, what is the remedy for them ? This the House has to suggest. In the case of the labouring classes at any rate, out of the 12 months in the year, for six months at least they are said to go out of Bombay and live in a better climate. The labouring classes work in the fields for some time of the year and come back again to Bombay. But what of those who are confined to the city for the full period of 12 months in these small tenements ? What must be the condition of their health ?

[Mr. L. R. Gokhale]

Do they not require any help for these high rents ? I may not call these high rents ; it may not be so. But under present conditions, are not the landlords bound to make some sacrifice for those who have enabled them to build up their big fortunes ? That is the question, and looking at it from that point of view, I believe these landlords ought now to come forward with some willingness to have these rents reduced.

Of course, there are one or two aspects of this question which strike one as very peculiar. One is, why is it that if the money market is so cheap and building materials have gone down in price more buildings or more chawls are not coming into existence in and around Bombay ? [*An Honourable Member*: They are afraid of the rules.] I am told that they are afraid of the rules of the Development Department. I am told that in areas like Dadar, no chawls are allowed to be built. If I am wrong, I am open to correction. Is not this a great hardship ? When such a big area like that at Dadar is available for new building sites, and if in those areas they do not allow chawls to be built, what chance is there of the rents going down in the existing chawls in Bombay city proper ? That is one aspect of the question which ought to be considered by the Bombay Corporation. They ought to change their building by-laws in such a way as to allow some number of chawls to be built in the suburban areas of the city of Bombay. If that is done, that will be one help. Then, in addition to the reduction of rents by a Rent Act, some sort of inducement or help should be given to persons who want to erect chawls. I am told on these sites, they value the property first, and then, instead of taking the price in a lump sum, they take from the person concerned a certain amount of rent or interest only, thus in fact they have not to pay the whole amount in a lump sum. The point is that they should be allowed to put up on these sites convenient flats of one or two rooms for the convenience of the working classes and the lower middle classes.

Speaking about the Bill as I find it, it has, from my point of view at least, some defects in it. As I say, there are so many points on which others may differ from my honourable friend Mr. Bakhale. In the first place, the Bill is intended to apply both to the residential quarters and to business premises. That is the purpose of the present Bill. I do not think that we need go so far as to apply the provisions of the proposed Bill to business premises. We are dealing with this question as one of necessity for the poor and middle classes, who have to be in Bombay to earn their wages. But in the case of business and professional persons, I do not think the Bill should apply to them.

4 p.m.

Then the rent basis for small premises is taken at Rs. 200 per month. I do not think that a rental of Rs. 200 per month is a very reasonable basis for the purpose of enforcing the Rent Act. I should say Rs. 50 at the most would be a reasonable basis. Of course, there is no reason given why the maximum is fixed at Rs. 200 per month, unless my friend Mr. Bakhale includes all those who are paying a rent of something like

[Mr. L. R. Gokhale]

Rs. 200 per month are to be included in the class of wage earners, or poor sufferers, or the poor and lower middle class people. I do not know in what class he puts them. I do not see that those who pay Rs. 200 per month as rent come under any of these categories. Of course, many of us here may enquire within themselves how much rent they pay per month, and whether they would like to come into the category of wage earners or poverty-stricken people. So, such a provision as this, which is intended to have such wide scope is certainly undesirable. Of course, the object of the Bill is, in the present economic conditions, to regulate the rents of premises in certain cases for certain purposes, and not an all-round reduction of rents.

Then, Sir, my honourable friend desires to apply this Bill to the whole of the presidency. I am not going to enter into the details just now.

Rao Bahadur R. S. ASAVALE: It must be applied to Poona City first.

Mr. L. R. GOKHALE: I am very glad to know that my honourable friend Rao Bahadur Asavale has a very keen eye on Poona, he has spent a good deal of his time in Poona, and he has got his eye upon the people there, and probably he may have his eye upon the property there. I do not know that. If it is necessary to do that, it may be extended to Poona, but not to small places like Wai and places like the village from which my honourable friend Rao Bahadur Asavale comes. The question is whether it is justifiable to have this Bill extended to the whole of the Presidency. It must be applied to centres where the wage earners of the labouring class live in large numbers. If Poona is one of them, the Act must be applied to it by all means. I think it should be applied to places like Bombay, Karachi, Ahmedabad and Sholapur. So far as I know, these are the places where the labourers live in large numbers. So far as the mofussil is concerned, especially in taluka towns and villages, the majority of the houses have fallen vacant. The people are running away from those places to district towns or manufacturing towns like Bombay, Karachi and Ahmedabad. I do not know whether my honourable friend has thought over the question and he really wants the Bill to be applied to the whole of the Presidency. He ought to have foreseen the difficulties, and ought to have restricted the Bill to certain areas only.

Then, Sir, there is one aspect of this question to be considered particularly. The reduction in the rental of buildings will materially affect the income of the respective municipalities. The Bombay Corporation will be one of the worst sufferers perhaps. They have already suffered on account of the excise duty on cotton being abolished. They may further suffer on account of this legislation. For that I am sure the Corporation will have to look ahead and make its own provision; but because the Corporation will not be able to find other source of income, they should not oppose this measure. They should find out some method and try to solve the problem in the immediate future of housing all these poor people.

[Mr. L. R. Gokhale]

My honourable friend Mr. Kamat has given us statistics of the new buildings. I was expecting that he would give the figures of buildings demolished during that period. It might be that for every 10 buildings newly constructed nine buildings might have been demolished. So, no calculation can be made on the basis of new buildings unless we have the figures of the existing buildings and the buildings demolished. Though a number of buildings may have been built, we do not know how many of them are residential quarters and how many are godowns or business premises. So, it is no good being told that so many new buildings have been built. If these are built for business purposes they will not be useful for residential purposes and, consequently, they will not relieve the present crowded nature of the tenements. If these new buildings are intended for residential purposes, they may be taken into consideration. It is also a factor that should be taken into consideration that the habits of people have changed a great deal since the early nineties. While they were satisfied in those days with a single room 20′ by 15′ or 10′ for a family of 12 souls, they will not be able to do so now, and it is only justifiable that they should demand the amenity of a decent accommodation.

Then, the next question that arises is whether this amenity should be given at an enhanced rent or reduced rent. Of course, it must be given by reducing the rent considering the present economic depression. So, the only way left open is to reduce the rents. At present I think there must be an insufficiency of house accommodation in certain quarters; otherwise the rents could not have been maintained at this high level as at present. Until a sufficient number of new buildings come into being, the only remedy is to reduce the rents. From that point of view some suggestion should have been made by my honourable friend Mr. Kamat. But he has not done so. All that I would say is this. Let us face facts as they are. The poorer classes, the labouring classes and wage earners have to maintain themselves and their family, and still have to pay high rents, though their wages have been cut down, either by Government or by other agencies. So, it is essential that an attempt should be made to give some relief to them. The present Bill is one of such attempts.

Then the question will be asked whether the period of five years is necessary. Some of us may say "Let the Bill be there for 2 years", so that in the meantime we can find avenues for giving more amenities in regard to accommodation.

Being the first reading stage of the Bill, the principle of the Bill is not whether the rent should or should not be reduced, but the principle underlying the Bill is whether the legislature should or should not interfere with the rights of the landlords and dictate to them terms as regards rents. No facts and figures will enable either my friend Mr. Kamat or my friend Mr. Bakhale to change the situation that exists. People are suffering and the remedy is to reduce the rents. Unless the landlords are able to show that their return on their property will be reduced unreasonably, there is no reason why this Bill should not be supported by all members on this side of the House and also by Government, in

[Mr. L. R. Gokhale]

whose interest the labourers are working. I hope, before the debate is concluded, some one on behalf of the landlords will come up with statistics to prove their case in regard to their return from their house property. If that is not forthcoming, there is a good ground for supporting this Bill.

Dr. M. D. GILDER (Bombay City, North): Sir, coming from a constituency where most of the labourers of Bombay are housed, though not enfranchised, I consider it my duty to support the first reading of this Bill. We the elected members of this House try as best we can to keep ourselves in touch with our constituency, though we are not subject to the vicissitudes of dissolution and re-election like the parliaments in other countries. Just after my honourable friend Mr. Bakhale's Bill was published, 10 of the workers in my constituency came to interview me on this matter. Out of them nine asked me to support the Bill and only one, a gentleman who was living on the rent of his own building, asked me if I could not modify some of the conditions of this Bill. Even he did not oppose it. The honourable the mover has brought forward figures which have not been challenged. His figures and his quotations have however been read and interpreted and misinterpreted according to the pre-conceived idea of the speaker. One thing we ought to remember, which must encourage the mover and those of us who support the Bill, is the statemet that fell from the Honourable the Leader of the House yesterday that this House is a House of landlords and, Sir, in this House of landlords out of 18 members who have spoken on this Bill only 5 have spoken against it——

The Honourable Sir GHULAM HUSSAIN. A small minority.

Dr. M. D. GILDER: Let us just consider briefly and review some of the objections that have been raised. It should be noticed that some of the objections raised by the opponents are contradictory. In one place the honourable member representing the Bombay Millowners' Association says: "Rents have in consequence gone down very substantially in all the quarters of this city." And yet, in another part of his speech he says that the Development Department have raised the rents of their chawls from Rs. 4 to Rs. 5, which is 20 per cent. increase. Again, he says in another place that there were no vacancies in the Chandanwadi chawls even though the rents were raised from Rs. 4-8-0 to Rs. 7, which is a rise of 55 per cent. In one place he says that the rents have fallen and in another place he says——

Mr. J. B. PETIT: May I interrupt the honourable member? In the first instance the rents were reduced substantially because of the cry of the people in that direction. When it was found that the reduction was no longer necessary, they were again raised to the normal level. What is wrong there?

Dr. M. D. GILDER: That is exactly the reason why this Bill becomes necessary. Another argument that has been advanced is that we are bringing forward artificial restrictions in the normal operation of the law of supply and demand. The old theory of the capitalist school of

[Dr. M. D. Gilder]

economics *laissez faire* has been long exploded, no nation subscribes to it now. Everywhere we see protection of national interests. I would only draw the attention of my honourable friend the representative of the Millowners' Association to the fact that he was the first to ask Government interference with the natural operation of the law of supply and demand with regard to the cotton trade.

Mr. J. B. PETIT: My honourable friend is entirely wrong.

The Honourable the PRESIDENT: It is a matter of opinion.

Mr. J. B. PETIT: No, Sir, it is a matter of fact.

Dr. M. D. GILDER: Sir, my honourable friend has quoted about the development chawls. If he were to go through the debate that took place during the budget session of 1928 on the Development Department chawls, he will find that Mr. Nariman, who was then a member of this House, brought forward a suggestion that the chawls should be farmed out. If we read the debate, then we will find the reasons why these chawls are not popular with the workers.

My honourable friend Mr. Kamat quoted that there are 4,659 new buildings in the city. He also said that nobody had stated how many floors these buildings had. The honourable member, the representative of the Bombay Millowners' Association, has already given the figures. He said that there were 4,659 new buildings in the city of Bombay comprising 3,335 shops and godowns and 14,794 tenements. So taking, the total number of new buildings, as far as tenements are concerned, this average is just 3 tenements each. The honourable member Mr. Kamat stated that 92 per cent. of the landlords had not raised their rents and hence there was no necessity for the Bill. He has, however, conveniently forgotten the drop in the income of the tenants. To take an extreme instance, Sir, in some quarters it is suggested that His Excellency the Viceroy should receive only Rs. 500 per month. Your pay, Sir, will be proportionately reduced. Now, suppose the Government, like the philanthropic landlords so glorified by Mr. Kamat, does not raise your rent but also fails to reduce it, you would have to add something out of your pocket to your pay to meet your rent.

There has been a lot of lip sympathy shown to the cause of the labourer and the cause of the middle classes. My honourable friend Mr. Kamat pointed out other measures, which are no doubt far better ones than this Bill to meet the same ends. But, Sir, we are not living in Russia, and we are not able to have a five years' plan as he suggests. If we could have that, I would certainly give preference to his five years' plan than to the Bill of my honourable friend Mr. Bakhale.

The honourable member for the Millowners' Association (Mr. Petit) cannot be unaware of the pressure as regards housing that exists in the Parsi community and of the measures that have been adopted to meet it; and he, therefore, cannot be unaware of the similar pressure which exists in other communities. And he always says that he sympathises

[Dr. M. D. Gilder]

with the poor, and I therefore hope he will see his way to change his mind and support the first reading of this Bill.

Rev. R. S. MODAK : Sir, I rise to support the first reading of the Bill. I am sure that this Bill, when it passes through this honourable House, will be useful not only to the tenants but also to the landlords in the long run. Unless the landlords and the tenants exchange places, the experience that is undergone by the other party will not be realised. Some years ago, there was a terrific fire in Ahmednagar and many of the cloth and grain shops were destroyed. One of the shopkeepers, who was well known for his high prices, lost all his stock, and had to go to another shop and buy rice and wheat. He then found out what it was to charge high prices when he paid them. This is really the situation as regards house rents in Bombay. I have had complaints from many members of my community in regard to their difficulty in making both ends meet in Bombay because of high rents of houses. From the investigations I have made, I have found that the residents of Bombay pay a much greater share of their income towards house rent than they should. I fear, Sir, that if such a measure is not undertaken by responsible members of this House as well as Government, the progress of the ordinary people of Bombay is not going to continue any longer. It is the duty of every responsible leader in a progressive country to help the ordinary people to get better houses, and I suppose it is the duty of Government to see that the poorer classes of their subjects are properly housed. Unless people are enabled to exist they will not be able to pay taxes, and unless taxes are paid, I do not think that this honourable House can function. I was recently told a story by a friend of mine in Bombay. He was unable to meet his household expenses on his salary, and his wife asked him "Why do you not go to your boss and demand promotion ?" The next day he went to his officer and said : "Sir, I want promotion." And the officer asked "Supposing you do not get promotion, what will you do ?" He said : "Nothing." The officer said : "If that is the case, you go and work without any promotion." I think, Sir, if this Bill does not get the wholehearted support of this House, the tenants will have to share the same fate. I would suggest, Sir, that if this Bill is rejected, the ordinary tenants should vacate the houses of the landlords and go further away from Bombay to teach them a lesson.

Sir, I request this House to help in the passing of this Bill by supporting it wholeheartedly. I have heard with great interest the important speeches made by some honourable members on this Bill, and especially the very vital issues that were raised by some of them. And in spite of them I feel more convinced of the utility of this measure than ever before. I trust that the first reading of this Bill will be unanimously carried.

Mr. B. P. WADKE : Sir, I support the first reading of this Bill——

The Honourable the PRESIDENT : There are only three minutes. The House will adjourn for tea till five.

The House adjourned for tea till 5 p.m.

(*The House re-assembled after tea at 5 p.m.*)

Mr. B. P. WADKE (Bombay City, South): Sir, I rise to suppor the first reading of this Bill, not because some honourable member have supported it, but because I sincerely feel, from personal experience for the people among whom I live and whom I represent in this House.

Sir, this Bill should have come before this House a good many years earlier. In that case, the havoc that is being wrought in the city would not have been wrought among the people in general and the poor classes in particular.

Sir, the opponents of this Bill have brought forward some flimsy excuses for opposing this Bill. Some say that there are a good many landladies; some say that there will be an Act regulating not only rents but all commodities; and some say that the rents have gone down. If the rents had gone down, I do not think the capitalists would have come forward and erected so many buildings on sites which were up to recently vacant. It is only during the last two years that we see so many buildings constructed. Why? Because they get more income than the interest they get in the banks. That is why they have invested their money in buildings. Sir, the object of the Bill is to check any tendency on the part of the landlords to carry on on commercial lines. Therefore the honourable member Mr. Bakhale has thought it fit to bring forward a Bill at least at this juncture. It is a measure intended to protect the interests of the people.

Sir, I will give you an instance. In the year 1923, the Labour Office conducted an enquiry into the working class budgets of Bombay, and that Office has put it on record that 97 per cent. of the working class population lived in one-room tenements. According to the Census report of 1921, there were in Bombay no less than 135 instances in which a single-room tenement was occupied by 6 families. Such is the case even now in poor localities. If the honourable member Mr. Kamat and other opponents of this Bill take a note of these conditions, I am sure they will support the Bill.

The honourable member Mr. Kamat said that the lands should be sold by the Municipality and other public bodies at a cheap rate. But when the capitalists send in their demands every now and then and offer higher rates, how is it possible for one to get the lands at a cheaper rate?

Another instance is this. The Bombay Municipality pays for its primary schools a rent of over 6 lakhs per year. If this Bill is passed, the rents will be reduced and the poor people of the city will be able to give the benefit of education to their children. If this Bill is not accepted, those people will be put to a lot of hardship.

A city is a place where men live a common life for a noble end. It is not to pay high rents that they live in a city. The landlords of Bombay build houses at a cheap cost and fix high rents for their tenements. Sometimes the landlords get more than Rs. 20,000 to Rs. 30,000. Are we to suffer on account of the monopoly of these capitalists? We suffer

[Mr. B. P. Wadke]

one way through the landlords and the other way through Government. They come with fresh taxes. We protested against the fresh taxes last week on matches and sugar. It is the poor people of the city who are the greatest sufferers. If we come here to support such measures, really speaking, we are not supposed to be the representatives of the people. We are supposed to be the representatives of the capitalists and of the Government. [*Interruption.*] This is the only acid test to show real sympathy for the poor people and come forward and help their colleagues.

It has been pointed out that members talk loudly and at the time of voting they keep quiet or vote the other way. This should not be the case, at least in such a measure. [*Interruption.*] Those of the honourable members who are in favour of this Bill have expressed their opinions and I do not wish to take up the time of the House. With these words I support the first reading of the Bill. I would also suggest that if this Bill is passed, it should not be called the Rent Act but it should be called Bakhale Act. If Government cannot support this Bill, they should at least remain neutral. This is my earnest request to Government.

Mr. PESTANSHAH N. VAKIL (Ahmedabad City): Sir, when my honourable friend Mr. Kamat was traversing the statistical field with an agility and alertness born of expert aptitude, I was wondering whether it was necessary to wield such a huge sledge hammer to demolish a structure which, in his own words, the honourable mover had reared on foundations so unsubstantial. At any rate, he has cleared the statistical field, and what is now left for us who follow him is merely to flog a dead horse. Another honourable gentleman, no less a person than my honourable friend Mr. Gokhale, who came, or was persuaded to come, to support the Bill, began with a benediction. But as he progressed, it was apparent that he was smothering with kindness a measure which he had come to support, particularly when he drew the pointed attention of this honourable House to the three basic defects of the Bill, namely, the wide scope, geographically, I mean, of its applicability, the application of the Bill to premises fetching rent as high as Rs. 200, and the jumbling up of business and residential premises together for purposes of relief. This, Sir, to my mind, has completely torpedoed the Bill, because, these appear to us all as the three cardinal principles of the Bill. Then, he repeatedly asked what relief was intended to be given to the poor tenants or to the poor in general of this city. Even supposing a case has been made out for relief, is he prepared to agree to a measure which may, in the opinion of some, be tantamount to the legalised loot of the landlords? I do not think my honourable friend would be prepared to go as far as that, even granting that a case had been made out for relief.

Then came upon the scene another redoubtable champion, my honourable friend Dr. Gilder. He talked of lip-sympathy displayed by the opponents of the Bill before the House. May I put it to him—

[Mr. Pestanshah N. Vakil]

What sacrifice are the supporters of the Bill going to make in furthering the cause of the Bill? At the most, Sir, they are going to rob Peter to pay Paul. It practically amounts to that. What is the sacrifice on their part? I should like to know. If it is lip-sympathy on the part of those who oppose the Bill, it is equally that on the part of their opponents, and those who espouse the cause of the poor, doubtless from a sense of obligation to their supporters, are bound to vote for the Bill. But beyond casting their vote in favour of the measure they are surely not going to make any other tangible sacrifice. So, Sir, all are sailing in the same boat. There is nothing to choose between the two. [*Interruption.*]

Now, I have an open mind. Throughout the debate I have kept an absolutely open mind. I thought, Sir, that after the admirable speech of my honourable friend Mr. Petit there was not much left for his successors to speak upon. But, Sir, the big gap in time that has intervened between his speech and the resumption of the debate on this Bill has obliterated all traces of recollection of the arguments which he had so convincingly advanced. This is a state of affairs for which we are all jointly answerable. Then, Sir, the honourable members could not certainly be unaware of a process called "rubbing in". Some people there are to whom any pronouncement, however authoritative, conveys nothing unless it is reinforced by repetition. I therefore beg you, Sir, to pardon me if I, not exactly repeat, but have to refer to some of the points already mentioned, though I shall try and do it very briefly.

Now, Sir, the honourable member Mr. Petit, opposed the Bill on grounds theoretical as well as practical. Some of the defects in the fabric of the Bill have been pointed out. I shall therefore merely discuss the Bill on broad grounds of policy and principle. Sir, in the first place those who propose State intervention have to make out a case for State interference. My honourable friend Mr. Petit and some other honourable members have deprecated State intervention in the normal operation of economic laws. When I say this, I should not be understood to mean that the State is not at all entitled to intervene in economic matters. The honourable mover is a smart man. He also takes good care to keep himself posted up with the latest developments in the science of economics, and he will confront me with the almost universal spectacle of State intervention in almost every country in the world. The manipulation of currency, the raising of economic barriers, all that elaborate machinery designed to preserve law and order at a time when a city is in the grip of a strike of respectable proportions to which my honourable friend the Home Member referred at great length in his admirable speech the other day, all these are classic instances of State intervention in matters which are purely economic. I should not therefore be supposed to assert that the State should on no account interfere with the normal working of economic laws. No, Sir, that is not my point. What I mean to say is that when a particular section of the community is hard hit by the normal operation of any economic law or the economic law of

[Mr. Pestanshah N. Vakil]

supply and demand, unless circumstances are very peculiar, State intervention is certainly to be deprecated. For instance, Sir, it is as clear as day follows night that if there is scarcity of any article in the bazaar, for instance, rice, the price of that article will automatically rise, the demand being in excess of the supply. Let us assume that there is a panic among the consumers of rice. The matter has to be remedied either by the importation of more rice into the city or by the consumers temporarily imposing a self-denying ordinance on themselves. Measures such as these will assist matters to adjust themselves. But that scarcity will not entitle the rice consumers to besiege the Secretariat and to pester the Home Member with a demand for State control of rice. It will not be fair on their part to ask the Honourable the Home Member to "*Japtakaro*" or commandeer all the rice godowns in the city and control transactions in rice on the ground that there is a temporary rise in the price of rice. Some such control in the domain of housing accommodation was instituted in the year of grace 1918, when the circumstances were very peculiar, when the conditions were in a state of flux as an aftermath of the Great War. But is the honourable mover prepared to prove that the existing conditions are anything like what they were in 1918 or 1920 or 1921? It will be an abuse of language to say that we are living in the midst of conditions akin to those which prevailed during the War or immediately after it.

Mr. R. R. BAKHALE: In some respects.

Mr. PESTANSHAH N. VAKIL: It may be in some respects. I am, therefore, right in stressing the point that unless justified by unavoidable circumstances, the State should as far as possible steer clear of any interference in the normal working of economic laws. There is no denying that fact. But, Sir, I would go a step further and assume that a case has been made out for the immediate grant of relief—a supposition which I am by no means prepared to admit—is it fair that one particular section of the community should be called upon to make a sacrifice for the benefit of that numerous class of the people who, as the Bible says, will always be with us, namely, the poor? On what ground of justice and equity, do you expect the landlord class alone, that small and inarticulate class, to make that sacrifice? If there is any necessity for relief, let the relief by all means be given. As my honourable friend pointed out the other day, we are at one with you. But why should a particular class of the community be singled out for that sacrifice? The honourable mover in his reply will be good enough to make that point clear. I know that my honourable friend Mr. Gokhale attempted to justify that position on the ground that the landlords had made their piles from the contributions of their tenants. But I am not prepared to accept that contention for reasons which need not be gone into.

Then, Sir, the Municipal Commissioner, who in virtue of his office is in a position to give an authoritative opinion, has really given his considered conviction to the effect that there is no dearth of tenements or residential quarters at the present moment in this city. That statement has not been challenged——

Mr. R. R. BAKHALE : Will the honourable member quote the authority of the Commissioner and say where that opinion is to be found and when it was given ?

Mr. PESTANSHAH N. VAKIL : The honourable member Mr. Petit read out an extract from the letter of the Municipal Commissioner the other day. In that letter the Municipal Commissioner has distinctly stated that in his opinion there is no dearth of residential quarters. Am I right, Mr. Petit ?

Mr. J. B. PETIT : Quite right.

Mr. PESTANSHAH N. VAKIL : In spite of that, Sir, to attempt to convince us of the urgent necessity of this measure is to my mind attempting to plough the sands. The Municipal Commissioner says in that letter as follows :—

"In my opinion there is no stringency of residential houses at present excepting in some most favoured localities such as Girgaum."

He further says :—

"That in view of the extraordinary number of vacant tenements and the unprecedented development of schemes such as Dadar and Matunga, it cannot be said that there is any necessity of reviving the Rent Restriction Act."

Now, Sir, let us take a review of the conditions that prevailed at the time when the Rent Act was passed. The prices of practically all necessaries of life were soaring very high. The landlords had purchased properties at boom prices ; and on even a moderate computation of fair or economic return on the outlay involved in the purchase of those properties, the rental that they expected to realize appeared in all conscience to be exorbitant. The tenants on the other hand, besides having to pay a very heavy price for almost every necessity of life, were in addition called upon to pay excessive rents. A case was thus made out to the satisfaction of Government for a Rent Restriction Act. But, Sir, the circumstances at the present time are quite different. The cost of living index number is certainly lower, far lower than what it was in those days. In short the boot is on the other leg. The landlord is now actually losing. The amount invested in properties is bad investment. And, Sir, let me remind my honourable friends here that in a majority of cases it is an honest investment just as much as the legal profession is an honest business or profession. [*Interruptions.*] Many of the landlords, as my honourable friend pointed out, have nothing to fall back upon in their grey hairs except what they realise from this investment in property. At such a juncture to come down upon them and expect them and them alone to make a sacrifice when the sacrifice is not even really needed is to my mind, Sir, adding insult to injury——

Mr. J. G. MORE : Will they starve if they get less ?

Mr. PESTANSHAH N. VAKIL : Sir, facts are stubborn things and my honourable friend the mover cannot, even with the help of Government, assist his numerous clientele to resist the inexorable law of supply and demand. The rents of all residential buildings have come down, so it is hardly necessary to cover the same ground over again.

[Mr. Pestanshah N. Vakil]

It was repeatedly stated here that statistics are a very treacherous field, but I believe, Sir, that in the hands of experts they are capable of yielding very valuable results. I am sure my honourable friend Mr. Kamat has conclusively proved his case to the satisfaction of many sitting on this side of the House. The fact of the matter is, Sir, that it is the same old story of idealists airily brushing aside all practical considerations in their zeal for an ideal. It is the same old thing, a demand for equal division of unequal earnings and nothing more or nothing less than that.

An Honourable MEMBER : Bolshevism.

Mr. PESTANSHAH N. VAKIL : It may be Bolshevism. But one thing is certain, Sir, that at a time when conditions appear to be settling down to the normal, something more than mere enthusiasm, something more than mere sympathy for the proletariat, is necessary to induce Government to embark upon a piece of legislation which is never undertaken except as an extreme measure.

Dr. M. K. DIXIT (Surat District) : Sir, I had no mind to participate in this debate, but my honourable friend behind (Mr. Pestanshah N. Vakil) from Ahmedabad gave me a little food to digest and I wish to say something about it.

Sir, I do not fully agree with the details of the Bill moved by my honourable friend Mr. Bakhale, but I agree with the principle of it and therefore I shall support it. The three points on which I do not agree with him are about the percentage of the reduction, the application of the Bill to the whole of the presidency and the range of rents to which it should be applied. Of course, these are matters of detail which I may be allowed to consider later on in the second reading if the Bill goes to such a stage. When I say that I do not agree with the scope of the application of this Bill to the whole Presidency, I must make my position clear that I am neither a landlord who has buildings to rent nor a tenant, and so, all that I say will be absolutely disinterested. However, the fact remains that it is time when rents should be reduced at least in the city of Bombay. I am again trotting out the oft repeated argument that the income of the people living in Bombay has gone down terribly. The Government servants have got their cut of five per cent., but the non-Government servants have got a cut of much higher percentage, in some cases 50 per cent. of their salaries, and there is a large number of the population which is thrown out of employment in Bombay. They have returned to their own homes in the country and it is quite likely that many tenements are lying vacant at the present time and perhaps the rents for these tenements are also due from the tenants who have vacated the tenements and gone away. But that does not in any way weaken the case for the present Bill.

5-30 p.m.

The two arguments that could be advanced against this Bill are, firstly, the one advanced by my honourable friend Mr. Vakil about the principle of State intervention in private affairs, that is, between the tenant and the landlord. It is certainly very undesirable that the State

[Dr. M. K. Dixit]

should intervene in anything and everything. It should not interfere in the private relations of an individual, except in very special circumstances. The question is whether a special circumstance has arisen or not. There is a precedent. During the days of the War, the rents of buildings had to be controlled. Whether a similar contingency has arisen or not is the question. My honourable friend the mover has described the present state as a state of war. My honourable friend Mr. Kamat differs from that view, and he says it is not a state of war. My own view is that it is a state much worse than a state of war. During the war days, people made money. Everybody was making money. No cut of 5 per cent. was placed on the salaries of Government servants. There was no cut in the pay of non-Government servants, and there was plenty of employment. But as the rents went up too much, they had to be controlled. To-day, the condition is altogether different. The rents have remained high, and though the capacity of the labourer to earn has remained the same, yet the amount of his earnings has gone down very much. Therefore it becomes necessary that the rents should be controlled by State interference.

My honourable friend Mr. Kamat submitted another argument. He said, if this is a state of war, and if you want control of rents, why not have control of rice, wheat, kerosene and other things which were controlled in war time? Sir, that is a very fallacious argument. We know that there are a number of vacant tenements. But they are not suitable enough for the lower middle class people. Eighty per cent. of the population could be provided with one-room tenements, but you do not expect a lower middle class family to go and stay in a one-room tenement? All that I want to say is that——

Mr. B. S. KAMAT: It is 80 per cent. of the tenements, not 80 per cent. of the people.

Dr. M. K. DIXIT: Very well. Eighty per cent. of the tenements are one-room tenements, but they are not suitable for middle class people. That is exactly what I am saying. The dearth is of residential quarters for the lower middle class people, and it is they who have suffered most in their income, and yet they have to pay the same rent which has been fixed for the last dozen years. It is for them, Sir, that we are pleading. I know one-room tenements can be had cheap and so many rooms are lying vacant, but they are unsuitable for the lower middle classes, because they are at a great distance from their places of work, and are inconvenient in other ways. But the reason for not controlling rice, wheat, kerosene and other things is obvious. These commodities have gone very cheap. In the first place, if you are staying in Girgaum, you can get rice from Worli or Mahim, but you cannot bring a tenement from Worli or Mahim and place it in Girgaum, neither can you make a two-room tenement out of a one-room tenement. That is the view I take, and that is why I call that argument very fallacious. There may be necessity at present of controlling the rents of tenements, but there is no necessity whatsoever for controlling the prices of rice, wheat, kerosene, petrol and other

[Dr. M. K. Dixit]

materials. I call that argument absolutely fallacious, and it is not one which appeals to me.

Then there is another argument which can be raised against the Bill, and it is this, that the reduction in income is a double-edged sword—it affects the tenants as well as the landlords. I agree. But if the landlords keep the rents at the same level, I do not see how they lose at all. But supposing for argument's sake we accept that some rooms do remain vacant and the landlords also suffer to a certain extent, I submit that it is the sustaining power of the two that has to be compared. The landlord can sustain much longer the loss of income, but a hand-to-mouth living wage earner or small clerk cannot sustain or maintain himself on his reduced income, and his sustaining power is very much less.

Then my honourable friend Mr. Vakil, in regard to the speech of my honourable friend Mr. Gokhale, said that there were many unkind cuts in it, and he had torpedoed the Bill. As I understood the honourable member Mr. Gokhale, he has supported the Bill, except in its details. He has accepted its principle. I hope I have understood him correctly.

Mr. L. R. GOKHALE: Yes.

Dr. M. K. DIXIT: Then, Sir, my honourable friend Mr. Vakil referred to this Bill as the legalised loot of the landlords. May I say, Sir, that till now there has been a legalised loot of the labouring classes, the wage earners, and the small petty clerks, for whose benefit this Bill has been brought in? Then he attacked the honourable members who spoke in support of the Bill. He has called them redoubtable champions of this Bill, and he asked them what sacrifice they have made or are going to make for the sake of the landlords. I do not know what sacrifice he expects us to make in case we support the Bill. Surely, he does not mean that we should get up a subscription list, that each one of us should pay out of his pocket a couple of rupees for the sake of the landlords to ameliorate their reduction in income? We are all pleading for the poorer classes and men who are living from hand-to-mouth. Surely, no sacrifice is anticipated or expected from persons who support the Bill?

Then, Sir, the honourable member quoted some lines from the Municipal Commissioner's report. I do not want to make any reflection, but, Sir, the first business of the Municipal Commissioner is to balance the municipal budget. If the rents go down, the municipal income suffers, and it would be very hard for him to present a balanced budget. We know what difficulty our Finance Member had, and how he had to manoeuvre in balancing the budget. We all know that very well. So, I will not say anything more on that point.

Then my honourable friend Mr. Vakil said something about the equal distribution of unequal earnings. Sir, I may use the same adjectives and say that till now there has been unequal reward for equal labour.

[Dr. M. K. Dixit]

Just as the first proposition sounds so plausible, it will be agreed that the second one also sounds equally plausible, perhaps more so. I will not take any more time of the House, but conclude by supporting the Bill.

Rao Saheb P. D. KULKARNI (Poona District): Sir, I shall take only a few minutes. I want to bring to the notice of this House one point which is very essential in taking into consideration the grievances of the tenants. It is stated that the landlords have invested large sums of money in their properties, and economically it will not be profitable to them if there is some restriction on the rents they now charge. This is a fallacy. I want to say that during war time the rents of these tenements rose very high. At that time so many landlords amassed money, and they invested their money in buildings just as if it was a speculation, and for that they spent thousands and thousands, and thus increased the value of the buildings. Are we expected to recoup the loss which they have suffered on account of their speculations? It is absurd to expect that. We should teach them a good lesson, that they should not have speculated on such a novel cause, and the poor tenants should not suffer for the foolish investments which the landlords have made, running after their own notions. For this reason only the case of the tenant is justifiable, and every one of us should support it. For this reason, we should not give any attention to the pleading of the advocates of the landlords, who have invested money in buildings in their frenzy of uneconomic investments, and made speculations just like many others. For this false step of theirs tenants should not be made liable to pay what is really not worth. With these words, I support the Bill.

The Honourable the PRESIDENT: The honourable mover for a reply.

Mr. R. R. BAKHALE: May I know what the attitude of the Government is on this matter?

The Honourable the PRESIDENT: I cannot force the Member in charge to speak.

The Honourable Sir GHULAM HUSSAIN: He will speak in the end.

Mr. R. R. BAKHALE: I am entitled to know what the Government views are. I have heard the non-official views, but not the Government views.

The Honourable the PRESIDENT: The honourable member has to proceed.

Mr. R. R. BAKHALE: This is very unfair, because this is a piece of legislation which has been acknowledged to be very controversial, and Government owe it to us that they should place before this House their point of view before I am asked to give a reply.

Sir, apart from the fact that Government have got a majority in this House, it cannot be denied that their own official strength is anything

[Mr. R. R. Bakhale]

between 17 and 20, and the whole of this body has not taken part in the discussion which has been going on for two days, and yet their steam roller will come out with a vengeance in the division lobby, and all of us, I am afraid, will be crushed under it.

The Honourable the PRESIDENT: Did the Honourable the Home and General Member intend at all to speak before the honourable mover rose for a reply?

The Honourable Mr. R. D. BELL: No, Sir.

Mr. R. R. BAKHALE: Well, Sir, that is the Government attitude. I thought that they would be fair to this side of the House, and at least give out an indication of their mind on this important subject. I do not know whether it is arrogance or utter indifference to this side of the House. But so far as I am concerned, I refuse to associate arrogance with the Honourable the Home Member. Knowing him as I do, I think he is generally courteous and amenable to this side of the House to the extent to which it is possible, and because of this belief that I hold, I approached him yesterday privately and begged him to ask some of the Government members, at least one or two, to speak before I was asked to give a reply. Sir, if my impression of the Honourable the Home and General Member is correct, and if I am to connect that impression with the present attitude of the Government, I can only say that they have become callous, and they do not care a tuppence for this side of the House, because they are so sure of their majority. Well, Sir, such instances have happened in the past in other Legislative Councils. The Leader of the Opposition in the U. P. Council, Mr. Chintamani, declined to make a reply unless a Government member spoke.

The Honourable Sir GHULAM HUSSAIN: Here, the House is divided.

Mr. R. R. BAKHALE: I do not quite understand the sense of this interruption. What I was driving at is that if the opposition is strong enough, it can always bring Government to its knees and insist upon indicating their views before the opposition is asked to make a reply. Well, Sir, I drop this point at this.

Coming to the subject of the Bill, I should like to remove one or two misunderstandings that are lurking in the minds of some of the honourable members. It is perfectly true that in this Bill the Governor in Council has been given the authority to extend the whole or any of the provisions of the Bill to any local area other than Bombay city and its suburbs. So far as I am concerned I am perfectly willing to delete that provision, if I am convinced that it is unnecessary. No amendment has been moved during the process of the first reading of the Bill; and therefore, if any changes are to be made in the Bill, they can be made only in the select committee. Therefore, I assure those honourable members who are somewhat hesitant on this point that I am willing to modify this provision, if this Bill goes to the select committee and if the select committee considers that this provision is unnecessary. Secondly, my Bill applies to all premises the standard rent of which is Rs. 200. It

[Mr. R. R. Bakhale]

is considered in certain quarters that this limit is rather too high. If it is so I am willing to consider this provision also if the Bill goes to the select committee. I therefore assure honourable members who have any doubts about any particular provision or provisions that I am always willing to consider all the objections in the select committee and that I am prepared as far as possible to go by the majority view.

Well, Sir, so far as the reception that was given to this Bill is concerned, I am satisfied with the reception that has been given to this Bill, irrespective of its fate. Out of 24 members that spoke on this Bill, 18 supported the Bill and 6 opposed it. But, Sir, the danger is not from those who have taken part in the debate but the danger generally comes from those who are silent and shy, but who are more effective and more dangerous in the division lobby outside this House. Sir, I am very grateful to all the honourable members who have supported me either fully or partially. I am also grateful to those honourable members who criticised the provisions of the Bill and criticised my speech also, because I am anxious to be corrected if I am told that I am wrong. I need not deal with the speeches of those honourable members who gave their support to this Bill. But I would like to deal with the speeches of those honourable members who opposed this Bill. Without doing any injustice to anybody, I might say that there are three honourable gentlemen who deserve a passing reference before proceeding to the next point. These three honourable gentlemen are my honourable friend Mr. Petit, my honourable friend Mr. Kamat and my erstwhile honourable friend Mr. Pestanshah Vakil. Sir, I have been very closely observing the pronouncements of the honourable member Mr. Pestanshah Vakil in this House. I have been following fairly closely the generous contributions, barren though they are, that he makes on different occasions. It may not surprise you, Mr. President, if I tell you that my honourable friend Mr. Pestanshah Vakil required 22 speeches on this Bill before he could make up his mind. What did he say? He indulged in the process of rubbing in. Well, Sir, I shall deal with those points when I come to deal with the honourable member with whom these points originated in the beginning. Therefore, I need not waste much time over it.

My next honourable friend is Mr. Kamat. He and I belong to the same political thought and are members of the same political organisation in this country. On 99 occasions out of 100 we think together, speak together and act together and we find ourselves in the same lobby. You can, therefore, Mr. President, imagine how painful it is to me if I have to criticise my honourable and distinguished friend Mr. Kamat. But, Sir, the cause is greater than personality, however distinguished he may be. Therefore, I hope my honourable friend Mr. Kamat will not misunderstand me, if I criticise his speech in the same spirit in which he criticised mine.

Lastly, Sir, my honourable friend Mr. Petit. We are publicly in opposite camps, although politically many times we think and act together. I shall be able to deal with his several arguments and express

[Mr. R. R. Bakhale]

my opinion on them in due course. With these preliminary remarks proceed to my case.

I think that the four points I gave in my opening speech for the necessity of this legislation have not been challenged by any of the honourable members except possibly by my honourable friend Mr. Kamat, with whose speech I shall deal separately. The important ground, as I stated in the beginning—I repeat it—is that trade depression and the resultant crisis demand relief to those who are unble to protect themselves. Yesterday, my honourable friend the Leader of the House told us in so many words that Government had given generous relief to the agriculturists in different ways. If that principle of giving relief to those who are unable to protect themselves is once recognised, may I know, Sir, on what philanthropic ground can the Leader of the House refuse protection to the tenants who equally deserve protection and sympathy at the hands of Government ?

The Honourable Sir GHULAM HUSSAIN: They can occupy our chawls on very low rentals.

Mr. R. R. BAKHALE: I would have given value to this interruption, but for the fact that Government themselves have reduced the rent allowance of their peons.

When dealing with this subject on the last occasion, I referred in brief to the fact that Great Britain enacted last year a rent legislation. That Bill was enacted not by a Labour Government but by a Liberal Government.

The Honourable the PRESIDENT: Is the honourable member repeating ?

Mr. R. R. BAKHALE: I am not. I am simply summarising a few points so as to enable me to proceed to the other points. In dealing with that point, I suggested that Great Britain's example should be followed so far as this Bill is concerned. In England the ground on which the rent legislation was enacted was that in the C class tenements, in accordance with the provisions of the enactment of 1920-25, Government found that the rents had risen by 80 per cent. Therefore, they had to enact this legislation in the interest of the working classes.

Now, I come to the arguments that were employed by those honourable members who opposed my Bill. I will first take up the arguments of my honourable friend Mr. Petit. He said that the principle of the Bill is not the regulation of the rents of the premises but the introduction by legislative enactment of artificial restrictions of the normal operations of the law of supply and demand ! He further said that " this objection is sought to be mitigated by introducing an element of discrimination." Further on he said that " dangerous and unprecedented consequences will follow if this principle is accepted ". He again said that "the principle underlying this Bill is revolutionary ". He further said that the " Bill should be thrown out, unless the House is definitely of opinion that the time for State intervention in such matters and the nationalization

[Mr. R. R. Bakhale]

of various public and semi-public activities, has come ". He further said " by what canon of justice and equity is it sought arbitrarily to deprive one section of the public for the benefit of the other?" Sir, the most important expressions in all these quotations are " outrageous, atrocious, revolutionary " and so on. When I heard my honourable friend Mr. Petit speaking on the occasion, I was reminded of a small sentence in one of the text books which I remember to have studied when I was a schoolboy. That sentence is " To be loud and vehement is no sign of patriotism ". While, Sir, I do not for a moment wish to wound the patriotic instincts of my honourable friend Mr. Petit, I may tell him that the use of such strong language, as the Honourable the Leader of the House said yesterday, does not make one's case very strong. Sir, he challenged me to produce evidence to substantiate that either this Council or the Bombay Municipal Corporation has accepted the principle of State intervention. What I said was that this Council as well as the Bombay Corporation has accepted the principle of State intervention so far as the regulation of rents in abnormal times is concerned. And the only proof that I can possibly give in support of this statement is the 1918 enactment with regard to rents.

6 p.m.

Then, Sir, he and other honourable friends said that this Bill would interfere with the economic law of supply and demand. Sir, I wonder whether it is not true sometimes that consistency is not a very good policy in politics. Sir, if I remember rightly, my honourable friend Mr. Petit and other industrialists have been crying hoarse over the grant of protection to the textile industry. Is that not an interference with the normal law of supply and demand ? What is this, the recent Mody-Lees pact between India and England, which was initiated and carried into effect by the Bombay Millowners' Association, which the honourable member represents in this House ? Sir, what are tariff walls and bounties, the Mody-Lees pact, the Indo-Japanese pact and similar pacts, but interference with the normal working of the law of supply and demand ? But, Sir, in the case of the rich these considerations do not arise. But when a member of this House comes before this Council and begs them to protect those who are unable to protect themselves, this law of supply and demand is drawn across our track. Therefore, I submit that this law can be operative only when the supply is equal to the demand ; otherwise, the State must intervene.

Then, Sir, my honourable friend Mr. Petit said that this Bill should be thrown out unless this House is convinced that we are willing to nationalise our public and semi-public activities. Sir, this is not a Bill to nationalise the buildings in Bombay ; nothing of the kind. Therefore, it is misleading the House to bring in an analogy which has no bearing so far as this Bill is concerned.

Then, Sir, my honourable friend Mr. Petit, and I believe my honourable friend Mr. Mahomed Mitha, advanced one more argument. They said why should only one section of the population be penalised, and

[Mr. R. R. Bakhale]

why should one kind of investment be allowed to suffer, when other investments are not penalised in the same manner? Well, Sir, this is an argument which was advanced by Sir Dinshaw Petit when the 1918 Bill was being enacted in this House, and, instead of giving a reply in my own poor words, it would be much better if I gave a reply in the words of the Government of Bombay. The Honourable Sir George Carmichael said:

"If it"—the argument—"is that certain classes of the population have been making very large profits in their business, and that the landlord ought to be allowed to take the whole of his profits, this seems to me an extraordinary proposition. I could understand the proposition that the State should take a share in these profits, but what claim has a private landlord? He does nothing, risks nothing. To give him a profit simply means giving him money which he has not earned. The Bill proposes to put him where I think he ought to be put, namely, in a position analogous to a holder of preference shares enjoying a fixed rate of dividend."

Then, Sir, we are told that the landlords have been ruined, that properties have dropped in value, that properties have been mortgaged and that a certain section of the property holders are poor widows who have no other means of subsistence. Sir, if the landlords are ruined—I think they are not—but if they are ruined, it is not the fault of the tenants; the tenants are in no way responsible for the ruin of these classes of the population. If their properties have been mortgaged, they have to thank their speculative tendencies and vices, if they have any. You cannot find fault with the tenants, because the properties have been mortgaged; you cannot find fault with the tenants because the properties have gone down in value.

One further argument that was advanced was that a large number of tenements are vacant. I shall come to the honourable member Mr. Petit's figures immediately. But, Sir, the theory of vacant premises only strengthens my case; in no way does it weaken it. Some of the figures quoted by my honourable friend Mr. Petit to prove that although the rents have been brought down from Rs. 17 to Rs. 9, premises are vacant even to-day, clearly show that the working classes and the lower middle classes are not in a position even to pay that Rs. 9. And if my honourable friend Mr. Petit will still further analyse the figures of vacancies, he will see that a majority of the vacancies are to be found in business premises and high class flats. He said that out of the 16,000 one-room tenements in the chawls of the Development Department, 8,000 were vacant in August 1933. Sir, it is unfair to make a comparison such as this. You must take the whole of the tenements and then compare them with the vacancies that have occurred in those tenements. In Bombay City there are 197,516 one-room tenements and 26,231 two-room tenements—a total of 223,747 tenements. Out of this total of 223,747 tenements, only 8,000 are vacant. I submit, Sir, there are several causes on account of which these tenements have remained vacant, and they have nothing to do either with decrease or increase in rents. Then, Sir, he said that in August 1933, out of 36,988 houses (both residential and business), as many as 8,000 were practically vacant for the whole year. According to the Census Report, the total number

[Mr. R. R. Bakhale]

of buildings in 1931 was 28,300, of which 3,600 were vacant. But the Report further shows that the majority of the vacant buildings are to be found in wards other than what are commonly known as labour and middle class wards. It will also be found that a large portion of these vacant premises are business premises.

Then, Sir, he gave us elaborate figures as to the number of complaints received by the Municipality against the valuation of the Assessment Department and the percentage of reduction in the valuations. I am fully aware of those figures. But they are hardly a guide to find out whether the rents have gone down or gone up. I shall give a small instance to illustrate my point. Take, for example, a building with five floors; the four upper storeys are occupied for residential purposes and the ground floor kept for business purposes. If the ground floor remains vacant, a complaint is made immediately at the municipal office for the reduction of assessment. Whatever happens to the other storeys of the building, a complaint is recorded in the municipal office for the reduction of assessment. In this way, I fully recognise, on account of the trade depression, the number of complaints might have increased; but I have reason to suspect that a vast majority of these complaints deal with the business premises on the ground floors of buildings rather than with the residential buildings. Therefore, Sir, it is dangerous to assume that because the number of complaints has increased, therefore the rents have gone down. It is a dangerous assumption to make. He, Sir, gave us the figures of refunds and drawbacks for 1930–31 and 1932–33. Well, Sir, what I said with regard to the complaints applies equally to the drawbacks and refunds, and, therefore I need not dilate on the point any further.

Next, Sir, he referred to the number of new buildings erected in the five years between 1927 and 1932. He gave us the figures and also I think my honourable friend Mr. Kamat. The number of new buildings erected between 1927 and 1932, according to them, is 4,659. Well, Sir, as has been pointed out by my honourable friend Mr. Gokhale, an equal number—nearly the same number—of buildings was demolished during the same period. The number is 4,344. Therefore, if you want to take account of the new buildings, you must take into account the buildings that were demolished within the same period.

Lastly, Sir, I might give only two or three kinds of figures to conclude this part of my speech. Only between December of last year and February of this year, I arranged to take a small census of the premises in this city. Sir, this census was modelled on what is called the sampling basis, which is generally adopted by the Labour Office. I take only the figures for 1914, 1919 and 1933. I find that the average rent of one-room tenements in 1914 was Rs. 3–12–0; in 1919, it was Rs. 4–7–0; in 1933, Rs. 8–10–0. For two-room tenements, the rent was: in 1914, Rs. 10–15–0; in 1919, Rs. 13–2–0; and in 1933, Rs. 19–8–0. If you take the index numbers of these rents, you will find that for one-room tenements, it was 100 in 1914; 118 in 1919 and 230 in 1933.

[Mr. R. R. Bakhale]

Sir, I do not propose to take more of the time of this House, although I would have very much liked to deal with the figures that my honourable friend Mr. Kamat advanced. It is getting late and I am anxious that the Honourable the Home Member should make a reply. I shall only allude to the support that this Bill has secured in this city on the first day. I have already submitted to this House two petitions signed by several thousands of tenants of this city. Meetings have been held in different parts of the city in support of this Bill. Even the Bombay Press, not excluding the *Times of India* and the *Evening News*, are sympathetic towards this Bill, a fact which shows that there is a necessity for a legislation of this kind. Even the Corporation in 1929 and in 1931 passed resolutions in support of this Bill. It was only in 1932, after the elections, that they went back upon their decision and said that there was no necessity for a Rent Bill of this type.

The Honourable Mr. R. D. BELL: The Corporation ?

Mr. R. R. BAKHALE: Yes, Sir. I am giving you some information. But, Sir, you must recognise that on two occasions out of three, the Corporation has voted in favour of this Bill. So, you look at this Bill from any point of view, and you will find that there is general agreement in support of this Bill.

This, Sir, is my case. I appeal to all the honourable members of this House to consider it dispassionately and they will come to the same conclusion to which I have come, namely, that this Bill is a necessity so far as Bombay City is concerned. I hope, Sir, that if Government cannot see their way to support this Bill, at least they will remain neutral on this occasion as they have remained neutral so far as the debate on this Bill is concerned. To keep mum throughout the proceedings and then at the eleventh hour appear on the scene and carry with them other people also is a very unfair method of dealing with this House. With these words, I leave the Bill in the hands of the Council. (*Applause.*)

The Honourable Mr. R. D. BELL: Mr. President, I may be permitted perhaps to say a few words at the outset regarding the attitude of this side of the House. The honourable member who has moved the first reading of this Bill stressed a suggestion that he had been ill-used and some damage perhaps had been done to his case because no one on the Government benches had disclosed any opinion on the Bill. I think, Sir,—although this is primarily the business of the Leader of the House,—I am not committing any indiscretion in saying that, broadly speaking, the policy and the practice of Government on non-official days is to give the non-official members full scope for letting Government know their views and, with Government, the whole House. The members on the other side of the House cannot possibly be so unintelligent as not to realise what the position usually is. When there is any real necessity for legislation, Government themselves take it up and introduce some measure in the House. The only exception to this practice is perhaps in the case of legislation of a social character or legislation which, let us say, introduces the communal element, for instance, representation,

[Mr. R. D. Bell]

say, on the Bombay Corporation. I think that it is only courtesy on the part of the front bench to let the non-official members air their views freely, as a rule, before Government indicate what their final attitude is going to be. If I had got up very early in the debate and said what the Government attitude was, there would have been two grounds for complaint. One would have been that Government had not yet heard the full statement of the case from the other side; and the other would have been that with the majority, which the honourable member attributes to us, we were bludgeoning the Bill out of hand. It is, therefore, from no arrogant feelings or anything but a sense of courtesy to the House that Government have not said anything on this Bill up to the present moment.

But the general position must be fairly clear to the House. There were Acts in force regulating rents both in Bombay City and the suburbs and in Karachi up to the end of 1928; and if Government had thought it necessary to continue rent control after the 1st of January 1929, they would have taken steps to extend those Acts. But they did not do so; that they did not think any further control was necessary must be clear to the House. And, indeed, I think this is the issue now before the House, whether anything has happened since the 1st of January 1929 to make it necessary or desirable that rent control should be reintroduced either in Bombay City or anywhere else in the Presidency.

Yesterday, Sir, the Honourable the Leader of the House said this was a landlords' House. I think to-day it may be said to be a tenants' House or at least a pro-tenants' House. It is rather curious that while yesterday the Honourable the Leader of the House made, not a suggestion but a reference, to the possibility that in the event of concessions of land revenue something more might be done for the small proprietor than for the large proprietor, in the sense that he might get a larger percentage remission, the case of urban tenants and urban landlords is entirely different. It is the landlord of the small rented property who has to face a cut in his rentals and the gentleman who owns any property that brings him more than Rs. 200 a month is immune in respect of that property. There is perhaps one point in reference to the landlords which might be cleared out of the way. Happily it did not find much expression to-day, but it did during the first day of the debate. That point is that there was a tendency to describe landlords as a bad lot who thoroughly deserved a cut of 25 per cent. in their rents. I do not believe for a moment that the honourable members who suggested this really believed it. I know landlords and I know tenants; and I really cannot find any difference between them as human beings or as landlords or as tenants. There are good and bad landlords and there are good and bad tenants also. Bad landlords are no more frequent than bad tenants, and I ask the House to get the idea out of their minds that a decision on this Bill is to be taken on a point of this kind.

The honourable member Mr. Bakhale began his speech by saying that he had a feeling of nervousness when introducing the Bill. On the other

[Mr. R. D. Bell]

hand, I congratulate him on the courage which he showed. If I had introduced it, I should have been more nervous than he appeared to be. The main principle of the Bill, according to himself, is that there should be regulation of rents of premises in the Bombay Presidency. I do not think that this is a full statement of the main principle of the Bill. It is a euphemism for saying that the rents are to be reduced at the expense of of the landlords. There are other methods of regulating rents. They might be regulated at the expense of the taxpayer. The rents of premises below Rs. 200 a month might be reduced by 25 per cent. and the 25 per cent. might be given to the landlords from the provincial revenues. The problem might be solved by State-aided building schemes; it might be solved, in part at least, by State building. I hardly offer this as a solution, but I may refer to the fact that the possibility of nationalisation has been mentioned. The honourable member Mr. Bakhale seemed to be a little cross with his honourable friend Mr. Petit for referring to nationalisation, but I may point out to him that he himself introduced the words first of all in this debate; and if he is suspect, I think it is his own fault. In the general debate on the Budget, I think he went so far as to say that he was inclined to think it was high time the mill industry was nationalised; and in this debate he dropped a hint that nationalisation was quite a possible solution of the problem.

Sir, this is the principle of the Bill, namely, that rents are to be reduced at the expense of the landlords. It raises two issues; the first, whether it is justifiable to reduce rents at all, and secondly, whether it is proper to do so at the expense of the landlords. The honourable member's case is based on this hypothesis: "If I succeed in proving, as I hope to do, to the satisfaction of this House that the economic crisis which forced Government to resort to rent legislation immediately after the War has arisen now, I think I shall have made out a case in favour of State intervention and of my Bill." He also quoted authorities in his support. One of them was Mr. P. R. Cadell; another was Mr. H. P. Mody. But the gist of the case in 1918 was, as was said by Mr. Cadell, "that there are certain commodities such as land, air and water which all the subjects of the Crown, if they have a right to live, have a right to share and which cannot be allowed to be cornered or exploited beyond a certain point." Well, Sir, if the mover of the Bill takes the analogy of 1918 as a guide, he must prove that housing accommodation has been cornered and exploited to a point which justifies intervention now. And I propose to show that he has not done so, because, in fact, this is not the condition of affairs in Bombay City at the present time. He was right as regards profiteering in 1918; but I may remind the House that even the Rent Act of 1918 and the subsequent Acts brought very serious evils of their own in their train, and that any regulation and control of rents must inevitably do so again. The present conditions are entirely different; in fact they are entirely the opposite of the conditions of 1918, as I hope to show. In 1918, the landlords, if they cared, had the tenants to a very great extent at their mercy; in 1934, the tenants, if they care, can take effective steps to secure a reduction

[Mr. R. D. Bell]

of rents if the present rents are unjustifiably high. The honourable mover of the Bill referred to the case of Great Britain. Whatever Great Britain may do when there is 83 per cent. rise in rents in the case of C class houses has no bearing at all on the problem of rents in Bombay City. If we could agree that the conditions of 1918, when the city was absolutely overcrowded, and when the tenants were being exploited, were repeated at the present time, we should probably agree that action was necessary again. But no one has yet proved that those conditions are repeating themselves.

There were two parts of the honourable member Mr. Bakhale's case which seemed to me to have nothing to do with the present issue. He gave a great many figures to prove that housing conditions were extremely bad in Bombay City and he gave other figures which dealt with the relation of rents to wages. Now, as regards the bad housing conditions in Bombay, however bad they may be, the honourable member Mr. Bakhale has not explained to the House how the reduction of 25 per cent. in rents is going to improve them. A very little reflection will make it clear that a compulsory reduction of rents must in time necessarily make housing conditions worse.

6-30 p.m.

The other point, which I think is not an issue just now, has reference to his statement that the increase in rents previously has been absorbed by the rise in wages. I think the case is better put the other way when I say that the increase which the labourer had obtained in wages was absorbed by the rise in rents which according to the honourable member Mr. Bakhale has taken place. If this is so, then, Sir, what is going to happen if the labourer's rents are reduced now ? According to his own assumption, the employer will merely squeeze out of the labourer another rupee or two more. If we take two or three or four or five rupees a month off the labourer's rent, then the employer will continue to reduce the labourer's wages till he has that two or three or four or five rupees off his Wages Bill. These two matters seem to me to be entirely irrelevant to the issues which are now before the House.

Sir, as I said before, the old Rent Control Acts ceased to have effect from the 1st of January 1929. Nobody has till now found it necessary to suggest that new conditions have arisen which made a revival of those Acts necessary. There have certainly been some adjustments of rents following 1929, but on the whole the trend of rents has been downwards in all classes of property. I can give some figures to this effect, but the Municipal Commissioner, who is probably the first authority in Bombay on the subject of rents, has made the statement both in published reports and to myself in correspondence. I will give his figures in the case of middle class properties. For 1932–33, he gave me a statement which showed that over the city as a whole the rents of properties which are rented at Rs. 20 to Rs. 50 per mensem had declined by roughly 3 per cent. as compared with 1928–29. I asked him recently for more up-to-date figures and he has given me figures for rents which ranged from Rs. 50 to Rs. 200 a month. There was in these cases a decline in rents

[Mr. R. D. Bell]

of 6½ per cent. as compared with 1928–29. So that, as regards middle class properties, there is unquestionably, according to municipal figures and tests, a slight fall in rents since the Rent Control Acts ceased to have force. The honourable member Mr. Bakhale in his concluding speech endeavoured to explain away not only the fall in rents but also the unquestionable vacancies which occur in house properties in Bombay by saying that only high class tenements were affected by the fall in rents. I have however given two sets of figures, one for rents from Rs. 20 to Rs. 50 and another for rents from Rs. 50 to Rs. 200.

There is another set of facts which bear on this matter; I refer to the figures of vacancies. The honourable member Mr. Bakhale said that vacancies generally did not occur in the labouring and middle class residential areas. He also hinted that they were mostly on the ground floors of business premises. To take the second point first, he had no evidence to show that these vacancies were usually on the ground floors of buildings and included generally only business premises, but if he has these figures to prove his case, then why does he suggest that his Bill should extend to business premises also? As regards the first point that there are not many vacancies in the labouring and middle class residential areas, there is some truth in it, and I think that you have here the key to the principal problem. There are certain areas like Girgaon and Bhuleshwar which are overcrowded, but what contribution to the problem of this overcrowding is a reduction of rents by 25 per cent. going to make? It seems to me that it will only encourage and intensify overcrowding in those congested areas or in any congested area. You can never deal with the improvement of housing conditions in Bombay City unless people are willing to spread out to less crowded areas and to the suburbs.

As regards the labouring class tenements, there can be no question about the present position because there are a very large number of working class tenements owned both by Government and by the Improvement Trust. The Development Department have 16,000 working class tenements. At Naigam in F Ward there are 708 rooms vacant, i.e. 22 per cent. of the total number of tenements there. At DeLisle Road 26 per cent. of the rooms are vacant. At Sewree 27 per cent. of the rooms are vacant and at Worli 76 per cent. of the rooms are vacant. I have got figures also for vacancies in the Improvement Trust Chawls. They vary. Some of the Improvement Trust Chawls are pre-War and the rents have never been brought up to a level corresponding to the post-War cost of building; in these Chawls the vacancies are comparatively few. But in the post-War Chawls, of which the rents have been very greatly reduced during the last few years, the vacancies are very considerable. Then, again, the Improvement Trust have a very large number of acquired properties. They have acquired lands in the north of the city and in other parts for their improvement schemes. They had to acquire properties with them. There are something like 8,000 of these properties and at the present time 17 per cent. of them are vacant. The evidence as regards refunds and drawbacks allowed by

[Mr. R. D. Bell]

the Municipal Commissioner is to the same effect, that there are a very large number of vacancies in the city at the present time. The total number of buildings in the city is about 37,000 and the number of annual vacancies is about 7,000 or 8,000, roughly over 20 per cent. I do not say that whole buildings are vacant but there are vacancies in over 20 per cent. of the buildings in Bombay which justify a claim by the owners for a refund or a drawback of municipal taxes. These facts indicate or seem to me to indicate—and I think they will satisfy the House—that at the present time there is sufficient accommodation in Bombay provided people are willing to move from congested areas such as Girgaon, Bhuleshwar and Mandvi and move to areas where accommodation is available. In the same way, I think the figures, which have been given by some honourable members like Mr. Petit and Mr. Hoosenally Rahimtoola regarding the reduction in rents in Bombay for the last five years, indicate also that rents are coming down and that they support the figures which I read before.

The honourable member Mr. Surve suggested that if we restricted rents, it would give a very definite encouragement to building operations, but I noticed that the honourable member Mr. Syed Munawar held a different view. The honourable member Mr. Surve thought that the lapse of the Rent Acts had led to a restriction of building operations, whereas the honourable member Mr. Syed Munawar stated that at the present time landlords are not at all shy of building new premises. One has only to pay a visit to the north of the Island, or to any part of the Island indeed, to see which of these two honourable members is correct. Unquestionably, there is a very steady building programme going on at the present time in Bombay. There are various reasons for this. Landed property is always a favourite investment with Indians and there are large numbers of people in Bombay City who may be described as sitting very tight on their money; they do not risk it in anything which is in the nature of an industrial investment. In any case there is no encouragement, at any rate no special encouragement, to anyone at the present time to risk his money in industrial ventures, so that the natural tendency of the Indian to indulge in his favourite form of investment in land and buildings is very much strengthened at the present time, especially as land and building materials and labour are cheaper than they have been for very many years.

On this question of the increase in buildings, I should just like honourable members to bear in mind what has happened since the War was over. There has been considerable development in the suburbs. It is perhaps sufficient to refer to Khar, one of the Development Department Schemes, but, in addition to these schemes, town-planning has also resulted in a very large addition to the residential accommodation in the suburbs. Santa Cruz and Ville Parle, for instance, have been transformed out of recognition by new buildings. Then, in the north of the Island, the conditions are very much the same and it seems at the present time that no halt is likely to be called to the operations of the builder in the Improvement Trust Estates.

[Mr. R. D. Bell]

I should like to refer also, as regards the middle classes, to what the various building schemes of Sir Ness and Sir Cusrow Wadia have achieved. I am quite well aware that these are schemes for Parsis. But every one of these schemes has released accommodation for classes other than Parsis, and if you consider the aggregate of the efforts of these two brothers, you will see that a very great amount of middle class residential property is available now which was not available 15 years ago. In the Fort area, a new scheme at Colaba is almost ready for opening, which is bound to have a very appreciable effect in the Fort area, which is one of the congested parts of the city.

As regards the working classes, I might point out that not merely have the Improvement Trust and Government made accommodation available for the work people, but the very fact that the rents of Government and Improvement Trust chawls are low, prevents the neighbouring landlords from raising their rents beyond a certain figure. Every time a rupee is taken off the rents of the Development Department chawls at DeLisle Road, the neighbouring landlords must be prepared to let their tenants go or to take a rupee off their rentals.

This is rather in the nature of a side issue, but I might point out that if there were a 25 per cent. reduction in the rents of working class and middle class residences in Bombay—and, after all, these are the great bulk of residential premises—the effect on municipal revenues would be very serious, in addition to intensifying the congestion in already congested localities.

The honourable member Mr. Bakhale himself asked my honourable friend Mr. Petit what the alternative was. Well, Sir, it is hardly for me to get the honourable member Mr. Bakhale out of his difficulties. But there is one alternative which is already partly in operation. If there were any shortage of housing accommodation, there is only one remedy. If there were overcrowding, as my honourable friend Mr. Bakhale urges there is, there is only one remedy, and that is to build more. Reduction of rents will not prevent overcrowding and will not bring about housing improvement. The only way of providing more accommodation is to build more and the only way of providing improved accommodation is to build it and demolish old property. May I point out to the honourable member, when he compares the number of new buildings which have been erected since the War with the number demolished, that the demolitions have been demolitions of old and obsolete property? During the War the most curious erections were allowed to survive the scrutiny of the Health Officer. Corrugated iron sheds of all kinds were freely used; and this inferior and out of date property is the property which has been demolished.

Sir, I contend that there is no need of any building programme at the present time. There is ample accommodation for everybody. I have given the figures for the working classes, which cannot be refuted. Both in the Improvement Trust chawls and in the Government chawls there is ample and good accommodation at reasonable rents for the working classes. But if the House is not satisfied that these rents are low enough,

[Mr. R. D. Bell]

then it is for them to persuade Government that they ought to be further reduced and that the Improvement Trust chawl rents ought also to be reduced. But I may point out that both the Improvement Trust and Government—and when I say Government, of course I mean the general taxpayer—have already made very large sacrifices towards providing labour in Bombay with accommodation at moderate rents. The Improvement Trust at the present time loses 3½ lakhs a year on its housing schemes. If you reduce these rents by 25 per cent., I am informed that the loss will be an additional 2 lakhs a year, and on their acquired properties, the number of which, as I said, is 8,000, there will be a still further loss of 2 lakhs a year. In the case of the Government properties, the loss on the housing schemes at the present time is about 16 lakhs a year. Of that, in the last year 6 lakhs was met from the cotton cess, that is to say by the agriculturist, and 10 lakhs from provincial revenues. Up to date the loss on the housing schemes of Government has amounted to over 2 crores of rupees; all this loss in future is going to be borne from general revenues. Now, is the House prepared to suggest that the Improvement Trust and Government should proceed to lose a few more lakhs a year in order to bring down the rents charged by landlords in Bombay?

I said before the position now is exactly the reverse of what it was in 1918. There is now no lack of accommodation. There is no question of getting more accommodation built for any class of residents in Bombay. In the second place, the landlords no longer have the tenants at their mercy. A landlord does not now dream of asking his tenant to quit in order that he may put in another tenant at a higher rent. And if the tenants feel that the burden of rents is really too great, then they can follow the example of the landlords in 1918. As I say, there is plenty of accommodation. A tenant ought to be able, if he is paying an unduly high rent, to find suitable accommodation at a lower rent and then tell his landlord that unless his rent is reduced he will quit. It is of course a fact at the present time that with the great amount of unemployment that exists and the general cutting down of wages and salaries, people are hard pressed on all sides and that rents possibly come down more slowly than the prices of ordinary commodities. But, generally speaking, that is because the tenant himself is not willing to go to another landlord. No tenant hesitates for a moment in changing his shopkeeper, when he finds that he can get his food or his cloth cheaper in another shop, and unless tenants are prepared to show a little more mobility than they are generally inclined to do, I agree that the process of rents coming down, though there is scope for it, may be a slow one. But I repeat that no improvement in housing accommodation can be achieved unless people are willing to move from the congested areas to the north of the Island, and that this Bill of my honourable friend Mr. Bakhale, so far from doing any good in that direction, will only intensify overcrowding in the already congested areas, and it will lead to many of the evils in connection with rent control, with which those of us who were resident in Bombay at the end of the War are familiar.

[Mr. R. D. Bell]

These, Sir, are the principal grounds on which Government must oppose this Bill. [*Applause.*]

Question put. The House divided: Ayes, 30; Noes; 36.

Division No. 3.

Ayes

ACHREKAR, Mr. A. B.
ASAVALE, Rao Bahadur R. S.
BAKHALE, Mr. R. R.
BOLE, Rao Bahadur S. K.
CHIKODI, Mr. P. R.
CHITALE, Rao Bahadur G. K.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
GANGOLI, Mr. G. S.
GILDER, Dr. M. D.
GOKHALE, Mr. L. R.
JOG, Mr. V. N.
KALBHOR, Mr. G. M.
KULKARNI, Rao Saheb P. D.
MEHTA, Mr. M. H.
MODAK, Rev. R. S.
MORE, Mr. J. G.
PATIL, Mr. V. N.
PATIL, Rao Saheb V. S.
PRADHAN, Rao Bahadur G. V.
RESALDAR, Mr. A. K.
SHAIKH ABDUL AZIZ, Mr.
SHAIKH ABDUL MAJID, Mr.
SINDHA, Mr. MADHAVSANG JORBHAI
SOLANKI, Dr. P. G.
SURVE, Mr. A. N.
SURVE, Mr. V. A.
SYED MUNAWAR, Mr.
VAISHAMPAYAN, Dr. V. G.
WADKE, Mr. B. P.

Tellers for the Ayes: Rao Bahadur R. S. ASAVALE and Rao Saheb P. D. KULKARNI.

Noes

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ADVANI, Mr. P. B.
AMINUDDIN, Mr. SAIYID
ARBUTHNOT, Mr. C. W. E.
BELL, the Honourable Mr. R. D.
CLEE, Mr. C. B. B.
COOPER, the Honourable Khan Bahadur D. B.
COVERNTON, Mr. S. H.
DAVIS, Mr. G.
FREKE, Mr. C. G.
GARRETT, Mr. J. H.
GAZDAR, Mr. MAHOMED HASHIM
GHULAM HUSSAIN, the Honourable Sir
GREAVES, Mr. J. B.
HUMPHREY, Mr. JOHN
JITEKAR, Mr. HAJI IBRAHIM
KAMAT, Mr. B. S.
KAMBLI, the Honourable Dewan Bahadur S. T.
KHUHRO, Khan Bahadur M. A.
KNIGHT, Mr. H. F.
LANE, Mr. C. M.
MATCHESWALLA, Mr. G. E.
MAXWELL, Mr. R. M.
MEHERBAKSH, Khan Bahadur S.
MITHA, Mr. MAHOMED SULEMAN CASSUM
NAIK, Sardar Rao Bahadur B. R.
OWEN, Mr. A. C.
PANJABI, Mr. K. L.
PATEL, Khan Bahadur VALI BAKSH A.
PETIT, Mr. J. B.
RAHIMTOOLA, Mr. HOOSENALLY M.
ROOSE, Mr. F. O. J.
SERVAI, Mr. A. E.
THAKOR OF KERWADA, Sardar BHASAHEB RAISINHJI
TURNER, Mr. C. W. A.
VAKIL, Mr. PESTANSHAH N.

Tellers for the Noes: Mr. HAJI IBRAHIM JITEKAR and Mr. MAHOMED SULEMAN CASSUM MITHA.

It being seven minutes past 7 p.m., the House adjourned till 2 p.m., on Friday, the 16th March 1934.

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Vol. XXXIX—Part XXII

Friday, the 16th March 1934.

The Council re-assembled at the Council Hall, Bombay, on Friday, the 16th March 1934, at 2 p.m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present :

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr. A. B.
ADVANI, Mr. P. B.
AMINUDDIN, Mr. SAIYID
ANGADI, Rao Bahadur S. N.
ARBUTHNOT, Mr. C. W. E.
ASAVALE, Rao Bahadur R. S.
BAKHALE, Mr. R. R.
BANGI, Mr. A. K. J.
BELL, the Honourable Mr. R. D.
BIRADAR, Sardar MAHABOOBALI KHAN
BOLE, Rao Bahadur S. K.
CHIKODI, Mr. P. R.
CHITALE, Rao Bahadur G. K.
CLEE, Mr. C. B. B.
COLLACO, Dr. J. A.
COOPER, the Honourable Khan Bahadur D. B.
COVERNTON, Mr. S. H.
DAVIS, Mr. G.
DESAI, Rao Saheb B. G.
DESAI, Mr. H. R.
DESAI, Mr. S. B.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
D' SOUZA, Dr. J. ALBAN
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GARRETT, Mr. J. H.
GAZDAR, Mr. MAHOMED HASHIM
GHULAM HUSSAIN, the Honourable Sir
GHULAM HYDER SHAH, Mr.
GOKHALE, Mr. L. R.
GREAVES, Mr. J. B.
JITEKAR, Mr. HAJI IBRAHIM
JOG, Mr. V. N.
JONES, Major W. ELLIS
KALBHOR, Mr. G. M.
KALE, Rao Bahadur R. R.
KAMAT, Mr. B. S.

KAMBLI, the Honourable Dewan Bahadur S. T.
KARBHARI, Mr. M. M.
KENNEDY, Mr. T. S.
KHUHRO, Khan Bahadur M. A.
KNIGHT, Mr. H. F.
KULKARNI, Rao Saheb P. D.
LANE, Mr. C. M.
MATCHESWALLA, Mr. G. E.
MAXWELL, Mr. R. M.
MEHERBAKSH, Khan Bahadur S.
MEHTA, Mr. M. H.
MITHA, Mr. MAHOMED SULEMAN CASSUM
MODAK, Rev. R. S.
MORE, Mr. J. G.
NAIK, Sardar Rao Bahadur B. R.
NAVLE, Rao Bahadur N. E.
OWEN, Mr. A. C.
PANJABI, Mr. K. L.
PARULEKAR, Rao Bahadur L. V.
PATEL, Khan Bahadur A. E.
PATEL, Mr. BHAILAL SARABHAI
PATEL, Mr. C. N.
PATEL, Khan Bahadur VALI BAKSH A.
PATIL, Dewan Bahadur D. R.
PATIL, Mr. N. N.
PATIL, Mr. V. N.
PATIL, Rao Saheb V. S.
PETIT, Mr. J. B.
PRADHAN, Rao Bahadur G. V.
PRATER, Mr. S. H.
RAHIMTOOLA, Mr. HOOSENALLY M.
RESALDAR, Mr. A. K.
ROOSE, Mr. F. O. J.
SERVAI, Mr. A. E.
SHAIKH ABDUL AZIZ, Mr.
SHAIKH ABDUL MAJID, Mr.
SHINDE, Mr. R. B.
SINDHA, Mr. MADHAVSANG JORBHAI
SOLANKI, Dr. P. G.
SURVE, Mr. A. N.
SURVE, Mr. V. A.
SYED MIRAN MAHOMED SHAH
SYED MUNAWAR, Mr.
TOLANI, Mr. S. S.
TURNER, Mr. C. W. A.
VAISHAMPAYAN, Dr. V. G.
VAKIL, Mr. PESTANSHAH N.
VANDEKAR, Rao Bahadur R. V.

BILL No. XII OF 1933 (A BILL FURTHER TO AMEND THE CITY OF BOMBAY MUNICIPAL ACT, 1888)—(*First reading*).

Mr. SYED MUNAWAR : Sir, I am not going to move it during this session.

BILL No. XXVI OF 1933 (A BILL TO PROVIDE FOR THE REGULATION AND CONTROL OF CERTAIN MUSSALMAN CHARITABLE AND RELIGIOUS ENDOWMENTS IN THE BOMBAY PRESIDENCY INCLUDING SIND)—(*First reading*)

Mr. SYED MUNAWAR : Sir, I am not moving it during this session.

BILL No. XXVII OF 1933 (A BILL TO PREVENT THE DEDICATION OF WOMEN TO SERVICE IN HINDU TEMPLES IN THE BOMBAY PRESIDENCY).

First reading.

Rao Bahadur S. K. BOLE : Sir, I beg to move that Bill No. XXVII of 1933 (A Bill to prevent the dedication of women to service in Hindu temples in the Bombay Presidency) be read a first time.*

In some parts of the Bombay Presidency a very crude notion prevails in the uncultured minds of some ignorant and superstitious persons that their objects of worship require services of women in the shape of singing, dancing and other sundry duties, which are supposed to propitiate them and so they employ them to do such service. As married women are either not prepared or cannot conveniently be employed to do such services, unmarried girls are dedicated for this purpose. There are certain castes which dedicate their girls to temple services. Once such girls are dedicated to these services, they must remain unmarried throughout their lives. In order to ensure this, these girls are made to undergo a kind of fictitious marriage ceremony after which none will marry them, as the notion is that girls who undergo this ceremony are dedicated to their objects of worship and are to be regarded as their wives or maid servants. These ceremonies of dedication are performed in different forms in different parts of the Presidency,—of course not in all the temples or all the parts of the presidency. The dedicated girls are known as Devadasis, Bhavins, Basvis, Jogtis and Murlis. As dedication entitles these women to do all sorts of services in temples, they vitiate the whole religious atmosphere and serve as object-lessons first to the priests and then to the worshippers who frequent such temples in immoral and voluptuous life. All persons whoever entertain any idea of sacredness in respect of religious worship must detest such a state of things and welcome all efforts to eradicate it.

Doubts have been expressed by experts whether this practice has any sanction in Vedic Hinduism. Many ascribe it to an aboriginal origin. But whatever its source or original purity, there is no doubt that in recent times, the practice has degenerated into a method of initiating young

*Appendix 29.

[Rao Bahadur S. K. Bole]

women to a life of immorality and prostitution, which in many cases become compulsory by reason of the cruel custom that a girl so dedicated cannot contract a valid marriage. It is, therefore, highly desirable and expedient to terminate this practice and permit the girl to contract a valid marriage.

Attempts have been made in the past to put an end to this practice, but they have been more or less indirect and have not produced the desired results. Experience shows that the provisions of sections 372 and 373 of the Indian Penal Code have been evaded. Consequently, a few provinces in British India like Madras and the United Provinces of Agra and Oudh have been compelled to adopt legislative measures directly dealing with this evil. Likewise, the Mysore Government after consulting expert opinion from the point of view of the Hindu Shastras, thought it necessary to pass orders as early as 1909, directing the exclusion of *devadasis* from service in temples in the State and also laying down the manner in which the cash emoluments or inam lands attached to the said service should be treated. Similar provisions for the enfranchisement of such lands and emoluments have been adopted in Madras, and it is high time that such measures dealing with this evil are passed in the Bombay Presidency.

The Mysore Government observed, in the order to which I have referred, that whatever might be the euphemism by which the true nature of the dedication ceremony was concealed, it had an intimate connection with the profession of a prostitute to allow the performance of such a ceremony in the State and were satisfied from the depositions and opinions of the authorities concerned that no hardship would be caused by the prohibition of such ceremonies in temples. This is indeed very high and valuable testimony proceeding as it does from a Government over which an enlightened Hindu ruler presides, and which has singular opportunities of consulting Shastric authorities and the Hindu sentiment relating thereto. Similarly, Her Highness the Dowager Maharani of Travancore State has passed orders to prohibit *devadasis* from service in the temples of that State. His Highness the Chief of Savantwadi State has passed an Act in 1931 making illegal the dedication of girls to temples, and prohibiting such women from service in temples in the State. And the Portuguese Government of Goa has also passed an Act in 1930 making illegal the practice of dedicating women to temples in the Portuguese territory.

In some parts of the presidency, such as Karnatak, usually girls from 6 to 15 years of age are taken to a temple, such as the temple of Yellamma at Soundatti, and there dedicated. After the ceremony the girls probably visit the temple only once or twice a year and dance, and it could not be said that the girls are dedicated for service in a temple, but nevertheless they are dedicated for service to their objects of worship. Sometimes the dedication ceremony is performed stealthily out of doors and not in a temple. The essential point is the dedication.

This evil and unnatural custom of dedication is responsible for creating a number of castes which subsist on the gains of prostitution. Thus, it

[Rao Bahadur S. K. Bole]

has become a source of perennial supply of prostitutes who pest their own villages and almost every town to which they resort for the purpose of carrying on their nefarious trade. It leads young, innocent and ignorant girls to the most immoral life before they reach the age of discretion and therefore this practice is required to be eradicated.

It is not impossible that the cry of "religion in danger" may be raised by the orthodox and by those who stand to lose by the reform. But in view of the immoralities permitted by the custom, it is difficult to see how it can be justified by giving it a religious character, when enlightened Hindu rulers of the Indian States have prohibited the custom in their States.

Then, again, it may be said by the patrons of arts that as *devadasis* are the only professional artists in India devoting themselves to music and dancing, any ban on their recruitment may have deleterious consequences on the growth of their art. But I submit that on the contrary this will enlarge its prospects by improving its social status when music and dancing may be learnt by anybody without social obloquy, their progress will be more rapid and the advantage to the Indian theatre and cinema will be immediately perceptible. As it is, now-a-days, many young married and unmarried women of respectable families have taken to singing and dancing and some of them have made their mark in theatres and cinemas.

Under these circumstances, I hope on no ground will there be opposition to this Bill and it will get the support of all sections of the House, including the Government. With these words, I move the first reading of the Bill.

Question proposed.

The Honourable Mr. R. D. BELL: Might I ask for your ruling in the first instance as to what is the main principle of this Bill, because there is an amendment by the honourable member Dr. Solanki which——

Dr. P. G. SOLANKI: I have amended that amendment. I have sent in another amendment.

The Honourable Mr. R. D. BELL: He may have sent in another amendment, but I expect the principle underlying it is the same. The Bill which the honourable member Rao Bahadur Bole has introduced seems to have as its main principle the prohibition of a dedication ceremony in a temple or outside it, with a view to dedicating a woman for service as a Devadasi in a temple. I refer to clause 3. Now, the honourable member Dr. Solanki's amendment includes in the term "Devadasi" a Hindu woman dedicated in any way to a life of prostitution. So that we have, it seems to me, two principles suggested which are not the same; the one is dedication for service in a temple and the other is dedication in any way for purposes of prostitution. The matter is important, because in the case of Rao Bahadur Bole's Bill, the principle introduced places on the accused the onus of proving that the dedication of a woman to service in a temple is not dedication to a life of prostitution. The assumption in the Bill is that a dedication for service in a temple is

[Mr. R. D. Bell]

dedication to a life of prostitution. The honourable member Dr. Solanki goes further than that in prohibiting any kind of dedication ceremony which involves subsequent prostitution. Whether there are any ceremonies by which a Hindu unmarried woman can be dedicated to a life of prostitution, apart from those ceremonies which dedicate her formally for service in a temple, I do not know. But I think it is a matter of principle.

The Honourable the PRESIDENT: I thought that the principles underlying this Bill were in the main two. One was the prohibition of dedication of a woman for service in a temple. The second was the enfranchisement of land granted by Government. The question as to what the principles of the Bill are arises in connection with the point whether the amendments tabled are amendments of principle to be taken up at the first reading or amendments of detail to be taken up at the second reading. One of the principles underlying this Bill appears to be the prevention of dedication of Hindu women for service in a temple which, as the mover has argued, leads to prostitution. The dedication as such is not a dedication for purposes of prostitution, but for service in a temple. But after this dedication the woman cannot marry afterwards, because a certain form of marriage is gone through at the time of dedication. The object is that that dedication should be prohibited. That is one principle. The other is that the lands or the revenue from lands granted as remuneration for such service as Devadasis, should be enfranchised from that condition or it should be given in another form which he suggests. These are the two principles. I have not been able to grasp the difficulties of the Honourable Member.

The Honourable Mr. R. D. BELL: My point is this. I assume, perhaps wrongly, from your statement of the main principles of the Bill, that Dr. Solanki's amendment should be considered at the first reading. If so, I suggest for the convenience of the House that it might be well if the discussion could, from the outset, cover both the main Bill and Dr. Solanki's amendment.

The Honourable the PRESIDENT: Quite so; that is a proper suggestion. As has been pointed out by the Honourable Member, the amendment which has been moved by the honourable member Dr. Solanki affects the principle which the honourable mover has in view, and considerably extends its scope, and therefore it might be considered at the first reading as affecting the principle of the Bill. The main principles underlying the Bill are, to my mind, those I have referred to, that is, the prohibition of such dedication and the enfranchisement of the land granted by Government in such cases.

Mr. V. N. JOG: Are we to take it that in view of the honourable member Rao Bahadur Bole's Bill——

The Honourable the PRESIDENT: A little louder.

Mr. V. N. JOG: Are we to take it that in view of the honourable member Rao Bahadur Bole's Bill, the definition of the word "Devadasi"

[Mr. V. N. Jog]

is as given there ? The Bill gives the definition as "any Hindu unmarried woman who is dedicated to service in a temple". I think what he wants to prohibit is the dedication to any idol, which results in the girl being unable to marry thereafter and her carrying on a life of prostitution thereafter. Whether there is any service to be performed in a temple or not is not the chief object. There are certain parts in the country and there are certain communities, in which without any reference to service in a temple a girl is dedicated to the idol and she is supposed to have been married to the idol and afterwards, due to this supposed marriage with the idol, a regular marriage with a man is prohibited and this prohibition leads her on to a life of prostitution. Therefore, the definition shall have to be changed by removing the words "service in a temple". I do not know whether that will come within the purview of the amendment proposed to be moved by the honourable member Dr. Solanki. I think the honourable member Rao Bahadur Bole wants to prevent that kind of dedication to an idol which prevents the girl dedicated from contracting a legal marriage and which prohibition from marriage leads her on to prostitution later on. Whether there is service in a temple or not, there are certain forms where service in a temple is not essential at all. The girl undergoes a form of ceremony of marriage to the idol and that marriage with the idol ultimately leads her to prostitution and that form of dedication has no reference at all to any service in the temple. I think this probably would not come under the category of details and therefore not be a proper subject for discussion during the second reading, but during the first reading. The definition shall have to be changed with respect to the words "service in a temple". That will be mere dedication to an idol. That would be the right definition.

The Honourable Mr. R. D. BELL : This particular point is covered by the honourable member Dr. Solanki's amendment.

Mr. V. N. JOG : There is no reference to the words "with a view to prostitution". My point, Sir, is this. The Bill as now presented to us contains the definition of "Devadasi" as "any Hindu unmarried woman who is dedicated to service in a temple". There are such forms of dedications without any idea of service in a temple. The girl is simply married to the god, a certain ceremony is performed without any idea of actual service in a temple. I want to know whether this Bill aims at prohibiting such a kind of a ceremony of dedication. If it does, we shall have to change the definition to bring in such dedications.

The Honourable the PRESIDENT : That would be more a matter of detail, really.

Mr. V. N. JOG : I want to know whether it would be open to us to raise it at the time of the second reading. The honourable member Dr. Solanki's amendment, so far as I have followed the Honourable the Home Member, is that the dedication should be with a view to prostitution. If that is so, I submit there would be a loophole left through which

[Mr. V. N. Jog]

people might escape saying the object was not such, just as we find people evading the provisions of sections 372 and 373 of the Indian Penal Code.

The Honourable the PRESIDENT: As I pointed out, the object of the Bill is very clear and has been made very clear by the speech of the honourable member who is perfectly right in saying that the amendment introduces something which enlarges the scope of the Bill. So, what the honourable member Mr. Jog wishes to be considered may be brought up when that amendment comes up. For the present, as I understood him, the dedication is accompanied by a form of marriage, that marriage having been performed prevents the girl or the woman from a second marriage in the natural course of things, and he argued that this leads her to prostitution. What is sought to be put in by the amendment is quite different. It seeks to prevent dedication to a life of prostitution. So, we shall take that as an amendment of principle. I would wish the honourable member to move his amendment.

Dr. P. G. SOLANKI: Sir, I rise to support the first reading of the Bill and then go on to my amendment and say why I was obliged to move this amendment. It is perfectly true that in principle I do agree with the honourable mover of the Bill and do say that I object to the dedication of virgin girls to the idols in a temple or outside a temple and I also object to dedicating a girl for her life to temples as well as outside and thereby preventing her from contracting a legal marriage. The result is that these girls, though they are supposed to serve the gods in the temples as well as the idols of the temples, when they grow up, are forced by their economic circumstances as well as the changes which are brought about by nature in their human bodies, to lead a life of prostitution or a life which is against the tenets and principles of a respectable society. The object of my moving this amendment was that it is known very well in this presidency and throughout India that women or persons belonging to the untouchable classes are never allowed to enter the temples of the advanced Hindus or the Hindus in general. This is an old custom—it may have come down from the aboriginal old times or from the Dravidian times or from the first invasion of the Aryans, it is not my business to trace the history of it but I take things as they are existing at present. The good things or the virtues of the Hindu society have not been copied or translated to their fullest extent by the untouchable classes, but unfortunately the bad customs and the other customs have percolated down to these untouchable classes, who have tried to imitate certain of the religious ceremonies which are prevalent among the Hindus. The dedication of women or girls to the temples is most rampant in Goa territory. In the old times, in the Puranas it is mentioned that the art of music was in the hands of Gandharvas who used to play their music before Indra, the God of gods, and there have been instances of these dancing girls like Urvashi, Rambha and Menaka. These dancing girls were cursed by Indra because they incurred his displeasure and, consequently, were thrown out from heavens to this mortal world where death is supreme and thus these celestial dancing and music arts came

[Dr. P. G. Solanki]

down into this world. That was the origin of these dancing girls. In our days that custom has been continued, and it is believed that the god, who is manifested in the idol in the temple, has to satisfy all his requirements which an ordinary human being has. The god takes his food, takes his bath and takes all other things that a human being does take and which are manifested even now very vividly in Vaishnava temples or the temples of Vallabhacharya Sect. But things have gone further and in Goa there are certain big temples, where there are girls by hundreds and hundreds who are dedicated to these gods in the temple of Goa. God's all comforts, like the requirements and comforts of human beings are looked after. These domestic comforts, as I have said, are much availed of and taken advantage of in the territory of Goa. But I am glad to hear that the Portuguese Government has come forward to stop all these customs in the temples there. In the same way, the Maharaja of Mysore and the Dowager Maharani of Travancore and the Governments of the United Provinces and Madras have passed legislation which prevents the dedication of these girls.

2-30 p.m.

The Honourable the PRESIDENT: If the honourable member is moving his amendment, he should try to draw a distinction between what he is aiming at, and what the honourable mover of the Bill has in view.

Dr. P. G. SOLANKI: I am coming to that.

The Honourable the PRESIDENT: So far he has been talking on the Bill. That is a different matter. In speaking in support of his amendment, he will have to show under what authority, or under what system of law or custom the practice of dedication of girls of untouchable classes to a life of prostitution outside the temple is followed.

Dr. P. G. SOLANKI: So far, I have said that the Bill has the full sympathy of all the advanced Hindu communities, the members of which have got liberal ideas in this matter. There may be opposition from the most orthodox, who believe in the old superstitions. When I saw that this sort of legislation is likely to come before this House and passed, I thought of the great necessity to take advantage of this opportunity and put in this amendment, so as to prevent the dedication of the young unmarried girls from among the untouchable classes in the Central and Southern divisions. This evil practice, as I have said, has crept in among the untouchable classes by imitation of the custom of dedication of girls to the gods or idols in the temples of the other classes of the Hindus. These untouchable communities, seeing that they could not have access to these temples, set up their own gods, and those gods are not in the temples, but outside the temples, either under a tree, or sometimes they have their own temples, small structures, in which they have set up the idols of their gods, where girls of tender age from among the untouchable classes are dedicated. Sir, in the beginning, the idea of the untouchables in dedicating their girls to the gods may have been the same as that of the other classes of Hindus, namely, that they should serve the particular

[Dr. P. G. Solanki]

idol to which they dedicated the girls. But as times went on, it has become the habit of the parents from among the untouchable classes to dedicate these girls, and these girls are actually made to lead a life of prostitution by their parents and relations. It is that system which I want to put a stop to, if I can, by bringing in this amendment. My amendment is:

In section 2 (*a*), after the word "temple" add "and shall include a Hindoo woman dedicated by any form of ceremony performed anywhere outside a Hindoo temple to a life of prostitution such as Baswis, Jogtis, Sulis or Murlis among the untouchable classes.

These are the names or designations given to the girls from among the untouchable classes who are dedicated to their gods. I do not see any difference in principle in the dedication of these girls, and so far as the main object of the parents or of this custom among the untouchables is concerned. But the evil consequences which follow are, that it induces them and their parents to lead a life of vice and prostitution, which might bring them money, and on that money the parents and relations of these girls make a living.

Sir, in Bombay city we had an amendment of the Prostitution Act, and in the course of the discussion of that Bill when it was before us, the statistics which were quoted went to show that the larger number of the prostitutes came from the untouchable classes from the Central Division and more particularly from the Southern Division. Now, the cause of the existence of these prostitutes can be traced to the system of dedication of the girls from the untouchable classes to the idols they worship. Sir, though the origin of this is in the primitive religious ideas of the Hindus, yet the result——

The Honourable Sir GHULAM HUSSAIN: May I interrupt the honourable member for a minute? This Bill is brought to amend an existing provision of the Hindu law, which recognises the custom of dedicating girls after a certain ceremony in a temple. The honourable member is moving an amendment, with which I am in sympathy. But the main point is whether the custom that he refers to is allowed under the Hindu law, or by any of the customs of Hindus which have the force of law. If that is not the case, then there is no force in the amendment at all.

The Honourable the PRESIDENT: That is what I pointed out, that the honourable member should draw a line between what he is aiming at and what the honourable mover of the Bill is aiming at. The honourable mover says that dedication of girls to the service of a temple by a certain form of marriage—I do not know what it is called, the Hindu honourable members might give it a proper term—is in vogue, and he desires to prevent that. Now, as far as I understand this amendment, the honourable member Dr. Solanki wishes to include in it another custom prevailing among the untouchables. Has that custom the sanction of common law or usage of the Hindus? That is what I asked him to point out. Whereas the object of the Bill is to prevent dedication for service in a temple the amendment says "dedicated by any form of

[The President]

ceremony performed anywhere outside a Hindoo temple to a life of prostitution."

Dr. P. G. SOLANKI: It is not so. I have been saying from the beginning that it is dedication to an idol. These people would have been too glad to dedicate their girls to the idols in the temples of the other classes of Hindus, if they had been allowed in the temple.

The Honourable the PRESIDENT: Then there is no meaning in the amendment.

Dr. P. G. SOLANKI: The meaning, Sir, is that a dedication ceremony takes place; it is performed according to Hindu rites, but not ——

The Honourable the PRESIDENT: If I understand the honourable member rightly, what he really wishes to do is to include in the definition of the word "Devadasi" so many castes or sub-castes, namely, Baswis, Jogtis, Sulis, or Murlis. If they are subject to the same ceremonial and dedication which is referred to in this Bill, then they could be included in the definition of "Devadasi". But if it is something else, he has to point out how it differs from the dedication for service in a temple which the honourable mover of the Bill has in view.

Mr. M. M. KARBHARI: There is one doubt. The Honourable the Leader of the House said that the custom of dedication has the force of law. I do not think there is any law in existence at present under which a minor girl could be dedicated even to the service of a god in a temple. There is no law as such. The only thing is that such dedication has not been brought under the provisions of the Penal Code. I believe the object of the honourable mover is to make it penal.

The Honourable the PRESIDENT: There is no doubt that it is a usage, which has the force of law, which has been in vogue for centuries. The amendment, as far as I can understand it, enlarges the scope of the Bill. It brings in some matter which does not seem to have the sanction of any usage or practice or law anywhere.

Mr. V. N. JOG: I think, Sir, the honourable mover's purpose will be served by omitting the words "to a life of prostitution" and "among the untouchable classes".

The Honourable the PRESIDENT: Then, as I pointed out, in that case the word "Devadasi" has to be defined to include all these castes and sub-castes, whatever they are.

Mr. G. DAVIS: I think, under Hindu law, the Devadasi has a right, a particular status, as the law recognises that the property of a Devadasi descends from the mother to daughter. As she is dedicated by a particular ceremony to this particular caste, she has a status. That is performed in a big temple or shrine. I think it is clear that Devadasis are a definite class, having a definite status.

Dr. P. G. SOLANKI: I would not mind if all the terms I have mentioned here are included in the general term Devadasi, if the House is inclined to do so, in order to overcome all these technical difficulties. As

[Dr. P. G. Solanki]

it was mentioned by the Honourable the Home Member that the law has no sanction for these things I am at a loss to understand whether there was any law even among the Hindus to legislate this sort of custom. That is an evil custom that has crept in. As it is an alien Government ruling this country on the line of least resistance, they do not want to undertake any sort of legislation however beneficial it may be for the betterment of the people of India. They always fight shy. This is just the legislation which is going to bring about the social and moral betterment of the people at large among the Hindus. I do not appreciate the idea of bringing this technical difficulty. Instead of that, I would request Government to come to our help in this direction of eradicating this evil of dedication altogether from this presidency. If the Government are prepared to help us in this legislation and if the system of dedication is to be stopped, I do believe that a similar system which is prevailing among the depressed classes should also stop, because it has been fully approved by the leaders of the Hindu community, even by Mahatma Gandhi, that the depressed classes are part and parcel of the Hindu community, though at every time we hear the Depressed classes and their leader saying that so long as the depressed classes are not entitled to enter temples they should not be considered as part and parcel of the Hindu community. The Hindus are prepared to accede the same rights to the depressed classes and the depressed classes have been following the same ceremonies which an average Hindu follows. I do not see any difficulty if these particular girls dedicated from these particular communities should have this benefit of this legislation. If the honourable member Rao Bahadur Bole would accept my suggestion that he would include the Baswis, Sulis and Murlis in the definition of Devadasi it will amply facilitate the passage of my amendment. There will be then no necessity for pressing my amendment if that could be done by my honourable friend Rao Bahadur S. K. Bole. It will also facilitate the task of Government in helping us with this legislation. With this expression of my views I will request the Honourable the Home Member whatever be the difficulties in his way, to give his wholehearted support to this Bill.

The Honourable the PRESIDENT: As far as I can follow the honourable member, I think what he wishes is to include these three kinds of women called Baswis, Sulis and Murlis within the scope of the Bill. If I understand aright, they are dedicated to a life of prostitution.

Dr. P. G. SOLANKI: No, Sir. Dedication to idols. I object to dedication to idols.

The Honourable the PRESIDENT: That is not in the amendment. As far as I could follow the speech of the honourable member, he points out to the House that there is a system by which Hindu women are dedicated to a life of prostitution, but are so dedicated in connection with some temple.

Dr. P. G. SOLANKI: They are dedicated to idols and later on these very girls who are dedicated to idols live the life of a prostitute as other girls are doing.

Rao Bahadur G. V. PRADHAN: May I try to explain the position taken up by the honourable member? Under clause 2(*a*) Devadasi is defined as "a Hindu unmarried woman who is dedicated for service *in* a temple". What he says is that as no untouchable will be allowed to enter a temple, an untouchable woman will be dedicated for service outside the temple, and therefore she would not be called a Devadasi, under the Bill. Therefore he wants to add some words so as to include them also.

The Honourable Mr. R. D. BELL: I understand, Sir, that it is really a second reading amendment. My point was that Dr. Solanki's amendment, read literally, referred to dedication to a life of prostitution. There is no mention of dedication to an idol or service to an idol. But he explains now that there is no material difference between the dedication ceremony involved in the Bill and the dedication ceremony which he has in mind—one is dedication for service in a temple, and the other is dedication for service outside the temple—and apparently the dedication is also outside the temple. If you rule, Sir, that this can be dealt with at the second reading, then we need not discuss it further now.

The Honourable the PRESIDENT: As the amendment stands at present, it is an amendment of principle, as it tries to enlarge the scope of the Bill. Therefore, I thought, as was argued by the Honourable the Home Member, that it should be dealt with at the first reading. But now, I give the choice to him, either to take it as an amendment which enlarges the scope of the Bill and has to be dealt with at the first reading or not move it now but wait until the details of the Bill and the definition of the word "devadasi" are considered at a later stage. But as the amendment stands, it is an amendment of principle which enlarges the scope of the Bill and must be considered at the first reading.

Dr. P. G. SOLANKI: Sir, I have made my object clear from the very beginning. The dedication ceremony does take place and the girl is dedicated to the idol. My object is to include that particular dedication ceremony and I wanted to include all these women under the definition of "devadasi". If I can move my amendment later on in a modified form at the second reading or in the select committee, I should be allowed to do so. Then, I would not press it now at the first reading.

The Honourable the PRESIDENT: I leave it to the honourable member. I have explained to the House what it means, and I have also explained to the honourable member what the position is.

Dr. P. G. SOLANKI: I am not pressing it at this stage, but later on I should be allowed to move my amendment in a modified form.

The Honourable the PRESIDENT: He can move some other amendment with the object of carrying out what he has in mind; but this amendment cannot be moved at a later stage.

Dr. P. G. SOLANKI: Not this particular amendment. I shall move it in some other form.

The Honourable the PRESIDENT: That must be an amendment of detail and not one enlarging the scope of the Bill. He must understand that.

Rao Bahadur R. R. KALE: As the Chair has stated, he may move any other amendment at the second reading. But the amendment he proposes should not extend the scope of the Bill.

The Honourable the PRESIDENT: Any such amendment must be moved now. Any amendment that may be moved later on must be within the scope of the Bill. It will be open to any other honourable member also to move such an amendment.

The Honourable Mr. R. D. BELL: I think, Sir, we have got to the root of the difficulty. I understood that the honourable member Dr. Solanki's amendment referred to dedication to a life of prostitution, which has a purely secular significance. Now he explains that the dedication has a certain religious significance—it does not matter what it is—and therefore it is of the same character as the dedication contemplated in the Bill. The Bill also covers dedication ceremonies either "within the precincts of a Hindu temple" or "outside". So, it covers the circumstances which the honourable member Dr. Solanki wishes to deal with. The only matter which is not covered, as he would like it to be covered, is the place of service. But that could be done by omitting the words "in a Hindu temple" occurring at the end of clause 3. You may decide whether that would be a first reading amendment or a second reading amendment. I think all the other amendments necessary to meet the object of the honourable member Dr. Solanki could be moved at the second reading—I mean amendments to the definition of the word "devadasi".

Dr. P. G. SOLANKI: Sir, if I were to move my amendment in this form at this stage, would it be in order?

"Shall include a Hindu woman dedicated to an idol by any form of ceremony performed anywhere outside a Hindu temple, such as Baswis, Jogtis, Sulis or Murlis."

I omit "among the untouchable classes".

The Honourable the PRESIDENT: That would be to the definition of the word "devadasi", as I have been pointing out.

Rao Bahadur R. R. KALE: Sir, the object of the Bill, as I read it, is this. There is a custom by which women are dedicated to service in a temple and that service is remunerated by a grant of land or cash allowance. The honourable mover's object is that that practice should be stopped and the remuneration also should be withdrawn by the Government: they are part and parcel of the object. Because services were performed to the temple, such service was remunerated out of the properties granted by previous Governments.

The Honourable the PRESIDENT: That is all right. Now, about the amendment.

Rao Bahadur R. R. KALE: The honourable member Dr. Solanki's amendment goes out, because it has nothing to do with service in a temple. Irrespective of service in a temple, he wants dedication by any form of marriage——

Dr. P. G. SOLANKI: Marriage to an idol.

Rao Bahadur R. R. KALE: The object is to prevent a marriage. Service in a temple is one and marriage another. Irrespective of service in a temple, he wants to prevent any woman from undergoing a form of marriage.

The Honourable the PRESIDENT: The honourable member understands the whole position. Would he wait, or would he take a chance now?

Dr. P. G. SOLANKI: The honourable member Rao Bahadur Kale stated that the Bill is confined to service in the temple. I too here say that. In the same way as these women are dedicated to service in the temples, others are dedicated to the idols for service outside. They have to come three or four times in a year and give their service to the structure or temple in which such idol is situated. Sir, under these circumstances, I think that this amendment should be accepted by the House, and if the House wishes it, I will omit the words "untouchable class".

The Honourable the PRESIDENT: Then, his opportunity will arise when the Bill is taken up for the second reading and the definition of the word "devadasi" comes up for discussion.

The Honourable Mr. R. D. BELL: I think, Sir, this point should be made quite clear. The crucial words are "in a Hindu temple". If an amendment to omit those words can be moved at the second reading, it meets all that Dr. Solanki requires. But if those words are an essential feature of the Bill, then it must be moved now. The point is this. As the Bill stands at present, I understand its application would not affect the untouchable classes, so long as the words "in a Hindu temple" remain. Clause 3 reads:

"The performance, within the precincts of a Hindu temple or outside of any ceremony under whatever name or description, with reference to a Hindu woman, with or without her consent, intended or having the effect to dedicate her for service as a Devadasi in a Hindu temple . . . . ."

The retention or omission of those words "in a Hindu temple" is at the root of Dr. Solanki's amendment.

Mr. L. R. GOKHALE: Sir, the preamble reads:

"Whereas the practice of dedicating women as Devadasis for service in Hindu temples exists in the Bombay Presidency."

So, the Bill says "for service in Hindu temples". What the honourable member Dr. Solanki wants is to stop the system of Devadasis whether the service is inside or outside the temple. Of course *devadasis* will include Sulis and Murlis. So long as we have these words "in a temple both in the preamble and in clause 3, no amendment to the word "devadasi" will help.

The Honourable Mr. R. D. BELL: The question is whether an amendment should be moved at the first reading or at the second reading.

Mr. L. R. GOKHALE: The question is whether such practice of dedicating women as devadasis for service outside Hindu temples exists.

The Honourable the PRESIDENT: What is the suggestion?

Mr. L. R. GOKHALE: The suggestion is that no amendment of the nature suggested by the honourable member Dr. Solanki can meet the requirements so long as this clause "for service in Hindu temples" is accepted on principle. Even at the second reading that question will come in. The question will be whether it is within the principle of the Bill to deal with a class of women who are not intended for service in Hindu temples. I do not see how even at the second reading it can come in.

Mr. P. R. CHIKODI: Sir, I want one point cleared. May I request any honourable member to let me know what is meant by "service in a Hindu temple"? I think the whole trouble arises out of the meaning of the word "service" and if that is explained, we shall be able to know what is dedication.

The Honourable the PRESIDENT: I was going to suggest to the honourable member an alteration by way of an amendment from him, an alteration in the expression "Devadasi".

"The expression 'Devadasi' shall mean any Hindu unmarried woman who is dedicated for service in connection with a temple or idol."

That would mean inside or outside a temple. Then, in the preamble also if the expression "for service in Hindu temples" is removed, I think the difficulty may be solved.

Mr. L. R. GOKHALE: If we take away that qualifying clause, I think, the difficulty will be solved. If at this stage I am allowed to move that amendment, I think it will solve the difficulty.

The Honourable Mr. R. D. BELL: This may not meet the honourable member Dr. Solanki's ideas. I understand that the honourable member wants to modify the whole sentence in the preamble by omitting "for service in Hindu temples", so that it will read: "Whereas the practice of dedicating women as Devadasis exists in the Bombay Presidency". Well, Sir, we know what the practice of dedicating women as Devadasis in the Bombay Presidency is; and it is not a practice which covers the cases which are desired by the honourable member Dr. Solanki.

Mr. L. R. GOKHALE: I know as a matter of fact a practice does exist in the Poona district at Jejuri, it is called the place of Khandoba, where there are what are called Murlis. They are dedicated to the temples as such, but they are allowed to go to the surrounding places and to lead a bad life and they are given up by their parents sometimes as the result of a vow and sometimes for some other reason.

The Honourable the PRESIDENT: Let us not waste time. What the Honourable the Home Member wished to point out was that there should be no flaw left in the preamble which might in future be interpreted as not including those three or four kinds of women suggested by Dr. Solanki. The practice as it exists is really a practice in connection with a temple, and that is the practice known to the Presidency. Later on, it should not be interpreted in any other way. If help is going to be given to the honourable member, it should be in such form that there will be no doubt left afterwards. Therefore my suggestion to the honourable member was that if he attempted to correct the definition of

[The President]

"Devadasi" by the insertion of these words, namely, "Any Hindu unmarried woman who is dedicated for service in connection with a temple or idol", that might include the various kinds of women that he has in view.

Dr. P. G. SOLANKI: I agree.

The Honourable the PRESIDENT: If this amendment is carried, the amendment of the preamble would be a verbal amendment.

Mr. L. R. GOKHALE: The real Devadasis are dedicated to the idol. That rite is carried on in the temple. Beyond that, there is nothing to show that it is a dedication to the idol.

The Honourable Mr. R. D. BELL: I think so long as the word "Devadasi" is retained, there will be a certain amount of ambiguity. If you again refer to the first portion of the preamble: "Whereas the practice of dedicating women as Devadasis for service in Hindu temples exists in the Bombay Presidency"; that is the practice which the Bill aims at; and the practice which Dr. Solanki aims at is the practice of dedicating women either to idols or for service in Hindu temples. If you want to cover Dr. Solanki's object without ambiguity, the words "as Devadasis" must probably go. I am doubtful whether the term "Devadasi" usually includes Jogtis, Sulis, Murlis, etc. as far as I know.

Mr. L. R. GOKHALE: "Devadasi" means a female servant of God.

Rao Bahadur S. K. BOLE: I have no objection to accept the Honourable the Home Member's suggestion.

Dr. P. G. SOLANKI: The suggestion of the Honourable the Home Member would cover both the types of women, and the words "Devadasi" may be eliminated as he suggests.

The Honourable the PRESIDENT: The word "Devadasi" has both historical and religious significance. It is known to the Hindus; it is known to the outside world also. There are various forms of dedication, as the honourable member pointed out. Therefore, the honourable mover of the Bill was right in using the word "Devadasi", but it is left to the House to omit the word and put it in the general form such as "a Hindu unmarried woman dedicated for service to a temple or idol" or "dedicated for service in connection with a temple or idol". Some one must come forward with an amendment to that effect.

Mr. V. N. JOG: Will not all this difficulty be solved if an assurance is given that all amendments will be allowed to be moved in the select committee, and 2nd reading because at this moment some suggestions occur to one member and some suggestions occur to another member which it is not possible now to consider in this House. It will therefore be better if all amendments are allowed to be moved in the select committee and no objection is raised. We shall thus save time at the second reading.

The Honourable Mr. R. D. BELL: I think if you would agree to accept Dr. Solanki's amendment No. 2 (to delete the words "in a Hindu temple" in line 6 of clause 3), we could assume that by "Devadasi" was intended any female servant of an idol or a temple. Of course the clause at the second reading might have to be recast, but it seems to me that the significant words are the words "in a Hindu temple" towards the end of clause 3.

Mr. G. S. GANGOLI: The word "Devadasi" is very wide.

The Honourable the PRESIDENT: The real object of the honourable member, viz., effectively to enlarge the scope of the Bill, can be achieved by a little alteration in the very first paragraph of the Preamble; then, in the definition of "Devadasi" in conformity with the alteration in the preamble; then, in conformity with all that, the words in clause 3 "in a Hindu temple" would have to be deleted.

Mr. G. DAVIS: I have got them ready here, Sir. They are:

(1) In the first paragraphh of the Preamble, after the word "temples" the words "or to idols" shall be inserted;

(2) In sub-clause (*a*) of clause 2, after the word "temple" the words "or to an idol" shall be inserted; and

(3) In clause 3, the words "in a Hindu temple" shall be deleted.

The Honourable Mr. R. D. BELL: They are not Government amendments, Sir, and the honourable member Dr. Solanki will have to put them.

The Honourable the PRESIDENT: Is that clear to the honourable member Dr. Solanki, and does he accept those alterations as an amendment to his smendment?

Dr. P. G. SOLANKI: Yes, Sir, I do.

The Honourable the PRESIDENT: Is that clear to honourable members?

Honourable Members: Yes, Sir.

The Honourable the PRESIDENT: Does the honourable member Dr. Solanki accept these alterations as an amendment to his amendment?

Dr. P. G. SOLANKI: Yes, Sir, I do.

The Honourable the PRESIDENT: That is the amendment to the amendment then. I hope it is clear to the honourable members. The amendment of the honourable member Dr. Solanki has been allowed to be amended or rather it is an amendment from him in this form which is now before the House and which I will now put to the House.

Question (Amendment to the amendment) put, and agreed to.

The Honourable the PRESIDENT: I need not put the original amendment to the House because the honourable member Dr. Solanki has himself moved it in the amended form.

Dr. P. G. SOLANKI: I did not withdraw my original amendment because it goes out automatically.

Dr. J. A. COLLACO (Bombay City, South): Sir, the problem of Devadasis is a problem of despair. In its social, religious, psychological and philosophical aspects it is defying and has defied for ages, even the most ardent reformers.

The Honourable the PRESIDENT: Would not the honourable member like to leave that question to be dealt with by the Hindu honourable members who are better acquainted with it?

Dr. J. A. COLLACO: I have made a study of it. I shall finish my remarks in two minutes. I shall say a few words because the history of this question has been given by a previous speaker.

The Honourable the PRESIDENT: I understand that the honourable member has made a special study of Devadasis? [*Laughter.*]

Dr. J. A. COLLACO: Not of Devadasis but of the history of the institution of Devadasis.

Sir, we have to count at the very outset, with the fact that we are dealing here with a phase of human nature which has been unchanging throughout the ages in its pursuit after carnal desires. However sublime might have been its original function, the story of Devadasis is a story which reveals this problem in all its aspects and has besmirched the fair name of temples that house them with discredit and disrepute. The element of heredity and the enforced allegiance to family traditions have led a tender girl of a Devadasi family to be a premature victim to this very pernicious practice. Sir, the original idea of a Devadasi was a life dedicated to the service of God, just like the vestal Virgin of Greece or the Priestess of Nagaja of Egypt. In the early days of Hindu spirituality the life of a Devadasi was one of spotless purity. With her religious fasts and daily prayers in hymns she was the pride and glory of the temple institution. However sublime may have been its original functions and whatever may be the causes that have brought it down from that high pinnacle of glory to the present plight, society cannot tolerate this shameful legacy, and as we have not been able to mend it, I support my honourable friend Rao Bahadur Bole who seeks to end it. It is no use merely abolishing this practice. We must reclaim these poor girls by engendering in them a capability of earning a decent and honest livelihood. We must have rescue homes and other social institutions for their uplift. With these words, I resume my seat.

Rao Bahadur R. R. KALE (Bombay University): Sir, as regards the question of enfranchisement of lands held by Devadasis, it seems to me that there will have to be a change in the law relating to the lands which are held at present and which have been settled under Bombay Act II of 1863 and Bombay Act VII of 1863, and also under clause 7, sub-clause (6) (*b*) the assignment of revenue in respect of lands enfranchised under sub-section (2) as the case may be shall be payable to the Devadasi concerned during her life and after her death to the temple concerned. I do not know exactly if this question has been fully gone into. It seems to me the honourable mover of the Bill has taken this clause from the Madras Bill (Rao Bahadur S. K. Bole: Yes), but in the Bombay Presidency we have these two enactments I have just mentioned which deal

[Rao Bahadur R. R. Kale]

with the exemption of inam lands from the Bombay Land Revenue Code and the substitution of a *judi* or quit rent. These lands have been made private property. So, it seems to me that if the Bill is passed, then the law might have to be changed in respect of the property relating to the endowments. So far as I understand, the lands which are Devadasis' inam lands, have been subjected to quit rents. Under these two enactments they have been made as though they were private lands but subject to the condition that if the land is alienated it is liable to full assessment. All these questions have to be considered. If the honourable member the Legal Remembrancer has anyting to say about it, we should be glad to hear his views or if the Bill passes the first reading and is referred to a select committee, all these questions can be threshed out there. They have to be carefully considered because they are questions of property. So far as the question of dedication is concerned, it is going to be made a penal offence. So far so good, but so far as the question relates to properties granted as inams, it requires further consideration.

Rao Bahadur S. K. BOLE: Sir, I had no intention to speak, as no honourable member has opposed the Bill. There is nothing for me to give any reply to. But I may tell my honourable friend Rao Bahadur Kale that I have not copied this Bill from the Madras Act.

Mr. G. DAVIS: As regards this point, we did consider when we advised on the question of sanction, that it affected civil rights, and we took the view that this being an Act of 1933—as it would have been if passed in that year—it would override all the previous Acts, and so far as these provisions were contrary to the provisions of the previous Acts, these provisions would prevail. In the select committee we can make it more precise and refer to the various Acts to which the honourable member has referred. I think that probably will be advisable and can be done. I appreciate the point of the honourable member, but I do not think there will be any difficulty in making it clear in the select committee that the ordinary rules apply, that is to say, the later Acts override the provisions of the former Acts.

The Honourable the PRESIDENT: The point raised seems important in one respect, and it is this. I pointed out, when I was asked as to what the principles of this Bill were, that I considered this as one of the principles of the Bill to be disposed of at the first reading. But if it is agreed by Government Members and members on the opposite side that it can be considered in further detail in the select committee, I have no objection to leave the door open for it. I should like to know what the Honourable the Home Member has to say.

The Honourable Mr. R. D. BELL: Sir, the provisions in clause 7 of the Bill, for the enfranchisement of land held by Devadasis, are I understand incidental to the Bill. As a matter of fact, there are very few such cases in the Bombay Presidency. I understand that there are no Devadasis at all in the Northern Division, and in the Central Division there are no Devadasis holding inam lands from Government. In the Bijapur

[Mr. R. D. Bell]

district there are two cases in which Devadasis have land grants for services rendered in a temple; and in the Belgaum, Dharwar and Ratnagiri districts there are cases in which Devadasis are the wahiwatdars, that is to say, managers of inam lands assigned to temples. These lands, however, are assigned to the temple, and the Devadasi is merely the wahiwatdar. I am not quite certain whether the honourable mover of the Bill intended clause 7 to apply to these cases, but they can be considered afterwards. If any lands, such as the two cases in the Bijapur district, come within the scope of clause 7 of the Bill, then what is likely to happen is something like this. In the case of the Bijapur lands, under the award of the Inam Commissioners, they pay 4 annas in the rupee; that is to say they pay this *judi* in return for a clear title as inamdars, and they also have to perform services in the temple. If the service to the temple is extinguished, then a further *judi* probably will be levied. That is a matter for consideration. This additional *judi* may be paid to the temple in the form of a cash allowance in lieu of the services which had previously been rendered or supposed to be rendered. That, I think, is the position as regards inam lands. They are not at all important in this presidency.

The Honourable the PRESIDENT: The question may be discussed in the select committee.

Rao Bahadur R. R. KALE: About the wahiwatdars, there are cases of *naikins* holding large property which had gone up to the High Court. The wahiwatdar is a hereditary wahiwatdar as it were, and the right descends like private property, as in the case of lands held for service to be rendered to temples.

The term "wahiwatdar" means a manager. But to all intents and purposes, the wahiwatdar is regarded as the owner and exercises the rights of ownership. Cases of that kind will have to be considered.

The Honourable Mr. R. D. BELL: I think they are probably also covered by the provisions of clause 7.

The Honourable the PRESIDENT: Then that point may be left open to be considered in the select committee.

The Honourable Mr. R. D. BELL: May I say a few words in reply? I must confess, Sir, that the Government front bench is perhaps a little disappointed that we have had no comment at all on this piece of social legislation from the Hindu members. It is one of those pieces of legislation which, unless it has public opinion behind it, and unless this public opinion is clearly expressed or quite unmistakable, has no chance of success. I take it, however, that in this case silence is an indication of the consent of the honourable members. [*Honourable Members:* Wholehearted consent.] In these circumstances, Sir, I am to say that Government are not opposing the Bill in any way. They accept the principle of the Bill. They were prepared to give it further assistance, provided it has the support of the Hindu members of the House.

I may point out that the Bill merely aims at recruiting to the caste of Devadasis. I am not quite sure how it affects the daughters of

[Mr. R. D. Bell]

Devadasis. The class is recruited both from outside and from the Devadasis. This is a matter which can be considered later.

The Bill, however, requires some little overhauling in the matter of drafting, and it is on the understanding that it will go to a select committee that Government make no opposition to the first reading.

Bill read a first time.

Question, "That the Bill be read a first time," put, and agreed to.

Rao Bahadur S. K. BOLE: Sir, I beg to move that the Bill be referred to a select committee consisting of the following honourable members:—

The Honourable the Home Member.
Dr. Solanki.
Rao Bahadur Vandekar.
The Remembrancer of Legal Affairs.
Mr. Kamat.
Mr. Jog.
Mr. Chikodi, and
The mover.

The committee to report within two months, and five to form the quorum.

The Honourable Mr. R. D. BELL: I would like to suggest the name of Mr. Maxwell, Secretary of the Home Department, to which the Bill relates, and the name of Rao Bahadur Kale may also be added.

Rao Bahadur S. K. BOLE: I accept the suggestion wholeheartedly.

Bill referred to Select Committee.

Question, "That the Bill be referred to a select committee consisting of the Honourable Mr. R. D. Bell, Dr. Solanki, Rao Bahadur Vandekar, Mr. Davis, Mr. Kamat, Mr. Jog, Mr. Chikodi, Mr. Maxwell, Rao Bahadur Kale, and the mover; the committee to report within two months and five to form the quorum," put, and agreed to.

BILL No. XXVIII OF 1933 (A BILL FURTHER TO AMEND THE BOMBAY DISTRICT MUNICIPAL ACT, 1901).

Rao Saheb P. D. KULKARNI (Poona District): Sir, there is some legal difficulty in the passing of the Bill, because there are some provisions in the Lunacy Act which are coming in the way. I am told that it being a Government of India Act, the Bombay Government have requested the Government of India to allow them to make the necessary change and if that permission is given, then my way will be easier, and therefore I do not wish to move this Bill in this session.

BILL No. XXIX OF 1933 (A BILL TO AMEND THE BOMBAY PREVENTION OF ADULTERATION ACT, 1925).

Mr. A. N. SURVE: I find, Sir, that Government are moving in the subject matter of my Bill, and therefore, I request that its first reading be deferred to the next session of the Council. I am not moving it now.

BILL No. XXX OF 1933 (A BILL FURTHER TO AMEND THE CITY OF BOMBAY MUNICIPAL ACT, 1888).

Dr. J. A. COLLACO : I am not moving it now, Sir.

BILL No. XXXI OF 1933 (A BILL FURTHER TO AMEND THE BOMBAY CITY MUNICIPALITIES ACT, 1925).

Rao Saheb P. D. KULKARNI : I am not moving it, Sir.

A BILL TO REGULATE THE MONEY-LENDING BUSINESS.

Mr. SYED MUNAWAR : Sir, I beg to move for leave to introduce a Bill to regulate the moneylending business. The Bill embodies in it some provisions of the Deccan Agriculturists' Relief Act, some provisions of the Punjab Regulation of Accounts Act and some other necessary provisions, so as to make it comprehensive, so that it may deal with moneylending business in a proper manner. This Bill, Sir, covers loans not exceeding Rs. 1,000. The Bill is necessary in view of the recommendation made by the Whitley Commission on Labour in India to check the vagaries of certain classes of moneylenders. I hope leave will be granted to me to introduce the Bill.

Question put, and leave granted.

Mr. SYED MUNAWAR : Sir, I introduce the Bill.

The Honourable the PRESIDENT : The Bill is introduced.

A BILL TO AMEND THE LAW OF ADOPTION.

Mr. H. R. DESAI (Deccan Sardars and Inamdars) : Sir, I beg leave of this House to introduce a Bill to amend the law of adoption amongst Hindus. I shall very briefly explain the necessity for introducing such a Bill. It is well known that in this presidency the Hindu widow's powers of adoption are far more liberal than in other parts of India. But there is one important limitation even here. A Hindu widow, who has not the family estate vested in her and whose husband was not separated at the time of his death, is not competent to adopt a son to her husband without his authority or the consent of his undivided coparceners. This dictum was laid down in 1879 by a Full Bench of the Bombay High Court in Ramji *v.* Ghamau, I.L.R. 6 Bom. 498. This decision has been followed consistently even before and long after 1879. Their Lordships of the Privy Council, however, in 1921 disapproved of the decision in Yadao *v.* Namdeo, L.R. 48 I.A. 573. The point again came up before the Bombay High Court in 1925 in Ishvar *v.* Gajabai. Then, a Full Bench of the Bombay High Court held that the decision in Ramji *v.* Ghamau had not been overruled by Yadav *v.* Namdeo. In a recent case which was decided towards the end of 1932 (L.R. 60 I.A.), their Lordships of the Privy Council have held that the decision of the Bombay High Court in Ramji *v.* Ghamau had been overruled by the Privy Council in Yadao *v.* Namdeo. It cannot be denied that the dictum laid down in Ramji *v.* Ghamau had been universally considered as the law of adoption obtaining among the Hindus of this presidency and acted upon not only

[Mr. H. R. Desai]

after that decision but even long before, as it expressed the existing practice from time immemorial. The recent Privy Council decision has however overruled that decision with the unfortunate result that a number of joint families will be disintegrated. This Bill seeks to restore the position that was obtaining in this presidency before the recent Privy Council decision. With these words I beg leave of the House to grant me permission to introduce the Bill.

Question put, and leave granted.

Mr. H. R. DESAI: I introduce the Bill.

The Honourable the PRESIDENT: The Bill is introduced.

A BILL FURTHER TO AMEND THE BOMBAY LAND REVENUE CODE, 1879.

Rao Bahadur L. V. PARULEKAR (Ratnagiri District): I beg leave of the House, Sir, to introduce a Bill to amend the Bombay Land Revenue Code, by deleting sub-clause 1 (*b*) and clause (2) of section 121. Section 121 runs as follows:

"(1) The settlement of a boundary under any of the foregoing provisions of this chapter shall be determinative:

* * * * * * *

(*b*) of the rights of the landholders on either side of the boundary fixed in respect of the land adjudged to appertain, or not to appertain, to their respective holdings.

(2) Where a boundary has been so fixed, the Collector may at any time summarily evict any landholder who is wrongfully in possession of any land which has been adjudged in the settlement of a boundary not to appertain to his holding or to the holding of any person through or under whom he claims."

It has been decided by the Bombay High Court that the word "determinative" appearing in clause (1) of section 121 ousts the jurisdiction of the civil courts to go into the question and decide the rights of the adjacent owners after once a boundary between two holdings has been settled by the revenue authorities. But these decisions were subsequently modified by another decision wherein it was held that notwithstanding the boundary line has been settled by the revenue authorities the civil court can go into the question of rights of adverse possession of the parties concerned.

The Honourable the PRESIDENT: I may point out to the honourable member that a brief statement should be made when asking for leave to introduce a Bill. The honourable member is making a speech which will probably be appropriate at the first reading.

Rao Bahadur L. V. PARULEKAR: It will appear from 28 B.L.R. 1498 a doubt has been raised as to the authority of the local legislature to pass an Act ousting the jurisdiction of the civil court. Taking into consideration all these facts I beg leave of the House to grant me leave to introduce the Bill.

Question put, and leave granted.

Rao Bahadur L. V. PARULEKAR: I introduce the Bill.

The Honourable the PRESIDENT: The Bill is introduced.

A BILL FURTHER TO AMEND THE CITY OF BOMBAY POLICE ACT, 1902.

Mr. A. N. SURVE : Sir, I beg to move for leave to introduce a Bill further to amend the City of Bombay Police Act, 1902. Under this Act the procedure is laid down for assessing and awarding compensation to the sufferers in riots which take place in the city. Sir, I find that we have made such provision to strengthen the arms of the police during recent years that if the riots do take place the liability for compensating the damage should not rest on the public. Another reason is that the provisions in the Act in fact proved very unsatisfactory in their working inasmuch as the sufferers had to wait for years to receive a fraction of the compensation awarded to them under the order of the Chief Presidency Magistrate. There is a further difficulty. Those who take advantage of this procedure are debarred from going to civil courts to obtain redress which they could get in the dispensation of justice in the ordinary way. For these reasons I wish to introduce this Bill for repealing the provisions of the Act which lay down this procedure.

Question put, and leave granted.

Mr. A. N. SURVE : I introduce the Bill.

The Honourable the PRESIDENT : The Bill is introduced.

A BILL TO REMOVE CERTAIN DISABILITIES AND INCONVENIENCES OF DEPRESSED CLASSES.

Mr. R. R. BAKHALE : Sir, I beg leave of the House to introduce a Bill to remove certain disabilities and inconveniences of Depressed Classes. This Bill seeks to give effect to the resolution passed by the Depressed Class Board with regard to certain disabilities and inconveniences experienced by the depressed classes in respect of public wells, dharamshalas, etc.

4 p.m.

Question put, and leave granted.

Mr. R. R. BAKHALE : I introduce the Bill.

The Honourable the PRESIDENT : The Bill is introduced.

A BILL FURTHER TO AMEND THE BOMBAY LAND REVENUE CODE, 1879.

Mr. M. M. KARBHARI (Thana and Bombay Suburban Districts) : Sir, I beg leave of the House to introduce a Bill further to amend the Bombay Land Revenue Code of 1879. The object of the Bill is to give concessions meant by law to the actual cultivators themselves and to bring the letter of the law in accordance with the policy and spirit underlying those provisions.

Question put, and leave granted.

Mr. M. M. KARBHARI : I introduce the Bill.

The Honourable the PRESIDENT : The Bill is introduced.

*Rao Bahadur G. K. CHITALE (Ahmednagar District): Mr. President, I beg to move:

"That the following humble address be presented to His Excellency the Governor of Bombay:—

May it please Your Excellency,

We, the members of the Bombay Legislative Council, respectfully pray that Your Excellency will be pleased to take early steps to reconstitute the Ministry in a manner which will be in consonance with the spirit of the Montagu-Chelmsford Reforms, in view of the fact that the appointments of the present Honourable Ministers to administer transferred subjects, having been made from a very small group of Council Members, are, in the opinion of this Council, not likely to carry weight and are not in the best interests of the Presidency, and also in view of the fact that the term of the present Council may last for more than two years."

This being, Sir, rather an important motion to be moved in a responsible House like this, I have got my written notes, in order that nothing should escape my lips which would mar the dignity of the debate. I might inform the Council also that my notes have been censored, so that I am in a position to claim that I will be as reasonable as I possibly can on an important occasion like this.

We have heard His Excellency in his inaugural address which he gave us on the opening of the Council. His Excellency has come to us with a fresh and unbiased outlook, and he is, therefore, expected to examine all our problems with a penetrating insight and profit by public opinion honestly expressed. It is only by such free and fearless exchange of thought can one help to promote mutual understanding and confidence. The policy of allowing sleeping dogs to lie does not conduce to the best public interests. I believe that the electors do not send us here for basking in a somnolent posture. [*Honourable Members*: Will you please speak louder ?] All of us expect His Excellency to give a sound and constructive direction to the process of reform especially at a time when the future constitution of India is being built on new foundations and the joint interests of India and England call for the wisest counsels on both sides.

To clear the ground, I might meet here an objection that might be raised, namely, that I am moving this address rather late in the day. But, Sir, my position is clear. In the normal course of things, the period of three years of the life of the Council being over, we were entitled to new elections—

Mr. J. B. PETIT: We cannot hear the honourable member.

Rao Bahadur G. K. CHITALE: —and new blood in the present Council. However, it does appear to me that Government was better advised in extending the life of the present Council, because it is very comfortable to us, because we have had our life extended without any worries of a new election. At the same time, I may bring to the mind of the House the description given by the Honourable Leader of the House of the present Council: it is a capitalistic body and unrepresentative in character. I go further and say that it is in fact a one man rule, and that man has become an autocrat, and it is a merry go round for Government to do what it likes. I wish, Sir, therefore, to point out that though my

* Speech not revised by the member.

[Rao Bahadur G. K. Chitale]

address may be a little belated, it is certainly very opportune. At least we will have the satisfaction of having unburdened our minds in a manner befitting the occasion.

The importance and the necessity of the address lies in its two-fold aspects. First, the constitutional aspect of forming a ministry under the Montagu-Chelmsford reforms, and, secondly, in its application to our local conditions and more especially its constitution at present after the normal period of the last Council, as, if the elections had been held, the Council would have been entitled to a new ministry.

Under the diarchical form the provision of joint responsibility amongst the Ministers and the appointment of Council Secretaries who were intended as liasion officers between the ministers and the elected councillors has only been tried in one province, Madras, where it has been found by the Simon Commission to be working satisfactorily, and more so, as the majority of the elected members were out of one communal group. The Simon Commission finds that the expected desirability of elected councillors being responsible to the electorate has not been at all developed. And it is not likely to be developed so long as the Councils are constituted more on communal groups than on any economic principles or party lines having a definite programme of action. It is to be noted that according to the report of the Joint Parliamentary Committee, ministers are to be chosen by His Excellency the Governor on the ground that they are the elected members of the Legislative Council enjoying its confidence and—mark the words—having the requisite ability or capability of leading it. Further the ministers hold the office during His Excellency's pleasure. The Instrument of Instructions to His Excellency the Governor lays down that he was to encourage the habit of joint deliberation between the two halves of the Government and the knowledge of the ministers as to the wishes of the people was to be at the disposal of the Executive Council presided over by the Governor. The spirit of joint responsibility has not grown in our presidency and thus the responsibility of individual ministers depends more or less on the strength of the communal groups joining together and more often the minister has to rely on the official group for keeping his position safe and stable. Even in the new constitution, according to the evidence of Sir Samuel Hoare, it appears that these fundamental defects are not intended to be effectively removed, because he holds the opinion that it would be much better not to make any provision of the kind in the statute, but to leave it to the growing of conventions in the several councils. His exact words, in reply to a question whether there would be a Prime Minister in all Local Councils who would be responsible for forming his ministry, are: "These kinds of things must grow up and they cannot be prescribed in detail in a constitutional Act, how exactly these provincial Governments will work". Then, again, he thought it proper to allow these to grow up organically and he only looks forward

[Rao Bahadur G. K. Chitale]

to a time when procedure will conform to the procedure in England, but it cannot be prescribed at the outset. So also with respect to joint responsibility, he would like to see that the responsibility is joint, but he is not prepared to prescribe it in a statute.

Now, as regards the powers of ministers, even under the present constitution, they are, in my opinion, ample, provided the ministers have the necessary vigour and ability to press their point of view in the cabinet. I hold, Sir, that the Finance Department has, in truth, no overriding powers. It can neither dictate nor veto policy. It can demand justification for new expenditure and can challenge the necessity for spending a given amount. But in the last resort, administrative considerations in support of a minister's policy must prevail. Thus, a capable minister in charge of a particular department can overrule the Finance Department; and, unlike in England, he need not get the cabinet to endorse his views, but, according to the strict constitutional principle he has only to convince the Governor and get his concurrence.

Mr. J. B. PETIT: Sir, may I interrupt the honourable member? If he will kindly turn his face towards this side, we shall be able to hear him better.

The Honourable the PRESIDENT: The Chair must also hear him.

Mr. J. B. PETIT: The Chair does not take part in the discussion: we do.

The Honourable the PRESIDENT: The Chair has to regulate the proceedings.

Dr. P. G. SOLANKI: Would the honourable member speak louder?

Rao Bahadur G. K. CHITALE: I am sorry, Mr. President, I cannot speak louder than I am doing.

Dr. P. G. SOLANKI: We are missing his speech altogether.

Rao Bahadur G. K. CHITALE: You will miss it. This shows the desirability and necessity of appointing the best men as ministers, who have the requisite qualities of ability and tact to deal with their colleagues in an effective manner to win success for their point of view. Our presidency needs at this juncture of constitutional changes now on the anvil the finest type of ministers who inside the cabinet and out in the Council will be able to defend reasonably, logically and convincingly, their point of view in support of their particular policy. This is necessary at this stage, because, soon after we go from here, the proposals emanating from His Majesty's Government will come for the opinion of the local Government,—both the reports of the Joint Committee and the draft statute. When they come in, this Council will not have the slightest opportunity of saying what it has to say on them. Therefore, Sir, our whole battle will have to be fought out in the cabinet by the Ministers. I leave it to the House to judge. Sir Frederick Sykes, the late

[Rao Bahadur G. K. Chitale]

Governor, is now championing the cause of second chambers, a proposal which has been vetoed by this Government. It is possible that that proposal may find favour. Especially as regards that point, the Honourable Ministers' voice will have to prevail.

Then, Sir, in the old days, nomination to Executive Councillorships did not always give satisfaction to the general public, and, therefore, the authors of the Montagu-Chelmsford Reforms have condemned the tendency to men being chosen because they were safe and not likely to assert their independent views. Now, even under the Montagu-Chelmsford scheme of reforms, even if it is treated as the first stage in establishing responsible government, there is the greater necessity of appointing ministers, who, by ability, force of character and efficiency, will inspire confidence in the public. To recruit the entire Ministry from a small group of about 14 or 15 members in spite of their political views which are known to be communal on important matters of general public interest is, in my opinion, and I hope in the opinion of the House, a complete negation of even the first stage of responsible government as contemplated by the Montagu-Chelmsford Reforms.

A student of the Council proceedings during the last 12 years of the working of our Council will be struck by the fact that there has been no occasion for the Governor to use his special power of certification. The output of legislation has been in the period varied and considerable. It has dealt with matters smoothly—affecting great issues like law and order, finance, additional taxation proposals, regrettable retrenchments in beneficent activities, and yet the Government has not been responsive in an increasing degree to the will of the elected representatives. No attempt is made to bring them into closer touch with the real administrative machine. The non-official members are not given facilities in the directions I have referred to and have no chance of making themselves acquainted with the actual work of administration. There is no fruitful contact which would have been established by the appointment of Council secretaries which would have given them opportunities to train themselves in administrative problems and their experience would have been of valuable help to elected members. This opportunity is available only to Ministers, but even their promotion to Executive Councillorships deprives the elected members of their experience and training; and thus, I hope, I have established the necessity and desirability of changing the personnel of Ministers as often as possible.

Looking at the other side of the picture, how many times do we find that members of the Indian Civil Service, when they are appointed as Executive Councillors, have changed places and have made room for their juniors? Having regard to that fact, it is necessary that our Ministers, in the general public interest, must make room, whenever possible, for other people to be trained. On the other hand, a perusal of the Council proceedings for the last six years, and more especially the forms of questions put by members who put their community before everything else, will clearly convince any unbiassed reader as to what lengths

[Rao Bahadur G. K. Chitale]

communal and sectional feelings are carried and they clearly prove that the communal outlook generally takes the precedence of the more pressing political problems. The views of really politically minded members of the Council are voiced in general public interest, but their voices and views, though effectively intended to foster the growth of national self-consciousness, are drowned altogether. It is true, regrettably true, that there is no reality about the powers of the present Council, but in my opinion this emphasises a greater need of good and able Ministers who can really lead the Council members.

Whatever the partisans of our present Ministers may say, there is little doubt in my opinion that our Ministers and Council politics require a bit of shaking up. In my view the present Ministers are not the leaders of popular opinion, possessing any views of their own and having the courage and necessary influence to enforce them. They appear to me to be completely in the hands of communal and Government whips. And this pitiable position must surely set us athinking.

The present Ministers have had enough opportunities to formulate a policy in accordance with the views of the members of the Council, who, in their turn, have a right to expect right lead from the Ministers, but it has to be said that there is no leadership and there is no following worth the name. Viewed from this point of view, the output of work in the beneficent activities of some of the previous Ministers are being reversed, to which it will be my duty now to turn.

So far, the important point is made clear that in the formation of a ministry the conventions so far obtaining in the various Legislative Councils will be given an important place; and we have therefore to be cautious in not allowing any precedents or convention to grow up so as to perpetuate the growth of communal animosities either in the Councils or in the Cabinet. Communalistic tendencies naturally retard the progress and automatic healthy growth of any new constitution and we have to be careful from the very beginning that even though the evil may have to be tolerated for some time under the present condition of things, the tendency of its growth must be effectively checked if provincial autonomy is intended to be real so as to put the power in the hands of the elected representatives, so as to make them masters in their own house.

There is no doubt that any advance is not possible in this Council, divided as we are by communal separatism. If we add to this the principles of official subordination and the necessity of official unity, as expounded on page 58 of the Montagu-Chelmsford Report, there is no wonder as to why in many cases Government effectively oppose the popular wishes. The reason is that in our Council, though there are 86 elected members, the usual normal attendance varies from about 75 to 90. And the official members, together with the nominated and European group, usually represent at least about one-third of the strength; and therefore the wishes of the others cannot be effectively impressed on the Government, with the result that the Ministers have

[Rao Bahadur G. K. Chitale]

more often to rely on the official votes plus their own communal votes. Applying these principles to our local conditions, some facts have to be stated. In the first Council the Ministers were drawn on non-communal lines and on merit only—an arrangement which, according to those who are able to judge, worked best. Later on, communal considerations required the nomination of a Minister from communal groups. But in no Council the Ministers were drawn only from one small group known as the non-Brahmin group of members; but the nationalist aspirations were always represented at least by one Minister who rose above the narrow communal vision and who looked after the interests of the intelligentsia of the Presidency.

Now, the last elections did not represent the wishes of the electorate, inasmuch as a large political party stood out of elections; and therefore the representatives that have been chosen are not the real representatives of the electorate as there was no competition. And amongst the non-Brahmin group of Council members there are at least six who were elected unopposed. It is also common knowledge that after the last Council elections, the non-Brahmin party met and elected their leader by a narrow majority of about one or two; and therefore they cannot lay claim that they are the real representatives of the electorate. His Excellency the Governor in his address in 1924 enumerated the achievements of the first Council and laid stress on the broadening of the basis of local self-government by my revered friend the present Leader of the House and the putting on the Statute Book of the Primary Education Act as two very important achievements.

In the next Council, committees were appointed to redress the grievances of agriculturists in the matter of grazing and fixing annewari by panchayats and revision of the Land Revenue Code. Further on, a committee was appointed for looking into the policy of prohibition and a policy of rationing was adopted which contemplated the gradual diminution of the consumption of liquor by 10 per cent. every year with a view to its total extinction in twenty years. However, by this time it is abunduntly clear that no material advancement has been achieved in these directions mostly on account of the communal bias which has been imported into the administrative machine. As regards primary education, the percentage of increase in literacy has not materially improved, if we deduct the advancement in municipal areas. The constitution of school boards, though liberalised, has not tended to improve the quality or the literacy test in rural areas. It was stated on the floor of this House that the power of nomination left in the hands of Government was to be sparingly used, and yet in the last six years this power is invariably being used in order to put power into the hands of the committee so as to capture offices for the benefit of communalists.

The Honourable the PRESIDENT: I would like the honourable
4-30 p.m. member to stop where he thinks he can stop and resume after tea.

Rao Bahadur G. K. CHITALE : So also the power of nominations to local boards is used towards effecting the same end.

I shall stop here, Sir.

(*The House adjourned for tea till* 5 *p.m.*)

(*The House re-assembled after tea at* 5 *p.m.*)

Rao Bahadur G. K. CHITALE : Mr. President, I was just referring to the present Honourable Ministers. I have said that this has resulted in communal jobbery in the matter of transfers, promotions and new entrants by displacing old servants without necessity and even at the risk of doing a lot of injustice in many cases. The Reports on the Local Board Administration—Government publications—since the year 1931, clearly show that communalism has retarded the full healthy growth of these local bodies. It is further to be noted that even the audit objections in these matters are not properly attended to and satisfactorily explained as early as possible. All this in my opinion is due to the communal outlook of the Ministers who have been in charge, who took, in a prominent degree, communalism as their principal guide.

In the matter of higher education, the same tendency is apparent, to the great detriment of educational activity which is necessary for the growth of national consciousness. Though I desire that primary education should be expanded as early as possible to the highest possible limit, I do believe that the nation requires that secondary and collegiate education should not be neglected and I hold that these instances show the danger of the two Ministers being drawn from one small group, and it is possible that in future they may act with the same mind and biassed communal vision. His Excellency the Governor, even though he has been with us for a very short time, emphasised this danger in his speeches as is reported in the papers and it gives us hope that His Excellency is determined to put an end to this state of things, and therefore we hope——

The Honourable Sir GHULAM HUSSAIN : As reported in the papers ? Which papers ?

The Honourable the PRESIDENT : Daily papers ?

Rao Bahadur G. K. CHITALE : Yes, Sir, daily papers. I hope, Sir, that if our present Ministers give up this angle of vision, my purpose of moving this resolution will be amply served. To put it briefly, my objections are that literacy has not advanced inasmuch as I find that the percentage of pupils passing standard IV in primary schools to pupils in infant class in 1928–29 was 20 per cent. and in 1932–33 it was 18·1.

As regards the policy of prohibition, I may point out that it does appear that that policy also is being reversed inasmuch as, applying a small test as far as my district is concerned, I might point out that the average consumption of liquor every year 12 years back was about 9,000 gallons and it does appear from the statement which has been put in our hands,

[Rao Bahadur G. K. Chitale]

it has now come up to about 16,000 proof gallons and the number of shops which were intended to be opened has been increased. I might mention here that the comparative statement made by the Excise Department as regards the consumption of liquor in our Bombay Presidency as against the Punjab, the U. P., Madras and Bengal shows that the percentage is much higher and, if my impression is correct, it is more than 10 times what prevails in the rest of India. I might mention also here the further fact that the rationing policy has been set at naught. There is no limit to foreign liquor or other spirits as there is no ration and the published reports of the Excise Department show that the percentage in that behalf has gone beyond the limits laid down and has varied from 12 to 29 per cent. and I know it as a matter of fact that as the price of country liquor is raised, the people are now going in more for mixing the spirit together with other mixtures. In that policy there is no rationing and therefore I find that the percentage of this vice is more than in any other areas in our presidency. I might further point out that it appears by reference to page 707 in 1924 when the honourable member Mr. Jadhav was in charge of education, he stated on the floor of this House that the introduction of compulsory primary education would be an accomplished fact within a very short time. (Vol. XI.) Even though the speech was made in 1924, what advance do we find? What policy do we think is being followed so far as the literacy test is concerned? The Hartog Committee's Report is an eye-opener and even in that direction we have not progressed as we should have done.

I shall conclude by making one or two more quotations from His Excellency's speech (not the present Excellency). The authors of the Montford Reforms have stated that if the whole object of the Reforms is to be achieved, it is absolutely necessary that the Ministers should have a very broad outlook and should see and work in a selfless manner. To put it briefly, I do maintain, Sir, that that should be the outlook of our Ministers. He has stated that the responsibility of every single Minister is a heavy one. As the elected spokesman of the electorate, he must be determined to work whole-heartedly and execute his duties for the uplift, progress and prosperity of the people by promoting further measures for their welfare. How far this test is satisfied in the last six years, it is for this House to judge. To put it briefly, one more thing with respect to education. I know the Honourable Ministers are handicapped by the present financial stringency, but I do maintain that the Government expenditure in this behalf has gone up but that it has not gone up in proportion, commensurate with the requirements and demands of the country and the spirit and intention of the reforms. This is due to want of grit and firmness in our Ministers. Let Ministers face this charge honestly and straightforwardly.

I believe, Sir, that I have done. I have tried to put my view of the case as frankly as possible. I hope I have wounded none.

Question proposed.

Dewan Bahadur D. R. PATIL (East Khandesh District): Sir, I have heard the speech of my honourable friend Rao Bahadur Chitale with keen interest and I am very glad to say that he has falsified my anticipations and used a temperate tone in making the remarks against the Honourable Ministers. Sir, his main point seems to be that the Honourable Ministers must enjoy the confidence of this House. Without elaborating this point at any great length, I may say that this test of his can be decided by the vote of this Council, and I am sure that my honourable friend Rao Bahadur Chitale will be convinced beyond doubt by the vote of this honourable House that the present Ministers do enjoy the complete confidence of this House. Sir, I would have been glad had the honourable member been the Minister. But my point is this. Even had he been there, what would he have done more than the present Ministers are doing? He complained about the non-expansion of primary education. I do agree that there is not sufficient expansion of primary education, but in his remarks he made it clear that the Minister also could not help it on account of the financial stringency. When he advances that sort of argument, I do not see the least force when he says that there is no expansion of primary education.

Rao Bahadur G. K. CHITALE: I said literacy.

Dewan Bahadur D. R. PATIL: Even for expansion of literacy funds are necessary. Can my honourable friend say that the present financial position of Government is such as to embolden the Minister for Education to spend more money on the expansion of literacy? He cannot say that, considering the financial position in which the Government of Bombay is placed.

Now, my honourable friend talks of the small groups that are existing in the Council. If I were to refer to groups, may I ask him whether his is a small group or a large group? That is the question which I plainly ask him. Everybody knows that before Ministers are appointed, they must have a following. So far as the group of my honourable friend is concerned, I think that group has voted against Government in season and out of season. If any member of that group were appointed Minister can my honourable friend say that the members of the group would have followed him in all the demands which he might make? I submit, Sir, so far as the voting goes, they would not have done so. Whereas, in the case of present Ministers, whenever they have brought up any proposals in connection with their departments, everybody knows that the majority of the members have supported their proposals. What does this go to show? Does it not go to show that the present Ministers do enjoy the confidence of this House?

Now, Sir, when my honourable friend is complaining about the small groups, I do not know why he kept quiet so long. When Dewan Bahadur Kambli was appointed Minister, my honourable friend knew very well that he had a small group to back him up. Why did he not bring in a motion of no-confidence against the Minister? Our late Minister Sir Rustom Vakil of course had the following which the present Minister

[Dewan Bahadur D. R. Patil]

for Local Self-government has got. But take the case of the late Dewan Bahadur Harilal Desai. What following had he? So, Government do take into consideration the various factors, and according to the view they take they make the appointments of Ministers. I do not think that any wrong has been done by Government in making the choice of the gentlemen who have been appointed as Ministers.

Sir, Rao Bahadur Chitale talked of public interest and selflessness and all that. It is very good to talk like this, but human nature being what it is, even if my honourable friend Rao Bahadur Chitale had been a Minister he would have acted according to his own conscience, that conscience which would want one to work at least to some extent in the interest of one's own community. All the same, whatever is being done in this House is perfectly all right. Therefore, I will not take more time of the House, because I too have a bad throat as my honourable friend has got. I had no mind to make a speech at all, but the motion is very interesting, and I had to offer a few remarks. In conclusion, I do say that the present Ministers do enjoy the confidence of this House. With these remarks, I strongly oppose the motion.

Mr. A. N. SURVE (Bombay City, North): Sir, I rise to oppose the motion before the House. Judging by the delivery of the honourable mover, one could very plainly see the intensity of feeling under which he was labouring. I am sure we have heard the honourable member Rao Bahadur Chitale, at least in this House, speaking in a louder tone if he wished to do so. But somehow today he found that he could not raise his voice. There may be certain reasons for it, but so far as I can judge, I think when the pressure of feeling is intense the voice is always subdued, and that may have been one of the reasons for the honourable member's subdued tone in which he moved his motion.

Sir, coming to the wording of the motion, the proposed Address makes mention of two facts. Why does he want His Excellency the Governor to reconstitute the present ministry? He has given two reasons. I will take the second reason first. It says "in view of the fact that the term of the present Council may last for more than two years." I do not know wherefrom the honourable member got that information. I think our existence is governed by the Government of India Act, and if you refer to section 72B, you will find that in clause (1) it is laid down definitely that the normal term of the Council shall be three years. But under exceptional circumstances, what takes place is stated in sub-clause (*b*). There it is laid down that the said period may be extended by the Governor for a period not exceeding one year.

An Honourable MEMBER: That has been amended.

Mr. A. N. SURVE: That is what is contained in the copy which I am reading from. But even if it is amended, His Excellency the Governor has extended the life of this House for only one year under a notification. Naturally the presumption is that the Governor wishes that the normal term of this Council should be extended by one year only. If I am correct

[Mr. A. N. Surve]

in that belief of mine, then the ground given here loses its force. Therefore I say that, if that assumption of the honourable mover is not correct, then I think it is not fair, it is not graceful to table a motion of this sort, especially for the sake of a few more months. That is how I look at it. The reformed Councils have been working since 1921. We are nearing the end of our term under the present constitution, and for the sake of a few months shall we do something which we have not done during the course of the past fourteen years? That is a point which this honourable House is required to take into its consideration at this moment.

Having disposed of that part, I now turn to the other part. It is stated in the Address:

"..... the appointments of the present Honourable Ministers to administer transferred subjects, having been made from a very small group of Council Members, are, in the opinion of this Council, not likely to carry weight....."

I am pointing to the statement that the present Ministers are not likely to carry weight. Now, Sir, if we judge by the decisions recorded by this House during the present session, I should think that the Ministers command the respect and have the support of the general body of this House. If it were not so, then we would have found that the propositions which were brought forward by the Ministers or even by Government would have been thrown out. Take, for instance, the demands for grants under the budget which we discussed for the past 12 days. Is there a single demand which has been thrown out? There was one division, so far as I remember, and even in that division, though I voted against the Government, still what is the wish of the House? The wish of the House is to give its consent to the proposals brought forward by the Government.

The honourable mover has referred to the Nationalist Party. I should be very sorry to make any reflections on a party which is functioning in this House. But I must not mince matters. I just ask the honourable mover if that party has been able to achieve anything in this House. That is also a point which requires to be considered.

Having disposed of these two points, I now refer to the point which has been referred to, about the appointment of the Ministers. Section 52 of the Government of India Act lays down the provision in these words:

"The governor of a governor's province may, by notification, appoint ministers, not being members of his executive council or other officials, to administer transferred subjects."

The operative part of the section does not lay down any limitations. The fullest liberty is given to His Excellency the Governor to make the appointments, the only condition being that the person selected shall be an elected member and shall not be an official. If these two conditions are satisfied, His Excellency the Governor has the power to appoint anybody whom he chooses. Therefore, when the honourable mover raises his objection and tries to impose a restriction, I submit that he has not been following the letter of the law as it is laid down in the provisions

[Mr. A. N. Surve]

of the Government of India Act. Now, Sir, I do know that when such appointments are made, His Excellency is always advised by the Members of the Government, and they have a certain procedure by which the interests and the welfare of the Presidency as a whole are taken into account. So far we have had so many Ministers, but there was not a single occasion when this House had gone to the length of moving a censure motion successfully against the Ministers. That itself shows what kind of Council this presidency has. I am proud, Sir, that in our presidency we have never shown that kind of tendency which has been shown in some other provinces. Sir, if you encourage a tendency of that nature, what happens? The net result of such a procedure is that the presidency suffers. Shall we indulge in pastimes of that nature—we who come here as the representatives of the people, we who come here to secure the welfare and well-being of the people of this presidency? Shall we indulge in a pastime, the net result of which ultimately will be to bring misery and unhappiness on the people? Let us take it for granted that this motion is carried. What will happen? A fresh appointment will be made or His Excellency might take in his own hands the administration of the transferred departments. Take either contingency. Is it desirable at this stage? I do not think that it will be in the best interests of the presidency as a whole.

5-30 p.m.

Coming to the present Ministry, take for instance the Honourable Minister who was appointed a little over three months ago. I think his appointment took place in the month of November. It is hardly 4 months now since he assumed charge of his portfolio; but he has already shown his mettle to hold the office. He is following the policy of his predecessor. Take for instance the H. O. H. fête which was conducted very successfully. If large amounts are likely to be realised from that fête, the result will be that poor people will have more liberal diets in the hospitals and the beds which have been closed will be reopened. Is it not something which is in the interest of the sick humanity? Therefore, I say, Sir, speaking about the Minister recently appointed, we will be rather unfair to that gentleman because he has not even been given time enough to show what he can do.

Coming to the other Minister, I do not know whether the honourable member knows and whether he has minutely examined the progress of education. About the primary education we were told by the Honourable the Leader of the House some time ago that if we compare the figures for the year 1922-23 with those for this year we will find that there has been an increase of some 29 lakhs. Is that not a progress in the right direction? Is not the primary education a greater need to the general public? Is it not adequately financed under the existing conditions so far as his department is concerned? I heard the honourable mover complaining that our secondary and college education has been starved. If I heard him right, I must tell him that the masses stand in greater need of primary education than college and secondary education. What is the good of your college and secondary education in the present

[Mr. A. N. Surve]

day ? What is the value of a graduate who comes out of the University ? Is he not an addition to the ranks of the unemployed ? (*Honourable Members*: Hear, hear.) Sir, when our educational curriculum requires re-examination and re-organisation, to ask that the college and secondary education should be encouraged or should be more liberally financed even at the cost of primary education is really to waste the money of the presidency which is very badly needed by the masses. Not only that but the enemies of our political progress make some capital out of the general illiteracy, therefore for our political advance rapid diffusion of primary education has become imperative. Therefore, Sir, when we come to that, I should say that even the present Minister has done something which should deserve our more broad-minded consideration than has been allotted to him.

Times are out of joint and there is no money. It is not that the Ministers have no merit in them. After all, I do not say that during the term of Reformed Councils extending over a period of the past 13 or 14 years we have not committed any mistakes and we have not blundered in certain matters. We have committed some errors, some of them are very grievous from the consequences of which we are suffering now. My honourable friend who has moved this motion will himself admit that our opposition in this House is very weak. If it had not been weak, Government would have themselves come forward and consulted our wishes and avoided the mistakes into which they have precipitated the presidency. My honourable friend from Ahmednagar has not gone to the root cause why our present administration is not fully satisfactory. If he wants that the present House should function properly, it is his bounden duty to give the lead in organising and managing the opposition, and in making it so strong that Government will have to bow to the wishes of the opposition. That is the thing which this House needs very badly. At present, Sir, all the observations which we make here are noted down by Government as our suggestions. If they are in the right interest of the public at large, they accept them and if Government think that they are not in the real interest of the public according to their view or not such which they can carry out for financial reasons, then they reject them. If no tangible good is coming out of the present Council, it is simply because our Government have been able to manage this House according to their wishes. If we want better results and more progress, our steps should be to organise the opposition and make it stronger so that Government will come to us for advice. If you then offer advice they will accept it. What is badly needed to-day is not the suggestion that the ministry from a particular party should be formed, but the proper organisation of the opposition. Therefore, I submit, with great regret—my esteemed friend will excuse me if I say—that he has committed a great mistake and he should see his way to rectify it at this stage by withdrawing the motion which he has placed before the House.

[Mr. A. N. Surve]

If he has really any good service to render, I should say that there are certain ways in which we could do that and improve the present position of our Ministers. I do admit that the position which the Ministers occupy under the present procedure is not wholly desirable or even what it should be. Sir, it is believed that the Secretaries of the Ministers can have direct access to His Excellency the Governor behind the back of the Ministers——

The Honourable the PRESIDENT : What did the honourable member say ?

Mr. A. N. SURVE : Behind the back or rather over the heads of the Ministers. The Secretaries can go and make reports about them to His Excellency the Governor. I say that position is not desirable. It really detracts from the responsibility which the Ministers owe to this side of the House. In the present weak state of the opposition, the Ministers, even if they have any good idea, are more dependent upon the secretaries for its execution than upon the support of this House. If we at all have any good service to do to our presidency, we must strengthen the hands of our Ministers. (*Honourable Members* : Hear, hear.) We should try and improve the position of our Ministers. We are coming to the end of the first reformed Council. Next time when we get provincial autonomy under the new reforms there will be ministers only who will form the Government ; therefore, in the coming reforms there should not be loopholes of the kind mentioned by me just now. I request this House to disclose all these latent defects so that they may be considered by the Joint Parliamentary Committee which is at present sitting in London. I request the Honourable the Leader of the House to send this debate to the committee so that these latent defects may be removed in the next reforms. With these words, I oppose this motion, if it is not going to be withdrawn.

Mr. C. N. PATEL (Kaira District) : Mr. President, Sir, I regret very much to have to dissociate myself from the motion brought by my esteemed friend Rao Bahadur Chitale. Really speaking, it is the fault of this House that the matters which are being objected to have at all come into existence. In fact, though I am a new-comer to this Council, I have marked the absence of any concerted action amongst the elected members of this House. We have nothing like a set policy ; we have not been able to sink our differences for the common good ; and that, to my mind, is the main reason why the present state of things has come into existence. That being so, rather than object to this gentleman or that gentleman being appointed Minister of Government, what we should do is to examine our own deeds, and before laying the blame at the door of others we had better realise the extent to which we are responsible for the situation. During the whole existence of the present Council, I would like the mover of the motion to point to one day when either he or the other esteemed leaders of this side of the House have called a general meeting of the elected members to give a lead to Government on a matter at least of one important

[Mr. C. N. Patel]

policy. There has never been a move in the right direction; and in the absence of any such attempt having been made, I would ask my honourable friend whether it lies in our mouths to say that the present Ministers have not the confidence of the House or that we can recommend to His Excellency to appoint any other gentlemen in their place. In fact, Sir, looking to the parties as they stand to-day, looking to the state of affairs as it obtains to-day in the constitution of this House, you cannot select any two other members in place of the present two Ministers—(*Honourable Members*: Hear, hear)—and at the same time assure smooth working of government. It is not that I want to suggest that this House is void of competent persons, but the difficulty that I am pointing out is this. We are so hopelessly divided, we are so hopelessly blind to the interests and the requirements of the presidency, we are so impervious to the urge that all our personal differences should be sunk for the common good, that bringing such a motion simply reflects discredit on ourselves. If, as a matter of fact, this House had no confidence in those two gentlemen who sit opposite, and we wanted to place in their stead other men who we think are better fitted for the posts, could we not have achieved that by other means than by wasting the time of the House by a motion of this nature? Could we not have met together and decided to throw out one demand at any rate of either of these two Ministers? Have we done that? And if we have not succeeded in doing such a small thing as that, and when we were talking of cuts we could not act up to our speeches by voting in pursuance of those speeches; if we are a House constituted of members who have no settled convictions, a settled line of action, who cannot act up to a settled programme; does it lie in our mouths to say that the Government are at fault in selecting this gentleman or that gentleman? In fact, Sir, my objection to the motion, in the main, is that we are responsible for the present state of affairs, and the mentality of the House, as it is constituted to-day, being what it is, the passing of this motion will be of no avail. (*An Honourable Member*: It will be passed.) It will not be passed, and it cannot be passed, and I wish that it should not be passed, because you do not know your own mind. What is it that you are wanting by this motion? Do you mean to say that those two gentlemen do not enjoy the confidence of the House? If that is so, have you acted in such manner as to show your disapproval of their action? Have you given them a lead, a mandate, that on a particular question they shall do a particular thing? You have never given them a lead; you have never asked them to do a particular thing. Nor have we as a House ever known our mind exactly and told the Ministers to do things in a particular way.

An Honourable MEMBER: What have you done?

The Honourable the PRESIDENT: The honourable member may proceed.

Mr. C. N. PATEL: I am really glad my honourable friend has reminded me of what I have done. I admit that I have done nothing. At the same time, I may point out that my seniors have done nothing; we have

[Mr. C. N. Patel]

not been given a lead. We have our leaders, and I do esteem them for the depth of wisdom and the depth of knowledge that they possess; but really, Sir, the unfortunate situation is that we as a House are hopelessly divided; there are parties and counter-parties; and the parties, though formed, have never been able to chalk out a settled programme and act up to it. There are so many parties formed from time to time in this House. Have they any settled programme; have they chalked out any line of action? If they have not done that, are they entitled at this stage, at the fag-end of the life of the Council, to state that the procedure adopted till now is wrong, especially when we have got nothing better to suggest in place of the existing procedure? In view of this submission, I, for one, oppose the motion, and I think the House will be well advised in opposing it and in rejecting it.

Mr. J. B. PETIT (Bombay Millowners' Association): Mr. President, first of all, Sir, I desire to offer my most sincere congratulations to my honourable friend, the member for Ahmednagar, on the great moral courage displayed by him in having raised this important debate in the shape of an address to His Excellency the Governor, and thus given the House an opportunity of expressing its views, on a subject, at once so momentous and so closely connected, not only with the welfare of the Presidency, but also with the cause of self-government throughout the country.

The three principal issues raised in the address moved by the honourable member are first, the Constitution of the Ministry, secondly, the confidence enjoyed by the Ministers, having regard to the spirit of the Constitution, and finally, the necessity of reconstructing the Ministry in the event of our answer to the second issue being in the negative.

In order to consider and determine these three issues in the light of the postulate laid down by the honourable member, it is absolutely necessary to clearly understand what the exact spirit of the Act is, and how it is intended to advance it in the present Constitution. This can best be done by an examination of the working of the Act in this Presidency, in consonance with the reform-scheme, and where necessary, also with Mr. Montagu's own diary, published by his widow after his death, so that the House may be enabled to grasp the exact intention of the framers thereof, and particularly of the master-mind that was the originator of the entire reforms, and the driving-force behind the whole movement.

When we do so, what do we find? To anyone who may care to read these three books and the attendant literature carefully, it becomes abundantly clear, that it was the undoubted intention of the Act and the framers thereof, to make the Provincial Councils as autonomous as possible, of course within the limitations of diarchy, which had been forced upon Mr. Montagu for reasons too well-known to be repeated at this stage. To attain this end, the Councils were given a clear non-official majority, the power to move private bills and resolutions, the right to divide on the budget and certain other valuable privileges, including the

[Mr. J. B. Petit]

introduction of a 50 per cent. Indian element even in the reserved section, to enable the Indian point of view to be strongly urged and seriously considered in every department of the administration, even if not always with success, again of course within the limitations laid down in the strict diarchical form prescribed by the Act. In the transferred section, however, a serious attempt has been made to hand over complete responsibility to the representatives of the people, through their chosen and accredited Ministers; and the Act has deliberately given to them very wide powers and almost complete control in their own departments, subject only to the veto of the Governor, to be exercised with the greatest circumspection and only in very rare emergencies, and even then "with due regard to the Ministers' relations with the Legislative Council and to the wishes of the people of the Presidency as expressed by their representatives therein".

If these purposes are to be fulfilled, it is therefore very essential that the selection of Executive Councillors and of Ministers should be made in a manner most conducive to these intentions and from amongst people most qualified to fulfil them. Having regard to the events of the last 14 years and the personnel of the Indian section of the several Cabinets, both reserved and transferred, formed during the period, it cannot however be denied that these appointments are more often made in furtherance of the general plan of the bureaucracy to keep all power in its own hands than for the advancement of the spirit underlying the Constitution "tending to fit all classes of the population without distinction to take their due share in the public life and government of the country". I am sure that even the most ardent apologist of the Government will not deny that in common with the rest of the country, all important appointments in this Presidency including those of Executive Councillors and Ministers are always made very largely if not entirely on the basis of "Safety-first". I readily recognise that there are and have been a few honourable exceptions in both sections; but I am now discussing the general practice and not the exceptions. As the address under discussion does not however include Executive Councillors within its scope, I shall accordingly leave them out of account for the present and confine my remarks only to the Ministers.

Considered in this light, the simple question that this House is therefore now called upon to answer is whether the present incumbents of these posts, who are under discussion, are such as are likely to satisfactorily promote the object underlying the institution of Ministers and enable the House to so work the Constitution as to bring out the best and most constructive qualities of the various elements composing it, not only to the advantage of the public and the benefit of the administration, but also in a manner which is likely to hasten the progress of the people towards the goal of self-government. That is the most important question to consider, upon the correct determination of which must finally depend the accuracy and force of the demand embodied in the address and the very important constitutional issues connected therewith.

[Mr. J. B. Petit]

I believe I am not wrong when I say that appointments to the Ministry in this Province with one or two honourable exceptions have been made up to now, ostensibly on the strength of their followings in the House, but really and truly because of their capacity and desire to work on the lines of least resistance and in the grooves chalked out for them, either by the reserved section of the Government or by the able body of civilians behind the Government front-benches, who are, to all intents and purposes, the guides, friends and philosophers of our so-called "popular Ministers". Owing to the difficulty of retaining such men in power for any length of time, unconstitutional alliances between the Government and two or three big groups in the House, accordingly appear to have been tacitly made, by which a standing and compact majority is assured to the Government, ready to vote for them on all occasions and under all conditions irrespective of the merits of the question, in return for appointments to the Ministry, to the Deputy Presidentship, and to the several committees and other public bodies to which this House is entitled to send its representatives, all gaps and leeways occurring owing to an excess of the demand over the supply being satisfied by a constant and plentiful distribution of sugared plums, so that the underlying idea of the pacts may continue undisturbed.

In view of all these circumstances, it is for honourable members to determine whether the present Ministry does or does not command the confidence either of the House or of the larger section of the public outside it.

Let us now pause and consider for a moment quite frankly and freely what effect this permanent compact majority at the back of the Government has had upon the Government themselves, upon the House and upon the progress of the Province towards self-government. Personally, I have no hesitation in saying that such an unconstitutional procedure is absolutely incompatible with the wording and the spirit of the present Act; and has otherwise proved itself disastrous to the best interests of the Presidency in a variety of ways and directions, too numerous to detail in the course of a brief speech. A little examination will make this abundantly clear. So far as the Government themselves are concerned, it has made them wooden, self-centred, obstinate, unsympathetic, isolated and altogether impervious to public opinion and influence. So far as the House is concerned, its effect has been more disastrous still. It has practically stifled all active interest that the members ever felt in it. It has not only deprived them of all powers of initiative, of persuasion and of constructive work, but has also chilled their faith in the Councils and damped their ardour for constitutional activities of any kind. In short, its effect upon the non-official members has been worse than the effects of the present official bloc, which is referred to in the Montford Report on the Constitutional Reforms in the following very significant terms :—

Page 55, paragraph 86 of the Report—

"The effect (of the official bloc) upon the proceedings in council can be readily imagined. The Government mandate has been compared to the rigidity of party discipline in the House of Commons, but, as we think, to little purpose. The reason which induces

[Mr. J. B. Petit]

a member to acquiesce in the whip's bidding is the perception that, as the defeat of the Government ordinarily means a change of ministry, it is his duty to sacrifice his personal opinions on a particular point for the greater principles for which his party stands. Moreover, there comes a time when individual judgment asserts itself and Governments fall because some of their supporters vote against them. The essence of the system is political responsibility. But the official obligation to vote with Government in an Indian legislative council is continuing, and is not made palatable by any necessity of securing an irremovable Government from demise; and as Mr. Gladstone saw many years ago, the conflict between conscience and discipline may become acute."

Page 56, paragraph 87 of the Report—

"Upon the Indian members of the legislative councils, the effect is frankly irritating. It prejudices in their view the position of the official members who form the bloc. Indian members may share in a debate in which the majority of speakers, and in their eyes the weight of argument, are arrayed against the Government. The Government having only one view to present often contents itself with doing so through a single mouthpiece. But when a decision is taken the silent official phalanx effectively carries the Government measure or votes down the private member's resolution. The Indian members' views are therefore rarely placed on record as the opinion of the council, because the council's decision is in a majority of cases the decision of the Government. We may add that most Governments dislike the use of the official bloc, and that most of the men who compose it dislike the position in which they find themselves. The fact that Indian officials in the councils are rare, and that the few English non-official members as a rule vote with the Government, helps not merely to exacerbate the cleavage, but to give it an unamiable character. It tends to stimulate the discussion of racial questions and to give an edge to the debate. But above all the official solidarity naturally stifles any differences that exist between Indian elected members and drives them to a league against Government, into which the nominated Indian members also tend to enter."

Page 56, paragraph 88 of the Report—

"These factors contribute to the unreality of the proceedings. Because the number of elected members is small, and the issue is often known beforehand, the debates lack life unless feelings are aroused or interests are directly affected; and because the Government has to a great extent controlled the proceedings, the councils have not felt the need of developing any corporate opinion which would have the effect of raising the standard of individual performance. * * * Experience of the occasions when Government has withdrawn from the discussion and left the natural cleavages of opinion to declare themselves, shows how much greater vitality may be infused into the council work in future if the official bloc be withdrawn."

A careful perusal of the passages I have quoted, will, I am sure, convince every honourable member of this House of the intensity of the feelings of the framers of the Report on the harmful effects of the permanent official bloc. Mr. Montagu also, at page 76 of his Diary, whilst referring to the matter, speaks of it as "a thing which cannot be tolerated". If this is the effect of the small official bloc, it is for honourable members of the House to imagine for themselves how much more demoralising must be the real effect of the present very much larger coalition-bloc, if I may call it by such a name, brought about in the manner I have already described, and always acting as an automaton on all questions coming before the House in obedience to the mandates of the Government, irrespective of their merits or the wishes of the House. Its effect upon the public mind and upon the cause of Self-Government in the country is still more devastating. The public have now come to regard this Council as merely an appendage of the Secretariat, existing solely for the purpose of confirming and registering the previous decisions of the Government, and not,—as it should and is intended to be,—an integral part of the constitution and an important step in the country's journey towards the goal of complete Self-Government. The result is

6 p.m.

[Mr. J. B. Petit]

that this House at any rate has now completely forfeited even in the eyes of moderate and constructive workers, what little respect and prestige it ever commanded. It would have been bad enough if such a thing had happened in consequence of the activities of the I.C.S. and the English members of the Government; and I could at least have understood their attitude. But, I have no patience with my own countrymen when I see them manœuvring for the creation of such unconstitutional and discreditable conditions as I have already described. The present deplorable state of affairs may be regarded as a point of personal victory and individual glorification by the Honourable the Leader of the House, who is really responsible for the whole movement; but it cannot be denied for a moment, that it has irretrievably emasculated the Council, committed a serious breach both of the spirit and the letter of the constitution, and substantially retarded the cause of Self-Government in the country. And that too, in the enlightened and progressive province of Bombay, of which even the critical Mr. Montagu spoke in terms of the highest admiration. This is what he says of Bombay (at page 146 of his Diary):—

" ..... No wonder, in my opinion, that people are inclined to go further in Bombay than they are anywhere else.....If it were not for the one difficulty of their finding men, I would not have the slightest hesitation in giving Bombay complete responsible Government—not the slightest ". At page 165 of his book, he further speaks of Bombay as " the happiest and most progressive part of India, in which we ought to be able to go much farther than anywhere else ".

It is contended on behalf of the Government that this agitation is spurious and interested, that the appointments of Ministers have always been made in the spirit of the constitution and that they command the complete confidence of the public. The fact that the House has never dreamt of passing a vote of censure against them or of cutting their salaries, and has invariably sanctioned all their requests for grants and other proposals is among the several grounds advanced in justification of this statement. Having regard to the persistence with which it is made and the possibility of its acceptance as gospel truth in certain ill-informed quarters, I think it is due to this House that this astounding claim should be examined a little more carefully.

Let us turn once again to the Reform proposals, and see what they have to say in the matter. The two essential conditions necessary to enable a Minister to function with success in the spirit of the Act, are the extent of real responsibility vested in him; and his natural capacity to exercise it in a manner acceptable to the electorates and the public at large. There are numerous significant references in the scheme to the necessity and desirability of transferring power and responsibility to the representatives of the people in the persons of the Ministers; and of enabling them to so function with independence as to respect the wishes of the electorates, as reflected in the Councils. The authors of the scheme have taken care to define the word " responsibility " in more than one place. At page 140 in paragraph 215, they have defined it " as consisting primarily in

[Mr. J. B. Petit]

amenability to constituents and in the second place in amenability to an assembly". As to the qualifications of the persons to be selected by the Governor both as Executive Councillors and as Ministers, a certain amount of indication has also been given in the scheme. So far as the Ministers are concerned, their representative character is assumed by their nomination only from among the elected members of the Councils and by their ultimate responsibility to the electors, the clear and natural inference being that they should hold office only so long as they command the confidence of the public. The Report at page 142, paragraph 219, further makes the position still clearer when it speaks as follows:—...." On these (namely the transferred) subjects, the Ministers together with the Governor, would form the administration. On such subjects their decisions will be final subject only to the Governor's advice and control". A little later on in the same paragraph, it is stated that " .....On his (namely the Governor's) part, he will be willing to meet their (namely the Ministers') wishes to the farthest possible extent in cases where he realises that they have the support of popular opinion". Again, a little later on, it is stated as follows:—".....We do not intend that he (namely the Governor) should be in a position to refuse assent at discretion to all his Ministers' proposals". To make these recommendations binding, they have been specifically referred to and emphasised for the guidance and observance of the Governors of Provinces in the " Instrument of Instructions " issued to them in the gracious name of the King-Emperor.

I can quote similar passages by the dozens, both from the Report and from Mr. Montagu's Diary to conclusively prove that the framers of the Act intended that the Ministers should be selected only from among the competent and experienced members of the House and not merely because they belonged to certain groups or parties in the House having adherents of their own, who unfortunately at present are being used for carrying out the mandates of the Government instead of the wishes of the electorates. Wherever the scheme speaks of a " following", it is clear either from the context of the paragraph itself or the whole tenor of the Report, that what is really intended is the intelligent following of a political party brought together for the advancement of a political principle, and not of the small inconsequential groups that have been formed and are being fostered in the House, very largely with the help of the Government themselves, for promoting purely communal and sectional interests and for securing the loaves and fishes of office for their members in all departments of the administration.

In view of all these facts, Sir, it is futile for the Government to argue that their Ministers are functioning at present either in the spirit of the Act or that they command the respect and confidence of the electorates and the public, merely because they happen to represent certain communal groups, formed and conducted on the selfish and sectional basis which I have already described.

To be fair to the Government and the Ministers themselves, let us, Sir, consider the question from yet another angle of vision. If our so-called " popular Ministers " really have large followings at their backs; if they

[Mr. J. B. Petit]

command the confidence of the public and reflect the views of the electorate, and if they are functioning in the spirit of the Act, may I inquire, Sir, whether they have ever enunciated a single new policy and placed it before the House for its consideration, or whether they have ever introduced a new reform or a new line of action in connection with their own departments? May I also inquire if they have ever once given a lead to the House in any matter, or if they have ever differed in connection with any of their departments either from the Governor, or the reserved half of the Government, or the Services? May I also inquire if they have ever tried to impress upon the Government the wishes of the public and of this House in any matter connected with the administration as a whole; or ever tried to influence the reserved section with their knowledge, if any, of the wishes and sentiments of the public? May I also inquire if they ever brought to the notice of the Government, the intense feeling of resentment prevalent in the Province against the "Ordinance Bill" when it was introduced? Do our Ministers know that owing to the compelling influence of the Ministers in the Central Provinces the Government there did not even dare to introduce such a Bill in their Council? That is the only Province in India that has acted in this courageous manner; and all honour to them for having done so. May I also inquire, Sir, if our Ministers have ever lifted even their small finger to guide this House in any way in its journey towards Self-Government? If not, why not? Surely it cannot be contended that they have never differed from the Governor or the reserved section of the administration, or that there were no suggestions to make or no lead to give or no differences to negotiate or no specific views of the electorate to enforce. If the Ministers have reliable and permanent followings of their own, as they are supposed to have, why do they not depend on them and chalk out their own policies in consultation with the rest of the House? Why do they always depend on the Government following, and also tamely walk into the Government lobbies, even on questions on which the House and the electorates hold the most emphatic views to the contrary? One single instance that occurred in our Province would be enough to show that their followings, if any, are very shifty and unreliable in cases of emergency. It is the instance of the Death-Duty Bill that the Government had introduced two years ago. The Government were in a funk and could not pass it even with the help of these precarious followings of the Ministers. Do they know that in the Central Provinces, the Ministers always depend on their own followings and never vote with the Government, except when they agree with them? Have our Ministers the strength and the grit to do so? If they ever differed from the Government or the reserved section in any matters referring to their departments, would they have the courage to insist upon their point of view being carried out? I shall give an instance to make my meaning clear. I shall again have to go to the Central Provinces for emulation. A Minister in the Central Provinces in the ordinary course of his routine duties once issued an order transferring a Civil

[Mr. J. B. Petit]

Surgeon —an Englishman—from one place to another. The Governor (I believe it was Sir Montague Butler) sent for him and objected to the order, on the ground among others that all "appointments" were under him, that the officer concerned had been given an assurance that he would not be transferred because the climate and the place suited him and his family, and that therefore the order should be cancelled. The Minister, for very good reasons, refused to do so and insisted upon his order being carried out. The Governor however persisted in his attitude and issued a notification over the head of the Minister, cancelling his order and reinstating the officer who had been transferred. As any self-respecting man should have done, the Minister promptly tendered his resignation. His colleague in the Ministry also did the same in order to uphold the rights of the Ministry. A crisis followed, with the result that the Governor had to withdraw his notification and the original order of the Minister prevailed. I wish to ask our Ministers in all seriousness if in the event of such a contingency ever arising in our Province, they would have the courage and the grit to act similarly? I doubt very much. It may be said that we manage our affairs so well and satisfactorily in our Province that such contingencies will never arise. We all know that such is not the case. If however such an argument is ever seriously advanced, all that I can say is that nothing can be a greater travesty of truth than such a statement.

It is therefore natural, Sir, that under these conditions, we find that the present Council, at least in this Province, is a reproduction of the old administrative machine in a new garb, with all real power still concentrated in the hands of the bureaucracy, and the spirit of the former regime permeating the entire fabric from end to end. No wonder also that our present-day Councils throughout India in spite of all the larger powers that they now enjoy, are weaker and less effective than the Councils of the days of Pherozeshah and Gokhale. All honour to those stalwarts for making themselves felt in spite of the many constitutional limitations and restrictions under which they had to work.

But, Sir, as one or two honourable members have said before, the fault is entirely our own. If we only knew our own mind and realised the value of our own privileges, we could end this state of affairs in no time; and no Minister who did not command the confidence of the House could function for more than two minutes. I shall go a step further and say that we ought to be ashamed of ourselves for not using these powers in the manner that we should and for allowing the present unsatisfactory state of affairs to drag on; and I am myself quite prepared to take my share of the blame, if any. But that fact cannot exonerate the Government, particularly the Honourable the Leader of the House, of the charge of misusing the powers vested in them and of so working the Act as to defeat the very purpose for which it was enacted. The Members of the Government, including the Indian section thereof, are our elder brothers in the business, having experience of the details of the internal working of the administration; and it is their duty to train us in the art of Self-

[Mr. J. B. Petit]

Government,—a function, which they have lamentably neglected up to now to the grievous disadvantage alike of the House and of the cause of Self-Government in the country.

For all these reasons, Sir, I hold that it has been sufficiently established that our Ministers do not command the confidence of the House and the public; and that therefore it is necessary to reconstruct the ministry at the earliest possible moment.

I accordingly support the motion before the House.

The Honourable the PRESIDENT: I do not think there are any honourable members who wish to speak and the time is running on. I have to give an opportunity to the honourable mover as well as to the Honourable the Leader of the House for a reply. I think we should conclude this debate today, because if I were to give an opportunity to all honourable members who wish to speak and then to postpone the debate on account of it not being finished this evening, it would mean that it would have to be taken over to the next non-official day. I do not know whether honourable members would like that to be done. I therefore call upon the honourable mover for a reply.

*Rao Bahadur G. K. CHITALE (Ahmednagar District): Sir, I have listened very attentively to the speeches that have been delivered this evening by honourable members on both sides, viz., those who have supported me and those who have opposed me, and it will be my duty now to give a short reply to my honourable friends who have opposed me. My honourable friend Dewan Bahadur Dongarsing Patil has found fault with me and the system and asked, what would any other Minister have done if he were transplanted into that position? No doubt it is a poser. May I point out to him (and also by way of a reply to my honourable friend Mr. Patel from Kaira) that he has not understood the constitutional position altogether? Ministers in the Cabinet are intended to take us into their confidence and to lead the House, it is not for us to lead them, and therefore what I stated was that it is very easy to say that we are distracted, we are quarrelling amongst ourselves and therefore they are installed in those places, but that begs the whole question. The question that I wish to raise and that I have tried to argue was that the Ministers, knowing the whole situation from inside, it is their duty to come to us in explanation of any policy of theirs and then, as a matter of fact, to be logical, to convince us of their point of view and to get our verdict. If they get that verdict in their favour and if they do not get what they want from Government it is their duty to resign. I do maintain, Sir, that the responsibility on the Ministers is much greater than what the House and the members consider it to be. Take, for instance, the policy of primary education. Its policy is settled. The then Minister of Education, Mr. Jadhav, stated in 1924 that it shall be continued and the whole thing would be brought into being at no distant future. I ask, Sir, ever since the 8 years has any of the Ministers

* Speech not revised by the member.

[Rao Bahadur G. K. Chitale]

come forward to us and said "No. I shall have no limits to the funds that are being put before us, I am not satisfied with the allotments made to my departments, I shall appeal to the Council for more funds, explain the position to them and get the funds from them?" Sir, to our great regret we find that our Honourable Ministers cannot hold the House for a couple of minutes and I do not know what kind of battle they must be waging in the inner Cabinet against the stalwarts who have been in the Cabinet many a year. My honourable friend to my right pointed out two instances in the Central Provinces. To them I might add the instance which occurred in our own first Council. I know it for a fact that the Ministers were capable of enunciating a policy and carrying it out, they did not care for the offices which they held, they took the whole of the non-official section of the House into their confidence, fought for it and got it. I am only mentioning here the cut of about Rs. 60,000 in a secondary education grant. The House by a majority of votes carried it and then, Sir, the very next day the two Honourable Ministers, namely, Dr. R. P. Paranjpye and Mr. (as he then was) Chunilal V. Mehta went to the Cabinet and placed their resignations before His Excellency the Governor and I know——

The Honourable Sir GHULAM HUSSAIN: Sir, I know of no such resignations, unless the honourable member Rao Bahadur Chitale was in the confidence of those two Ministers. I was a Minister myself then.

Rao Bahadur G. K. CHITALE: After that the cut was restored and given on Monday, only a day's interval there was. That cannot be challenged. What I am pointing out is this that it is too true that we are divided amongst ourselves. I recognise it, but we have been, if you, Sir, would allow me to use the word, absolutely "emasculated" in the sense that by the bestowal of small jobs, small favours which come absolutely to nothing, we have been emasculated, and then, Sir, we have some jesters of the House who come in now and then and make some antics in order that our voices should be drowned. I know it to be a fact, Sir. I have no ill-will towards my friends. In fact, I say that the Honourable Minister should have come to this Council in the case, for instance, of the reversal of the rationing policy which I have referred to and got our verdict on it; any Minister worthy of the name would have come up with a resolution before this House and said that the policy which was of rationing and which was arranged and accepted by this House, if it was going to be given the go-by, was going to be discontinued. He would have moved a resolution in this House, taken us into his confidence and then laid down the policy which the House might have desired him to lay down. As a matter of fact, it was with very great difficulty that we could bring forward that particular subject for discussion. My honourable friend the Minister rather blamed us that we did not do this, that and the other thing. I am taken to task, Sir, by some of the honourable members, that I have not got sufficient courage to move a censure motion or a motion of want of confidence. They will

[Rao Bahadur G. K. Chitale]

excuse me if I tell them here and now that personally speaking, I will be no party to such a motion, that I will set my face against it, because, after all, they are my own countrymen and I do not wish that they should be put before the public by way of a censure motion which, even though we may not be able to carry it in a House constituted as we are at the present moment, will carry its own tale, and I assure the House that in no case shall I be willing to table a motion of that kind, except perhaps on such an important occasion in which the whole House desires that a particular motion should be tabled.

As regards my honourable friend Mr. A. N. Surve's argument, owing to his natural defect I am afraid he has not heard my speech properly. Naturally, therefore, I cannot blame him but then I was rather surprised at his telling this House that he had read the Government of India Act and that the term of this Council could be extended to a particular period forgetting all the while that Parliament has already given it a much longer life than has been given by the Government of India Act, and I am absolutely sure that we are not going out of office for the next two years. I am afraid my honourable friend Mr. Surve has not read the history, the signs which we find on the wall, namely, that under any circumstances, after the Government has made up its mind not to have elections on the old electorate, the elections would not be brought into being this coming October. All the people who have an inside knowledge of the subject tell us that the earliest month in which we can expect the elections to be held will be November 1935 in which case we shall be coming here again under the new electorate in 1936, and therefore it was that I stated that it was more than two years from now and therefore I was anxious to dispel that kind of delusion under which my honourable friend was labouring. I do not wish to be personal again, Sir, and I do not wish to refer to the H. O. H. Fete, but if that is the only test or qualification of our new Minister, then "Goodbye". Then, instead of enhancing his prestige, I think he has lowered it.

6-30 p.m. Well, Sir, Ministers do not exist for H. O. H. fetes and other tamashas for the sake of getting money. I think it is his right and duty to go to the Cabinet to get more money out of the Government, and come to us if he does not get that money and get a vote from us.

I recognise, Sir, that my honourable friend Khan Bahadur Cooper is new to the office, but I must say, if he will excuse me as an old friend of his, that his action in such a short time in superseding two municipalities and the appointment of the St. George's Hospital Committee do not inspire confidence in him. [*An Honourable Member:* Hear, hear.] I believe that advantage has been taken of the fact that he is new to the office. We had a full dress debate on the question of the St. George's Hospital. The chairman of the committee is the very personage who was opposing any enquiry. And the stalwarts of the opposition, namely, persons like Dr. Gilder, who knows his business best, are nowhere to be found on the committee. Is that an action likely to carry conviction and inspire

[Rao Bahadur G. K. Chitale]

confidence in us? I am only making a present of it to the Government. I do not wish to say anything further than that, and in my friendliness, I would advise the Minister to see that these things are not repeated. By all means, have as much opposition on your committees as possible. That disarms opposition in the open House. Instead of the committees being stuffed with people of one opinion, it is much better to have some opposition members on them, so that they may bring their points of view to bear on the questions. And even now, if it is not too late, my prayer to the Honourable Minister is that he should nominate Dr. Gilder on that committee. Nothing is going to be lost by it. I know the honourable member; he will fight his battles there. I do not want to say anything disparaging about or anything against the members of the committee. So, I say in these last three months, we have had an earnest of his policy which, if he will pardon my saying so, has taken away my confidence.

On the general question and the advice that is given to me that I should withdraw my motion, I feel that it is not a matter for withdrawal, though I am not going to take it to a division. It is in fact an Address to the Governor, so that our grievances, our thoughts and what we feel may be before His Excellency. That purpose is served. I do not wish that such a motion should ever be taken to a division. But that does not deprive us of our rights as elected members to have our say. Should we say nothing and sit silent?

One more word, as regards the Ministers educating the general electorate. I know that as a matter of fact they do not educate us here, but they do not also educate the general electorates. I say this because the tours of the Ministers are usually managed in such a way that the whole time is taken up by either addresses or *pan suparis*. The poor voters, the poor electorates have no place in the Ministers' existence. Again, I hope that my honourable friends the Ministers will pardon me if I make a friendly suggestion that instead of accepting addresses and giving stereotyped replies, they do more often come in contact with the people, know what they think about them and their work. Then I think things would move much faster.

I have nothing more to say. I beg the Honourable Ministers' pardon if I have wounded their feelings in any way. If I have done so at all, it is because I think it is a duty which I owe to my electorate, and which I feel I have done.

The Honourable Sir GHULAM HUSSAIN: Sir, it is gratifying to note that on this occasion the debate has been on a high level. Sir, I have heard the speeches of the honourable mover of this address as well as of his supporters, though they were very few in this House, but I have never heard people condemning themselves more than the honourable mover and his supporters. They are blaming themselves when they say that there is no unity in this House. Whose fault is that? May I ask them? The only effective remedy that was suggested by my honourable friend Mr. Petit was that, if the Ministers' wishes are not carried out by

[Sir Ghulam Hussain]

Government, they should resign and go back to their electorates. But I am afraid that, even before they resign and go back to their electorates, there will be a great scramble for Ministerships. When a Minister merely falls ill, everybody runs about here and there. Most of the members of this House—they will excuse my saying so—are found everywhere canvassing for Ministerships. How can they blame the present Ministers? If they resign today, there is no dearth of other members to take up their places.

Then the honourable member Mr. Petit says that we passed the Ordinance Bill with the help of the followers of the Ministers. At the same time he says that in the case of the Succession Duty Bill, the Ministers could not influence their followers. Yet he says that we carried the Ordinance Bill with the help of the followers of the Ministers. As regards the Ordinance Bill, if my honourable friend reads the proceedings, he will find that the majority of the elected members voted for it.

Now, Sir, coming to my honourable friend Rao Bahadur Chitale, who is the mover of the motion, he has—if he will pardon my saying so—communalism on his brains. Now, what are we here in this House? What are all these gentlemen? Most of them are Hindu friends of mine. Who are the non-Brahmins? They are my honourable friend's Hindu friends; and the depressed classes are also Hindus. If they have no confidence in one another, it is not the fault of Government. If they, being of the same religion, being kit and kin, cannot combine and form a party on an economic basis, why blame the Christians, or the Mahomedans, or any one else?

Rao Bahadur G. K. CHITALE: I blame none.

The Honourable Sir GHULAM HUSSAIN: You have blamed them. In the proposed Address, the honourable mover has stated that because there is an extension of the term of the Council for two years, therefore there is the necessity for changing the Ministry. That is one of the grounds stated. Well, I am sorry it does not lie in his mouth, when he wants to stick to his own seat, to grudge the Ministers two years more in office. He is sticking to his seat for two years more, but he grudges the Ministry an extension of office for the same period.

Rao Bahadur G. K. CHITALE: I will resign to-morrow. Will there be a change in the Ministry then?

The Honourable Sir GHULAM HUSSAIN: If the honourable member sets an example, then we will consider the position.

Rao Bahadur G. K. CHITALE: I am ready to do so.

The Honourable Sir GHULAM HUSSAIN: Then, Sir, the other Minister has been with us for three years. He has stood the test of three budget sessions and three more other sessions. He has never been defeated in this House by the vote of the House. He enjoys the full confidence of the House. The whole trouble has been—my honourable

[Sir Ghulam Hussain]

friend will excuse me for saying it—over our new Minister, Khan Bahadur Cooper, about whom I shall speak presently.

Rao Bahadur G. K. CHITALE: You are wrong.

The Honourable Sir GHULAM HUSSAIN: The honourable member may disclaim that intention. But we are shrewd enough to understand it. The whole House knows the honourable member's object. My honourable friend has blamed the Ministers for not asserting themselves. I can assure honourable members that both of them have been asserting themselves. On many occasions, they have not followed my advice as Finance Member, and they have got the money against my wishes. I can give an instance of last year, when the Honourable Minister got more money for primary education against my wishes.

Rao Bahadur G. K. CHITALE: Taking the other way 7 lakhs by other taxation.

The Honourable Sir GHULAM HUSSAIN: Then about his fears regarding the Second Chamber, I do not find my honourable friend the Leader of the Opposition here, but speaking subject to correction, I think he was the greatest advocate of Second Chambers. But I can assure my honourable friend the mover that, as far as I am aware, the present Ministers have not supported Second Chambers.

Dr. P. G. SOLANKI: Who spoke about Second Chambers?

The Honourable Sir GHULAM HUSSAIN: The Leader of the Opposition, whom I do not see in his seat now.

Rao Bahadur G. K. CHITALE: What I said was that our late Governor Sir Frederick Sykes was advocating the institution of Second Chambers.

The Honourable Sir GHULAM HUSSAIN: Then, Sir, I can assure honourable members that we have been working towards joint responsibility. On almost all occasions, questions of importance are discussed, whether they relate to transferred or reserved departments, in Joint Council. Therefore, we are trying to introduce the element of joint responsibility, and the reserved half is always amenable to the transferred; and the Ministers themselves realise that both of them have to work together.

Then, Sir, I noticed the way in which the honourable mover moved his motion. He said he was ill. So am I, Sir. But the honourable member was feeling nervous, though I am not feeling nervous, because I know I am on very strong ground. But my honourable friend had the consciousness of the weakness of his case. My honourable friend Mr. Petit referred to moral courage. I would put it the other way. Had the honourable mover such moral courage, he would have resorted to the direct method. But in his case the grapes were sour. He ought to have brought a motion of "no confidence". Why does he want to go about in this round about

[Sir Ghulam Hussain]

fashion and propose an Address to the Governor ? The Ministers' salaries were before this honourable House, and he could have moved a cut in them. That would be the real test. Now, I generally do not take my honourable friend very seriously. This is one of his usual poses to create a little stir and excitement in this House. In this very session of the Council, when the budget was passed. both my honourable friends the Ministers carried their demands. That shows that they enjoy the confidence of this House.

Now, Sir, one of the Ministers has been in office for three years. Therefore, as I said, this motion is directed against the new Minister. The true test has been laid down by my honourable friend Mr. Petit, that a Minister should enjoy the confidence of the majority of this House and outside, though that is not stated in the Montagu-Chelmsford Report. I have already proved that he enjoys the confidence of the majority of the House. Now, my honourable friend the new Minister belongs to the Parsi community, to whom, I must say, we owe a debt of gratitude for their lead in politics, commerce and industry, and for their catholic charity. Who was the predecessor of my honourable friend ? He was also a Parsi. He did not belong to this party or that party. Now, how far does the new Minister enjoy the confidence of the people of his own district ? From which district does he come ? He comes from a district which is the stronghold of the Leader of the Opposition. And what is his position there ? With only a handful of Parsis, he has been the president of the district local board, and president of the municipality, and he has been returned to this House. I might call him the uncrowned king of Satara, which is the stronghold of the Leader of the Opposition. Even in this House, so far everybody seems to be in his favour. He enjoys the confidence of the majority of this House.

Now, Sir, I have already stated that the other Minister has been in office for three years, and so far there has been no move against him. So, it is apparent that the present move is against the new Minister. It is stated that he should have been selected from some other party. So far as I can see, the two main parties are the Mahomedan party and the non-Brahmin party ; and there is the other party, whatever it may be called. Had a Mahomedan been selected, Government would have been accused of favouring the Mussalmans. It would have been said " One Mahomedan is a Member of the Executive Council, another is a Minister, and the third is the President of this House. Had a non-Brahmin been selected, it would have been said that there are two non-Brahmins in the Cabinet. If a member of the opposition had been appointed, what would have been the position of that Minister ? He and his followers would have either supported Government or opposed it. In the former case, he would cease to be a Leader of the Opposition, and there would be no party behind him. In that case, the people would say " Look at this shrewd Government, they have gagged or bought off the opposition and thus destroyed it ". If his party did not follow their Minister, what would be the meaning of appointing such a Minister at all ? Had a Minister, therefore, been

[Sir Ghulam Hussain]

appointed from that party, there would have been all these objections. But no such objection can be raised against the present Ministers. So, honourable members will see that both the Ministers enjoy the confidence of the House. They not only enjoy the confidence of this Council but of the people of the place from where they come. The Honourable Khan Bahadur Cooper enjoys the confidence of his constituency; as I just said, he is the uncrowned king of Satara. There are only a handful of Parsis in Satara. With whose votes has he come in? Not Mahomedan, not Parsi, but from a general constituency. It is with the majority of Hindu votes that he has come in. So, he is a representative of the Hindus rather than of anybody else. So, my Hindu friends should not have any grievance against him but rather welcome him as one of their own.

An Honourable MEMBER: He is a Gujarati.

The Honourable Sir GHULAM HUSSAIN: He is, but he has come in with the vote of the Hindus, which you and I cannot get. I think my honourable friend will, therefore, be well advised to withdraw his motion.

Rao Bahadur S. K. BOLE: Appoint him as an honorary Minister.

Question put, and negatived.

BUSINESS OF THE HOUSE.

The Honourable Sir GHULAM HUSSAIN: To-morrow we will proceed with the motion for election of members to the Finance Committee and the various railway advisory committees. My Honourable Colleague will then take up his Bill (Maternity Benefit Bill). If there is still time left, we will give it to the honourable member Rao Saheb Kulkarni to move his statutory motion.

It being 50 *minutes past* 6 *p.m., the House adjourned till* 10 *a.m. on Saturday, the* 17*th March* 1934.

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Saturday, the 17th March 1934.

The Council re-assembled at the Council Hall, Bombay, on Saturday, the 17th March 1934, at 10 a.m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present:

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr. A. B.
ADVANI, Mr. P. B.
AMINUDDIN, Mr. SAIYID
ANGADI, Rao Bahadur S. N.
ARBUTHNOT, Mr. C. W. E.
ASAVALE, Rao Bahadur R. S.
BAKHALE, Mr. R. R.
BANGI, Mr. A. K. J.
BELL, the Honourable Mr. R. D.
BIRADAR, Sardar MAHABOOBALI KHAN
BOLE, Rao Bahadur S. K.
CHIKODI, Mr. P. R.
CHITALE, Rao Bahadur G. K.
CLEE, Mr. C. B. B.
COLLACO, Dr. J. A.
COOPER, the Honourable Khan Bahadur D. B.
COVERNTON, Mr. S. H.
DAVIS, Mr. G.
DESAI, Rao Saheb B. G.
DESAI, Mr. H. R.
DESAI, Mr. S. B.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
D'SOUZA, Dr. J. ALBAN
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GARRETT, Mr. J. H.
GAZDAR, Mr. MAHOMED HASHIM
GHULAM HUSSAIN, the Honourable Sir
GHULAM HYDER SHAH, Mr.
GILDER, Dr. M. D.
GOKHALE, Mr. L. R.
GOVER RORA, Mr.
GREAVES, Mr. J. B.
JITEKAR, Mr. HAJI IBRAHIM
JOG, Mr. V. N.
JONES, Major W. ELLIS
KALBHOR, Mr. G. M.
KAMAT, Mr. B. S.

KAMBLI, the Honourable Dewan Bahadur S. T.
KARBHARI, Mr. M. M.
KENNEDY, Mr. T. S.
KHUHRO, Khan Bahadur M. A.
KNIGHT, Mr. H. F.
KULKARNI, Rao Saheb P. D.
LANE, Mr. C. M.
LELY, Mr. W. G.
MAXWELL, Mr. R. M.
MEHERBAKSH, Khan Bahadur S.
MODAK, Rev. R. S.
MORE, Mr. J. G.
NAIK, Sardar Rao Bahadur B. R.
NAVLE, Rao Bahadur N. E.
OWEN, Mr. A. C.
PANJABI, Mr. K. L.
PARULEKAR, Rao Bahadur L. V.
PATEL, Khan Bahadur A. E.
PATEL, Mr. C. N.
PATEL, Khan Bahadur VALI BAKSH A.
PATIL, Dewan Bahadur D. R.
PATIL, Mr. N. N.
PATIL, Mr. V. N.
PATIL, Rao Saheb V. S.
PETIT, Mr. J. B.
PRADHAN, Rao Bahadur G. V.
PRATER, Mr. S. H.
RAHIMTOOLA, Mr. HOOSENALLY M.
RESALDAR, Mr. A. K.
ROOSE, Mr. F. O. J.
SERVAI, Mr. A. E.
SHAIKH ABDUL AZIZ, Mr.
SHAIKH ABDUL MAJID, Mr.
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SINDHA, Mr. MADHAVSANG JORBHAI
SOLANKI, Dr. P. G.
SURVE, Mr. A. N.
SURVE, Mr. V. A.
SYED MIRAN MAHOMED SHAH
SYED MUNAWAR, Mr.
THAKOR OF KERWADA, Sardar BHASAHEB RAISINHJI
TOLANI, Mr. S. S.
TURNER, Mr. C. W. A.
VAKIL, Mr. PESTANSHAH N.
VANDEKAR, Rao Bahadur R. V.
WADKE, Mr. B. P.

ELECTION OF NON-BACKWARD CLASS MEMBERS TO BACKWARD CLASS BOARD.

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, I move:

That this House do proceed to elect three members of the Bombay Legislative Council from among the non-Backward Class members to represent general interests on the Backward Class Board after the expiry of the term of the present Board on March 31st, 1934.

Question put, and agreed to.

The Honourable the PRESIDENT: Now, regarding the election, the best time I think is 5 o'clock on Tuesday. The nominations should come in after tea time, before 5 o'clock on Monday. After that no nominations will be received. And the election will take place the next day.

ELECTION OF REPRESENTATIVES FOR RAILWAY ADVISORY COMMITTEES.

The Honourable Sir GHULAM HUSSAIN: Sir, I beg to move:

That this House proceed to elect a representative to serve on each of the Local Advisory Committees for the various Railways for the undermentioned periods, the appointments of the members at present sitting on the respective committees expiring on 1st March 1934.

Bombay Baroda and Central India Railway.—For a period of two years from 2nd March 1934 partly on the present Advisory Committee and then on the new Advisory Committee which will be constituted on or about the 15th February 1935, or till the date of a fresh election during the first session of the next Legislative Council, whichever be earlier.

Great Indian Peninsula Railway.—For a period of two years from 2nd March 1934 partly on the present Advisory Committee and then on the new Advisory Committee which will be constituted on or about the 1st June 1934, or till the date of a fresh election during the first session of the next Legislative Council, whichever be earlier.

Madras and Southern Mahratta Railway.—For a period of two years from 2nd March 1934 partly on the present Advisory Committee and then on the new Advisory Committee which will be constituted on or about the 1st April 1934, or till the date of a fresh election during the first session of the next Legislative Council, whichever be earlier.

North-Western Railway.—For a period of two years from 2nd March 1934 partly on the present Advisory Committee and then on the new Advisory Committee which will be constituted on or about the 15th March 1935, or till the date of a fresh election during the first session of the next Legislative Council, whichever be earlier."

Question put, and agreed to.

The Honourable the PRESIDENT: Now, the same procedure and the same time as for the other election. The nominations should come in at the latest by 5 o'clock on Monday, and the election will take place the next day.

Mr. S. S. TOLANI: Election at what time?

The Honourable the PRESIDENT: I leave it to the House whether it should be in the morning or after tea.

The Honourable Sir GHULAM HUSSAIN: I leave it to the honourable members.

An Honourable MEMBER: After question time, in the morning.

The Honourable the PRESIDENT: The nominations will be announced in the morning after question time and the elections will take place after tea.

ELECTION OF A MEMBER TO SIT ON THE FINANCE COMMITTEE.

The Honourable Sir GHULAM HUSSAIN: Sir, I beg to move:

That this House proceed to elect a member to sit on the Finance Committee elected in 1931 in the vacancy caused by the death of the late Mr. J. S. Kadri, formerly a member of the Bombay Legislative Council.

Question put, and agreed to.

The Honourable the PRESIDENT: The same procedure as for the other two elections. Nominations should come in before 5 o'clock on Monday, and the election will take place on Tuesday.

BILL No. XVI OF 1933 (A BILL TO AMEND THE BOMBAY MATERNITY BENEFIT ACT, 1929).

(*As amended by the Select Committee*)

The Honourable Mr. R. D. BELL: Sir, I beg to present the report* of the Select Committee on Bill No. XVI of 1933 (A Bill to amend the Bombay Maternity Benefit Act, 1929). The only statement I wish to make in presenting this report is that in the select committee by my own casting vote, and against my opinion, the provisions of the Act as it now stands in respect of the amount of benefit to be paid to women workers in the mofussil was restored. There was a division of opinion in the select committee on this point, and in accordance with the usual practice, I had to give my casting vote for the *status quo*. But on principle, I shall in the course of the discussion which follows, argue against the result of that casting vote.

The Honourable the PRESIDENT: The report of the Select Committee on Bill No. XVI of 1933 (A Bill to amend the Bombay Maternity Benefit Act, 1929) is presented.

Second Reading.

The Honourable Mr. R. D. BELL: Sir, I beg to move that Bill No. XVI of 1933 (A Bill to amend the Bombay Maternity Benefit Act, 1929) be read a second time.

Bill read a second time.

Question put, and agreed to.

Bill read clause by clause.

Clause 1 (*Short title*) ordered to stand part of the Bill.

CLAUSE 2.—(*Amendment of section* 5 *of Bom. VII of* 1929).

"In section 5 of the Bombay Maternity Benefit Act, 1929, hereinafter called the said Act—

(*a*) in the proviso to sub-section (1)—

(i) for the word "six" the word "nine" shall be substituted; and

(ii) for the words "notifies her intention" the words "gives notice" shall be substituted; and

(*b*) in sub-section (2), for the words "seven" and "three" the words "eight" and "four" respectively shall be substituted.

The Honourable the PRESIDENT: To clause 2, there is an amendment by the honourable member Mr. Turner.

Mr. C. W. A. TURNER: Sir, I move the amendment standing in my name.....

The Honourable Mr. R. D. BELL: Sir, I rise to a point of order. The amendment which the honourable member the Chief Secretary proposes

*Appendix 30.

[Mr. R. D. Bell]

to move is really a consequential amendment. I do not know whether it is in order to suggest that clause 3 be taken up first.

The Honourable the PRESIDENT : Where will this be inserted then ?

The Honourable Mr. R. D. BELL : This amendment should come after the amendment to clause 3. The present amendment is an amendment which will be consequential to the amendment of the honourable member the Chief Secretary to clause 3. If this amendment is moved now we shall be arguing about a consequential amendment. May I point out, Sir, that the Bill, as now drafted by the select committee, restores the flat rate of 8 annas maternity benefit both for the three cities of Bombay, Ahmedabad and Karachi, and for the Mofussil cities ? When that flat rate was agreed to in the select committee by my casting vote, what was clause 2 of the original Bill consequentially fell out, and if the amendment to clause 3, which the honourable member the Chief Secretary will propose is defeated, then this amendment, which is proposed now will not be required. I suggest that the main amendment, which is the amendment to clause 3, should be taken up first.

Mr. R. R. BAKHALE : The numbering may be changed later on.

The Honourable the PRESIDENT : The next amendment will be taken up first, but it should be to clause 2.

Mr. C. W. A. TURNER : Sir, I beg to move the amendment standing in my name :

In clause 2,

(*i*) delete the words and figures "the Bombay Maternity Benefit Act, 1929, hereinafter called";

(*ii*) insert the following as clause (*a*) :—

"(*a*) in sub-section (*1*), after the word 'day' the words figures and brackets 'in the cities of Bombay, Ahmedabad and Karachi, and elsewhere at the rate of her average daily wage calculated to the nearest quarter of an anna on the total wages earned during a period of three months immediately preceding the date on which she gives notice under sub-section (*1*) of section 6, or at the rate of eight annas a day, whichever is less' shall be inserted":

(*iii*) reletter the existing clauses (*a*) and (*b*) as clauses (*b*) and (*c*) respectively.

The reasons for this amendment are clearly stated in the dissenting minute on pages 2 and 3 of the Select Committee's report, which has been signed by the Honourable Mr. Bell, Mr. Davis, the Honourable Khan Bahadur Cooper, and myself.

Question proposed.

Mr. R. R. BAKHALE : Sir, I beg to move an amendment to the amendment which has been moved by my honourable friend Mr. Turner. The amendment runs thus :

In amendment No. 2, for sub-clause (*a*) of renumbered clause 3, substitute the following :—

"(*a*) in sub-section (*1*)—

(*i*) the words 'at the rate of eight annas a day' shall be omitted ;

(*ii*) a comma shall be substituted for the colon at the end of the word and figure 'sub-section (*2*)' and the following words, figures and brackets shall be added thereafter :—

"at the rate of—

(*i*) her daily wage with a minimum of eight annas a day in the cities of Bombay, Ahmedabad and Karachi and

(*ii*) elsewhere, her average daily wage or eight annas a day whichever is less.

[Mr. R. R. Bakhale]

The average daily wage shall be calculated, without any reference to any deductions or payments made in respect of fines, to the nearest quarter of an anna on the total wages earned during a period of three months preceding the date on which she gives notice under sub-section (*l*) of section 6."

Sir, I would like to make it clear that my amendment differs in one or two fundamental matters from the amendment moved by my honourable friend Mr. Turner. The present position under the Maternity Benefit Act is that a woman is entitled to get maternity benefit for a certain period at a flat rate of 8 annas a day. According to the honourable member Mr. Turner's amendment, a woman in Bombay, Ahmedabad and Karachi will get 8 annas a day and a woman at other industrial centres, where this Act may be made applicable, will get at the rate of her average daily wage whatever it may be. If the principle of average daily wage is to be accepted by this House, I suggest that that principle should be accepted for all the industrial centres where this Act may be made applicable. It is not fair that one principle, namely, the lump grant, should be made applicable to Bombay, Ahmedabad and Karachi, and in the same Act, another principle, namely, the average daily wage, should be made applicable to other industrial centres than Bombay, Ahmedabad and Karachi. I submit that you should select one principle or the other and make it applicable to all the centres alike.

Sir, before quoting the figures of wages which obtain at these different centres, I should like to point out the principle which generally underlies the payment of maternity benefits. These maternity benefit systems are designed to protect the health of mothers and children by providing adequate medical and nursing care in child birth and by so lessening the financial burden of the child on the child-bearing mothers that they may be ensured of a reasonable period free from excessive labour. This is really the principle underlying the maternity benefit legislation. There are three different ways in which these benefits are generally given. One is that these benefits are given under what is generally known as the health insurance system prevailing in different countries. Another method of paying maternity benefit is that the State pays these benefits out of public funds. And the third method is that the employer is compelled by law to continue to pay the female worker her wages during the period of absence from work in consequence of pregnancy or confinement. The first method, namely, benefits under the social insurance system, prevails in many of the modern countries in Europe. But it becomes successful only under a properly organised compulsory sickness insurance system. There are some countries, Sir, like Australia, France, Italy, and Spain, where the sickness insurance system does not obtain, but special systems of maternity assistance are established, under which a lump sum is given at child birth out of the public funds, in addition to benefits in kind. Ours is not either of these two methods. Ours is the third method which I have just described, namely, the employer is compelled to pay these benefits at child birth. Now, Sir, this being so, what we have got to consider is, whether in making payments by way of maternity benefits we should apply different principles or we should have the same principle.

[Mr. R. R. Bakhale]

My object in tabling this amendment is this. The amendment of the honourable member Mr. Turner benefits none; on the other hand it affects adversely a very large number of women workers in Bombay, Ahmedabad and Karachi. I have got figures of the number of women workers employed——

The Honourable Mr. R. D. BELL: Sir, did the honourable member say that the honourable member Mr. Turner's amendment affected adversely a large number of women workers in Bombay, Ahmedabad and Karachi?

Mr. R. R. BAKHALE: Yes.

The Honourable Mr. R. D. BELL: I hope he will explain how it does so.

Mr. R. R. BAKHALE: Well, Sir, it was not quite a correct statement. It affects the workers at centres other than Bombay, Ahmedabad and Karachi, but it does not help the women workers in Bombay, Ahmedabad and Karachi. I will give you a few figures of the number of workers employed at these three different centres and in other centres, the number of women who got maternity benefits during the last three years, since the Act has been in operation, and the amount spent on the payment of these benefits. From the annual report of administration of the Bombay Maternity Benefit Act, 1929, it is seen that in 1930, or during the year ending June 1930, there were 47,000 women employed in Bombay, Ahmedabad and Karachi, out of which 1,325 women got the benefits under the Maternity Benefit Act, and the amount spent on these benefits was Rs. 26,140. At other centres the number of women employed was only 6,000, and only 375—as against 1,325 in Bombay, Ahmedabad and Karachi—got the benefits under the Act; and the amount they got was only Rs. 8,000 as against Rs. 26,140 in Bombay, Ahmedabad and Karachi. In 1932, 4,630 women got the benefits at these three centres, as against 800 at the other centres; and 4,600 of the women of Bombay, Ahmedabad and Karachi got benefit to the extent of Rs. 1,08,000 as against Rs. 20,000 received by the 800 women of the other centres. In 1933, 4,700 women in Bombay, Ahmedabad and Karachi, got benefits to the extent of Rs. 1,10,000 as against 1,100 women in other centres who got Rs. 25,000. The result is this, that during these three years, namely, 1930, 1932 and 1933, 10,655 women got benefits in these three centres, as against only 2,275 at the other centres. The point I want to emphasize is this, that this amendment tries to affect the maternity benefits of these 2,275 women without giving any consequential benefit to the 10,655 women in Bombay, Ahmedabad and Karachi. Sir, it all depends upon what the wages are. The amendment of my honourable friend Mr. Turner is clear. The argument is: women at the mofussil centres get much less, possibly a little less than 8 annas a day as their average daily wage, and therefore, he says, it is not fair that an employer should be asked to pay maternity benefits in excess of their average daily wage. It is a proposition which I appreciate, but at the same time,

[Mr. R. R. Bakhale]

looking at it from the point of view of the working classes, it must be admitted that if you want to apply the principle of average daily wage at other centres, it is only fair that we should apply to the same principle to Bombay, Ahmedabad and Karachi, where under the same principle a large number of women are likely to get more than 8 annas a day.

10-30 a.m.

Sir, I have got the report of the Labour Office on an enquiry into wages and hours of work in the cotton mill industry for the year 1926. From that report it will be seen that the average daily wage of a woman worker who is a grey winder is Rs. 0-11-9. Now, according to this Bill, she will get during the period of confinement only 8 annas a day. Take the comparative figures for Bombay, Ahmedabad and Sholapur of the average daily earnings of all operatives. I give only the figures for women. In Bombay, a woman gets Rs. 0-11-11; in Ahmedabad she gets Rs. 0-12-6. Now, in these two cases, she will get only 8 annas a day and not her average wage, while in Sholapur she will not get 8 annas as she was getting hitherto, but only Rs. 0-6-8 which is the average wage for that centre. Take the siders in the spinning department, where a large number of women workers is employed. The average wage in Bombay is Rs. 0-15-2; in Ahmedabad it is Rs. 0-15-1 and in Sholapur it is Rs. 0-11-0. Now, Bombay and Ahmedabad are bound to suffer under this Bill——

The Honourable Mr. R. D. BELL: Sir, I rose to point out the inaccuracy of that statement before. The women of Bombay, Ahmedabad and Karachi do not suffer either under the Bill as originally drafted or under the honourable member the Chief Secretary's amendment.

Mr. R. R. BAKHALE: Well, the women suffer in this sense, that at other centres you are going to give maternity benefits on the basis of average daily wage which is less than 8 annas a day. But in Bombay, Ahmedabad and Karachi, you are going to give her only 8 annas a day, whatever her average wage may be. I therefore submit that this Bill makes a discrimination between the women workers of Bombay, Ahmedabad and Karachi and those of other industrial centres. The women at these three centres suffer by comparison.

Take, again, the wages of doffers where also women dominate to a very large extent. In Bombay a woman gets Rs. 0-11-5; in Ahmedabad she gets Rs. 0-10-4. Here also, by the application of a discriminating principle, these women suffer unnecessarily. I therefore submit that my amendment tries to eliminate this discrimination and seeks to apply the principle of average daily wage throughout the Presidency. I am not keen whether this principle should be applied or that principle should be applied, but whatever principle you apply, apply it throughout the Presidency without any discrimination. What the honourable member the Chief Secretary tries to do is that for the sake of a few women in the mofussil centres, he is bringing down their maternity benefits from 8 annas a day to something less than 8 annas, while the women

[Mr. R. R. Bakhale]

in Bombay, Ahmedabad and Karachi are left in their original position under which they get only 8 annas a day. My amendment therefore seeks to do away with this discrimination and tries to establish the principle of average daily wage throughout the Presidency.

The other point that is dealt with in this amendment is in the last paragraph of the amendment, namely:

"The average daily wage shall be calculated, without any reference to any deductions or payments made in respect of fines, to the nearest quarter of an anna.....etc."

What I propose to do by this amendment is that in giving a woman her maternity benefit the deductions from wages made on account of fines or other considerations should not be taken into account. My ground for doing so is this: that during the period of confinement she does not go to work and therefore she commits no offence. If this is so, no deduction on account of fines or other considerations which might have been made during the three months preceding her period of confinement should be made during the period of confinement. Sir, the amounts of these deductions are not small. Take Bombay City, where the fines according to the report of an enquiry into deductions from wages or payments in respect of fines by the Labour Office, you will find that the incidence of fine per offence amounts to Re. 0-2-10 in the case of women. The value of deductions on account of spoilt cloth in Bombay City works out at Rs. 4-10-0 per instance. (*An honourable Member:* "Men or women?") By all. Then, for Ahmedabad, the incidence of fining per offence works out at Re. 0-5-1 for women and for spoilt cloth it works out at Rs. 2-5-5 for all workers. In Sholapur, the incidence per offence works out at Re. 0-1-9 and for spoilt cloth Rs. 3-0-3 per instance. I consider these deductions to be heavy, having regard to the wages that these women get. I therefore submit that in calculating the average wage, these deductions on account of fines or on account of spoilt cloth should not be taken into consideration. With these words, I move this amendment.

Question proposed.

Mr. J. B. PETIT (Bombay Millowners' Association): Mr. President, I beg to oppose both the amendments before the House, for the simple reason that the Select Committee, after very careful and prolonged consideration of all the issues involved in the question, deliberately came to the conclusion that the recommendations embodied in its report ought to be accepted in the interest of the persons intended to be benefited by the Act. I entirely share that view and am sorry that an amendment was in the first instance moved by my honourable friend, the Chief Secretary (Mr. Turner) after having agreed to the majority report, although the attitude that he and his supporters adopt, is that the Committee came to the conclusion that is embodied in the report, only with the casting vote of the Chairman which had to be given even against his personal conviction, in accordance with the constitutional practice in that behalf. But, Sir, the fact still remains that it is the report of the Committee and that the conclusions embodied therein, were arrived at after very careful examination, and particularly because it was

[Mr. J. B. Petit]

considered desirable that the present practice should be continued as it was found to be satisfactory in every respect. The only ground on which the amendment of my honourable friend the Chief Secretary is sought to be justified, is that there is no country in the world where maternity benefit or sick allowance ever exceeds the employee's full remuneration when at work. That is a very sound principle to lay down. But I fear that even at present, there are places where it is already either very nearly equal to the remuneration earned by the employee or perhaps in excess of it. It would not be quite right to decrease the allowance for any reason, however good, because the underlying principle of the Act is that maternity benefit should be given at least to an extent which is considered to be the minimum necessary for the purpose. I take it that when the Act was originally passed, it was considered that a flat allowance of 8 annas per day was the minimum that was absolutely necessary to help a woman through her difficulties by way of medical treatment, nourishment and other assistance, either at the actual time of accouchement or during the period preceding or succeeding it. If that view is generally accepted, I contend that anything less, even though it may have at one time been brought about very largely with the concurrence of the employee, would defeat the original purpose underlying the Act. On the other hand, if it is felt that this benefit, even though otherwise advantageous, is in the nature of a hardship upon the employer, then the proper course to take is not to accept the amendment either of the honourable the Chief Secretary or of my honourable friend Mr. Bakhale, but to take steps to see that its burden is divided equally between the employer, the employee, and either the Government or the local body concerned. This is the practice in most Western countries. There is no country in the world, as far as I am aware, where the burden is entirely imposed upon the employer.

Mr. R. R. BAKHALE : There are countries.

Mr. J. B. PETIT : Which are those ?

Mr. R. R. BAKHALE : I will give you a list.

Mr. J. B. PETIT : I shall take my honourable friend's word for it and assume that there are such countries. But even then, I think it will be better to follow the example of countries which have tried the system that I have referred to and found it very satisfactory. It is no good throwing the burden entirely upon the employer, because it would not be fair. But in any case, Mr. President, I do not think the amendment of my honourable friend Mr. Bakhale will have the effect either of removing this difficulty or even of assisting those who will get the benefit of this Act. By merely applying the averages of the wages earned, the benefits may in some cases work out to less than 8 annas per day. In big cities like Bombay, Ahmedabad and Karachi the system may give a higher figure. But on the whole, Sir, my fear is that the woman-worker is likely to lose in the mofussil centres,—a possibility which I am sure the movers of both the amendments do not wish to encourage or support. For all these reasons, Sir, I think the House will be well advised in

[Mr. J. B. Petit]

accepting the report of the Select Committee, because it correctly embodies the principle of State aid and has up to now answered the purpose very well. No case appears to have been made out, at least to my mind, in favour of the change in the direction indicated in either of the amendments. I accordingly very strongly support the report of the select committee.

Mr. R. R. BAKHALE : I want to know whether my honourable friend M . Petit opposes the amendment or the amendment to the amendment ?

Mr. J. B. PETIT : I oppose both the amendment, and the amendment to the amendment. I am for the report of the select committee.

Rao Bahadur R. S. ASAVALE (Bombay City, North) : Sir, I am sorry that after the select committee had made its report amendments of these kinds should have come before this House. In fact, I think that amendments of these natures should have been proposed by the honourable members themselves at the meeting of the Select Committee as they also were members of the said committee. They could have moved these amendments if at all they wanted to bring them up here later on. First of all, I think the amendment proposed by the honourable member Mr. Turner is really not so much in the interest of the women workers as the original clause in the Bill is. The intention of the original Bill which was passed by this House was to give at least the minimum wage to the woman worker throughout the Presidency for her maternity benefit and as such 8 annas were considered then as sufficient, although there was a move on the part of some of the members of the select committee for a proposal for a higher benefit, and I myself as the mover of the Bill had proposed 12 annas instead of 8 annas. It was also accepted then when the Bill was first put before this House that 8 annas would be considered the minimum wage in the interest of the woman worker who is to get the maternity benefit. Instead of coming now before this House with a proposal of increased benefit a move is made for a proposal to reduce the benefit of the mofussil women workers by such an amendment as this before the House. I would desire that something more should be given to the woman worker at such time in order that she may not suffer, as 8 annas is a quite inadequate sum for the maternity purpose as was said when the original Bill was before this House, but now the honourable member Mr. Turner comes forward and proposes 6 annas as the minimum wage for the mofussil women. Sir, 6 annas in the mofussil would not be sufficient for the purpose of maternity benefit. If 6 annas is taken as the minimum in the mofussil districts, there should be some increase in the minimum wage in the city of Bombay and other big places like Ahmedabad and Karachi. In those places a woman worker earns more than 8 annas per day and I do not see any reason why the women in the city of Bombay should not get more. We know very well, Sir, that these women have often to support their old male members in the family, as also the children. We also know, Sir, that in the city of Bombay at present the industralists, the millowners, the factory-owners have changed their views by reducing the wages of these

[Rao Bahadur R. S. Asavale]

workers, and specially these women workers who were getting before some Rs. 30 to Rs. 40 a month have been now asked to work for less on account of the wage cuts. Sir, therefore, it is essential that the benefit which she ought to get must be more than what it is at present and not that the benefit should be reduced to such an extent that she will not be able to maintain her family or to make use of this money that will be adequately provided for maternity benefit. I have to request the honourable mover of the amendment as well as the honourable mover of the amendment to the amendment that the original clause should be kept as it is and I hope that the House will be well advised to support the report of the select committee in the interests of the poor women workers.

Rao Bahadur G. V. PRADHAN: On a point of information, Sir. Under the new amendment would it be possible for any woman worker in Sholapur to get more than 8 annas a day while a woman worker in Bombay will never be able to get more than 8 annas per day?

The Honourable Mr. R. D. BELL: Under which amendment?

Rao Bahadur G. V. PRADHAN: Under the amendment of the honourable member Mr. Turner.

The Honourable Mr. R. D. BELL: Under Mr. Turner's amendment a woman worker in the mofussil will get her average daily wage subject to a maximum of 8 annas. In Bombay, Karachi and Ahmedabad she will get a flat rate of 8 annas, whatever her wages may be, as at present.

Mr. B. S. KAMAT: Sir, I am unable to agree with the viewpoint of my honourable friend Mr. Petit as well as the viewpoint of the honourable member Rao Bahadur Asavale. As between the recommendation of the select committee and Mr. Turner's amendment, I hold that Mr. Turner's amendment is better, that is to say, we should restore the proposals in the draft Bill and for a very simple reason. I cannot conceive how it is just and fair that if in the mofussil say, for instance, in Ahmednagar, a woman gets, on an average, say four to five annas as the daily wage, she should be given 8 annas at the cost of the employer. That is the whole point. It comes back again to the same principle as we discussed the other day, why should the law penalise the employer when a woman is able to earn as her daily wage four to five annas? The honourable member Rao Bahadur Asavale says that that is not enough for her subsistence. When hundreds of women are willing to serve on that daily wage, I cannot conceive why she should consider 8 annas as the minimum for subsistence.

Rao Bahadur R. S. ASAVALE: It is not for subsistence but it is for the benefit of maternity purposes, whether that would be sufficient for those purposes.

Mr. B. S. KAMAT: Supposing she was on agricultural labour, she would have managed to meet her maternity expenses on the agricultural wages.

[Mr. B. S. Kamat]

Now, having said that Mr. Turner's amendment is better than the recommendation of the select committee, the question arises regarding the respective merits as between the honourable member Mr. Turner's amendment and the honourable member Mr. Bakhale's amendment. If, as I understand, the daily average is the proper standard fixed by law, then logically I think my honourable friend Mr. Bakhale is correct—if the worker should get the daily average wage, he asked, why should not the Bombay woman worker get the daily average in Bombay, whether it is 11 annas or 12 annas does not matter. As a question of pure logic, the honourable member Mr. Bakhale is right. His amendment goes further than Mr. Turner's amendment, but I think, logically speaking, if a woman worker in Bombay is actually earning more than 8 annas, the employer must pay it, and therefore I am inclined to support the honourable member Mr. Bakhale's amendment.

Major W. ELLIS JONES: Sir, I rise to oppose both the amendment and the amendment to the amendment and I must say I am rather surprised that Government have taken up this attitude in view of what took place in the select committee, where both capital and labour were agreed and that the minute of dissent should have been made by three Government officials who are not in touch with the facts but rely on theory. The Chief Inspector of Factories states in his report dated 30th June 1933 that out of about 389 factories 300 factories made their returns, so that out of practically 400 factories, 15 factories did not make a return so that we might presume that the employers in them did not pay any benefit. Then further down in the report we find that he says that the employers in large factories have treated the claimants liberally barring a few exceptions, more in the spirit than the letter of the law. With this statement before us, I fail to understand why Government now desire to interfere with an Act which has worked excellently throughout the Presidency. Government now propose to introduce two principles namely, (1) average wage, and (2) maximum figure. The Millowners, I understand, in their letter to Government dated 14th January have pointed out that they prefer the report of the select committee, and that the alternative which they propose in the case of mofussil areas is not only against the interests of the women concerned, but that it is liable to lead to further labour disputes, and if the Honourable the Home Member were to refer to that letter he will see that they state that their Committee are also of the opinion that it would be extremely difficult to ascertain the wage rates ruling in different areas as there exists no simple or effective means of checking them with the possible result that the workers will be considerably inconvenienced and thus may not derive that real benefit to which they would be entitled. That is the whole proposition as regards the upcountry mills.

Sir, there is a further point to which I would like to draw the attention of the honourable members viz. in Bombay, Ahmedabad and Karachi, the mills are assessed and have to pay local taxes to provide for these women adequate medical attention. In the mofussil districts, such attention is not available to them. The figures that we have relating to

[Major W. Ellis Jones]

maternity homes show that something like 75 per cent. of the women in Bombay are taking advantage of the free treatment which is made available to them——

Mr. B. S. KAMAT: In the mills?

Major W. ELLIS JONES: I am talking of Bombay City. I have got figures to show that 75 per cent. of the women have resorted to maternity homes and taken advantage of the free medical service given to them at the cost of the mills and the Municipality, which means that the whole of the eight annas benefit that the women get goes to assist the maintenance of their homes. The total number of women involved in this question apparently is rather small, hardly justifying legislation of the type we have before us——

Mr. B. S. KAMAT: Will the honourable member kindly clear up his point if 75 per cent. of the women going to maternity homes in Bombay are composed of the better class women or of industrial women workers?

Major W. ELLIS JONES: Industrial women workers, Sir. From the figures of the Wadia Maternity Home we find that out of the total number of women, one-sixth is at one hospital alone——

Rao Bahadur R. S. ASAVALE: How many beds are there?

Major W. ELLIS JONES: 120.

Then, Sir, if you take the figures of the women who are affected by this legislation upcountry, their number according to the last report, is 1,447. Are we going to alter a principle for the sake of 1,447 women? Again Sir, the total amount that was paid out in maternity benefit was Rs. 31,000. The extra amount that would have to be paid out in maternity benefit upcountry would amount to a little more than one anna on an average, at which rate it comes to something like Rs. 2,000 per annum. I ask, is it worth while to alter a principle for the sake of Rs. 2,000 a year in the whole of the presidency? I repeat, Sir, that I was surprised that under these circumstances Government should have put forward their amendment, especially in view of the fact that on this question both Labour and Capital had accepted the principle as laid down in the select committee. Therefore, I oppose the amendment and the amendment to the amendment.

Rao Bahadur G. K. CHITALE (Ahmednagar District): Sir, as a layman, I support the main proposition, that is the report of the select committee. These nice calculations which are intended to be brought into force by both the amendment and the amendment to the amendment usually lead in practice to a lot of friction. I would much rather prefer to have a flat rate, so that everybody will understand what she is going to get. The employer will know what he has to pay and the woman will know what she is entitled to get.

11 a.m.

There is also another point which I wish to make. For the purposes of these benefits, a woman's average daily earning will not do. A woman's average daily earning is enough for her maintenance, but not enough for maintenance in the delicate condition in which she has to pass those six

[Rao Bahadur G. K. Chitale]

weeks or two months. She wants additional nourishment, which is usually obtained even by the poorer women in that delicate condition. Therefore, I cannot agree to the proposition that she should get her average daily wage; and though it is possible to say that the average is 6 annas, I should think that the select committee has done full justice in giving a little more, which is necessary, and the flat rate of 8 annas is certainly a very reasonable proposition which ought to appeal to this House.

Mr. A. N. SURVE (Bombay City, North): Sir, I rise to support the amendment to the amendment, moved by my honourable friend on my left. The point to be considered is this. If we judge by the existing provisions of this Act, it will be found from the Administration Report of the Act for the year ending 30th June 1933, as follows:

"The Act in securing adequate rest and a measure of financial assistance has been of great value to factory women and the figures are doubtless some reflection of this."

So, under the existing Act, what the Government department finds is that its provisions give adequate rest and financial assistance and on that account they are of great value to factory women. If we consider the amendment moved by the honourable member Mr. Turner, we will see that the provision which is already made under the Act is going to be reduced, and it will have its evil effect on the women labourers. As a matter of fact, I should consider that, if the statement made in the report is worthy of belief, which it undoubtedly is, then there is absolutely no occasion for us to make any change at all. But if a change is to be made, then I should certainly think that that change should be made which is the least disadvantageous to the women labourers.

Sir, in this connection, we have to take into account the number of women labourers that are employed in the whole of the presidency. According to the same report, I find that in the whole of the presidency only 49,672 women are employed daily in factories, who can get the benefit of this Act. Now, out of these women also, not all get the benefit. I can mention that out of every 100 women employed, only about 11·7 women get the benefit of this Act; that is, out of every 100 women employed in factories, only 11 women get the benefit of this Act. And, Sir, what is the extent in money value of the benefit they receive? It is only Rs. 1,35,813. That was in the year ending 30th June 1933. Therefore, it will be seen that the Maternity Benefit Act is so poor in its provisions that during the course of one year not more than Rs. 1,35,813 was paid to the women labourers as maternity benefit. I should say that the employers of labour are not over-generous, and they have no cause to complain, because, after all, what is the contribution they are making? If they had any cause to complain, then they might have opposed the amendment, but as matters stand, if we look to the amount of money that has been given, I submit that there is no reason for curtailing the benefit under this Act to the women labourers.

After all, in this presidency we do not consider the birth of a child as a distinct service to the nation. But there are countries where a premium is paid for the birth of children. They give some rewards,

[Mr. A. N. Surve]

so that the population may grow. What do we find here? We find here that these women producing children (Laughter) though they are rendering service to the industry, because these children when they grow up are employed in these mills and factories as labourers, do not get any reward but are in a sense penalised. What is the condition in the mills? Everybody who has studied the question knows that the industrial labourers have a short life. The conditions under which they work are unnatural. They contract many diseases which curtail the period of their life as a direct result of the unnatural conditions under which they work. Therefore, if the employers of labour have any sense of gratitude in them, they should be the first persons who should come forward to pay additional maternity benefit to these women who produce potential employees for them, so that their industry may continue.

I am sorry that our Government have thought it fit to introduce this Bill. They should not have introduced it. After all, what are we doing? Are we not dabbling in things which relate to women? Who is the best judge to consider what amount of money would be required for the purpose of confinement? Are we, mere men, to express our judgment unaided on that subject? This is a point of which we should take notice.

I find that in India and also in the Bombay Presidency we have two well organised associations of women. I refer to the All-India Women's Conference and the other is the National Council of Indian Women, which is holding its session just at present in this city. They are well organised bodies. The patron of the All-India Women's Conference is Her Excellency Lady Willingdon. Such well organised bodies, having their labour committees are not at all consulted on the subject matter of this Bill. I ask the Honourable Member in charge of the Bill whether he has obtained the opinion of these two bodies, which have their own labour committees. In a matter affecting commerce, our Government always consult and ascertain the views of the different Chambers of Commerce, but in the matter of women, a matter which relates solely to their sphere, I am sorry to say that no action of that kind is taken. These women's organisations were not consulted in a matter which affects the interests of women in general. Formerly it was all right for men to make laws for women. But if the women are going to take their own burdens upon themselves, it is our bounden duty to give them an opportunity to express their views on these points.

Therefore, Sir, I submit that in the first place there is no good reason why the present law should be changed at all, but if it is to be changed, then the best course is to take that view which is the least injurious to the interests of women. For these reasons, I support the amendment to the amendment moved by my honourable friend Mr. Bakhale.

Mr. V. A. SURVE (speaking in Hindustani): On a point of order, Sir. The vernacular translations of the report of the select committee on this Bill and the Bill as amended are not made available to us. I have not received a copy of the Marathi translation. The standing

[Mr. V. A. Surve]

order in respect of translations into vernaculars has been altered. I submit until the translations are supplied to me, the Bill should not be proceeded with further.

The Honourable the PRESIDENT: I will see that the honourable member gets the translations presently.

Rao Bahadur S. K. BOLE: Sir, I am going to support the select committee's proposal for the payment of 8 annas to the expectant mother, who has not only to feed herself but to feed the child. So, she requires more nourishment. She requires more nourishing food. In that case, she will have to spend more money. I do not think the mills and factories which make their profits by making these women work in them would grudge to pay a flat rate of 8 annas. With these words, I support the flat rate of 8 annas.

Rev. R. S. MODAK: Sir, I rise to support the Bill as it has been presented by the select committee. The Bombay Provincial Christian Missionary Council has passed a resolution supporting the proposed amendment of the Act, and I therefore hope that this honourable House will agree to pass this measure.

The Honourable the PRESIDENT: Does the honourable member want to speak?

Mr. V. A. SURVE: On the question of translation of the report I want to speak.

Mr. C. W. A. TURNER: Sir, I admit on logical grounds——

Mr. R. R. BAKHALE: What about my right of reply?

The Honourable the PRESIDENT: The honourable member has no right of reply.

Mr. C. W. A. TURNER: As I was just saying, on logical grounds only my honourable friend Mr. Bakhale's amendment may appear reasonable. But unfortunately, in the every day affairs of the world, logic cannot always prevail. Probably there is no more illogical creature in the world than the average human being. I think that, while pressing his point of logic, he has ignored the fact that in the select committee's report it is distinctly stated: "We are informed that the experience of the Act up to date indicates that employers in some factories in the mofussil are already evading payments when their earnings are less than eight annas". That is a very important point which no one has touched upon in this debate.

Mr. R. R. BAKHALE: By whom?

Mr. C. W. A. TURNER: We have been informed by our expert factory officers.

That is a very important point, which nobody has touched upon. If it is true, it is a matter for our serious consideration. The very fact of fixing the benefit in the mofussil at more than the daily average rate is going to be bad for the very people whom it is intended to benefit. Again we are informed that at present it is very difficult to enforce the

[Mr. C. W. A. Turner]

Act in some areas on account of this all-round rate of 8 annas being above the average daily wage of a woman. Although women in some areas will lose if clause 3 (*a*) in the Bill as originally drafted is retained, they will gain in other areas.

Mr. R. R. BAKHALE: What is the proportion?

Mr. C. W. A. TURNER: Therefore, if you take the present all-round rate of 8 annas there is the risk that a good many employers, as soon as they get information that a particular woman working in the factory is pregnant, will try to get rid of her.

Then, my honourable friend Mr. Jones has emphasised also that the Act is working satisfactorily at present. That is not in accordance with our information. It is true that hitherto the Act has been on the whole very well accepted by the employers. But I do not think it fair that, because a certain class of employers have a natural advantage, others as in Bombay, Karachi and Ahmedabad should benefit at their expense. I must also point out that this amending Bill was undertaken on the express recommendation of the Royal Commission on Labour who have stated in their report that the average daily wage should be the reasonable basis for maternity benefit. That Commission came to India to examine the conditions of labour and I am sure this House will consider their recommendation as a fair one. The recommendation made by a Commission of that kind cannot be lightly disregarded.

Mr. R. R. BAKHALE: May I know what their recommendation is?

Mr. C. W. A. TURNER: That the average daily earnings, which are the basis of the benefit in the Central Provinces, should be adopted as the basis generally. I trust the House will not accept my honourable friend's amendment.

The Honourable Mr. R. D. BELL: Mr. President, I said something to the effect the other day that in discussions between employers and employees it was the fundamental duty laid upon Government that they should leave the two parties to discuss their differences undisturbed, as far as possible, by outside influences. In this case, their differences are being laid before the whole House for adjudication and I wish to make an earnest appeal to those members who are not interested, or at least not specially interested, in one side or the other to consider very carefully the arguments which I am now going to put forth in support of the Government proposals.

I wish to make clear in the first instance, without any idea of delivering a threat to either of the parties to this discussion, that, if this Bill as originally laid before the House is not passed substantially in the form in which it is presented by the end of this debate, Government will require time to consider whether we shall proceed to the third reading. The benefit now under discussion is not the only one in the Bill. When honourable members are considering the fact that in the mofussil there will be some diminution in the daily rate, they ought to bear in mind the fact that the period for which it will be given in future will be 8 weeks instead of 7 weeks as at present. Sir, every honourable member may not be aware of the existing position and I therefore explain what it is at the

[Mr. R. D. Bell]

outset. The practice at present, in accordance with the law, is that a woman who is about to have a child is entitled to maternity benefit at the flat rate of 8 annas a day in any part of the Bombay Presidency, whether it is in large cities like Bombay, Ahmedabad or Karachi or in the mofussil. That benefit is available for a maximum period of 7 weeks. What is proposed to be done by Government is this: To leave things as they are in the three large cities and to take as the basis for maternity benefit in the mofussil the woman's average daily wages, subject to a maximum of 8 annas.

A great deal has been said about the principle underlying this maternity benefit. I am perfectly prepared to take up the challenge as regards the principle underlying the Bill and I shall endeavour to prove that the principle underlying Government's proposals is a sound and fair one. Some honourable members have gone to extreme lengths on the women's side. The honourable member Rao Bahadur Asavale suggested that the maternity benefit should be raised to 12 annas a day. The honourable member Mr. Surve suggested that this maternity benefit scheme should be run on the lines of a subsidy by employers to women for the production of future employees. [*Laughter.*] I think no comment is required on the honourable member Mr. Surve's proposal. As regards the honourable member Rao Bahadur Asavale's suggestion, I wish to point out that it is no part of this scheme that anything in the nature of a bonus should be given for maternity; otherwise we might drift into a kind of sliding scale with a special bounty when the total number of children born exceeded a prescribed minimum.

I wish to explain what happened in the select committee which led to a division of opinion. The proposal as I have said is briefly this: that the rate of maternity benefit in the mofussil should be somewhat reduced. I shall discuss the reason for it afterwards, but this is the proposal. Quite naturally those honourable members who represent labour interests opposed that proposal. As the issue related to maternity benefit for women in the mofussil, the representatives of the employers in Bombay and Ahmedabad cities also pleaded the case of those women. By reason of this combination of forces—on the one side the representatives of employers in Bombay and Ahmedabad cities and on the other the representatives of labour—we were driven into a divided report.

A good deal has been stated about the principle underlying maternity benefit. At present the rate is a flat rate of 8 annas. But there is no principle underlying a flat rate. A flat rate was a rough and ready method of introducing maternity benefit at the initiation of this benefit to women in factories. If there is a principle underlying this rate, then it is for honourable members who support it to state the principle and to explain how the rate of 8 annas is derived from the principle. The only honourable member who endeavoured to do this was the representative of the Bombay Mill-owners' Association. I understood him to say that the benefit should be based on the minimum amount that was necessary to provide the woman and the child with a certain amount of sustenance and comfort. But the

11-30 a.m.

[Mr. R. D. Bell]

honourable member who represents the Bombay Millowners' Association made no attempt to show why in the mofussil it requires 2 or 3 annas more than her daily wages to provide that necessary sustenance and comfort, and why in Bombay City it can be done for 2 or 3 annas less than her daily wages. I am prepared, Sir, to agree to the daily wage being taken as the basis of the maternity benefit. It seems to be a reasonable basis. If any one can suggest something better, I shall consider it; but nothing better has been suggested, and it is the honourable member Mr. Bakhale's own principle. He said that the principle of the daily wage should be applied without discrimination. I ask honourable members to read Mr. Bakhale's amendment. The rate proposed by him is: (1) her average daily wage with a minimum of eight annas a day in the cities of Bombay, Ahmedabad and Karachi; and (2) elsewhere, her average daily wage or eight annas a day, whichever is less. Sir, the honourable member Mr. Bakhale applies the principle of the daily wage subject to a *minimum* in Bombay City and subject to the same rate as a *maximum* in the mofussil, and he said not a word during the course of his speech as to why he made this discrimination. It seems to me to be absolutely fundamental. If we take the daily rate of wage as the basis of estimating the necessary benefit, then it can be applied in three ways. It can be applied subject to a minimum; it can be applied without any alteration; or it can be applied subject to a maximum. I put it to honourable members that there is reason in giving the daily wage without alteration, and there is also reason in giving it subject to a maximum, but I cannot see that there is any sound ground for giving it subject to a minimum,—in other words, a figure which may be higher than the average daily wage.

What Government propose is this: that the maternity benefit should be the average daily wage subject to a maximum of 8 annas a day. We do not consider it necessary to put it in these terms in Bombay, Karachi and Ahmedabad because, in fact, it is exceedingly unlikely that the maternity benefit will ever fall below 8 annas a day in these cities. But if the point is pressed, I shall be prepared to agree to placing these cities on the same basis as the mofussil, subject to the same maximum. But the employers themselves in the three cities as a matter of convenience probably prefer the flat rate of 8 annas a day.

This is my justification on principle for the original Government proposal. This is the principle which was adopted in the Central Provinces—the home, as the honourable member representing the Bombay Millowners' Association explained to us yesterday, of all true constitutional progress—and as the result of their enquiries all over India, the Royal Commission on Labour agreed that the principle which was adopted in the Central Provinces was the correct principle. I hope to make my point perfectly clear to the House. Cutting out all confusing side issues, the point is this, that at present there is a flat rate of 8 annas a day maternity benefit which, in the mofussil, is about 30 to 40 per cent. in excess of a woman's daily earnings. It is approximately correct to say that the Government proposal is that in future women everywhere

[Mr. R. D. Bell]

should get the average rate of daily earnings subject to a maximum of 8 annas a day; but for all practical purposes it is sufficient in the cities of Bombay, Ahmedabad and Karachi to prescribe simply a flat rate of 8 annas a day. I would again ask honourable members to consider this matter because the question was considered by the Royal Commission on Labour, who recommended it as suitable for general application. Mofussil employers had complained before this of the injustice of the arrangement in the existing Act.

In conclusion, I would read just one sentence from the last report on the working of the Act, in case any of my earlier remarks should have been considered to reflect somewhat harshly on employers. The Chief Inspector of Factories has written that "employers in the large factories continue to treat claims liberally and, apart from a few exceptions, claims are dealt with more in the spirit than the letter of the law". Sir, the proposals of Government have been designed to preserve this spirit, and I hope it will be in this spirit that honourable members will consider the amendment which has been moved by the honourable member the Chief Secretary.

The Honourable the PRESIDENT: I shall put the amendment to the amendment first to the House. I am sure honourable members have followed both the amendments, but to facilitate considered voting, I shall explain further what the two amendments seek to do. As the Act stands to-day, the rate everywhere is a flat rate of 8 annas. In the Bill as amended by the Select Committee, the same rate is preserved, viz., a flat rate of 8 annas, i.e., it maintains the *status quo*. Now, the honourable member the Chief Secretary's amendment goes back to the original Bill, that is, seeks to prescribe 8 annas for Bombay, Ahmedabad and Karachi, and the average daily earnings subject to a maximum of 8 annas elsewhere. As against this, the honourable member Mr. Bakhale, in his amendment to the amendment, introduces an average wage with a minimum of 8 annas in these three cities (Bombay, Ahmedabad and Karachi) and the average daily wage or eight annas, whichever is less, elsewhere. I hope the position is now clear to the House. Now, I put the amendment to the amendment.

Question put, and negatived.

Question (Mr. Turner's amendment) put. The House divided: Ayes, 32; Noes, 26.*

Division No. 4.

Ayes.

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur.
ADVANI, Mr. P. B.
AMINUDDIN, Mr. SAIYID
ARBUTHNOT, Mr. C. W. E.
BELL, the Honourable Mr. R. D.
CLEE, Mr. C. B. B.
COOPER, the Honourable Khan Bahadur D. B.
COVERNTON, Mr. S. H.
DAVIS, Mr. G.
DESAI, Rao Saheb B. G.
D'SOUZA, Dr. J. ALBAN
FREKE, Mr. C. G.
GARRETT, Mr. J. H.
GHULAM HUSSAIN, the Honourable Sir
GREAVES, Mr. J. B.
KALBHOR, Mr. G. M.

Note.—The correct figure was "25" (*vide* correction made subsequently).

Ayes.

KAMAT, Mr. B. S.
KAMBLI, the Honourable Dewan Bahadur S. T.
KNIGHT, Mr. H. F.
LANE, Mr. C. M.
LELY, Mr. W. G.
MAXWELL, Mr. R. M.
MODAK, Rev. R. S.
NAVLE, Rao Bahadur N. E.
PANJABI, Mr. K. L.
PATEL, Khan Bahadur VALI BAKSH A.
PATIL, Dewan Bahadur D. R.
PATIL, Mr. V. N.
ROOSE, Mr. F. O. J.
SERVAI, Mr. A. E.
TURNER, Mr. C. W. A.
VAKIL, Mr. PESTANSHAH N.

Tellers for the Ayes : Dr. J. ALBAN D'SOUZA and Mr. A. E. SERVAI.

Noes.

ASAVALE, Rao Bahadur R. S.
BAKHALE, Mr. R. R.
BOLE, Rao Bahadur S. K.
CHIKODI, Mr. P. R.
CHITALE, Rao Bahadur G. K.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
GANGOLI, Mr. G. S.
GILDER, Dr. M. D.
JITEKAR, Mr. HAJI IBRAHIM
JOG, Mr. V. N.
JONES, Major W. ELLIS
KARBHARI, Mr. M. M.
KULKARNI, Rao Saheb P. D.
PATEL, Mr. C. N.
PATIL, Mr. N. N.
PETIT, Mr. J. B.
PRADHAN, Rao Bahadur G. V.
RESALDAR, Mr. A. K.
SHAIKH ABDUL MAJID, Mr.
SOLANKI, Dr. P. G.
SURVE, Mr. A. N.
SURVE, Mr. V. A.
VANDEKAR, Rao Bahadur R. V.
WADKE, Mr. B. P.

Tellers for the Noes : Rao Bahadur R. S. ASAVALE and Mr. A. N. SURVE.

The Honourable the PRESIDENT : Regarding the point that the honourable member from Ratnagiri district raised, he is perfectly right in pointing out that the Standing Order lays down that copies of translations should be sent to honourable members in their languages, but it must be borne in mind that a copy of such a translation will only be sent in case an honourable member applies to the Secretary for it. That is one thing. That is by way of information to honourable members, if they are under the impression that because a translation is made copies would be sent to honourable members without asking for them. It is not so ; they have to inform the Secretary of their wish to have such copies. That is the wording of the Standing Order VIII, 8 (2) (*a*) (ii).

Now, in the present case I am informed by the office that the honourable member had applied for a copy, that the translation was published on the 30th of November and that a copy of it was sent to the honourable member by post the same day ; probably it is mislaid amongst his many papers.

Now, I put clause 2, as amended.

Clause 2, as amended, ordered to stand part of the Bill.

Mr. C. W. A. TURNER : Sir, I move :

(1) After clause 1, insert the following as clause 2 :—

"2. After clause (*c*) of section 3 of the Bombay Maternity Benefit Act, 1929, hereinafter called the said Act, the following shall be inserted, namely—

Amendment of Section 3 of Bom. VII of 1929.

(*a*) 'wages' includes the money value of any earned grain, concession, and any money paid to cover high cost of living but does not include a bonus given for regular attendance."

(2) Renumber existing clauses 2 to 6 as clauses 3 to 7 respectively.

Question proposed.

Mr. R. R. BAKHALE: Sir, to that amendment I wish to move an amendment. I move:

In the new clause 2 to be inserted, under (*d*) the words "and any deductions or payments made in respect of fines" shall be added after the words "regular attendance".

Sir, the only object of this amendment is that in calculating the average daily wage of a woman her deductions on account of fines or spoiled cloth or any other account should not be taken into account when the maternity benefits are given. I have already given some figures of fines obtaining under the different items which are to be found in the Mill Rules and those amounts are considerable amounts having regard to the small wages that women get. I therefore submit that this amendment at least will be acceptable to Government.

Question proposed.

The Honourable Mr. R. D. BELL: Sir, I have nothing to say at the present moment, but I will listen to what the House has to say.

Rao Bahadur R. S. ASAVALE (Bombay City, North): Sir, I rise to support the amendment moved by my honourable friend Mr. Bakhale. He has made it quite clear how enormous fines are inflicted on women workers and all other workers. Those fines should not be excluded from the wages which the women have actually earned. The word "wages" should be clearly declared as the wages earned, excluding all the fines and other deductions that have been made out of the wages. That is the amendment that has been moved by my honourable friend Mr. Bakhale. As we have now passed the last amendment that only the minimum wage is to be taken into consideration as the benefit, I hope the actual wage that is earned by the women will be taken into consideration and, therefore, I request Government to accept the amendment proposed by the honourable member Mr. Bakhale to the amendment moved by the honourable member Mr. Turner.

The Honourable Mr. R. D. BELL: Sir, this amendment of course does not affect the employers in Bombay, Karachi and Ahmedabad. There are no representatives of employers from other parts here and apparently the employers in the large cities are more interested in the welfare of the employees in the mofussil than in the welfare of the employers. It thus falls to Government to decide what to do in respect of this amendment to the amendment. As I pointed out, it applies only to the mofussil.

Mr. R. R. BAKHALE: Why?

The Honourable Mr. R. D. BELL: Because in Bombay, Ahmedabad and Karachi there is a flat rate of 8 annas. This amendment applies only to the mofussil where the benefit under the amendment just carried has been reduced. The average daily rate of wages will exclude any bonus, and, on the whole, I think it is reasonable that fines should also be excluded. I therefore accept the amendment.

Question (Amendment to the amendment) put, and agreed to.

Question (Mr. Turner's amendment as amended) put, and agreed to

The Honourable the PRESIDENT: The amendment passed has the effect that this new clause is to be inserted as clause 2 and that the subsequent clauses are to be re-numbered.

Question put, and agreed to.

New clause 2 ordered to stand part of the Bill.

Clause 3 re-numbered as clause 4 (*Amendment of section 6 of Bom. VII of* 1929).

For sub-section (3) of section 6 of the said Act, the following shall be substituted, namely:—

"(3) Maternity benefit shall be paid by the employer to the woman entitled thereto in any one of the following three ways, namely—

(*i*) for four weeks—within forty-eight hours of the production of a certificate signed by a registered medical practitioner certifying that the woman is expected to be confined within one month next following, and for the remainder of the total period for which she is entitled to maternity benefit under sub-section (2) of section 5—within forty-eight hours of the production of a certified extract from a birth register stating that the woman has given birth to a child; or

(*ii*) for the period up to and including the day of delivery—within forty-eight hours of the production of a certified extract from a birth register stating that the woman has given birth to a child, and for the remainder of the total period for which she is entitled to maternity benefit under sub-section (2) of section 5—punctually four weeks after the production of such certified extract from a birth register; or

(*iii*) for the entire period for which the woman is entitled to maternity benefit under sub-section (2) of section 5—within forty-eight hours of the production within six weeks of her delivery of a certified extract from a birth register stating that she has given birth to a child;

Provided that no woman shall be entitled to any maternity benefit or any part thereof the payment of which is dependent upon the production of a certified extract from a birth register under the provisions of this sub-section unless such extract has been produced within six months of the day of her delivery."

Mr. R. R. BAKHALE: Sir, I beg to move:

In new sub-section (3) under clause 3 re-numbered as clause 4, the words "and in accordance with her wishes" shall be inserted after the words "entitled thereto."

Sir, the object of this amendment is that as this clause contains three alternatives under which maternity benefit could be given to women, I suggest that these alternatives should be decided in accordance with the wishes of the women concerned. These benefits are paid in the interest of women and they are the best judges to decide which alternative will suit them from the financial point of view. That is the only object of this amendment, and I hope that Government will accept it.

12 noon.

Question proposed.

Rao Bahadur R. S. ASAVALE (Bombay City, North): Sir, I rise to support the amendment moved by my honourable friend Mr. Bakhale. I do not wish to take much time of the Council because the amendment clearly shows that it must be left to the women worker to choose the sort of help that she requires. It would be for her to choose it and not for the employers. She should not be forced to accept whatever sort of assistance the employer chooses to give. I therefore hope that Government will accept this amendment. It will not do any harm to the employer or to anybody else.

Mr. J. B. PETIT (Bombay Millowners' Association): Mr. President, I am sorry that I cannot support the amendment of my honourable friend Mr. Bakhale. If this benefit is to be of any real value to the person for whose use it is intended, it should be given at a time when it is likely

[Mr. J. B. Petit]

to be most advantageously employed; and should not be given merely because it is asked for in a particular way or on a particular occasion, because then it is liable to be used for purposes other than the one for which it is meant. It must also be left to the employer who actually pays the money, and not to the person who receives it. The main point to be borne in mind is that it should be given at such a time and in such a manner as to ensure its being employed only for the benefit of the woman for whose use it is meant. If it is given at other times and on other occasions, it is very strongly felt by those who give it, that it will be directed into channels other than the one into which it should go. I also oppose the amendment, because it would be wrong in principle. Once this claim is accepted, my fear is that it will cause numerous complications of details in the working of the Act, particularly relating to the time, manner, method, intervals and instalments of payment, thus materially adding to the many difficulties which already exist, without giving any countervailing benefit to the person concerned. For all these reasons, Sir, I do not think the House ought to accept this amendment.

The Honourable Mr. R. D. BELL: Sir, I think we are all agreed that it is desirable that the woman's wishes should not be left entirely out of account in a matter of this kind. On the other hand, I think there is considerable objection to be taken against the amendment, which brings an element of compulsion to bear on the employer at the instance of the employee. If you would permit it, Sir, and the honourable mover of the amendment will accept my suggestion, I am prepared to accept the insertion of the following words after the words "entitled thereto":

"and after taking into consideration her wishes."

It has no legal effect of course, but it does draw the employer's attention to the fact that the legislature expects him to ascertain her wishes and to take them into consideration.

The Honourable the PRESIDENT: Is the word "and" necessary there?

The Honourable Mr. R. D. BELL: I propose not to take the third reading today, so that there will be time to make any drafting amendments.

Amendment—after the words "entitled thereto" insert the words "and after taking into consideration her wishes"—put, and agreed to.

Mr. R. R. BAKHALE: Sir, there is one more amendment to this clause, which runs as follows:

In the proviso to new sub-section (3) under clause 3, now re-numbered 4, for the word "six" the word "twelve" shall be substituted.

The proviso reads as follows:

"Provided that no woman shall be entitled to any maternity benefit or any part thereof the payment of which is dependent upon the production of a certified extract from a birth register under the provisions of this sub-section unless such extract has been produced within six months of the day of her delivery."

[Mr. R. R. Bakhale]

The point that I want to make is that this kind of provision does not exist today in the Act. This is a new provision sought to be inserted. A woman under the present Act can ask for maternity benefit at any time after her confinement. That is the present legal position. Under this proviso the woman is asked to produce a certificate within six months after confinement. Well, Sir, I do recognise that there is a necessity of prescribing some time limit, and to that extent I agree with Government. But I consider that a period of six months is too short, because some of the women generally go to their villages for confinement and it is generally the habit of women workers that they do not return to their places of employment as early as they are expected to do. If, therefore, this proviso is made operative, there is the danger of some women losing their maternity benefits. I therefore suggest that if a time limit is to be inserted in the Act at all, it should not certainly be six months, but it should be twelve months if not more. It is with that object that I move this amendment, and I hope that Government will be as agreeable to this amendment as they have been to the past two amendments.

Question proposed.

Mr. J. B. PETIT (Bombay Millowners' Association): Mr. President, I am afraid, Sir, that even here I am unable to agree with my honourable friend. I feel very strongly that even the period of six months that is already in the Bill, is sufficiently long; perhaps a bit too long; and that it should in no case be extended to 12 months, as such a provision is sure to add to the difficulties of giving effect to this clause. If the amendment of the honourable member is accepted, it may happen that by the time the certificate is received, the woman may be ready for another delivery. [*Laughter.*] Such cases are bound to occur, and it will then be very difficult to keep the claims alive for 12 months. For all these reasons, Sir, I think that six months is a reasonably long period; and ought not to be extended. I accordingly oppose the amendment; and trust that it will be rejected.

Mr. R. R. BAKHALE: I have nothing to say in reply except that I hope that Government will accept the amendment.

The Honourable Mr. R. D. BELL: Sir, I regret that Government cannot accept this amendment. The honourable mover has admitted that a time limit is necessary, and it is merely a question of whether six months is an unreasonably short time. It seems to me to be a reasonably generous time limit, and if a woman is so callous to the benefits which the statute confers upon her as to delay for more than six months in claiming her benefit, then I think she is abusing the provisions of the law. As the honourable member who represents the Millowners' Association has said, there is also a danger of what the sugarcane cultivator calls "overlap".

Question put, and negatived.

Clause 3 (renumbered as clause 4), as amended, ordered to stand part of the Bill.

Clause 4 (renumbered as clause 5) (*Amendment of section* 14 *of Bom. VII of* 1929) ordered to stand part of the Bill.

Clause 5 (renumbered as clause 6) (*Amendment of section* 15 *of Bom. VII of* 1929) ordered to stand part of the Bill.

Clause 6 (renumbered as clause 7) (*Savings*) :

Nothing in sections 2 and 3 of this Act shall apply for a period of six months from the date when this Act comes into force to any woman who shall have been employed on the said date and who shall continue to be employed by the same employer for a period of six months thereafter.

Such woman shall be paid the maternity benefit to which she is entitled under the said Act in accordance with the provisions thereof, as if this Act had not been passed.

Mr. C. W. A. TURNER : Sir, I move :

"In clause 7, so renumbered, for the figures and word '2 and 3' substitute the figures and word '2, 3 and 4'."

Question put, and agreed to.

Clause 6 (renumbered clause 7), as amended, ordered to stand part of the Bill.

The preamble ordered to stand part of the Bill.

The Honourable Mr. R. D. BELL : I propose, Sir, to take the third reading of the Bill on Monday. It is merely for the purpose of seeing that the drafting is clear.

CORRECTION OF DIVISION LIST.

The Honourable the PRESIDENT : In the last Division List there is a mistake. It was reported by the Tellers that 26 had voted for the "Noes." But there was a mistake in the calculation and the figure is 25. The mistake occurred because Rao Bahadur Asavale, who was one of the Tellers, was counted twice. The Tellers have not the privilege of voting twice. The Division List stands corrected.

STATUTORY MOTION *re*: ELECTION RULES OF THE PANDHARPUR MUNICIPALITY.

Question again proposed :

"This Council resolves that the following amendments shall be incorporated in the rules published in the accompaniment to Government Resolution, General Department, No. 9634, dated 10th June 1933. After the word 'Government' occurring in the second line add 'possessing special qualifications in the administration of law and procedure of the municipal government and especially of election matters'. Substitute the words 'shall be the General Board of the municipality' for the words 'may consist of a single individual or more than one individual' occurring in the last but one line of Rule 9 (2). Substitute the word 'Sub' for the word 'District' occurring in the first line of sub-rule (5) of Rule 9."

Rao Saheb P. D. KULKARNI (Poona District) : Sir, I have already moved my motion and I had made some introductory remarks at the time, i.e., on the 5th of September 1933. But as so many days have elapsed since then, in order to refresh the memory of my honourable colleagues I am briefly stating what the important points in this case are. There are three main points in my amendment. Now, it has been proposed that the returning officer is to be appointed by the Collector at his sweet will. The usual practice up to this day is that the Collector

[Rao Saheb P. D. Kulkarni]

usually appoints the Chief Officer or any one of the officers of the municipality to do the work of Returning Officer. The new addition of few words is made here in the rule 4 (1) that "The chief officer or secretary or any other officer of the municipality or of Government or even any person who is called a Government servant or any individual can be appointed to do this work." This is not desirable and even if it is considered necessary in the absence of any efficient officer in the municipality to do this duty, I think the best course for Government would have been to help the municipality by appointing a man at least who possesses special knowledge and qualifications in the administration of law and procedure of the municipal government and especially in election matters. That is the object of my first amendment. Generally this knowledge and qualification are wanting in persons who have served only in the Revenue Department particularly in those cases who could not come in touch with municipal administration in their days of routine service. It may be argued that there will be no difficulty to get knowledge of the administration and that of the rules when those officers who are residing in municipal areas are appointed as returning officers. But you cannot expect each and every one serving in the Collector's office to have first hand knowledge of municipal administration and laws and rules particularly in connection with elections. Government will not lose anything if they accept my amendment that the man who is appointed as returning officer from the office of the Collector should possess a knowledge of the election rules and administration and procedure of municipal laws.

Another important question which should be taken into consideration is that in these days of democracy we should give more and more powers to the municipalities. But what Government have done is that, in spite of the principle recommended by so many local bodies, they have deprived the municipalities of important rights one after another. Right after right is being taken away from the municipalities and it is in rapid progression. I do not want to base my arguments on any solitary instance but on the question of principle. On the whole, the municipalities and local boards should be encouraged to progress on democratic lines. The municipalities established under the District Municipal Act and the Municipal Boroughs Act have got the power of hearing appeals from the decision of the returning officer in connection with voters' list. We are being deprived now of our rights one by one. Take the case of the Nasik municipality. A new rule has been made in this connection. In the case of the other city municipalities the old rules apply, whereby the board is given the right to hear appeals against the decision of the returning officer. That right might have been misused on some solitary occasion by some municipality. But that is not sufficient reason to deprive all the municipalities as a principle from exercising this right which has been given by the legislature and which they have enjoyed for years past. But, as we see, the tendency of Government is to deprive them of this right. The Nasik Municipality was the first one to lose this

[Rao Saheb P. D. Kulkarni]

right and now the Pandharpur municipality has come in. Others will follow suit and innumerable municipalities will be added to the list. So far as I am aware there is no such provision in the election rules of Poona City Municipality. The old rule exists giving the right to the board to hear appeals on the decision of the Returning Officer. Still I have not heard any complaint of any misuse of their power. Take the case of the Pandharpur municipality. In the month of November 1933, a glowing tribute for good administration was given to that body by His Excellency the Governor. Within three months from that date the municipality has been deprived of this right of hearing election appeals.

Mr. J. G. MORE: On a point of information.

Rao Saheb P. D. KULKARNI: I shall first read an extract from His Excellency's reply to the address of the Municipality and then the required information will be given in due course. His Excellency said:

"In this matter particularly, Gentlemen, I think your municipality has earned a right to the thanks of the whole of India for the improvements that have been effected in the course of the last 20 years."

Here is the second certificate from His Excellency the Governor of Bombay:—

"Let me conclude by tendering you particularly our hearty congratulations on your absence of communal bias, on your unanimity of voice, and last but not least on the very good relations prevailing between you and the district officers."

I quoted His Excellency's words in order to show that there seems no plausible reason at all to deprive the municipality of this valuable right. If the then general board was not satisfactory, they could have ordered a re-election and brought in another general body. But there was no need of depriving the municipality of this valuable right. You should not take into consideration personalities but the principle involved. The right that is enjoyed up till now by a rural municipality is now denied to a city municipality. This is not fair.

Sir, I want to bring to the notice of this honourable House the importance of the Pandharpur municipality. Particularly, I want to point out that we are dealing with the case of a city which is a great pilgrim centre. It has got a population of over 29,508 souls. Twenty out of the 25 members of the general board are elected. The income of the municipality is so great as Rs. 3,90,512. The expenditure is about Rs. 3,36,326. Not only this but people from all parts of the presidency contribute a good part to the income of the municipality in the shape of pilgrim tax, which comes to nearly Rs. 96,565. So, it is the right not only of the people of Pandharpur but of the people of this presidency that has been deprived of by Government by enforcing the rule on the Municipality. As I have already pointed out this municipality has been working very satisfactorily for the past 20 years. There is no complaint about the efficiency in the administration of this Municipality for the last 78 years. The municipality was first established in 1855. It has been working since then very efficiently. It has become the pride

[Rao Saheb P. D. Kulkarni]

of the presidency and it has been certified to have an efficient administration by the highest officer of the presidency. I would like to point out in this connection that a small municipality like Alandi enjoys this right. It has got only a population of 1,600 souls. That small municipality has got the right of hearing appeals from the decision of the returning officer under their Election Rule 8 (2). If it is argued that Alandi's analogy cannot be applied in the case of a city municipality like Pandharpur, I shall point out the instance of the Poona City Municipality, which is a city municipality, where this right is retained by the general board of that municipality [*vide* Rule 10 (2)].

We should not suppose that in these days of advancement all the members of the general board may be inefficient and cannot have the same ability as that of some one who may be appointed as Appellate authority from the Collector's office, drawing say a salary of Rs. 15, Rs. 20 or Rs. 30 as his pay, with an experience of two or three years in that office. We find on the Board of Municipality many men of every community representing the people who have got university degrees like my honourable friend Mr. More. Are they not competent to hear appeals of the voters on the decision of the returning officer? There may be some exceptions, but exceptions prove the rule. Because there are some solitary exceptions, you should not disregard the rule. For these reasons I give warning to Government that in these days of democracy they should not curtail the rights of the municipalities, which is a retrograde step. There are some severe remarks made in the Montagu-Chelmsford Report, page 80, against this sort of policy and these have been corroborated by the Simon Commission in their Report (page 308, Vol. I) that Government are lacking in giving sufficient encouragement and in curtailing official influence over the local bodies. This is the sort of official influence—to send some one to hear appeals disregarding the qualifications of persons sitting on the board who have got experience of years in the administration and in the ordinary law. Is it not a retrograde step to appoint an inexperienced servant of Government to take the place of these highly qualified and experienced men? I hope Government will be well advised to reconsider this matter before they take this step finally.

I wish to point out another important thing, that is my third point. There are now so many persons taking interest in elections. Certainly it is a good sign that people are becoming alive to their own rights, both in the rural areas and in the urban areas. Election is a very complicated matter, and naturally people have to go to the court for getting their grievances redressed. To ask people in a busy city like Pandharpur to go to Sholapur to get a decision on some small legal point is to inflict a great punishment on them. They have to spend much time, energy and money in going to Sholapur, as they have to leave off their daily avocations. Why inconvenience people unnecessarily? There is a civil court at Pandharpur. As a district judge can delegate his powers to an assistant sessions judge

12-30 p.m.

[Rao Saheb P. D. Kulkarni]

for hearing these applications, this Government and the House will be quite right in delegating this power to a local sub-judge. The grievances of the people residing at a great distance from the headquarters of the district judge will be thereby remedied, and there will be no legal drawback if judgment or ruling is given by the sub-judge in such cases. Money will be saved and time will be saved and inconvenience also will be removed, only if Government are inclined to redress the grievances of the people. This is a simple request which should not be denied. If Government are adamant, I know they can defeat this amendment with the strong majority they have behind them.

I have to point out also another thing. A great injustice has been done to the Pandharpur municipality on a matter of principle. In passing rule 7 (1), their opinion was not taken at all. I have always been bringing it to the notice of the honourable House that local bodies should be taken into confidence when rules affecting them are passed under any legislation. In passing rule 7 (1), the honourale member the Commissioner, C. D., could not find sufficient time even to consult the local body concerned; he was in a hurry to encroach on the rights given to the public and therefore he discarded the principle of getting the rule first passed by the local bodies. I would suggest that this rule should be sent now for the consideration of the new body that has come into existence. On this new body public-spirited persons have been elected, and they represent the whole town now. A chance must be given to them to express their views on this important point. The principle of framing a rule without any basis of local opinion for it is very bad. Therefore, it must be the custom always before making any rule concerning a local body to consult that local body and their sanction first. Then, the opinion of the Collector and the Commissioner and even a dozen of other Government officers may be taken if they like. I have no objection to that. We do value the opinions of the Government officers, Collectors and Commissioners, who have experience of administration. But let us give a chance first to the local body to express its views in the matter. Then, you may take the opinions of the officers. Then, the matter may be considered logically and legally. That point has altogether been disregarded in framing this rule 7 (1). This honourable House should not allow this arbitrary way of the officials.

With these remarks, I place my amendment for the consideration of the House.

The Honourable the PRESIDENT: I had better read the motion proposed, in order to refresh the memory of honourable members:

"This Council resolves that the following amendments shall be incorporated in the rules published in the accompaniment to Government Resolution, General Department, No. 9634, dated 10th June 1933. After the word 'Government' occurring in the second line add 'possessing special qualifications in the administration of law and procedure of the municipal government and especially of election matters.' Substitute the words 'shall be the General Board of the Municipality' for the words 'may consist of a single

[The President]

individual or more than one individual' occurring in the last but one line of Rule 9 (2).

Substitute the word 'Sub' for the word 'District' occurring in the first line of sub-rule (5) of Rule 9."

Mr. J. G. MORE (Sholapur District): Sir, I am very sorry that I have to oppose the Statutory Motion moved by my honourable friend Rao Saheb Kulkarni. This motion refers to the Pandharpur Municipality. The honourable mover seeks to make three amendments in the election rules of the municipality. The rules are first made by the Municipality and are sent to the Commissioner and after receiving the sanction of Government, the Municipality is guided by these rules. Under the old rules it was the Chief Officer or any other officer of the Municipality who was empowered to prepare the electoral roll of the Municipality, but towards the end of 1932, the then President, Rao Bahadur Paricharak, and members of his party who were in power, so arranged matters as to secure a sweeping success at the polls. With that view, the President, the Chief Officer and members of the Standing Committee which then consisted of 12 members, conspired and inserted bogus names in the voters' list. The seriousness of that malpractice was so much exposed by the citizens that Government officers were shocked to see that Rao Bahadur Paricharak and his party Councillors were capable of committing this sort of malpractice. The citizens then requested Government that they should be pleased to see that the electoral roll be prepared by Government officers. A resolution was passed by the citizens and it was sent to Government and it was in response to that resolution that the Government amended these rules.

The first amendment that has been moved by the honourable member refers to the qualifications of Government officers, if they are appointed to prepare the electoral rolls. But my honourable friend does not wish for special qualifications for the officers of the municipality. It is not always the case that all the officials of the Municipality know law and procedure and other matters relating to elections. He only wishes that this qualifying clause should apply to Government officers only and not to municipal officers. That seems to be ridiculous.

Secondly, the ground that I wish to stand upon is that when the citizens themselves have asked Government to appoint a Government officer to prepare the electoral roll and if Government have done that in response to the wishes of the citizens, are Government at all wrong in any way in that respect? Government after consulting the Municipality, sent their amendments to the Municipality and the Municipality agreed to these amendments. After that, when the amendments were sanctioned, the new officer was appointed by Government who, I know, was quite capable and who worked quite nicely. So, the first amendment proposed by my honourable friend is superfluous.

[Mr. J. G. More]

As for the second amendment which refers to the appellate authority, formerly the appellate authority was the standing committee which consisted of 12 members. My honourable friend Rao Saheb Kulkarni says that the members of the general body are quite competent and so, instead of vesting the power in one individual officer who may happen to be the Chief Officer of the Municipality or a Government officer, it should be given to the general board. In Government Resolution, G. D., No. 9634, he will be surprised to see that all the members of the standing committee, consisting as it did of 12 members grossly abused their powers when they revised the electoral roll. When the members of the standing committee had abused their power and when the citizens of Pandharpur requested Government to appoint a Government officer to prepare the electoral roll, then I do not think that my honourable friend's amendment is at all justified. Practically speaking my honourable friend knows nothing of Pandharpur, but it so happens that the ex-president of the Pandharpur municipality, Rao Bahadur Paricharak, is his friend. So, with a view to help him, this statutory motion is being moved by my honourable friend, but I may point out to him that his friend Rao Bahadur Paricharak was the person who was at the bottom when the electoral roll was prepared mischievously. Not only that but in connection with the preparation of the electoral roll, he in consultation with the chief officer and in consultation with the members of the standing committee had committed certain offences which came under certain sections of the Indian Penal Code, so much so that Government were going to take drastic steps against the municipality. A supersession notice was issued to the municipality. The citizens held a meeting and sent a resolution to the Government requesting Government that the municipality be suspended. But, a legal technicality came in the way of Government and they could not suspend the general body on the ground that the mischief was committed not by the members of the general body but by the president, the chairman of the standing committee and the members of the standing committee and the chief officer. As for the faults of those members the whole general body could not be suspended, so Government were forced to give an extension to the municipality and further, Government asked the municipality to change their rules in response to the wishes of the citizens and therefore these rules were changed in response to the wishes of the citizens. So, I do not think the alterations which have been suggested by my honourable friend are at all necessary and I submit they should be rejected by this House.

The last amendment, which he suggests as regards substituting a subordinate judge for a District Judge, is of course one which I think may be accepted by Government. So far as the Council election rules and the district local board election rules are concerned, I think the sub-judge has been given the power of hearing appeals and I do not see why it should not be so in the case of municipalities also. That will no doubt save expenses, but I am told that Government are already

[Mr. J. G. More]

moving in this matter and that they wish to have uniform rules all over the presidency so that when that is done by Government, this grievance will be remedied.

Sir, the statutory motion moved by my honourable friend is not only against the wishes of the citizens of Pandharpur, but it is quite contrary to the prevailing conditions of the city, and so I oppose that statutory motion. I belong to Pandharpur and it was I who led the evidence on behalf of the citizens of Pandharpur and so in response to the wishes of the citizens of Pandharpur these rules have been changed by Government. So far as rule 7 (1) to which he has referred in his speech is concerned, I do not know whether this rule was referred to the municipality but I know this much that a deputation waited upon the Collector and the Collector was requested to make the change and so that rule must have been changed by Government in response to the wishes of the citizens as conveyed to them by the deputation of the citizens of Pandharpur.

With these words, I oppose the statutory motion moved by my honourable friend Rao Saheb Kulkarni.

The Honourable Sir GHULAM HUSSAIN: Sir, I rise to oppose this motion. At present the electoral roll is prepared by the following officers namely, the Chief Officer, or Secretary, or any other officer of the Municipality or of Government who may be appointed from time to time by the Collector. The honourable mover of the amendment wants that an officer or an individual possessing special qualifications in the administration of the law and procedure of municipal government and especially of election matters should be appointed to do this work. But he has not defined those special qualifications. Generally the chief officer has those qualifications, and knows the procedure regarding elections and everything connected therewith. The honourable mover ought to have given a definite indication as to what are the special qualifications he wants. The words which he has used are very vague. Even if the amendment is carried, it cannot be worked. For the preparation of the electoral roll he wants a man with special qualifications. Then as regards the hearing of first appeals, he wants the work to be done by the whole board consisting of laymen. I do not think there is any sense in the amendment. He wants special qualifications for the person who prepares the electoral roll. If he insists on special qualifications for the man who prepares the electoral roll in the first instance, there ought to be even better qualifications prescribed for the person who hears the appeals. But what the honourable member wants is that the whole municipality should sit to decide these appeals. If the whole municipality sits to decide appeals, what will be the result? They are all interested, because the electoral roll affects all the wards, and there are bound to be quarrels in the municipal board. No one would like his voter to be struck off the roll. There will be no end to the meetings. Perhaps they might take more than three years, till the next elections arrive, to get through the rolls. At present the Collector has the power to appoint one or more

[Sir Ghulam Hussain]

persons for the purpose, and the general practice has been to appoint a sub-committee of the board, or an individual.

The next amendment of the honourable member is that second appeals should be heard by a subordinate judge instead of by a District Judge. In the preparation of the electoral roll, he insists upon special qualifications for the officer. But when Government give him a District Judge for hearing second appeals, he says "no, there ought to be a man of lower grade". So, honourable members will see that there is absolutely no sense in his amendments, and they ought to throw them out. Otherwise, it will be a waste of the time of the municipality. In the first place, his proposals are vague, and they are inconsistent with one another. He wants special qualifications for the officer who prepares the electoral roll, and he leaves the first appeal to a body of laymen, consisting of all the members of the municipality, who might be 20 or 30 or 40 in number, and who will go on from day to day, without any end to it. The original notification of Government is in the interest of the municipality, in the interest of the people, and in the interest of justice, because the District Judge, who is a higher legal officer, is to hear second appeals. Had it been a first appeal, I might have induced Government to consider the request that it should be heard by a subordinate judge. But this is a second appeal, and I think it is better that it should be heard by the District Judge. For these reasons, I oppose the motion.

Rao Saheb P. D. KULKARNI (Poona District): Sir, I shall take as little time as possible. The grievances which are placed before the House by the honourable member from Pandharpur (Mr. More) are the history of the past. They have nothing to do with the principle which is underlying these rules and the amendments which I have duly tabled. There may be some personal things, and there may be some personal mistakes from the head of the Government. They have nothing to do with the question under discussion. The election of the Pandharpur Municipality has taken place already, a new body has been constituted, and the administration is going on smoothly, or to the satisfaction of our honourable colleague. It has nothing to do with these rules. We are here concerned with the principle. I have already in my opening remarks said that we have to forget individualities and see only to the principles. From an official point of view my amendment may be a nonsense, may be inconsistent and any epithet can be attributed to it, because I have not the support of the majority in this House. If only I had a majority in the House, my view and my amendment would have been admired. What I have said is that we must consider the principle on its merits. An argument has been advanced that I am contrasting the educational qualification of the municipal officer with that of the man who will be appointed by the Collector. As regards the qualifications of the municipal officer, sufficient care can be taken about it by the municipality because it will be in the hands of persons like my honourable friend Mr. More, representing the public in that case to get the thing as desired.

[Rao Saheb P. D. Kulkarni]

But these officers are not appointed at the time of election but after the election. At the time of the appointment of those officers in the municipality, their qualifications can be taken into consideration in regard to education, experience in the municipal administration and so on. So, there appears to be nothing inconsistent in my statement that the man appointed from the Collector's office should possess the same qualification. So, that remark is quite out of place.

Another argument he advanced was that for the fault of the standing committee, the whole principle should be upset and the municipality should be permanently deprived of this right of hearing appeals from the returning officer's decisions. It is really an astounding argument to advance. In such a case the matter should be considered on its merits.

Then, he told us something about Rao Bahadur Paricharak. I have nothing to do with that gentleman and I have no interest in him. "Forget the persons and come to the principle" is my line of argument here from the very outset.

Then, the honourable member said that I had not seen the face of the Pandharpur Municipality. I may inform the honourable gentleman that I own a house in Pandharpur and I have lived there as a resident of the municipality for months together. There is no use therefore to make the aspersion on me that I am a stranger and making irresponsible allegations.

Then, he told us that in response to public desire this change has been made in the rules. I have clearly quoted instances and proved that there is nothing on record to show that the municipality was consulted in regard to the framing of these rules. Some got-up deputation might have waited on the authorities but there is no record to show that any legal representation on behalf of the municipality has been made for such a change in the rules. Some individuals displeased with the administration might have formed a deputation but it is not a constitutional way to consider such matters. Therefore that principle also has been discarded. So, care should be taken by Government to give due respect to the wishes of the municipality.

Now about vesting the powers in a Sub-Judge of authorising him to hear appeals a sugar-coated promise has been thrown on the face of my honourable colleague and he is satisfied. There is no use practically of such promises in practice. The Honourable the Leader of the House levelling criticisms on me made some remarks; to them I shall give my reply.

The Honourable Sir GHULAM HUSSAIN: Not against you but against the amendment.

Rao Saheb P. D. KULKARNI: First, the required qualification of the official Returning Officer is not given by me in my amendment. The qualification must necessarily be the examination held by the Local Self-Government Institute which gives training in the administration of municipalities.

1 p.m.

[Rao Saheb P. D. Kulkarni]

as there is no other authority on the subject. The municipalities now generally appoint men who have taken a diploma from the Institute. The men who are already employed are not debarred from appearing for that examination. Those who have passed that examination may be given preference and may be appointed for that purpose as Returning Officers. No other qualification is required; but that much study is necessary. It is not to be taken that each and every officer who has served under Government, although he may not have seen a municipality, is fit for the task. However well informed and well educated he may be he cannot be omniscient on the strength of his being a Government servant only!

Another thing is this. I am asked why, when I am pressing for the qualification of the officer, I am proposing that the general board chiefly consisting of laymen should be entrusted with the hearing of appeals. I ask, why always look to the dark side of the picture? There is no dearth of men of legal acumen on the municipal board; now-a-days many lawyers are returned on the municipalities by the public; and we have no ground to say that they are not capable of hearing appeals. If I am not wrong, the present president of the Pandharpur Municipality is also a graduate in law, and a first class pleader of long standing. There are some city fathers there who are pleaders and magistrates also on the Board. If you take a census of all municipalities, in these days of democracy, you will find that there is no dearth of lawyers and Honorary Magistrates in the Municipalities and Local Boards. They are in no way incompetent to sit in judgment on the work of returning officers.

The Honourable the PRESIDENT: It is time now; is the honourable member likely to take long?

Rao Saheb P. D. KULKARNI: Then, with these words, I leave the motion to the good will or good sense of the honourable House.

The Honourable Khan Bahadur D. B. COOPER: Sir, I wanted to give a picture to the House of the state of affairs which led Government to amend the rules of the Pandharpur Municipality, but there is no time at my disposal and I do not want to say much about it. The only thing I wish to say now is that the argument in support of this motion which the honourable member Rao Saheb Kulkarni has advanced would no doubt have been very sound, provided the position of the Pandharpur Municipality, of which he seems to be entirely unaware, was quite bright. The Pandharpur Municipality committed so many sins that we had to pass the rules. The reply to the three points raised by the mover of the amendment has been given by the Honourable the Leader of the House. His first point was about the special qualification; the second about the general board hearing appeals; and the third regarding the appointment of the Sub-Judge in place of the District Judge. The special qualifications are nowhere defined, and what he means by "special qualifications" is not laid down anywhere in the Act or in the rules. Now he says that the Local Self-Government Institute examination would be quite

[Khan Bahadur D. B. Cooper]

sufficient for purposes of "special qualifications". But he has failed to mention it anywhere and as long as that point is moot, I cannot pay any attention to it and also do not give any importance to it at this stage.

Regarding the appointment of a Sub-Judge in place of a District Judge, under section 92, the Collector is empowered to appoint the appellate authority. Who that appellate authority would be is not mentioned here. The Collector may appoint an appellate authority who may be a Sub-Judge, and in that case, the second appeal must lie to the District Judge, as has been laid down in the model rules. And some municipalities have adopted these rules. Under the circumstances, it is not necessary that the existing rule should be amended. I have got nothing more to add. I hope the honourable mover will see his way to withdraw the motion.

Question put, and negatived.

BUSINESS OF THE HOUSE.

The Honourable Sir GHULAM HUSSAIN: Sir, on Monday we shall take up the Bill for the abolition of the town duty on cotton. Then we shall proceed with the third reading of the Maternity Benefits Bill. Then there is another Government Bill. Then, if there is any time left, we shall take up supplementary grants.

It being 10 *minutes past* 1 *p.m., the House adjourned till* 2 *o'clock on Monday, the* 19*th March* 1934.

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Monday, the 19th March 1934.

The Council re-assembled at the Council Hall, Bombay, on Monday, the 19th March 1934, at 2 p.m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present:

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ADVANI, Mr. P. B.
AMINUDDIN, Mr. SAIYID
ARBUTHNOT, Mr. C. W. E.
ASAVALE, Rao Bahadur R. S.
BAKHALE, Mr. R. R.
BANGI, Mr. A. K. J.
BELL, the Honourable Mr. R. D.
BIRADAR, Sardar MAHABOOBALI KHAN
BOLE, Rao Bahadur S. K.
BULLOCKE, Mr. A. GREVILLE
CHIKODI, Mr. P. R.
CHITALE, Rao Bahadur G. K.
CLEE, Mr. C. B. B.
COLLACO, Dr. J. A.
COOPER, the Honourable Khan Bahadur D. B.
COVERNTON, Mr. S. H.
DAVIS, Mr. G.
DESAI, Rao Saheb B. G.
DESAI, Mr. H. R.
DESAI, Mr. S. B.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
D'SOUZA, Dr. J. ALBAN
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GARRETT, Mr. J. H.
GAZDAR, Mr. MAHOMED HASHIM
GHULAM HUSSAIN, the Honourable Sir
GHULAM HYDER SHAH, Mr.
GOKHALE, Mr. L. R.
GOVER RORA, Mr.
GREAVES, Mr. J. B.
HUMPHREY, Mr. JOHN
JOG, Mr. V. N.
JONES, Major W. ELLIS
KALBHOR, Mr. G. M.

KAMAT, Mr. B. S.
KAMBLI, the Honourable Dewan Bahadur S. T.
KARBHARI, Mr. M. M.
KENNEDY, Mr. T. S.
KHUHRO, Khan Bahadur M. A.
KNIGHT, Mr. H. F.
KULKARNI, Rao Saheb P. D.
LANE, Mr. C. M.
LELY, Mr. W. G.
MAXWELL, Mr. R. M.
MEHERBAKSH, Khan Bahadur S.
MITHA, Mr. MAHOMED SULEMAN CASSUM
MODAK, Rev. R. S.
MORE, Mr. J. G.
NAIK, Sardar Rao Bahadur B. R.
NAVLE, Rao Bahadur N. E.
OWEN, Mr. A. C.
PANJABI, Mr. K. L.
PARULEKAR, Rao Bahadur L. V.
PATEL, Khan Bahadur A. E.
PATEL, Mr. BHAILAL SARABHAI
PATEL, Mr. C. N.
PATEL, Khan Bahadur VALI BAKSH A.
PATIL, Dewan Bahadur D. R.
PATIL, Mr. N. N.
PATIL, Mr. V. N.
PATIL, Rao Saheb V. S.
PETIT, Mr. J. B.
PRADHAN, Rao Bahadur G. V.
RAHIMTOOLA, Mr. HOOSENALLY M.
RESALDAR, Mr. A. K.
ROOSE, Mr. F. O. J.
SERVAI, Mr. A. E.
SHAIKH ABDUL AZIZ, Mr.
SHAIKH ABDUL MAJID, Mr.
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SHINDE, Mr. R. B.
SINDHA, Mr. MADHAVSANG JORBHAI
SOLANKI, Dr. P. G.
SURVE, Mr. A. N.
SURVE, Mr. V. A.
SYED MUNAWAR, Mr.
THAKOR OF KERWADA, Sardar BHASAHEB RAISINHJI
TOLANI, Mr. S. S.
TURNER, Mr. C. W. A.
VAISHAMPAYAN, Dr. V. G.
VAKIL, Mr. PESTANSHAH N.
VANDEKAR, Rao Bahadur R. V.
WADKE, Mr. B. P.

STARRED QUESTIONS AND ANSWERS

ELECTION OF DEPRESSED CLASS MEMBERS ON LOCAL BOARD SCHOOL COMMITTEE OF ARAVLI.

*Rao Bahadur S. K. BOLE: Will the Honourable Minister for Education be pleased to state—

(*a*) whether it is a fact that two members of the depressed classes were elected on the committee of the local board school of Aravli in Vengurla taluka, Ratnagiri district, on the 2nd September 1932;

(*b*) if so, whether the election is confirmed by the board and if not, why not?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) Yes.

(*b*) The election was confirmed by the District School Board, Ratnagiri, on 27th November 1933.

FOREST DEPARTMENT ROADS IN KANARA.

*Mr. G. S. GANGOLI (Kanara District): Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) the total length of roads in Kanara under the Forest Department;

(*b*) the amount required for maintaining one mile of such road;

(*c*) the amount required for constructing one mile of such road;

(*d*) the daily wages paid to a labourer by the Forest Department;

(*e*) the number of tolls maintained by the Forest Department;

(*f*) the total amount spent on the roads by the Forest Department during the last financial year;

(*g*) the proportion of the establishment charges including the pay, allowances, pension charges and daily wages to the outturn of the work done by the Forest Department?

The Honourable Khan Bahadur D. B. COOPER: (*a*) to (*f*) A statement furnishing the required information is placed on the Council Table.

(*g*) In the Forest Department no establishments are employed solely for construction and maintenance of works; they have, in addition, to carry out protective, administrative and other duties, the cost of which cannot be separately calculated. It is not therefore possible to furnish the information required by the Honourable Member.

Statement giving the information regarding Forest roads in the Kanara District.

The total length of roads in Kanara under the Forest Department. (*a*)		The amount required for maintaining one mile of such road (approximate). (*b*)	The amount required for constructing one mile of such road. (*c*)	The daily wages paid to a labourer by the Forest Department. (*d*)	The number of tolls maintained by the Forest Department. (*e*)	The total amount spent on the roads by the Forest Department during the last financial year. (*f*)
Miles.	Furlongs.	Rs.	Rs.	Rs. a. p.	No.	Rs. a. p.
		Kanara Northern Division.				
202	2	59	4,100	These wages vary from Re. 0-6-0 to Re. 0-12-0 per day.	*Nil.*	5,239 8 0
		Kanara Eastern Division.				
75	..	53	2,571	Do. ..	*Nil.*	8,862 0 0
		Kanara Western Division.				
85	¼	33	2,246	These wages vary from Re. 0-6-0 to Re. 0-10-0 per day.	*Nil.*	14,248 0 0

AUDIT SERVICE FOR LOCAL BODIES, CO-OPERATIVE SOCIETIES, JAILS, ETC.

*Rao Bahadur G. K. Chitale *for* Rao Bahadur R. R. KALE (Bombay University): Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) what action Government have taken as promised by the Honourable the Finance Member in the Budget Session of 1929–30 to have one audit service for local bodies, co-operative societies. Government factories, jails, etc.;

(*b*) how much saving he anticipates in the total expenditure and in travelling allowance by carrying out the above suggestion;

(*c*) whether Government intend to carry out the suggestion; if not, why not?

The Honourable Sir GHULAM HUSSAIN: (*a*) and (*c*) At present the audits of the accounts of Government factories, jails, etc., are conducted by the Auditor General under the provisions of the Government of India Act and their costs are met from central revenues. They are carried out by the Outside Audit Department and cannot under the present constitution be transferred to the Local Audit Department. Government have therefore considered whether the Local Audit Department, which carries out such audit work of the Bombay Government as is not reserved to the Auditor General, could with advantage take up the audit of co-operative societies in addition to its present audits. The Accountant General has reported that it is very doubtful if the proposal would result in economy. Moreover, in view of the special knowledge of the principles underlying the co-operative movement required to be possessed by co-operative auditors, it is not considered in the best interests of the movement that their work should be entrusted to officers of the Local Audit Department. In these circumstances Government do not propose to adopt the suggestion.

(*b*) Does not arise.

PROVISION FOR MAINTENANCE OF PERSONS ORDERED TO RESIDE IN STRANGE AREAS.

*Rao Bahadur G. K. Chitale *for* Rao Bahadur R. R. KALE (Bombay University): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether under the power to control suspected persons given by section 4 of Bombay Act XVI of 1932 any persons have been directed to reside in places other than their usual places of residence or business;

(*b*) if so, what are their names and what are their usual places of residence or business and the places wherein they have been directed to reside;

(*c*) what provision, if any, has been made by Government for their maintenance;

(*d*) whether any persons who have been detained in places other than their usual place of residence or business have made any claim for maintenance;

(*e*) if so, what are their names and what reply has been given to them by Government;

(*f*) whether Government have considered the desirability of providing for their maintenance in such cases?

The Honourable Mr. R. D. BELL: (*a*) Yes.

(*b*) The information required is contained in the following statement:—

District.	Names of persons subject to orders at present in force which require them to reside in places other than their usual place of residence or business.	Names of their usual places of residence or business.	Names of places wherein they have been directed to reside.
1. Thana ..	1. Vasudeo Balvant Karnik *alias* Motiram Karnik.	Bandra, Bombay Suburban District.	Dahanu, Thana District.
2. Nasik ..	1. Ganesh Damodar Savarkar ..	Bombay ..	Nasik, Municipal limits.
	2. Dinkar Vithal Gokhale ..	Malegaon, District Nasik.	Do.
3. Satara ..	1. Vinayak Vishnu Phatak ..	Masur ..	Chaphal.
4. Sholapur ..	1. Manikchand Veerchand Shah..	Walsang, Taluka Sholapur.	Outside Sholapur District.
	2. Gulabchand Hirachand Doshi ..	Sholapur ..	Outside Sholapur Taluka.
5. Dharwar ..	1. A. F. Sollapur ..	Hosritti ..	Tumminkatti.
	2. A. P. Karmarkar ..	Dharwar ..	Mundargi.
	3. N. B. Hiremath ..	Bankapur ..	Dharwar.
	4. C. C. Hallikeri ..	Hosritti ..	Hangal.
	5. S. V. Hallikeri ..	Do. ..	Hirehal.
6. Kanara ..	1. Subraya Mukund Shanbag ..	Tadri (Kumta) ..	Gokarn (Kumta).
	2. Ganapat Narayan Bhat ..	Bopnalli (Sirsi) ..	Sirsi.
	3. Laxuman Hanmant Shetti ..	Ulvare (Ankola) ..	Karwar.
	4. Bantu Hanmant Shetti ..	Do. ..	Do.
	5. Narayan Subraya Bhat ..	Moralli (Ankola) ..	Ankola.
	6. Vishweshwar Sannappa Jaddipal.	Dehalli (Yellapur) ..	Karwar.
	7. Ramkrishna Timmappa Hegde Kadve.	Bommanalli (Sirsi) ..	Sirsi.
	8. Sitaram Ganesh Tengse ..	Gokarn (Kumta) ..	Karwar.
7. Ratnagiri ..	1. Purushottam Ganesh Kher ..	Bombay ..	Ratnagiri.
	2. Rajaram Dinkar Desai ..	Do. ..	Waigani.
	3. G. V. Mavlankar ..	Ahmedabad City ..	Ratnagiri.
	4. Ganpat Shripat Lad ..	Bombay ..	Dhakmol.
	5. Govind Anant Tengshe ..	Do. ..	Kochra.
	6. K. L. Borkar ..	Do. ..	Varavda.

(*c*) None.

(*d*) Yes.

(*e*) The names of the persons concerned are given below :—

(*i*) G. D. Savarkar,
(*ii*) P. G. Kher,
(*iii*) R. D. Desai.

The reply given to G. D. Savarkar and P. G. Kher was to the effect that their request for a maintenance allowance could not be granted by Government. R. D. Desai was allowed to reside in his native place.

(*f*) Yes. See answer to clause (*e*).

Rao Bahadur G. K. CHITALE : In the answer to (e) the following names are given :

(*i*) G. D. Savarkar,
(*ii*) P. G. Kher.
(*iii*) R. D. Desai.

What is the charge against Mr. Kher ?

The Honourable Mr. R. D. BELL : They are required to reside at these places under the provisions of the Special Powers Act. There is no charge required.

Rao Bahadur G. K. CHITALE : Why is no maintenance given to him ?

The Honourable Mr. R. D. BELL : No maintenance.

Rao Bahadur G. K. CHITALE : Why is no maintenance allowance given to him ?

The Honourable Mr. R. D. BELL : Because it was not considered necessary that he should have one.

VILLAGE IMPROVEMENT.

*Rao Bahadur G. K. Chitale *for* Rao Bahadur R. R. KALE (Bombay University) : Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) how the amount of Rs. 25,000 provided for in the current year's budget as grant-in-aid for expenditure in connection with the Village Panchayats Act has been or is proposed to be spent for the purpose of popularizing village panchayats and fostering their growth in the Bombay Presidency ;

(*b*) whether it is a fact that the sum of Rs. 25,000 was specifically provided for popularizing the growth of village panchayats by appointing 2 or 3 officers to organize panchayats and to guide them or to spend it on a group of panchayats in selected areas to put them up as models ;

(*c*) how that amount is going to be utilized ;

(*d*) what suitable measures Government have taken or intend to take for encouraging various forms of improvement of village life ;

(*e*) whether Government are aware that the establishment of an organization like the village panchayat in a village is the very *sine qua non* of village improvement ;

(*f*) how the proposed organization or scheme adumbrated in Chapter II of the Manual of Village Improvement is expected to enforce its decisions on the villagers ;

(*g*) what guarantee is there that the District Executive Committee or the other organizations referred to in the Manual will function effectively in the several villages so as to achieve the object underlying the scheme ;

(*h*) how Government intend to utilize the agency of the Local Self-Government Institute, Bombay, which had offered its services in the popularizing of the establishment and growth of panchayats in the matter of village improvement ;

(*i*) whether Government intend to utilize the services of the Local Self-Government Institute, Bombay, in the matter of village improvement ; if not, the reasons therefor ;

(*j*) whether Government are aware that there is no other recognized non-official agency, besides the Local Self-Government Institute, Bombay, which can be better utilized for an effective action towards bringing about improvements in villages ;

(*k*) what provision Government have made in the next year's Budget for financing any scheme for village improvement and how they intend to spend the money so provided ?

The Honourable Khan Bahadur D. B. COOPER : (*a*) and (*c*) The amount of Rs. 25,000 referred to has been surrendered for the reasons stated in reply to part (*b*) of Rao Saheb P. D. Kulkarni's council question No. 5* printed on page 13 of the fourth list of starred questions and answers for this Session.

(*b*) Yes, but the Honourable Minister definitely stated that he had not made up his mind as to the manner in which the grant should be employed.

(*d*) The information is contained in the Manual of Village Improvement and in the Manual of Instructions for Government officers in connection with the Village Improvement Scheme. Copies of these Manuals have been supplied to the Members of the Legislative Council.

(*e*) Government are inclined to think so in most cases. It is, however, a matter of common knowledge that Village Panchayats as constituted at present have not hitherto attained any general measure of success and the new Act must, therefore, be regarded at the present stage as experimental.

(*f*) By propaganda, persuasion and the co-operation of the villagers.

(*g*) There can be no guarantee. Time and experience will show how they function.

(*h*) and (*i*) Under the scheme as laid down in the Manual of Village Improvement the Local representatives of the Local Self-Government Institute will be given the right of membership on the Divisional Committees. Government acknowledge with gratitude the offer of the Local Self-Government Institute and they hope that it may ultimately be possible to utilize their services in certain branches of propaganda and training. But they are not yet in a position to make any definite announcement.

* Printed on page 324 of Volume XXXIX of the Bombay Legislative Council Debates.

(*j*) There are other possible agencies such as District Local Boards and the new District Executive Committees.

(*k*) A provision of Rs. 23,000 has been made in next year's budget estimate on this account and this amount is to be spent on the pay and allowances of the Secretaries to the Executive Committees of all the Districts in the Bombay Presidency proper.

Mr. M. M. KARBHARI: In answer (j) it is stated: "There are other possible agencies such as District Local Boards and the new District Executive Committees." May I know if there are any rules and regulations framed for the functioning of these District Executive Committees?

The Honourable Khan Bahadur D. B. COOPER: Beyond the Manual which is published, there are no further rules and regulations printed.

Mr. M. M. KARBHARI: May I know who has got the powers to make rules for these Committees?

The Honourable Khan Bahadur D. B. COOPER: If any rules are necessary, the different committees will frame their own rules.

Mr. M. M. KARBHARI: Will this committee be considered a local authority for purposes of village uplift?

The Honourable Khan Bahadur D. B. COOPER: I cannot see how it can be.

Mr. M. M. KARBHARI: Will these District Committees be considered under the Act as local authorities for the purposes of village uplift?

The Honourable Khan Bahadur D. B. COOPER: They do not come under any special legislation to bring them under the term "local authorities."

Mr. M. M. KARBHARI: Are these District Committees vested with any powers?

The Honourable Khan Bahadur D. B. COOPER: The functions and duties of these Committees are mentioned in that Manual.

Mr. M. M. KARBHARI: I understand that thoroughly; but what I want to know is: are they regulated by any law?

The Honourable Khan Bahadur D. B. COOPER: No.

Mr. M. M. KARBHARI: In case of maladministration, who is the authority empowered to interfere?

The Honourable Khan Bahadur D. B. COOPER: The chairmen of the Committees will give proper guidance and will see that there is no maladministration.

Mr. M. M. KARBHARI: If that is so, how does the Honourable Minister come in? If the chairmen of the district committees are to interfere in case of maladministration, where does the Honourable Minister come in?

The Honourable Khan Bahadur D. B. COOPER: What does the honourable member mean by "interfere"?

Mr. M. M. KARBHARI: Does the final authority rest with the Honourable Minister for dissolving or superseding a district committee in case of maladministration ?

The Honourable Khan Bahadur D. B. COOPER: That will be decided according to the circumstances which may arise in course of time.

Mr. M. M. KARBHARI: I want to know whether the Honourable Minister possesses any powers under the rules and under the law. It may be that he will consider these questions when they arise. What I want to know is whether under the present arrangement the Honourable Minister has got the right to supersede or dissolve or exercise some other kind of control over any action or administration of these committees ?

The Honourable Khan Bahadur D. B. COOPER: The honourable member is fully aware that this is only an experiment which is going to be carried out and according to the experience that will be gained from time to time, all rules and regulations will be framed. At the same time, the chairmen of these committees, the President of the District Local Board, the Collector and the Commissioner are there to give guidance. I do not know what the honourable member wants at this stage to be done.

Mr. M. M. KARBHARI: What I want to know is whether these committees come under the existing law relating to local self-government under the transferred department.

The Honourable Khan Bahadur D. B. COOPER: No.

Mr. M. M. KARBHARI: If that is so, does it become the function of the transferred department to administer these committees ?

The Honourable Khan Bahadur D. B. COOPER: Situated as they are, for giving grants to these institutions, they are under the head 37-Transferred.

Mr. M. M. KARBHARI: Is it a grant or a payment for service ? How is it a grant ? It is merely a payment for service.

The Honourable Khan Bahadur D. B. COOPER: A grant to make good the salary that will be paid to the secretary.

Mr. M. M. KARBHARI: May I know if these committees will in future be empowered to levy any tax contained in Schedule II of the Government of India Act ?

The Honourable Khan Bahadur D. B. COOPER: It is purely experimental at present. Everything will be decided according to the experience gained.

Mr. M. M. KARBHARI: I know that. What I want to know is if these committees will have any power to levy any tax ?

The Honourable the PRESIDENT: I think I must interfere at this stage and remind the honourable member of the statement made by the honourable member the Commissioner, Northern Division. He gave the House a fair idea as to how this work will proceed, and said that it is for the present in an experimental stage. Further action will be

taken as experience is gained. Government have not gone any further. That is according to the statement of the Commissioner. Now, the honourable member's questions relate to something which he considers has been definitely laid down. Nothing definite has been laid down.

Mr. M. M. KARBHARI: I would like to know whether the working of these district committees will be repugnant to the provisions of the various Acts relating to local self-government?

The Honourable Khan Bahadur D. B. COOPER: I do not think so.

WATANDAR KULKARNI FAMILIES: APPOINTMENTS AS TALATIS.

*Rao Saheb P. D. KULKARNI (Poona District): With reference to the reply to part (*a*) of my question on the above subject, printed on pages 89–90 of Volume XXXVII of the Bombay Legislative Council Debates, will the Honourable the Revenue and Finance Member be pleased—

(1) to place on the Council table—

(*a*) a copy of Government Resolution, Revenue Department, No. 6131, dated the 2nd July 1914 referred to therein;

(*b*) a copy of Government Resolution, Revenue Department, No. 2076-D, dated the 19th February 1915;

(*c*) a copy of the circular printed in Marathi and issued by the Collector of Poona on the 26th March 1915 in connection with the subject noted above, and addressed to the Watandar Kulkarnis of the Poona District; and

(2) to state whether the said circular refers to any Government Resolution and, if so, to which Government Resolution?

The Honourable Sir GHULAM HUSSAIN: (1) (*a*) and (*b*) The honourable member is referred to ruling 5 at page 485 and ruling 1 at pages 487–488 of Gejji's Watan Act, 4th edition, which contain a substance of these Resolutions. A copy of the book is in the library. The correct number of the Resolution in (*b*) is "2076".

(1) (*c*) An English translation of the circular is placed on the table.

(2) The circular mentions Government Resolution No. 2076, dated 19th February 1915.

Translation of a Circular in Marathi dated 26th March 1915 addressed to the Representative Watandar Kulkarnis in the Poona District, issued by Mr. G. W. Hatch, I.C.S., Collector of Poona.

After compliments—

As per Government Resolution, Revenue Department, No. 2076, dated 19th February 1915, it is notified that it has already been decided that Government is prepared to relieve representative watandar kulkarnis permanently from all liability of service on the following terms:—

1. The payment by English Government in perpetuity to the Watandars and to their heirs, lineal, collateral or adopted within the limits of the Watandar family and their successors, so long as any male heir to the Watan, lineal, collateral or adopted within the limits of the Watandar family is alive, of cash allowance equal to one-third of the *Akarni* (remuneration for collecting land revenue) and the *Potgi* (maintenance allowance) paid for the year 1913–14.

2. The Watan lands shall, so long as any (male) heir (to the Watan), lineal, collateral or adopted within the limits of the Watandar family is alive, being subject as shown

below, to the payment of *Judi* and divested of the condition of service, be continued by Government without interruption to their present holders and to their heirs, lineal, collateral or adopted within the limits of the Watandar family, without raising any objection as to the right of any of these (to the said Watan). In cases in which the *Judi* on the Kulkarni Watan lands is not imposed to the full, the same will not be imposed to the full but that the *Judi* will be increased by an amount not exceeding 1/16th of the full assessment (subject to the condition that), the newly imposed *Judi* together with the existing *Judi* will not exceed the amount of the full assessment (of the land for the time being). The *Judi* (so fixed) is liable to be increased in proportion to the increase on a revision settlement.

3. No claim will be made by Government to Nazarana or any similar demand at the time of succession of heirs, lineal or adopted within the limits of the Watandar family.

4. No permission of the Collector or other Watandar is necessary in the matter of adoption.

5. If the cash allowance contains a fraction of a rupee up to fourteen annas then Government will purchase the said (share of) annas by paying twenty times the amount even if the Watandar himself might be not agreeable to it. If (the said fraction) be annas fourteen or more, then the Watandar has been allowed by Government the concession of purchasing the share of annas required to make up a full rupee by paying to Government twenty times the said amount.

6. Those watandars who are officiating at present and who have shown themselves to be efficient will be given preference in filling the posts of *talatis*. At the time of making appointments to the post of talati the Watandar candidate shall be deemed to possess more rights (to the posts) than the non-Watandar candidate.

7. Those agreeing to be relieved of the liability for service will get the following concessions :—

(A) Kulkarnis doing efficient work will get the posts as aforesaid of talatis (they) will get pension, leave and most probably they will receive training at the hands of Government;

(B) There shall no longer (be) the danger of the Representative Watandar losing his Watan for the offence committed by his Agent and besides the Watan lands will be continued to their respective holders and ownership continued as aforesaid. It is hoped that those very few Watandars who have not uptill now agreed to be permanently relieved of the liability to serve will carefully take into consideration the abovesaid concessions and immediately agree (to be relieved).

GRANT OF TITLES TO M.L.Cs.

*Rao Saheb P. D. KULKARNI (Poona District): Will the Honourable the Leader of the House be pleased to state—

(*a*) how many M.L.Cs. were given titles since they took their seats in the Council after the election of 1931;

(*b*) their names and the titles given to them and the dates of awarding the honour to them?

The Honourable Sir GHULAM HUSSAIN: (*a*) Excluding Official Members six M.L.Cs. received titles after they took their seats in the Council after the election held in 1930.

(*b*) The following statement gives the requisite information :—

Name of M.L.C.	Title given.	Date of award.
Maulvi Sir Rafiuddin Ahmad ..	Knighthood ..	1st January 1932.
Dewan Bahadur Dongarsing Ramji Patil.	Dewan Bahadur ..	3rd June 1932.
Rao Bahadur R. V. Vandekar ..	Rao Bahadur ..	3rd June 1932.
Khan Bahadur Allahbaksh walad Khan Saheb Haji Mahomed Umar.	O.B.E. ..	3rd June 1933.
Sardar Bahadur Jam Jan Mahomed Khan walad Mahomed Sharif Junejo.	Sardar Bahadur ..	1st January 1934.
Rao Bahadur N. E. Navle ..	Rao Bahadur ..	1st January 1934.

Mr. V. A. SURVE (In Marathi): May I know for what services were these titles awarded to the M.L.Cs. mentioned in the answer?

The Honourable Sir GHULAM HUSSAIN: The recipients of the titles have rendered public services.

RIOT TAX IN BOMBAY CITY: EXEMPTION.

*Mr. SYED MUNAWAR: Will the Honourable the Home and General Member be pleased to state—

(*a*) whether it is a fact that as a rule Government title-holders, Justices of the Peace, and Government pensioners owning houses in Bombay were exempted from payment of riot tax in 1921, 1930 and 1932 in Bombay City;

(*b*) whether it is a fact that some persons who were exempted as Justices of the Peace in 1921 were subjected to payment of riot tax in 1932 because they ceased to be Justices of the Peace, their residence being outside Bombay City for more than six months in the year;

(*c*) if so, the approximate number of such persons;

(*d*) whether any representations have been made to Government by some of their pensioners and ex-Justices of the Peace for exemption from the riot tax of 1932;

(*e*) if so, whether Government propose to exempt them and issue orders to that effect?

The Honourable Mr. R. D. BELL: (*a*) Holders of Government titles and Justices of the Peace were exempted but not Government pensioners.

(*b*) If a person is not a Justice of the Peace in 1932, he is not exempted from liability to pay the riot tax in 1932 merely because he was a Justice of the Peace in 1921 and was then exempt.

(*c*) Government are aware of only one instance.

(*d*) One such representation was received.

(*e*) No.

Mr. SYED MUNAWAR: With reference to reply to (*b*), may I know whether, if a person was a J.P. just before 1932 and his name was dropped because he resided outside the city of Bombay, such a person is liable to the riot tax in respect of riots in 1932?

The Honourable Mr. R. D. BELL: If he was not a Justice of the Peace at the time of the order, he is not exempt. Government do not give exemptions. The exemptions are in the power of the Chief Presidency Magistrate.

POLICE COURTS, BOMBAY: TOUTS.

*Mr. SYED MUNAWAR: Will the Honourable the Home and General Member be pleased to state—

(*a*) whether he is aware that a large number of touts loiter in the Police Courts in the Bombay City, particularly in the Esplanade and Mazagaon Police Courts;

(*b*) whether he is aware that some of them have had several convictions;

(*c*) whether he is aware that some of these touts take a commission of 50 per cent. from the advocates on behalf of both the sides in the same cases;

(*d*) if so, what steps, if any, he intends to take to check this practice of the touts?

The Honourable Mr. R. D. BELL: (*a*) No. A large number of lawyers' clerks frequent these Courts and possibly some of them canvas work for their masters and also act as touts. Where such instances are brought to the notice of the Court, action is taken against them under section 36 of the Legal Practitioners Act.

(*b*) No.

(*c*) No.

(*d*) See reply to clause (*a*).

BUS TRAFFIC IN KARACHI.

*Mr. S. S. TOLANI (Western Sind): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether it is a fact that on 1st November 1931, about ten thousand residents of Karachi presented a petition to Government, praying that all "Key" roads of Karachi should be thrown open to bus traffic;

(*b*) whether it is a fact that in May 1932, the Commissioner in Sind issued a press note conceding their request;

(*c*) whether it is a fact that in the press note it was proposed to set up an advisory committee;

(*d*) whether it is a fact that the proposal to appoint an advisory committee was subsequently withdrawn by the Commissioner; if so, the reason therefor;

(*e*) how long it took, since the publication of the press note, for the officers concerned in Karachi to issue the provisional bus rules;

(*f*) how long it took to issue the final rules after the publication of the provisional rules;

(*g*) why the final rules were not published and why permission has not been given so far to start the bus traffic;

(*h*) when Government propose to grant permission to the bus traffic in Karachi as contemplated in the Commissioner's press note?

The Honourable Mr. R. D. BELL: (*a*), (*b*), (*c*) and (*d*) Yes. The reasons for withdrawing the proposal to appoint the Traffic Advisory Committee were given in the press note issued by the Commissioner in Sind on the 13th August 1932.

(*e*) The press note was published by the Commissioner in Sind on the 21st May 1932. The draft rules were published in the *Sind Official Gazette* on the 15th September 1932. Numerous objections and suggestions were received, and as many of them were on technical matters, it was considered desirable to obtain the assistance and advice of the Bombay Motor Vehicles Department. Further draft rules were subsequently published on the 31st March 1933.

(*f*) and (*g*) The final rules were published on the 31st August 1933. As the police required the services of a technical expert to carry out the

many technical provisions of the new rules, before they can be properly put into force, the permission has not been granted.

(*h*) When the financial situation permits the appointment of the technical expert referred to above.

Mr. S. S. TOLANI: With reference to reply to (*d*), is not the House entitled to know the reasons for which the proposal to appoint the Traffic Advisory Committee was withdrawn?

The Honourable Mr. R. D. BELL: They were given in the press-note.

Mr. S. S. TOLANI: The press-note is not before us and we do not know what is laid down in the press-note?

The Honourable Mr. R. D. BELL: I have not got time to refer to it now. If the honourable member cares to ask me afterwards, I shall let him know.

Mr. S. S. TOLANI: Is not the whole House entitled to know the reasons?

The Honourable Mr. R. D. BELL: There is no secret about the reasons, they were published in the press-note.

Mr. S. S. TOLANI: The final publication of the rules took 15 months and nearly one year more has also elapsed and yet Government are not prepared to grant permission to the citizens of Karachi to ply buses in the city because of the financial stringency. May I know how much more time will be required to enforce these rules?

The Honourable Mr. R. D. BELL: Not time, which is required, but money.

Mr. S. S. TOLANI: When will that money be available?

The Honourable Mr. R. D. BELL: Perhaps when the Sind zamindars can do without remissions of land revenue, we will have some money.

Mr. S. S. TOLANI: What is the expenditure to be incurred on the appointment of a technical expert?

The Honourable Mr. R. D. BELL: I should require notice of that question.

Mr. S. S. TOLANI: Was it not the duty of the Honourable the Home member, Sir, to have come prepared with an answer when the matter is referred to in part (*h*) of the answer? The Honourable Member can give us an idea as to the amount required for appointing an expert.

The Honourable Mr. R. D. BELL: I can inform the honourable member either privately or after due notice.

Mr. S. S. TOLANI: Is the Honourable Member aware that at present the Karachi Tramways Company has a monopoly of plying the buses in the city of Karachi?

The Honourable Mr. R. D. BELL: I am not aware.

Mr. MAHOMED HASHIM GAZDAR : With reference to reply to (*h*), is the Honourable Member aware that the Karachi Tramways Company has been permitted to run buses on certain roads ?

The Honourable Mr. R. D. BELL : The Commissioner in Sind may have given the permission. I have no information.

Mr. MAHOMED HASHIM GAZDAR : If the Commissioner has given the permission to one Company, why should similar permission not be given to other Companies ?

The Honourable Mr. R. D. BELL : I require notice of that question.

MOTOR ACCIDENTS : COMPENSATION.

*Dr. V. G. VAISHAMPAYAN (Sholapur City) : Will the Honourable the Home and General Member be pleased to state—

(*a*) the total number of motor vehicles in this presidency used for—

(*i*) transporting goods,

(*ii*) transporting passengers ;

(*b*) how many motor accidents were reported during the years 1931-32 and 1932-33 ;

(*c*) how many persons succumbed to their injuries ;

(*d*) what compensation, if any, is paid to the aggrieved parties in such cases ;

(*e*) the total amount of such compensation paid to the aggrieved parties during the years 1931-32 and 1932-33 ?

The Honourable Mr. R. D. BELL : (*a*), (*b*) and (*c*) The attention of the Honourable Member is invited to the statistics regarding motor vehicles given in the "Annual Report on the Police of the City of Bombay", "Annual Police Report of the Bombay Presidency excluding Sind" and "Administration Report of the Police Department in Sind". These statistics pertain to calendar years and the classification of motor vehicles adopted is that required for registration purposes. The classification into motor vehicles used for transporting goods and those used for transporting passengers is not required for registration purposes and statistics according to such classification are not ordinarily compiled.

Such information as is available about motor vehicles accidents is given in the Annual Police Reports quoted above. The latest reports published are for the calendar year 1932.

Owing to the labour involved Government cannot undertake to collect the information in the form and for the periods mentioned in the question.

(*d*) and (*e*) Government have no information.

APPOINTMENTS IN COURTS IN NASIK DISTRICT.

*Rao Bahadur R. V. VANDEKAR (Nasik District) : Will the Honourable the Home and General Member be pleased to state—

(*a*) the total number of vacancies, whether permanent or temporary filled up during the years 1932 and 1933 in the District Court at Nasik and in the other subordinate Courts in the Nasik District ;

(*b*) the caste of the persons appointed in those vacancies ?

The Honourable Mr. R. D. BELL : (*a*) and (*b*) A statement giving the information is placed on the Council table.

Statement.

Year.	Total number of vacancies in the District and Subordinate Courts in the Nasik District and the caste of the persons appointed in those vacancies.							
	Clerks.				Bailiffs.			
	Advanced.	Intermediate.	Backward.	Muhammadan.	Advanced.	Intermediate.	Backward.	Muhammadan.
				Permanent.				
1932 ..	....	1 Shimpi	..	..	....	....	..	..
1933 ..	....	....	..	..	....	....	..	..
				Temporary.				
1932 ..	1 Prabhu.	....	..	..	1 Brahmin.	4 Marathas.	..	..
1933 ..	2 Brahmins.	....	..	1	1 Brahmin.	1 Rangari. 1 Maratha. 1 Koshti. 3	1 Depressed.	1

SCHEME FOR TRAINING AND DISTRIBUTION OF SCHOOLMASTERS AS "PRATHAMOPACHARAKS".

*Rao Bahadur R. V. VANDEKAR (Nasik District): Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) whether the scheme for training and distribution of schoolmasters as "Prathamopacharaks" with the object of bringing medical relief within the reach of persons in small villages has been tried by Government; if so, whether the experiment has proved successful;

(*b*) whether Government had called for the report from the Surgeon General with the Government of Bombay in consultation with the Director of Public Instruction in the matter;

(*c*) whether Government now intend to introduce this scheme in the Presidency ?

The Honourable Khan Bahadur D. B. COOPER : (*a*) Yes; the scheme is working satisfactorily.

(*b*) and (*c*) No special report has been called for; but the whole question of rural medical relief is at present under the consideration of Government.

Rao Bahadur R. V. VANDEKAR : Will the Honourable the Minister be pleased to say where the experiment was tried ?

The Honourable Khan Bahadur D. B. COOPER : In Poona, Bijapur, Sholapur and Dharwar.

Rao Bahadur R. V. VANDEKAR : The question was asked only about a special grant.

The Honourable Khan Bahadur D. B. COOPER: No special grant is available.

APPOINTMENTS IN COLLECTOR'S OFFICE, NASIK.

*Rao Bahadur R. V. VANDEKAR (Nasik District): Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) the total number of vacancies, whether permanent or temporary, filled up during the years 1932 and 1933 in the Collector's office at Nasik;

(*b*) the caste of the persons appointed in those vacancies?

The Honourable Sir GHULAM HUSSAIN:

(*a*)

Clerical establishment.	Menial establishment.
8	1

(*b*)

Clerical establishment.		Menial establishment.	
Marathas	3		
Mahomedans	2		
Brahmins	2	Mahar	1
Mahar	1		

DISTRICT FOREST ADVISORY COMMITTEES.

*Rao Bahadur R. V. VANDEKAR (Nasik District): Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) the number of districts in the Presidency proper in which District Forest Advisory Committees have been formed in accordance with Government Resolution, Revenue Department, No. 985/28, dated 28th September 1928, for the informal discussion of matters concerning the administration of the Forest Department;

(*b*) what were the common points of discussion in all the different district committees that were discussed and agreed upon and with what result;

(*c*) whether any suggestions were made that were common to all such districts and that could be followed by them;

(*d*) whether it is a fact that the meetings of the Forest Advisory Committees could not be held in some of the districts for want of any suggestion from the public or from the members of the committees;

(*e*) whether Government propose to make any changes in the present working of the Forest Advisory Committees so as to enable them to carry on some work with a view to redress the grievances of the people?

The Honourable Khan Bahadur D. B. COOPER: (*a*) Eight, *viz.*—

Thana.
Broach and Panch Mahals.
Nasik.
East Khandesh.
West Khandesh.
Kolaba.
Dharwar.
Kanara.

(*b*) There were no points of common interest.

(*c*) No.

(*d*) Meetings have been held regularly, but in some cases, in the absence of any questions brought up for discussion, the business transacted consisted merely of reading out the minutes of the previous meeting.

(*e*) Government have recently introduced the following changes in the working of the forest advisory committees :—

(1) The Committees should meet at least once in a year and oftener if there is sufficient work.

(2) All questions to be brought up by non-officials for discussion should be communicated at least two months in advance to the Collector and Chairman.

(3) Such questions as can be disposed of by drawing the attention of the member concerned to the rules and orders on the subject by letter, should be so disposed of and the items on the agenda of the meeting should be restricted to such questions as really require discussion or explanation.

(4) If there are no subjects for discussion or if those proposed can be disposed of in the manner shown above no meeting should be held. It is too early to state what further changes will be introduced in the working of these committees. This question will be considered when the report called for from the Chief Conservator on the working of the Committees is received.

SPECIAL GRANTS FOR WATER SUPPLY TO DISTRICT LOCAL BOARD, NASIK.

*Rao Bahadur R. V. VANDEKAR (Nasik District): Will the Honourable Minister for Local Self-Government be pleased to state the total amount of the special grants for water supply already paid and intended to be paid to the Nasik District Local Board during the year 1933-34 ?

The Honourable Khan Bahadur D. B. COOPER : A grant of Rs. 3,363 has already been paid to the District Local Board, Nasik. It is not intended to pay any further grant to the Board during the current year. The grant paid to the District Local Board, Nasik, is not a special grant but an ordinary grant sanctioned on the same basis as to other District Local Boards for Village water supply.

TEMPORARY MEDICAL OFFICERS : CLASSIFICATION.

*Rao Bahadur R. V. VANDEKAR (Nasik District): Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) the different classes of the Bombay Medical Service ;

(*b*) the total number of temporary medical officers in that service ;

(*c*) how many of these temporary officers are Brahmins, how many advanced Hindus, how many Intermediates, how many Parsis, how many Jews, how many Christians, how many Mahomedans and how many depressed class persons ?

The Honourable Khan Bahadur D. B. COOPER : (*a*) Class I (Divisions I and II) ; Class II.

(*b*) There are 10 temporary Medical Officers in the Bombay Medical Service Class II and none in Class I.

(*c*) Out of the 10 temporary Medical Officers mentioned above, 2 are Brahmins, 2 are advanced Hindus, 2 belong to an Intermediate Class, 1 is a Parsi and 3 are Muhammadans.

Dr. P. G. SOLANKI : Under what class do the Parsis come, do they come under the Advanced Classes ?

The Honourable Khan Bahadur D. B. COOPER : Advanced and Minority.

BILL No. V OF 1934 (A BILL FURTHER TO AMEND THE CITY OF BOMBAY MUNICIPAL ACT, 1888).

The Honourable Sir GHULAM HUSSAIN : Sir, I introduce Bill No V of 1934 (A Bill further to amend the City of Bombay Municipal Act, 1888).*

The Honourable the PRESIDENT : The Bill is introduced.

First reading.

The Honourable Sir GHULAM HUSSAIN : Sir, I move that Bill No. V of 1934 (A Bill further to amend the City of Bombay Municipal Act, 1888) be read a first time.

Sir, in response to the unanimous demand from all sections of this House, Government have now decided to abolish the town duty under this Bill. This will be in the interest of commerce, industry and agriculture. I trust this abolition will bring back prosperity to the city of Bombay and to the whole of the presidency. In spite of the financial difficulties of Government, honourable members will see that Government have made a great sacrifice in abolishing this duty. They will lose thereby about 10½ lakhs of rupees, but this measure has been taken for the greatest good of the greatest number. I hope, Sir, the other side of the honourable House will realise that, as they have been generally responding to the wishes of Government very generously, we on our part have always been reciprocating their good feelings——

Sardar Rao Bahadur B. R. NAIK : Rarely, Sir.

The Honourable Sir GHULAM HUSSAIN : I am quite sure, Sir, that this action of ours will meet with universal satisfaction.

With these words, I move the first reading of this Bill.

Question proposed.

Rao Bahadur S. K. BOLE : Sir, I have nothing to say against the Bill, but I want to know what Government intends to do about the request of the Bombay Municipal Corporation. The Corporation will have to suffer a heavy loss on account of this Bill and the Corporation therefore requested Government to give them a subvention or if they are not going to give

*Appendix 31.

[Rao Bahadur S. K. Bole]

a subvention, then they have asked Government to give them other resources of revenue and amongst other proposals, they have proposed the following proposals :—

(1) The rate of interest on the various loans advanced by Government to the municipality may be reduced and the Municipality be allowed to convert other loans by fresh borrowings at a lower rate.

(2) The municipality be empowered to levy a tax at the rate of Rs. 100 per year per horse entered for a race in Bombay.

(3) Government should levy a surcharge of 25 per cent. on the fees for liquor licenses in the city and pass on to the municipality the whole of the revenue realised from the liquor license fees in lieu of the commuted payment received from Government at present.

(4) Government should levy a surcharge from 30 to 50 per cent. on the Entertainment Tax including the betting tax, and credit the additional income derived therefrom to the municipal funds.

The Mayor has written a letter to Government, in which he says :

"I am to state for the information of Government that, during the debate it was pointed out that Government had passed on certain betterment benefits to the Corporation. It was, however, argued that the betterments so far received were in respect of loans which Government had originally raised at higher rates of interest and had now converted at lower rates, and that this transference of betterment benefit was according to the terms of those loans. What the Corporation in their present position require is assistance from Government, and they feel that the cases in which Government were charging 5 per cent. or more by way of interest in respect of advances granted by them to the Corporation through the Provincial Loan Fund or from other sources should be investigated and the rate of interest in all these cases be reduced to 4 or 4½ per cent."

Sir, these are the proposals of the Corporation. Sir, the budget of the Corporation is a deficit budget.

The Honourable Sir GHULAM HUSSAIN : So is ours.

Rao Bahadur S. K. BOLE : The Government is a mighty Government. That is not the case with the Corporation. Government can impose taxes and they can make up their budget. Otherwise, they can, from surplus funds, make up their deficits. But that is not the case with the Corporation. As it is, Government have put the heavy burden of the Improvement Trust on the Corporation, and the Corporation have to bear the heavy liability of the Improvement Trust.

Sir, the city tobacco tax levied in the city of Bombay was a municipal tax, and it was levied for municipal purposes. The past history of the tax will show that. Government had proposed and asked the Corporation whether they should include the tax in the schedule of taxes that were allowed to be imposed by the Corporation, in the Municipal Act. But the Corporation, at that time of course, did not agree. The tax was a municipal tax. But now Government claims it as a Provincial tax.

The Honourable Sir GHULAM HUSSAIN : I rise to a point of order, Sir. This is all irrelevant to the matter under discussion.

Rao Bahadur S. K. BOLE : I am going to show how the Corporation was unfairly treated by Government. So Government should come to the help of the Corporation. Otherwise, the finances of the Corporation will be in a very bad condition. With these words, I request Government to give a helping hand to the Corporation.

Major W. ELLIS JONES : Sir, in rising to support the first reading of the Bill to remove the town duty on cotton in Bombay, I would like to congratulate the Honourable the Finance Member and the Government for the manner in which they have risen and given to the Cotton Trade of the port of Bombay and the Presidency an opportunity to recover its position. Sir, some days ago in this House I drew the attention of the honourable members to the damage that was being done to the agricultural interests of the presidency by the incidence of this tax, in addition to the damage done to the Trade of the City, by the infliction of this tax. On the announcement by the Government that they intended to repeal this tax, the difference between the Bombay price and the up-country price immediately advanced in favour of the agriculturist, and in addition to this, with the hope that this Bill would be passed today, we have had signs that the railway companies are going to reduce their rates and that the Bombay Port Trust also is going to reduce its charges, once this duty is removed from the statute book. This morning's paper announces that in consequence of the removal of the town duty from Bombay, the city of Karachi were also considering how they could reduce their charges for the handling of cotton. This, Sir, will all go to the benefit of the agriculturist, and I think that the Government are to be congratulated on having faced this problem in the way they have, when they have an almost deficit budget, and it is to be regretted that the representatives of the Bombay Municipality should be so short-sighted as to insist on the retention of this town duty, which has affected Bombay very seriously.

Sir, just as the repercussions of the duty hit the agriculturist so the repercussion of its removal will benefit him, and on behalf of the Cotton interests of the Presidency, I have to thank Government for their introduction of this Bill and trust that, with the passing of this Bill, the death knell has been heard of Town Duty on cotton in any shape or form.

Sir, I do not think I need say anything more than I have already said in support of the Bill, which has been acclaimed on all sides and I think that this House owes a debt of gratitude to the Honourable the Finance Member and Government that once their attention was drawn to this matter they have acted so promptly. With these words, I support the first reading of the Bill.

Mr. MAHOMED SULEMAN CASSUM MITHA : Sir, I rise to support this Bill, and I am sure every one connected with the cotton trade of this city will join me in tendering sincere congratulations to His Excellency the Governor and the Honourable the Finance Member for the worthy part they have played not only in abolishing the town duty but also in

[Mr. Mahomed Suleman Cassum Mitha]

obtaining special concessions in railway freights and Port Trust charges. Their names will always be remembered as the saviours of the Bombay cotton trade and the benefactors of the agriculturists throughout the country. Sir, thus the Government of Bombay has played its part well, and in doing so, will have to face a certain gap in its revenue, which, as things stand, can only be met by additional taxation. Unfortunately, conditions in the presidency do not admit of additional taxation being levied, and it is a matter for regret that the Government of India has not come to the assistance of this Government in the grant of a subvention, on the same lines as that given to Bengal. On the contrary, Bombay, through the imposition of an excise duty on matches, has been compelled to contribute to the subvention granted to Bengal. It is, Sir, difficult to understand why Bombay should have been treated so unjustly, and at a time like the present. Already the tax-payers of this presidency have to pay for the injustice inflicted on them by the Meston award, and now, on the top of it, comes the subvention to Bengal. Sir, are we not entitled to the same treatment as Bengal has received? I submit the Government of Bombay should address a very strong appeal to the Central Government for relief.

Sir, I would also like to take this opportunity of putting before Government the difficult position in which the Bombay Municipality will find themselves as a result of the town duty on cotton being abolished. As the Honourable the Finance Member remarked on a previous occasion, if the budget cannot be balanced, additional taxation must be resorted to. That is exactly the position of the municipality, and some means must be found to enable them to make good the deficit that will occur due to loss of revenue from town duty. Certain proposals have been placed before the Government by the municipality to this end, and I sincerely hope that urgent and sympathetic consideration will be given to them. I feel, Sir, however, that there is still scope for further retrenchment in the municipality, and Government should insist on this being carried out. But retrenchment alone will not be sufficient to cover the deficit in their budget, and some assistance is imperative from one or more of the sources suggested to the Government.

Sir, I have no doubt that Bombay will once again take its place as the leading cotton port and market of India, and if I may be allowed to do so, I would like to suggest that, in return for this concession, the cotton merchants should once again make full and exclusive use of the warehousing facilities provided by the Bombay Port Trust, rather than resort to storing their goods in outside godowns, which admittedly can be had at cheaper rates. It would be a graceful gesture on their part at this stage and I would go even further and ask for legislation on this point. Sir, after all, the Bombay Port Trust have incurred enormous expenditure in their endeavours to improve the warehousing facilities for cotton in Bombay, and presumably with the promise of full support, at the time, from the trade. Unfortunately, the construction of these

[Mr. Mahomed Suleman Cassum Mitha]

godowns at Sewri was taken in hand at a time when everything was so much more expensive than it is today. It is, Sir, all very well to be wise after the event, but if a mistake has been made, the cotton trade must also share the blame equally with the Port Trust. It is up to the trade, therefore, to stand by the Port Trust and not desert them now. Sir, it must not be forgotten that public money was spent in the construction of the cotton depot, and if the Trust are not supported, how are they to liquidate their loans? Sir, apart from general considerations, there is an important business point attached to it. If all the cotton trade is concentrated in Port Trust godowns, the trade will have every right to expect a further appreciable reduction in godown charges which the Port Trust will find a paying proposition to concede. A further cheapening in the terminal cost of cotton in Bombay will result and would act as a further stimulus to the trade in Bombay.

2-30 p.m.

Before concluding my remarks, I would like to draw the attention of the Honourable the Finance Member to the fact that, while he has done justice in the case of town duty on cotton, the sugar-candy town duty has not received a similar consideration at the hands of Government.

The Honourable the PRESIDENT: Which is that?

Mr. MAHOMED SULEMAN CASSUM MITHA: Sugar-candy town duty.

The Honourable Sir GHULAM HUSSAIN: Who levies it?

Mr. MAHOMED SULEMAN CASSUM MITHA: The municipality.

Government have taken steps to remove the Cotton Town Duty. I think it is just on my part to bring to the notice of Government the plight of the sugar-candy manufacturers and the great handicap which they have to contend with in competition with foreign and up-country manufacturers. All sugar-candy brought into the limits of this city, whether by rail or sea, has to pay a Town Duty of Re. 1 per bag equivalent to 8 annas per cwt. and, so long as this imported candy is sold for consumption in this city, local manufacturers have no cause for complaint. It is when the imported stuff is exported from Bombay that an injustice is done to local manufacturers, because whereas the imported stuff is allowed, on re-export, a refund of Town Duty, the locally manufactured stuff is not granted the same concession. The result is that local manufacturers have been driven out of up-country markets, particularly by Japanese competition, owing to this unnatural handicap, and almost all factories in Bombay have been closed down. Formerly there were 100 factories in Bombay City itself whereas now there are only 4.

My appeal to Government is to remove the injustice inflicted on local manufacturers and give them the same concession of refund that is enjoyed by foreign manufacturers, and thus restore the local industry to its former level of prosperity, which in its turn will bring more income to this city in the shape of wages, rents, municipal taxes, etc.

[Mr. Mahomed Suleman Cassum Mitha]

The local Sugar Candy Association has, I understand, made repeated representations to the Bombay Municipality to redress their grievances and, although 16 months have elapsed since the matter was referred to the Municipal Commissioner for report, nothing has yet been done. I hope, therefore, that Government will take up the case of these deserving people.

Sardar Rao Bahadur B. R. NAIK (Surat District): Mr. President, I rise to support this Bill. During recent years, at any rate since the time I have had the honour of entering this Council, this is the first occasion when Government have come forward with a measure for repealing a taxation Act. Therefore, this side of the House will no doubt be pleased with this action of Government. This action of His Excellency the new Governor and his Cabinet deserves the thanks of this House.

As the honourable member Major Ellis Jones has already discussed the pros and cons of this measure, I do not propose to go into the question at any length on this occasion. After a lapse of 12 years, on account of the pressure brought to bear on Government by this side of the House, Government have thought fit to rectify the injustice they have done to the cotton trade of Bombay and to the cotton growers of this Presidency. Bombay was handling two-thirds of the cotton trade of India. Since a short time ago, it has been dwindling on account of this impost as also on account of the Port Trust and railway freight charges which are rather heavy. Now, the Government, the Port Trust and the Railways have all come to the conclusion that their respective charges should be reduced. I am pretty sure that the cotton trade of Bombay which has diverted to Kathiawar and other ports of the Presidency will soon recover its normal position.

I would like to sound a note of warning at this juncture. On account of the pressure that may be brought upon Government from some quarters—the Bombay Municipality—to make good the loss that they stand to incur by the repeal of this taxation, if Government try to impose a fresh taxation, this side of the House will stoutly oppose it. That would mean that Government will be taking away by the left hand what they give by the right hand, which is not at all desirable. This side of the House is confident that Government will not take any such action by which the taxation of this Presidency will be increased in any other form.

Rao Bahadur S. K. BOLE: That is very fine!

Sardar Rao Bahadur B. R. NAIK: This is an important point. In the attempt to make good the loss to the municipality, the general tax-payers of this Presidency should not suffer. With these remarks I support this Bill with one request.

I am sure it will be admitted that this Presidency has been done an injustice in the matter of the imposition of the excise duty on matches.

[Sardar Rao Bahadur B. R. Naik]

Our Presidency produces 46 per cent. of the total production in India. Therefore, it is right and proper that the Bombay Presidency should get a larger share from the excise duty which is being imposed by the Central Government. If the Central Government is not prepared to give what is exactly due to this Presidency by way of refund of excise duty on matches, it will land us in great difficulties. I hope the Government of India will come to the assistance of this Government by giving them at least about 30 lakhs if not more by way of subsidy which will benefit both this Government and the municipality. With these remarks I support this motion.

Mr. J. B. PETIT (Bombay Millowners' Association): Mr. President, I have much pleasure in supporting the first reading of this Bill. The important though belated step which the Government have at last taken in obedience to the irresistible force of circumstances, is to be welcomed; and they may well congratulate themselves upon their awakening to the stern realities of the situation, even though so late in the day. Sir, it was only 15 days ago that I asked a question and inquired for the third time when the Government proposed to give effect to the Tariff Board's recommendation to allow a refund of 50 per cent. of the duty on the cotton consumed by the Bombay Mills, and got the usual stereotyped answer, coolly referring me to a previous reply to a similar question asked by me during the last Poona session, which pleaded the Government's utter inability to do anything in the matter owing to the prevailing financial stringency. This answer was deliberately given in spite of the present parlous condition of the Bombay textile industry, and the totally unsatisfactory trade and industrial position of the Presidency, which were, then as now, fully within the cognisance of the Government. It is accordingly very gratifying to note that, within the short period of a fortnight, the attitude of the Government has so suddenly undergone such a remarkable change for the better; and that too when it was least expected! It shows, Sir, that where there is a will there is a way. It also quite clearly demonstrates to us the painful fact that even in most pressing matters of such an important and far-reaching character, the Government will not act by themselves unless forced to do so. Now however that this step has been taken, I do hope, Sir, that it means a definite and permanent change in their mental attitude and that they will see their way to similarly deal with other pressing grievances of the public in the future and particularly the mitigation of those intolerable burdens which fall so heavily upon the over-laden shoulders of the people of this Presidency.

Sir, there is a certain aspect of this question which is rather remarkable and worthy of more than ordinary notice. It is the question of the interests of the agriculturist, involved in the matter, which seem suddenly to have drawn the sympathies of all sections of the House. What a wonderful and unifying influence the poor agriculturist seems to exert! And what a convenient excuse he affords to some people for

[Mr. J. B. Petit]

hiding a multitude of sins! My honourable friend, Major Ellis Jones, comes forward and says that the main purpose of this measure is to give relief to the agriculturist. The Government also naively advance the same excuse, although only the other day they flatly refused to allow a refund even to the extent of 50 per cent. of the duty paid on the cotton consumed by the mills, or, in other words, a sixth of the amount that they are readily giving up now! The idea of giving proportionate relief to that extent to the agriculturist did not appeal to them then, as it seems so forcibly to have done to-day! However, Sir, as I have said before, this change on their part is a welcome sign of the times; and I do hope that the Government will persevere in this reasonable attitude that they have now adopted.

There is only one more matter to which I would like to draw the attention of the House before I conclude; and that is the question of the gap that will be created in the revenues of the Corporation by the step taken by the Government. It is quite natural that they will now cast their eyes around them to find out some way by which that gap can be filled. Whilst I sympathise with the Corporation in their loss and with the Government in their new difficulty, I do however hope that the Honourable the Finance Member will make a serious and desperate attempt to fill the gap more by retrenchment than by additional taxation. That this is quite possible, no one can deny. There is considerable scope yet for retrenchment in various directions, as I showed only the other day; and advantage should be taken by the Government of this possibility by giving effect to such of the recommendations of the Thomas Committee as have not yet even been considered, much less tried. The amount that may consequently be saved by such retrenchment can be passed on to the Corporation, thus avoiding the necessity of casting the burden of new taxation upon the Presidency in place of the tax that is now being abolished. In any case, whatever they may do to replenish the loss of the Corporation, I do hope that they will not get that out of additional taxation in any form or shape.

With this reservation, Sir, I heartily support the first reading of the Bill, and trust that the House will carry it unanimously.

Sardar BHASAHEB RAISINHJI, THAKOR OF KERWADA (Gujarat Sardars and Inamdars): Sir, on behalf of the agriculturists of Gujarat, who are mainly cotton growers, I consider it is my duty to offer thanks to the Honourable the Finance Member for having come to their rescue at a time when they badly wanted this relief owing to the slump in prices. Members of this honourable House who are acquainted with the recent trend of events, will agree with me when I say that His Excellency the new Governor, although it is only a very short time since he came to this presidency, has always taken every opportunity to show his sympathy towards the agriculturists. In spite of all the criticism and cuts in this Council in relation to the revenue policy of Government, it must be admitted on all sides that of late there has been a sympathetic policy

[Sardar Bhasaheb Raisinhji]

pursued by Government in revenue matters as evidenced by the reductions in demand where needed and also suspensions and remissions in cases of destruction of crops by frost. That shows that His Excellency the Governor and the Honourable the Finance Member are ready to take early steps to redress the grievances of agriculturists. The prices of cotton have fallen very low, and this measure will give a great relief to the agriculturist, because ultimately, the benefit of the removal of the duty will go to the agriculturist who tills the soil, and it will stop diversion of trade, to the advantage of Bombay. The Honourable the Finance Member has often told us that the landlords do not represent the agriculturists. But I feel that that is not the case. I have got positive proof of the sympathy of the noble Lord, that is, His Excellency, for the agriculturist, and in that respect both His Excellency the Governor, who is one of the greatest landlords in England, and the Revenue Member, who is also a landlord, in their heart of hearts realise that the very existence of the landlord depends upon the prosperity of the agriculturist.

At the same time, I notice that there is some nervousness in some quarters that the duty may reappear in some form of other taxation. I would only make one request, on behalf of the poor agriculturists, and that is that in no circumstance should a duty be imposed on any agricultural produce, because owing to the slump in prices the agriculturists have only just enough for their maintenance. With these remarks, I support the first reading of the Bill.

Rao Bahadur R. V. VANDEKAR (Nasik District): Sir, I heartily support the first reading of the Bill. I congratulate the Honourable the Revenue Member on his being able to bring together, in support of this measure, the agriculturists, the industrialists, labour and capital. This is a very unique incident in the annals of this Council. I hope that in future more Bills of this nature will be brought before the Council after consultation with members on this side of the House. I also wish to thank the Government for the sacrifice they have made of 10½ lakhs of revenue, and I hope Government will not devise some other ways to increase taxation, but approach the Government of India for a due share of the receipts from the match duty to recoup their loss. I am glad that the G. I. P. Railway and the Port Trust have agreed to give certain concessions. All these will help to bring about the diversion of trade to the city of Bombay. I think the agriculturists will be benefited to the extent of something like 50 lakhs. [*An Honourable Member*: Fifty lakhs ?] Yes, fifty lakhs, because I include the concessions given by the G. I. P. Railway and the Port Trust. But I would remind Government that this is not the only measure that Government should take to bring back the trade to Bombay. They should approach the Government of India to take measures to stop the diversion of trade to the Kathiawar ports, and thus bring back to this city its former prosperity.

With these words, I heartily support the first reading.

Mr. G. S. GANGOLI (Kanara District): Sir, several members have spoken in favour of this Bill and have congratulated Government. I too will join hands with them. But I think, Sir, the credit goes in a large measure to the honourable member Major Ellis Jones. I am only sorry that there are no such persons as Major Ellis Jones in the ranks of agriculturists who could force the hands of Government to remove some of the taxes on agriculturists. The other day in justification of his inaction in the matter of the amendment of the Land Revenue Code, the Honourable the Leader of the House quoted the remarks of an honourable member of this House that this discredited system of Government was only in the position of a caretaker and had no moral right to legislate. Yet, their hands have been forced by the honourable member Major Ellis Jones. In connection with the agriculturists there are many other things which call for immediate action at the hands of Government, such as exemption of agricultural produce from tolls, and moratorium on agricultural debts, but nothing has been done in regard to those matters, because the agriculturists are unable to move Government. But because this happens to be a Bombay question, and a cut is moved by the honourable member Major Jones, Government come speedily to the help of the merchants and also the Bombay people. In this connection, I would also appeal to the merchants and millowners that they should henceforth see that as far as possible they purchase only Indian cotton. They import cotton from outside, and that also goes to hit the agriculturist. If the merchants themselves do not stop the purchase of cotton from outside, Government should take some steps to prohibit such imports.

Sardar Rao Bahadur B. R. NAIK: Millowners, not merchants.

Mr. G. S. GANGOLI: Yes, millowners. In this connection, I would appeal to Government once again that if they cannot see their way to amend the Land Revenue Code at present, at least the question of moratorium, as stated by the Honourable the General Member, may be considered first. With these words, I support the first reading of the Bill.

Mr. W. G. LELY (Bombay Chamber of Commerce): Sir, I do not think there is very much for me to say from this quarter of the House except to give the Bill our wholehearted blessing, and to congratulate the Government, which I very heartily do, on its courage in introducing this Bill which, for the moment at any rate, so seriously upsets their budgetary balance. I would also like, if it is in order, to record the very deep gratitude which the commercial community which I represent feels personally to His Excellency for the part he has taken in the negotiations which have led to the introduction of the Bill.

There is only one point that I would like to make. The Government of Bombay have done now what they can towards the restoration of Bombay's trade. But that is only one aspect of the question. There is another, a much wider one, and that is the question of competition from the Kathiawar maritime States. I hope, Sir, you will admit the relevance of this point in the present debate. I was recently told by

[Mr. W. G. Lely]

the head of a firm very largely interested in the export of cotton that hitherto the danger to Bombay's trade from Kathiawar was mainly in connection with imports, and there is no doubt that is the case. But the trouble does not end there. Obviously, steamers coming direct to Kathiawar ports with import cargoes will tend to carry away export cargoes too. The tendency can be seen from the most recent figures. They are not quite up-to-date, because these figures are not very promptly issued. They come from the Department of Commercial Intelligence of the Government of India. The figures of exports of cotton from Kathiawar ports for the first three months in the three financial years 1931, 1932 and 1933, were: April to June 1931, Rs. 33,000; during the same three months in 1932, Rs. 4 lakhs; during the same three months in 1933 they were valued at Rs. 84 lakhs. The figures for 1934 are not yet available, but I have no doubt they will show a further very large increase. The action which the Government of India can take in the matter must be on the lines, as I think I stated before in this House, of revision of the treaty rights which these States enjoy. Bombay can only defend her trade, as she is doing now, by a reduction of the charges imposed on the trade. The trouble with the Kathiawar ports is that the extraordinary treaty rights which they enjoy permit them, with the proceeds of the customs duties which go into their own pockets, to provide port facilities which make it impossible for any other port which is financed by the ordinary method of loan to compete with them. Bombay, as I said, has done what it can to help itself, and it is up to the Government of India to recognise that further assistance must be given to Bombay to check the drain of Bombay's trade which is going out through the Kathiawar ports as a result of this uneconomic competition. I do not suggest that there is not much of that trade which finds its way to the Kathiawar ports naturally. They have a geographical position which puts them in a more favourable position than Bombay for the service of certain centres both inwards and outwards. But in so far as they are enabled by the enjoyment of these treaty rights to develop their ports, in competition with Bombay and Karachi, without capital expenditure falling on themselves, and without corresponding debt charges to be met out of the revenue which the ports subsequently earn, they are put in a position of privilege in which it is impossible for other ports to compete. My point is that we must continue, in season and out of season, to impress upon the Government of India the need for revision of these treaty rights. It is inconceivable to me that the Government of India should not be thoroughly apprised of the seriousness of the situation to themselves, as the result of the loss which they themselves sustain in the matter of import customs duty. I think about a crore of rupees annually, that is going into the pockets of Kathiawar States, might go to the finances of the Government of India. But if the Government of India will not recognise from that point of view the seriousness of the case, then it is up to Bombay to continue, without remission, to urge upon the Government of India the vital

[Mr. W. G. Lely]

necessity of dealing with this matter for the sake of Bombay. I hope that the Government of Bombay will take note of this further representation, and will pass it on to the Government of India backed with their own strong recommendation that the matter cannot be allowed to rest where it is.

Khan Bahadur M. A. KHUHRO (Larkana District): Sir, Government no doubt deserve the congratulations of this House on having brought this measure at such a time when every member of this honourable House knows that Government are experiencing serious financial difficulties. The financial position of the Government is not a happy one at present. Still, it is really creditable on their part to have sacrificed a revenue to the extent of 10 lakhs.

I quite agree that this measure goes to a great extent in giving relief to the agriculturists, particularly those of Gujarat and places near that part. But the part of the Presidency to which I belong, namely, the province of Sind, certainly does not benefit by this measure. The cotton produced in Sind will and should naturally go to the port of Karachi. In fact, there has been criticism in some local papers of Karachi that this might affect even the Karachi trade, because the rates in Bombay are sought to be reduced. But, Sir, I do not wish to take that narrow view by saying that, because Karachi will be affected only to a small degree by this measure. But what I wish to urge upon the Government is that the Government of Bombay should also try and help, though in a small measure, the agriculturists of the province of Sind. It has been said that the B. B. & C. I. Railway have also reduced their freight charges to the extent of about 50 per cent. This will serve to a very great extent to help the agriculturists of the Presidency. But I may point out that the province of Sind is served by the North Western Railway whose headquarters are at Lahore and that railway, I should say, is to a great extent under the influence of the Government of the Punjab, and at present a serious problem for the agriculturists of Sind is competition with the Punjab growers. When the barrage lands are gradually coming more and more under cultivation, there will be more cotton grown in Sind. It has already increased and will go on increasing year after year to a very large extent. Similarly, other agricultural products like wheat and paddy will also increase in due course. But the attitude of the North Western Railway in this connection has been very unfavourable so far as Sind is concerned. The reductions that were announced two years ago or even last year were graded in such a manner that they placed the agriculturists of Sind at a very great disadvantage in competition with the agriculturists of the Punjab. I will give one illustration to make my assertion clear to this honourable House. The freights were reduced by the North Western Railway in quite a different manner——

3 p.m.

The Honourable the PRESIDENT: I do not quite follow the honourable member. I do not see the relevancy of all that here. I do

[The President]

not know whether this Bill raises a discussion of that nature. The honourable mover has given us one main reason, that the trade is being diverted from Bombay. It is a specific cause, and probably one of the main reasons is this cess. They have now come forward to remove this cess. I do not see how the question of Karachi or the concessions made by the railways or other similar questions arise at all. I think it is going very much beyond the scope of the discussion before the House.

Khan Bahadur M. A. KHUHRO: With regard to the competition of different ports, I made it clear that even Karachi port will be affected. That is an impression which may or may not be true, but it is maintained by a large section in the city of Karachi that Karachi will be affected by this Bill and some of the cotton of Sind will be diverted to Bombay port instead of to Karachi port. In the course of the discussion on this Bill mention has been made of the reduction of freight charges by the B. B. and C. I. Railway. I therefore thought that I might mention the Sind railways as well.

The Honourable the PRESIDENT: No, All that is not relevant. A passing reference that Government should come forward with similar assistance to Sind, at the most, may be relevant but I do not think that the merits of that case can be gone into here. Is there a cess in Karachi? I do not know.

The Honourable Sir GHULAM HUSSAIN: No.

The Honourable the PRESIDENT: There is no cess, I understand.

Khan Bahadur M. A. KHUHRO: There is no cess in Karachi, but I would like to make an appeal to the Government and particularly to the Honourable the Revenue Member, that the Government of Bombay should also move in this matter of railway freights just as the Punjab Government have done; for instance in the case of cotton sent from Lahore or from Sukkur——

The Honourable the PRESIDENT: I do not think that question is relevant here.

The Honourable Sir GHULAM HUSSAIN: Is the honourable member saying that Karachi will not profit so much as it used to do when the cess was on?

Khan Bahadur M. A. KHUHRO: That is true. There is another point also, namely, that because of the reduction of——

Rao Bahadur R. S. ASAVALE: Is the honourable member opposing the Bill?

Khan Bahadur M. A. KHUHRO: I am not opposing it but I am supporting it all right. What I say is that the Sind agriculturists should be shown consideration similar to the consideration that has been shown to the agriculturists of Gujarat and the rest of the province. I was only illustrating one point that the freights of the Multan Division,

[Khan Bahadur M. A. Khuhro]

south of the Punjab and north of Sind, are more or less on the same level, although the distance is almost double on the railway line, and therefore as the Government of the Punjab have been helping their cotton growers and other agriculturists in their province, similarly I expect the Government of Bombay will help, in corresponding with the railway authorities, by showing similar consideration to the Sind agriculturists because now the Punjab is competing seriously with the Barrage area and I think this should be the chief concern of the Government of Bombay. I wanted only to make a passing remark to this question so that the attention of the Government of Bombay might be drawn to it in order that they may consider the point at their earliest convenience.

Mr. A. N. SURVE (Bombay City, North): Sir, I rise to oppose the first reading of this Bill and I do so not because I want that the trade should be diverted but because I want to know the definite proposals which the Government have in mind to compensate the loss to the municipality of Bombay. In this connection, you must have noticed that this is a Bill which affects the Bombay City Municipality but it has not been moved by the Honourable Minister of Local Self-Government but that it has been moved by the Honourable the Leader of the House. The reason therefor is that though the Bill is a very simple Bill of four clauses, it tries to cut asunder the financial agreement that had been reached between these two bodies and for that reason, it is absolutely necessary that this House, before it passes its judgment, should know what that agreement is. Sir, the particular sections which Government are trying to repeal by this Bill came into the City of Bombay Municipal Act in the year 1920, and at that time they were inserted by the mutual consent of the Bombay Municipality and the Government. You know that in those days the Government of Bombay wished to inaugurate a scheme which was then known as the Greater Bombay Scheme, and to carry out that scheme, Government at that time organised a new department of Government under the name of the Development Directorate. At that time, Sir, there was need of housing accommodation and in order to meet the requirements that would be required to meet the greater needs that would be felt, it was agreed that the Bombay Municipality shall have new source of revenue. Sir, you will see that clause 2 of this Bill refers to the repeal of section 195B. If you refer to section 195B of the City of Bombay Municipal Act, 1888, you will find that when the cotton duty was imposed upon raw cotton that used to be imported into the city of Bombay, the Municipality was to have 3/7ths and the Government was to have 4/7ths. The money value of these fractions in the year 1920 was that Government were to have something like 16 lakhs and the municipality 12 lakhs. These 28 lakhs were to go to the Government and the Municipality in furtherance of their housing scheme. Now that scheme, as everyone knows, in those days consisted of erecting 50,000 single-room tenements. Even a third of

[Mr. A. N. Surve]

that has not been fulfilled. We have stopped short somewhere by providing only 16,000 single-room tenements. Therefore, as far as Government is concerned, they can very easily give up their share of the cotton cess, but what about the Municipality? The Municipality has entered into certain commitments and the matter is not quite so simple for the Municipality to give away their share of the cotton proceeds.

The Honourable Sir GHULAM HUSSAIN: Has the honourable member got a mandate from the Bombay Municipality to say that they do not want this cotton cess to be abolished or that they want it in some other form?

Mr. A. N. SURVE: I cannot have any mandate from the Corporation for the simple reason that I am not a member of that body but I must apply my attention to this aspect of the question because ultimately the burden is to fall upon my constituency and therefore it is my bounden duty to place all the material facts in possession of this House. Sir, I may just as well tell you how the Municipality has entered into various commitments. In introducing the Bill in 1920 His Excellency at the time of the first reading said:

"Its main objects are firstly to provide housing accommodation; secondly, to secure funds for the assistance of the Bombay Municipality; the latter are necessary not only to raise the general standard of municipal efficiency but also to enable the Municipality to discharge their municipal duties in respect of the new area that they will have to administer and make a large provision for."

So, Sir, you will see why this arrangement was entered into. It was to raise the standard of municipal efficiency. The different items which went together to the raising of the standard of municipal efficiency were also stated. These were the hospital accommodation, the markets, the primary schools and the roads. As regards the hospital accommodation, so far as the Municipality is concerned, it has carried out fully that part of its obligation by opening the King Edward Memorial Hospital. The Municipality has actually fulfilled its part of the duty as far as the hospital accommodation is concerned. I may in fact say, Sir, that had it not been for the action of the Bombay Municipality and some philanthropic gentlemen who have since opened new hospitals, the Government would have found it very difficult to close the beds which they did at a moment's notice. Therefore, Sir, if the Municipality has actually undergone all these expenses, you must indemnify that body. Secondly, as regards primary schools, several have been opened but the money is still to come. About roads, in 15 years' time we have had two central avenues in the city of Bombay running from south to north. All these moneys have been borrowed by the Municipality. At that time the cost that was estimated to carry out all these arrangements was somewhere near six crores. During these intervening 15 years, not even a fraction of that six crores has been realised by the Municipality. For that reason, Sir, it is absolutely necessary that unless Government come out and lay down concrete proposals

[Mr A. N. Surve]

before this House, I at least as a representative of my constituency should never give my consent to the passing of this Bill. Whether I have a mandate from the Municipality or not, I have a mandate from my constituency that we are actually over-burdened with taxation which we are unable to bear and by the passing of this Bill we are placing ourselves in a position which would become unbearable to the citizens of Bombay.

Then, Sir, His Excellency the Governor——

The Honourable Sir GHULAM HUSSAIN: Do I understand that the citizens of Bombay do not want the abolition of this duty ?

The Honourable the PRESIDENT: His constituency does not.

Mr. A. N. SURVE: I will take this House into a little more confidence. In the year 1920, the limit of the general taxation which the Municipality could impose was only 12 per cent. but the Municipality came forward and offered to increase that limit to 17 per cent. in order to carry out all these burdens. Therefore, I am reading what His Excellency said:

"Even allowing for a very considerable increase in the rate of general tax it is clear that the Municipality is not in a position at the present moment to raise the capital which is necessary if Bombay is to be rapidly developed and improved. Assistance in the form of revenue derived by indirect taxation is indispensably necessary."

For that purpose, in order that the attempts should be co-ordinated, the Municipality was given this source of additional revenue and now the Municipality having carried out its part of the contract, the Government, I submit with all respect, without having entered into some definite arrangement with the Corporation of Bombay, cannot repeal the provisions which this Bill aims at. I ask very seriously, has the Municipality given the Government its consent to the repeal of these sections ? I know that certain conferences were held, but at those conferences were any definite proposals agreed to ? There was a general talk, and the matter ended there. So far as I know, Sir, this Bill was published only last Monday, and the Corporation had no time to consider the contents of this Bill. So far, they have not placed before us their point of view. My information is that they are going to meet tomorrow to express their opinion on this Bill, and we are trying to rush the Bill and get it passed a day before the Municipality has the opportunity of expressing its opinion on this vital Bill, which, to the Municipality, means something like 9 to 10 lakhs of rupees every year.

Apart from that, if we do away with these sections, let us examine what is the statutory position of the Municipality. Sir, you know that the Municipality has to prepare its budget of about 3 crores of rupees. Its budget has to conform with the statutory provisions of the Municipal Act. Now, the budget for the next year, so far as I know, is already passed, and if a big lump of several lakhs of rupees is taken away, what is to happen to the budget ? Our Municipality, Sir, has certain limitations placed upon it. They are statutory limitations. If these several lakhs of rupees are gone and the Municipality wants to make provision

[Mr. A. N. Surve]

for the loss of this revenue, I shall place before the House how it will be handicapped. I refer to section 128 of the Act. It lays down that the Municipality must fix the rates of its taxes before the 31st of January, and when those rates are once fixed, they cannot be altered thereafter, except under certain contingencies, to which I shall refer later on. Now as the budget has been fixed, as the 31st of January has passed away, if several lakhs of rupees are required, then under section 128 the Municipality has lost all its power to increase the rates of its taxation.

The Honourable Sir GHULAM HUSSAIN: May I interrupt the honourable member? There is a moratorium of the debt charges.

Mr. A. N. SURVE: Apart from that, Sir, take the next point. Under section 134 the Municipality is required to have a statutory balance of a lakh of rupees. The moment its balance falls below that minimum, then the Municipality is required by the provisions of the Act to raise supplementary taxation. But supplementary taxation is subject to these limitations. I have already pointed out one limitation, and that is that under section 128 the rates once fixed about the 31st of January become irrevocable for that year. Then, Sir, if you go to section 196——

The Honourable the PRESIDENT: What about section 134?

Mr. A. N. SURVE: About section 134, I have stated that that section lays down that there must be a statutory balance of Rs. 1,00,000 (cash balance). The moment the cash balance falls below that figure, there is a state of emergency, and the Municipality must then resort to supplementary taxation, but that supplementary taxation in its turn is subject to limitations and conditions, one of which is laid down in section 128, to which I have referred.

Then, Sir, we come to section 196. I shall read the whole section. It says:

"Whenever the Corporation determine, under section 134, to have recourse to supplementary taxation in any official year, they shall do so by increasing, for the unexpired portion of the said year, the rates at which any tax imposable under this Act is being levied or by adding to the number of articles on which town duties are being levied, but every such increase or addition shall be made subject to the limitations and conditions on which any such tax is imposable."

Now, Sir, as regards the articles on which a town duty could be levied, our Municipality could levy town duties on those articles which are mentioned in the Schedule. They cannot impose or increase at their option the town duty on those articles only which are not in the Schedule. In this way, Sir, a deadlock is going to be created if this Bill is passed without obtaining the consent and agreement of the Municipality. As a matter of fact, as the arrangement was arrived at by the agreement of Government on the one hand and of the Municipality on the other, I submit that Government, unless they make good the loss that will be entailed upon the Municipality by the passing of this Bill, cannot, without obtaining the consent of the Municipality, rush through this Bill. If they do so, the affairs of the Municipality will be thrown into confusion. Apart from that, I do not represent the Municipality in this House;

[Mr. A. N. Surve]

but I represent the tax-payers of Bombay, and ultimately, whatever the arrangement between the Government on the one hand and the Municipality on the other hand, if the taxes are to be increased, who is required to foot the Bill? It is the tax-payer, and therefore the tax-payer must give his consent. As a matter of fact, if there is diversion of trade, it is partly due to the shortsighted policy of Government themselves. That is what I have already given utterance to on the floor of this House only a few days back. Government must always take a long view. They cannot arrange matters by merely looking to the immediate needs of the moment. If they do so, they create a deadlock, a position which becomes ultimately so confused that the tax-payer is crushed under the burden of taxation. If you look to the course of the taxation newly introduced in this House, you will see that there is this one common factor running throughout in respect of all the taxation measures introduced into this House by the Government. Had they been prudent, had they taken a long view of things, I am sure that this position would not have arisen. After all, for Government it is a very easy matter. But the burden really passes on to the shoulders of the tax-payers. Who are the tax-payers? What have Government done for them to increase their incomes out of which they could pay all these taxes which are being heaped upon them? The time has actually come when Government must give their serious attention to this aspect of the question. I submit, Sir, that the Honourable the Leader of the House has not thrown any light on this point. He has merely placed this Bill before us, and in support of this Bill he has made a speech which did not last even three minutes. What has he referred to in his speech? That the trade is being diverted, and it is desirable to have it back. But whoever opposed such a proposition as that? What are the real implications of the Bill? The real implications of this Bill are not to bring back the trade that is being diverted. That may come by itself——

The Honourable Sir GHULAM HUSSAIN: May I interrupt the honourable member? He has not heard me properly. All the honourable members who have heard me will remember that I never said a word about the diversion of trade. He has not heard me, and yet he is criticising.

3 p.m.

Mr. A. N. SURVE: The real implications must be placed before the House, and after placing all these material facts before the House either in a speech or in the Statement of Objects and Reasons, if the Government get the intelligent opinion of this House, that would have been a different matter. But, Sir, I am sorry to see that all the points which are at the root of this Bill have not at all been touched by the Leader of the House. Under these circumstances, I oppose the first reading of this Bill. Of course, I make my position conditional. If Government lay down some concrete proposals before this House by which they could assure us that the Municipality will not be treated unfairly, I shall be the first man to withdraw my opposition.

[Mr. A. N. Surve]

Shall I move my amendment, Sir ?

The Honourable the PRESIDENT: If it is to be moved, it must be moved at this stage. But I was going to point out to the honourable member two difficulties in his way. One is that the amendment is not in time. But probably the honourable member will say that the Bill itself was published about a week ago and there was hardly any margin of time left for honourable members to table amendments, and yet I hold that they could have done it on the very day, if they had wished to do so. The other and more important objection, unless he satisfies me on the point, is the question of sanction of the Governor under section 80C of the Government of India Act. How can he satisfy me that that is not necessary ?

Mr. A. N. SURVE: About that, the only thing I could say is that this Bill is being rushed through, as you yourself, Sir, said.

The Honourable the PRESIDENT: I did not say that it was being rushed through. I said it was published a week ago.

Mr. A. N. SURVE: The Bill itself was placed in our hands on Monday last, and before we can——

The Honourable Sir GHULAM HUSSAIN: I might say that it was in deference to the wishes of this House that we brought this legislation, and it is not, as the honourable member says, that we wanted to rush through this Bill.

Mr. A. N. SURVE: Whatever it may be.

The Honourable the PRESIDENT: For my purpose, if the honourable member can satisfy me that his amendment does not require the sanction under section 80C of the Government of India Act, I will allow him to move it and waive the objection on the score of time.

Mr. A. N. SURVE: I have already placed my difficulty before you. I had absolutely no time to look up the references. Unless I did that——

The Honourable the PRESIDENT: I shall read out to the House the honourable member's amendment:

"At the end of clause 1 (2) substitute a comma for the full stop and add the following, namely, "if before that date Government make or guarantee to make available a source of revenue to the Bombay Municipality to compensate for the loss that may accrue by reason of the provisions of this Act."

If he shows to my satisfaction that it does not require the sanction I will allow him to move it irrespective of the question of time.

Mr. A. N. SURVE: I will place before the Leader of the House for his kind consideration that we are doing here work from day to day. The Bill itself does not give any clue to the existing arrangement. Unless one goes into the past history, step bystep, the consequences of this measure cannot be realised. The Bill as it is is not intelligible to any man. When at my leisure I first went through the Bill, I felt that this

[Mr. A. N. Surve]

Bill required an amendment of such a nature. For that reason I have placed my amendment in your hands. If Government think that my amendment requires the consent of the Governor I must ask this side of the House——

The Honourable the PRESIDENT: It is not left to any side of the House to decide the matter.

Mr. A. N. SURVE: Under the rules. The only course available to me is to move that the further consideration of this Bill be postponed so as to enable me to obtain the sanction of the Governor, because the Bill itself has been practically placed in our hands at the fag end of the session.

The Honourable the PRESIDENT: Let us save the time of the House. Which method is he going to adopt? If he wishes to move his amendment, let him move it. I will give my ruling on it. If he wants to postpone consideration of the measure, he can do so under the law.

Mr. A. N. SURVE: I move that the consideration of the Bill be postponed to enable me to obtain the sanction of the Government of India——

The Honourable the PRESIDENT: Of the Governor of Bombay.

Mr. A. N. SURVE: That can be done easily.

The Honourable the PRESIDENT: That is a greater difficulty because the amendment cannot be moved without the previous sanction of the Governor.

Mr. A. N. SURVE: The procedure for obtaining the sanction is to forward my application to the department and the Secretary of the department will help me by obtaining the sanction of His Excellency the Governor.

The Honourable the PRESIDENT: What does he wish to do?

Mr. A. N. SURVE: In the first instance, I would ask for time and move the postponement of the consideration of this measure so as to enable me to obtain the sanction of His Excellency the Governor.

The Honourable the PRESIDENT: Adjournment to what date?

Mr. A. N. SURVE: Till the last day available for Government business.

The Honourable the PRESIDENT: That is to-morrow.

Mr. A. N. SURVE: I take my chance.

The Honourable the PRESIDENT: The motion proposed now is that the consideration of the first reading of the Bill be postponed till to-morrow. He has already given the reasons.

The Honourable Sir GHULAM HUSSAIN: I oppose this motion. The honourable member's motion reminds me of a Persian story of one..... He asked, "Was it a male or female?"

[Sir Ghulam Hussain]

Honourable members have been hearing about the diversion of trade for the last three weeks. Now, the honourable member has only awakened today. The Bill has been before the House for the last week, and the honourable member wants an adjournment to enable him to get sanction.

Question put, and negatived.

Rao Bahadur R. S. ASAVALE (Bombay City, North): Sir, I have already placed my views before this honourable House when the resolution on this subject was moved by my honourable friend Major Ellis Jones. Therefore, I do not wish to take much of the time of the House. I would like to point out a fact in connection with the statement of my honourable friend Mr. Surve regarding the mandate from his constituency. I also represent the same constituency as he does and I have no mandate from my constituency. But I speak according to my conscience as to whether this Bill is in the interest of my constituency or not. I complained as regards the unemployment of the people in the city of Bombay, the diversion of trade which caused much trouble to the whole city of Bombay and also some loss to the municipality owing to this diversion of trade. The well-being of the Bombay Corporation is dependent upon the well-being of the citizens of Bombay. When the trade and the commerce was diverted from this city, it was very hard to get more income and on account of this the Corporation had come to the conclusion that they should not oppose either the abolition or suspension of the town duty on cotton. I know it for certain that on the 6th March the Corporation decided and informed Government that the question was under consideration. But on the 12th March last it was finally decided by the Corporation that they were not opposed to this Bill as to the abolition of the town duty on cotton but they should request Government to get them some help in lieu of the loss they will incur by the abolition of this duty either by way of subvention from the money which the Government may receive or by giving them additional taxes consenting to the four measures as suggested by the Corporation in their said letter of the 12th March. With these few remarks, I would only request Government to come to the help of the Corporation. Otherwise, there is no doubt that the Corporation will be compelled to tax the people more at a time when they are unable to bear more burden of taxation. My honourable friend Mr. Surve was right when he said that if Government did not come to the help of the Corporation in any of the ways they have suggested to Government it would really be a very heavy burden for the citizens to bear.

I am supporting the Bill for the abolition of this duty with a view that there will be much more employment to the labouring classes, particularly to the dock labourers, and perhaps if the millowners think it right as the duty has been abolished to restart the mills, there will be more scope for employment to the mill workers as well. But I would like to make one more request to Government. They should see that the present wage cut is restored, as was done when the duty of 3½ per cent.

[Rao Bahadur R. S. Asavale]

was abolished. The Government of India in consultation with the Government of Bombay at that time had asked the millowners to avoid the then proposed cut of 11½ per cent. in the wages of the mill labourers. The Government of Bombay should also ask their Labour Commissioner to go into the question of wage cuts in the cotton mill industry of this presidency more deeply and see that the wage cut that has been made by the millowners is restored as early as possible, after the fullest possible information is obtained and made available to the public on this important matter. I think Government will thereby greatly help the labouring classes. With these remarks, I support the Bill.

Dr. J. ALBAN D'SOUZA (Bombay City, South): Sir, the problem of the diversion of the cotton trade from Bombay to the Kathiawar ports has gone so acute that practically speaking it is a serious menace to the economic existence and welfare of this City, which in times of prosperity had earned for itself the title "*urbs prima in Indis*," the first city in the Commonwealth of India.

In the early stage, Bombay seemed to be asleep to this diversion of her important trade. This diversion of cotton traffic from Bombay so as to evade the Town Duty and Port Trust charges was brought prominently to the notice of the public of Bombay by the facilities provided by the G. I. P. Railway for the unloading of cotton bales at Mumbra, a place about 20 miles from this City. The bales are discharged at Mumbra, from there loaded on to country craft, conveyed into the stream at Bombay Harbour and there shipped for export. Thus the payments of the Town Duty and Port Trust dues are skilfully circumvented.

This arrangement on the part of the G. I. P. Railway did sound as if it were a typical example of the serious absence of co-operation and co-ordination in a matter of most vital importance to the City as between the G. I. P. Railway on the one hand and Government, the Bombay Municipality and the Bombay Port Trust on the other.

Realising, therefore, the seriousness of the danger to the economic existence of this City and realising also that the extremely awkward situation was the result of the lack of co-operation and co-ordination between the various factors concerned with the trade interests of this City, His Excellency the Governor held a conference between Government and these trade interests, if I remember right, on the 14th of February.

What exactly transpired at this conference, I may be unable to say. What I *am* able to say definitely is that the Bill, which is now before this honourable House coupled with the reduction in freight charges by the G. I. P. Railway and the reduction in Port Trust dues by the Bombay Port Trust, clearly indicates that in Lord Brabourne, our Governor, we have at the head of the administration of this Presidency, one who is eagle-eyed in regard to the vital interests of this Presidency and is prompt and thorough in the execution of measures to safeguard these interests.

[Dr. J. Alban D'Souza]

It is calculated that a cut of 3 rupees per bale in the cost of bringing cotton to and through Bombay is necessary to retain the trade. It is a matter for sincere congratulation that Government have, as I understand, succeeded in cutting the cost by more than 3 rupees.

There cannot be the shadow of a doubt that Bill No. V is a real and dire necessity to Bombay City. Economically speaking we have, since our attention has been drawn to it, watched with a sinking feeling born of consternation, the appalling deviation of one of our chief sources of revenue and prestige—our cotton traffic. It has been slipping away from within our very grasp to swell the income of neighbouring towns and states.

The implications of reduced cotton traffic are very far reaching indeed. They spread far beyond the coffers of Government and of the Bombay Municipality. I may enumerate in passing a few of these. The slump in cotton traffic connotes less employment in the movement and storage of cotton. The cotton green at Sewri which in days of prosperity was humming with employees now presents a lamentable appearance. Further, it means smaller incomes to brokers, merchants, banks and insurance companies. It is also a menace to the supremacy of the Bombay Cotton Market which is the pride and boast of India. Even the poor cotton grower comes under the lash of repercussions of the slump because he gets an indication of what his crops are likely to fetch from the conditions prevailing in the cotton market at Bombay.

Sir, all the factors concerned viz., Government, the Bombay Municipality, the G. I. P. Railway, the Bombay Port Trust, the Bombay Cotton Market, the Public of Bombay and others do feel it is imperative, in the interests of the economic life of this City, that the cotton Duty should be abolished. Of these factors, the chief active sufferers, as my honourable friend Mr. Surve has indicated, are Government and the Bombay Municipality, because 4/7ths of the duty go to Government and 3/7ths to the Municipality. The abolition of the Cotton Duty will, therefore, mean a loss to the City's Corporation of about 12 lakhs of rupees per annum.

The Honourable Sir GHULAM HUSSAIN: That is not correct.

Dr. J. ALBAN D'SOUZA: If it is not exactly 12 lakhs, it is surely a very appreciable figure. As a member of the City's Corporation, I have an earnest appeal to make to Government. The Corporation, as is evident from the letter addressed to Government by the Mayor on behalf of the Corporation, is a most willing co-operator in the effort to abolish the Cotton Duty. I may here quote what the Mayor wrote: "that while fully realising the necessity of taking immediate measures to prevent the diversion of cotton trade from the City and while being prepared to co-operate to the fullest extent possible with Government and other public bodies in the matter, the Corporation regret that owing to their very precarious financial position, they are not in a position to forego the revenue from Town Duty on cotton and therefore request

[Dr. J. Alban D'Souza]

Government that they will be pleased to give the Corporation either a subvention or an alternative source of revenue which would enable them to recoup the loss."

In view of the fact that the Bombay Municipal Corporation has offered its hearty co-operation in the matter of the abolition of the Town Duty, I as a member of the Corporation would earnestly appeal to Government to lend a kindly ear to the proposals the Corporation will shortly make for the purpose of replenishing the heavy loss to be sustained by it, when Bill No. V of 1934 becomes law.

With these words, I support the first reading of the Bill.

Mr. C. G. FREKE : Sir, I move the closure.

The Honourable the PRESIDENT : I accept it.

The Honourable Sir GHULAM HUSSAIN : Sir, I would first like to say a few words in reply to the remarks made by the honourable member Mr. Surve. I was sorry to see him ploughing his lonely furrow : nobody was with him. Even the members of the Corporation stated that he was misquoting the resolutions of the Corporation. So, he had no support either in this House or in the Corporation. Then, he stated that he had a mandate from his constituency. If so, I am afraid he has not been informing his constituency of what is happening in this House. The other day, everyone in this House was asking that this duty should be abolished, because its withdrawal was in the interests of the agriculturists. The honourable member's constituency consists mostly of agriculturists. Secondly, he should have impressed on his constituency that if this duty was abolished there would be more employment for labour. Though I believe every word of his when he says that he is speaking in the name of his constituency, I am afraid he has not explained to his constituency what is passing in this House. If he had done so, they would have given him a different mandate altogether.

4 p.m.

Now, I come to the question as to how far the municipality will be affected. In the first place, honourable members should realise that, with this duty on, there is a diversion of trade. As the honourable member Mr. Lely has informed the House, a large volume of the export trade of Bombay City has already been diverted to the Kathiawar ports on account of this duty, and so, even the receipts from this duty are dwindling every year. If this diversion continues to increase at the rate it has been doing, within a short time the receipts from the duty both to the Municipality and to Government will come down to a lakh or two. So, the Municipality would not benefit if we continued the duty. Now, after all, what is their income from this duty ? Last year it was 7 lakhs. They have already benefited to the extent of 3 lakhs by the reduction of interest rates on their existing loans. Next year, there will be a conversion of the Development loans, and I am sure they will benefit to the extent of 3 to 4 lakhs by that. However, to meet

[Sir Ghulam Hussain]

their difficulty this year—they have to pay certain instalments in repayment of their debt—Government will consider a request for a moratorium. They have got a betterment of 2 or 3 lakhs: 3 or 4 lakhs will remain. What was the intention of the original assignment of four-sevenths and three-sevenths of this duty as between Government and the municipality? The municipality has no right to any duty imposed on goods which are exported; they had, if any, only a right to a duty on the cotton consumed in the city. But they are too shrewd, Sir. They do not want to take the odium of taxing the millowners: they want the Government of Bombay to replenish their loss.

Now, I will come to my honourable friend Mr. Petit. He will pardon me. He always thinks that Government are so extravagant that they can retrench any amount of money from their present expenditure. First of all, he blamed the honourable member Major Jones and the Bombay Government for having developed all of a sudden a love for the agriculturists. May I inform him that this Bill, as has been pointed out by the honourable member Sardar Rao Bahadur Naik, will save many lakhs to the agriculturists? We have always been the friends of the agriculturists: not like the millowners who use in their mills also imported cotton and not entirely Swadeshi cotton. Now, Sir, what does he say? No further taxation: Government should find this money in some other way. He further says that we must find money for the municipality also, and that too without any additional taxation. If this is not irresponsible criticism, I do not know what it is.

My friend Mr. Mahomed Mitha attacked the duty on sugar candy. His would have been an appropriate speech in the Corporation Hall, but we are not concerned with that. He insisted upon our interfering with the Corporation. I do not know how far honourable members of this House will allow us to interfere with the internal autonomy of the Corporation.

Then, coming to the criticism of my honourable friend from Sind, I could not quite follow his point. But I must say that Karachi will not benefit now as much as it used to do when this duty of Re. 1 per bale was in existence. Another point made by the honourable member related to the Punjab. As far as I know, the only port for Punjab cotton and wheat is Karachi, unless he can prove that they send their cotton and wheat through other ports.

Mr. SHAIKH ABDUL MAJID: He complained of the freight charges being very heavy.

The Honourable Sir GHULAM HUSSAIN: The Punjab people also must be paying these freight charges on cotton and wheat. The remedy is for them to induce their Port Trust in Karachi to reduce their charges like Bombay. If they have any special grievances about the Railway charges, they must communicate them to their representative on the Railway Advisory Committee.

[Sir Ghulam Hussain]

The most important point that was made by my honourable friend Mr. Lely was about the import trade. I entirely agree with him. There is diversion of the export trade of Bombay, for which we are making this sacrifice of 10½ lakhs. As regards the import trade, we have always been supporting the representatives of the various Chambers, and I might assure him that we will always stand by them in any representation they may make about the diversion of the import trade to the Kathiawar ports. Who suffer by this? By this diversion it is the Government of India who suffer in respect of receipts from income tax, customs duty and railway receipts. The prosperity of Bombay means more the prosperity of the Government of India and of the Corporation. The Government of Bombay come last, although we are the greatest sufferers to-day, by having to forego 10½ lakhs. With these words, I resume my seat.

Bill read a first time. Question put, and agreed to.

Second reading.

The Honourable Sir GHULAM HUSSAIN: Sir, with your permission, I now move that Bill No. V of 1934 (A Bill further to amend the City of Bombay Municipal Act, 1888) be read a second time.

Bill read a second time. Question put, and agreed to.

Bill read clause by clause.

Clause 1 (*Short title and commencement*) ordered to stand part of the Bill.

Clause 2 (*Repeal of sections 195A and 195B and sub-sections* (7) *and* (8) *of section 195C of Bom. III of 1888*) ordered to stand part of the Bill.

Clause 3 (*Amendment of sub-section* (*1*) *of section 195C of Bom. III of 1888*) ordered to stand part of the Bill.

Clause 4 (*Amendment of section 195D of Bom. III of 1888*) ordered to stand part of the Bill.

The Preamble ordered to stand part of the Bill.

Third reading.

The Honourable Sir GHULAM HUSSAIN: Sir, I now move that Bill No. V of 1934 (A Bill further to amend the City of Bombay Municipal Act, 1888) be read a third time and passed.

Bill read a third time. Question put, and agreed to.

The Honourable the PRESIDENT: The Bill is read a third time and passed.

BILL No. XVI OF 1933 (A BILL TO AMEND THE BOMBAY MATERNITY BENEFIT ACT, 1929).

Third reading.

The Honourable Mr. R. D. BELL: Sir, I beg to move that Bill No. XVI of 1933 (A Bill to amend the Bombay Maternity Benefit Act, 1929) be read a third time.

Question proposed.

Mr. G. DAVIS: Sir, there are three trivial verbal amendments which I wish to move. The first is:

In clause 1 of the Bill, after the figure "193" the figure "4" shall be added.

Question put, and agreed to.

Mr. G. DAVIS: Sir, the next amendment is a slight adjustment of the words proposed by the honourable member Mr. Bakhale, and I consulted him before I had it typed. The amendment is:

In new clause 2 inserted in the Bill, for the words "and any deductions or payments made in respect", the words "or any deduction or payment made on account" shall be substituted.

Question put, and agreed to.

Mr. G. DAVIS: Sir, the next amendment is:

In clause 3 as renumbered 4 of the Bill, for the words "and after taking into consideration her wishes", the words "after taking her wishes into consideration" shall be substituted.

Question put, and agreed to.

Bill read a third time.

Question, "That the Bill, as amended, be read a third time and passed," put, and agreed to.

The Honourable the PRESIDENT: The Bill is read a third time and passed.

BILL No. I OF 1934 (A BILL FURTHER TO AMEND THE BOMBAY BORSTAL SCHOOLS ACT, 1929).

The Honourable Mr. R. D. BELL: Sir, I beg to introduce Bill No. I of 1934 (A Bill further to amend the Bombay Borstal Schools Act, 1929).*

The Honourable the PRESIDENT: The Bill is introduced.

First reading.

The Honourable Mr. R. D. BELL: Sir, I beg to move that Bill No. I of 1934 (A Bill further to amend the Bombay Borstal Schools Act, 1929) be read a first time.

Sir, there are some cases in the administration of the law where the magistrate deals primarily with the offender rather than with the offence; and instead of inflicting a punishment suitable to the offence, he issues an order which is suitable for the age and history of the offender. For instance, under section 562 of the Criminal Procedure Code, it is open, in certain instances, for a magistrate to release any accused, but more particularly a young person, under a bond for his good behaviour. Then,

*Appendix 32.

[M. R. D. Bell]

in the case of young persons under 16 years of age, there is an Act—the Reformatory Schools Act—which enables the magistrate to send the accused to a reformatory for his reformation instead of to a prison for his punishment. The Bombay Borstal Schools Act, 1929, makes similar provision for accused who are not less than 16 years of age and not more than 21 years of age. The usual procedure is that under section 6 of the Act, the accused is sent to the Borstal School by the trying magistrate. I may bring to the attention of the House that this section is specially designed to cover the cases of young accused who, " by reason of their criminal habits or tendencies or association with persons of bad character, it is expedient should be subject to detention for such term and under such instruction and discipline as appears most conducive to their reformation ".

Well, Sir, despite the provisions of section 6 of the Borstal Schools Act, there are magistrates who are either ignorant of it or overlook its provisions. And there is another section in the Act—section 11—which enables the Inspector-General of Prisons, when a youth between 16 and 21 years of age is sentenced to imprisonment, to send him instead to the Borstal School for his reformation. There are, however, no provisions in the Act which give the boy who is sent by the Inspector-General of Prisons under section 11 of the Act all the privileges of the youth who is sent to the school by a magistrate. The principal of these privileges is release on licence. After a boy seems to have steadied down in the school, he can be released on licence and feel his way in the world before he escapes entirely from the supervision of the Borstal School.

Then, another difference is that a youth may be sentenced to prison for quite a long period so that his original sentence has not elapsed by the time he is due for release from the Borstal School. In cases of that kind, the only course at present under the law is for the youth at the Borstal School to be sent back to prison and then formally released by a special order of Government under section 401 of the Criminal Procedure Code. The Bill, the first reading of which I am now moving, provides that the boys transferred from prison to the Borstal School shall be in exactly the same position as youths who are committed to Borstal by a magistrate.

There is only one point to which I think I might draw the attention of the House. The period of detention in Borstal is 2 to 5 years. The House will probably agree that it is advantageous for a youth to be transferred to Borstal for a period not exceeding the term for which he has been sent to prison by the magistrate; but they may think he is rather unlucky if, having been sent to prison by a magistrate for a year, the Inspector-General of Prisons should then transfer him to Borstal for five years. Such a result is inherent in the provisions of the Borstal Schools Act. The magistrate, when he sends a boy to Borstal under section 6, does exactly the same thing—instead of inflicting a suitable sentence, to fit the crime, of a year or 18 months, he sends the accused to Borstal for a period which is suitable for his reformation, though it may

[Mr. R. D. Bell]

not be entirely appropriate as a punishment for the offence. In order that there may be no objections lodged against giving the Inspector-General of Prisons this power to increase the period of detention of the boy in Borstal beyond the period to which he was originally imprisoned, it is provided by this Bill that all these cases, where there is an extension of time, should come up for Government's sanction.

The only other provision in the Bill is one which enables Government to release a youth from Borstal on account of sickness or for other reasons. At present there is no such provision in the Act, and it has in one or two cases been found necessary for Government to have this power.

Bill read a first time. Question put, and agreed to.

Second reading.

The Honourable Mr. R. D. BELL: Sir, with your permission, I beg to move that Bill No. I of 1934 (A Bill further to amend the Bombay Borstal Schools Act, 1929) be read a second time.

Bill read a second time. Question put, and agreed to.

Bill read clause by clause.

Clause 1 (*Short title*) ordered to stand part of the Bill.

Clause 2 (*Amendment of section* 11 *of Bom. XVIII of* 1929) ordered to stand part of the Bill.

Clause 3 (*Amendment of section* 12 *of Bom. XVIII of* 1929) ordered to stand part of the Bill.

Clause 4 (*Insertion of new section* 17-*A in Bom. XVIII of* 1929) ordered to stand part of the Bill.

Clause 5 (*Amendment of section* 18 *of Bom. XVIII of* 1929) ordered to stand part of the Bill.

Clause 6 (*Amendment of section* 19 *of Bom. XVIII of* 1929) ordered to stand part of the Bill.

The Preamble ordered to stand part of the Bill.

Third reading.

The Honourable Mr. R. D. BELL: Sir, with your permission, I beg to move that Bill No. I of 1934 (A Bill further to amend the Bombay Borstal Schools Act, 1929) be read a third time and passed.

Bill read a third time. Question put, and agreed to.

The Honourable the PRESIDENT: Bill No. I of 1934 (A Bill further to amend the Bombay Borstal Schools Act, 1929) is now read a third time and passed.

The House adjourned for tea till 5 *p.m.*

(*The House re-assembled after tea at 5 p.m.*)

BILL No. VI OF 1934 (A BILL FURTHER TO AMEND THE CITY OF BOMBAY MUNICIPAL ACT, 1888).

The Honourable Khan Bahadur D. B. COOPER: Sir, I introduce Bill No. VI of 1934 (a Bill further to amend the City of Bombay Municipal Act, 1888).*

The Honourable the PRESIDENT: The Bill is introduced.

First reading.

The Honourable Khan Bahadur D. B. COOPER: Sir, I move that Bill No. VI of 1934 (a Bill further to amend the City of Bombay Municipal Act, 1888) be read a first time. There has been difficulty from time to time in taxing Government properties in the city of Bombay. With a view to facilitate proper working and to remove the anomalies which from time to time cropped up, the attention of Government was drawn to the necessity of an amending Bill and a committee was appointed at the request of the Municipal Commissioner, and according to the report of the committee the Bill to amend the City of Bombay Municipal Act is brought before the House. The recommendations of the committee have been accepted in many respects. The committee recommended, firstly, that Government residential properties including military officers' rentable quarters should be made legally liable for water tax and halalkhore tax on value; secondly, that charitable and religious institutions owned by Government should be made eligible for the same concessions in respect of water charges as private institutions of the same nature; thirdly, that the properties of state-owned railways should be excluded from section 143 (1) (*b*): this has been done; and lastly, that a special section corresponding to section 85 of the City of Bombay Improvement Trust Transfer Act of 1925 should be enacted for the taxation of Development Department chawls referred to in section 195B (2) and that these chawls should also be liable to pay water tax and halalkhore tax as private properties.

The main provisions of this Bill have been drafted in the light of the recommendations made by the Committee. With these remarks, I move that the Bill be read a first time.

Question proposed.

Dr. J. A. COLLACO (Bombay City, South): Sir, I want an explanation. I find that clause 8 of the Bill provides that the water rate shall not also exceed the cost to the Corporation of the supply to the City in the year of the quantity of water for which the rate is prescribed plus twenty per centum of such cost. I want to know whether that particular provision was approved by the Corporation.

The Honourable Khan Bahadur D. B. COOPER: It was not approved by the Corporation, but we have made that provision in the Bill. I am going to refer the Bill to a select committee, where the matter can be decided.

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*Appendix 33.

Dr. J. A. COLLACO: So far as the Bill is to be referred to a select committee, I have nothing to say. But this Bill is the result of a joint session between Government and the Corporation. There are certain disabilities which Government are suffering from, and the changes indicated in the Statement of Objects and Reasons are all for the benefit of Government. For instance, it is proposed that Government residential properties including military officers' rentable quarters should be made legally liable for water tax and halalkhore tax on value. Formerly, they were paying a certain sum which the Municipal Commissioner usually fixed. That was far in excess of what it would be on actual valuation. Then charitable institutions like hospitals were paying just like other men, which was rather hard on the Government. So the charges for hospitals were reduced. The Development Department chawls also are paying very heavy water assessment, and the change proposed to be made is in favour of Government. But as regards this particular item, which seeks to reduce the meter measurement on a thousand gallons to the Government, I do not know whether I am right, but I think for the present the municipality is charging the least amount to the Government. That means that if we are charging other parties 10 annas per thousand gallons as the minimum, we are charging Government also 10 annas per thousand gallons. As far as I can understand, the provisions of clause 8 seek to reduce the charge to Government to about 6 annas, if my interpretation is correct. They say, if the cost of bringing water to Bombay City is about 4 to 5 annas per thousand gallons, we may charge 20 per cent. extra, which comes to 6 annas. So that, the municipality has to reduce the charges to Government from 10 annas to 6 annas. If this is the interpretation, I should object to it. I have no objection to the Bill being referred to a select committee.

The Honourable Khan Bahadur D. B. COOPER: Sir, as far as the objection raised by my honourable friend Dr. Collaco is concerned, I should like to say that the Corporation of Bombay is charging for water at various rates to different institutions. They are charging medical and charitable institutions, railways, Port Trust, Improvement Trust, and other public bodies, all at different rates. As far as this Bill goes, it is the intention of Government to make the Corporation charge Government a proper and equitable rate, and for that purpose they want to lay down that they should not be charged more than 20 per cent. over and above what it actually costs the municipality. Clause 8 is included in the Bill with that intention.

Dr. J. A. COLLACO: Is it on valuation or meter measurement?

The Honourable Khan Bahadur D. B. COOPER: All these points will be discussed in the select committee, and the Bill can be amended as required.

Bill read a first time. Question, "That the Bill be read a first time," put, and agreed to.

The Honourable Khan Bahadur D. B. COOPER : I beg to move :

"That the Bill be referred to a select committee consisting of the Honourable Sir Ghulam Hussain, Mr. Knight, Mr. Davis, Mr. Arbuthnot, Rao Bahadur Asavale, Mr. Hoosenally M. Rahimtoola, Mr. Gazdar, Rao Bahadur Kale, Mr. Kamat, Rao Bahadur Angadi, Dr. J. Alban D'Souza, Mr. Lely, Dr. Solanki, Rao Bahadur Navle, Rao Bahadur Bole, and the Mover, 5 to form the quorum, and the committee to report before the 15th of June next."

Bill referred to select committee.

Question put, and agreed to.

SUPPLEMENTARY GRANTS.

Payments of gratuities to retrenched personnel.

The Honourable Sir GHULAM HUSSAIN : Sir, I move a demand for a supplementary grant of Rs. 87,000 under 61, Payments to retrenched personnel (Reserved).* The reasons are given in the statement circulated to honourable members.

Question put, and agreed to.

Refund of stamp duty on a deed of exchange of lands.

The Honourable Sir GHULAM HUSSAIN : Sir, I move a demand for a supplementary grant of Rs. 1,29,000 under 7, Stamps (Reserved).† Under an order of the High Court of Bombay, we have to pay this amount.

Question put, and agreed to.

Additional funds required for Lloyd Barrage and Canals Construction Project.

The Honourable Mr. R. D. BELL : Sir, I beg to make a demand for a supplementary grant of Rs. 6,17,000 under 55, Construction of Irrigation Works—Reserved—Lloyd Barrage and Canals Construction.‡ This is due to more work being carried out than the budget provision covered during the year.

Question proposed.

Mr. MAHOMED HASHIM GAZDAR (Karachi City) : I want to oppose this grant and make a few observations to draw certain explanations from the Honourable the General Member. There is an excess of Rs. 14,00,200 on works, out of which 5·43 lakhs is book transfer from the suspense account carried over to works. When quarries were started in Sukkur the expenditure incurred on these quarries was booked under suspense account. All the materials for concrete masonry and other works were produced there and when used on works that suspense account was credited with the cost thereof and the works were debited. The works were completed two years ago and it appears about 5⅓ lakhs of rupees which were still under suspense account cannot be accounted for in any way. Now, this amount in order to clear and wipe out the

*Appendix 34.
†Appendix 35.
‡Appendix 36.

[Mr. Mahomed Hashim Gazdar]

objectionable suspense account is to be charged to the works. The question arises why so late in the day is this amount being transferred to works? If it is an ordinary book transfer, without coming to the Council the amount could have been transferred, because it is always within the sanctioned amount—if the works are charged within the estimate and the sanctioned grant. I think that there is something fishy and wrong and it is for that reason that the sanction of this House is asked to whitewash another 5½ lakhs. I would like to ask the question why is so much surplus stone lying there worth Rs. 5½ lakhs and is being charged to works now? If there is really so much stone why should you not sell or use it and get credit for that amount? Or is it a loss on account of the quarry plant or some unaccounted for expenditure which is now being attempted to be wiped off?

Another matter which I wish to refer to is the compilation of the Report on the Barrage which was expected to be completed during the first two months of this year. Now, the period is proposed to be extended to 30th April 1934. I hope this report will be expedited and Government will be able to complete it within that period.

The Honourable Mr. R. D. BELL: Sir, the explanation of the transfer of the amount of 5·43 lakhs from suspense account to works is as follows. As issues of stone were made from the quarry, the quarry got credit at certain rates which were the estimated rates of the cost of extracting the stone while the works on which the stones were used were debited with a corresponding amount. But it is impracticable to work out rates which will exactly cover at the end of a number of years the exact cost of working the quarries. The total amount of stone extracted from these quarries is estimated at 200 million cubic feet. Quite apart from rates, an error of one-tenth per cent. in measurement would account for an ultimate difference of 200,000 cubic feet. I do not know what the honourable member considers to be a fair rate for dressed stone, but if we take a rate of Rs. 20 per 100 cubic feet, we get a discrepancy in rupees of 4 lakhs. The adjustment of 5 lakhs is required partly to cover a discrepancy of this kind and partly to cover the balance of stone still lying at the quarries; although it measures so many cubic feet practically it represents waste. The stone that is left now is to be broken up and used for rubble as requirements arise in future.

The other point raised by the honourable member is with reference to the completion report. So far as I know, it will be finished by the end of April.

Question put, and agreed to.

Additional expenditure on Irrigation Works.

The Honourable Mr. R. D. BELL: Sir, I beg to move for a demand of supplementary grant of Rs. 5,73,500 under XIII-Deduct Working Expenses, 15, Other Revenue Expenditure financed from Ordinary

[Mr. R. D. Bell]

Revenues and Refunds of Revenue under the heads XIII and XIV—Reserved.* This supplementary grant is required partly for repairing the damage done to canals in Sind by heavy rains and floods and partly for supplementing the grant for maintenance and repairs to canals in Sind. Rs. 1,44,000 is required in connection with the damage done to canals in Sind. These are the two principal items.

Question proposed.

Mr. MAHOMED HASHIM GAZDAR (Karachi City): Sir, I would like to ask the Honourable the General Member to let us have some idea about the working expenses as per acre of cultivation on the Rohri Canal as a whole, because I find some additional sum of Rs. 1,17,000 is asked for ordinary maintenance and repairs.

Another thing is that on page 8 of the proceedings of the Finance Committee, I find that it is put there as Dadu division. I think it must be Dad division.

A lot of money is being spent on investigations in regard to waterlogging in the Rohri Canal and Begari Canal Divisions. I think it will be useful and interesting to the honourable members of this Council if the result of the investigations are made known to them.

Mr. C. M. LANE: With reference to the enquiry from the honourable member, the point which he first raised was the Rohri Canal working expenses. I cannot say what the exact figure is. It is expected to be about 1·43 rupees per acre.

The honourable member then pointed out a mistake on page 8. Dadu division is on the right bank of the Indus and the Rohri Canal is certainly on the left bank. I think it must be a mistake. I had not noticed it before and I have had no chance to verify it. My first impression was that the Rice Canal was referred to, but it seems to be a mistake in copying.

The Honourable Mr. R. D. BELL: I am sorry at the moment I cannot trace the mistake in the file. I thank the honourable member for pointing it out. As regards waterlogging in the Rohri Canal no means of rapidly stopping the seepage from the part of the canal which passes through Khairpur State has been discovered nor is it likely that rapid means of sealing the canal will be found. We shall have to rely on nature. In course of time it is hoped that the bed of the canal will become water-tight by reason of siltage. At present the water which seeps through the banks is being pumped back into the canal and the waterlogging is now held in check. There is no more damage likely. The damage is not likely to extend further. It is a problem, as I have indicated to the House before, which will probably require attention throughout the whole of Sind. We are now at the beginning of the problem of waterlogging in Sind. I have no reason for despair on that account.

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*Appendix 37.

Mr. MAHOMED HASHIM GAZDAR: I requested the Honourable the General Member to circulate a note on the nature of the investigation. He has not replied.

The Honourable Mr. R. D. BELL: I am not sure that this is the opportune moment for issuing a note. Work will have to be carried out further. I will consider the suggestion.

Question put, and agreed to.

It being thirty minutes past 5 *p.m., the House adjourned till* 2 *p.m., on Tuesday, the* 20*th March* 1934.

MG-III Bk Hb 183—5

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Vol. XXXIX—Part XXV

Tuesday, the 20th March 1934.

The Council re-assembled at the Council Hall, Bombay, on Tuesday, the 20th March 1934, at 2 p.m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present:

ABDUL LATIF HAJI HAJRAT KHAN, Khan Bahadur
ACHREKAR, Mr. A. B.
ADVANI, Mr. P. B.
AMINUDDIN, Mr. SAIYID
ARBUTHNOT, Mr. C. W. E.
ASAVALE, Rao Bahadur R. S.
BAKHALE, Mr. R. R.
BANGI, Mr. A. K. J.
BELL, the Honourable Mr. R. D.
BIRADAR, Sardar MAHABOOBALI KHAN
BOLE, Rao Bahadur S. K.
BULLOCKE, Mr. A. GREVILLE
CHIKODI, Mr. P. R.
CHITALE, Rao Bahadur G. K.
CLEE, Mr. C. B. B.
COLLACO, Dr. J. A.
COOPER, the Honourable Khan Bahadur D. B.
COVERNTON, Mr. S. H.
DAVIS, Mr. G.
DESAI, Rao Saheb B. G.
DESAI, Mr. H. R.
DESAI, Mr. S. B.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
D'SOUZA, Dr. J. ALBAN
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GARRETT, Mr. J. H.
GAZDAR, Mr. MAHOMED HASHIM
GHULAM HUSSAIN, the Honourable Sir
GILDER, Dr. M. D.

GOKHALE, Mr. L. R.
GOVER RORA, Mr.
GREAVES, Mr. J. B.
HUMPHREY, Mr. JOHN
JITEKAR, Mr. HAJI IBRAHIM
JOG, Mr. V. N.
JONES, Major W. ELLIS
KALBHOR, Mr. G. M.
KAMAT, Mr. B. S.
KAMBLI, the Honourable Dewan Bahadur S. T.
KARBHARI, Mr. M. M.
KENNEDY, Mr. T. S.
KHUHRO, Khan Bahadur M. A.
KNIGHT, Mr. H. F.
KULKARNI, Rao Saheb P. D.
LANE, Mr. C. M.
LELY, Mr. W. G.
MAXWELL, Mr. R. M.
MEHERBAKSH, Khan Bahadur S.
MEHTA, Mr. M. H.
MITHA, Mr. MAHOMED SULEMAN CASSUM
MODAK, Rev. R. S.
MORE, Mr. J. G.
NAIK, Sardar Rao Bahadur B. R.
NAMDEORAO BUDHAJIRAO, Mr.
NAVLE, Rao Bahadur N. E.
OWEN, Mr. A. C.
PANJABI, Mr. K. L.
PARULEKAR, Rao Bahadur L. V.
PATEL, Khan Bahadur A. E.
PATEL, Mr. BHAILAL SARABHAI
PATEL, Mr. C. N.
PATEL, Khan Bahadur VALI BAKSH A.
PATIL, Dewan Bahadur D. R.
PATIL, Mr. N. N.
PATIL, Mr. V. N.
PATIL, Rao Saheb V. S.
PETIT, Mr. J. B.
PRADHAN, Rao Bahadur G. V.

PRATER, Mr. S. H.
RAHIMTOOLA, Mr. HOOSENALLY M.
RESALDAR, Mr. A. K.
ROOSE, Mr. F. O. J.
SERVAI, Mr. A. E.
SHAIKH ABDUL AZIZ, Mr.
SHAIKH ABDUL MAJID, Mr.
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SHINDE, Mr. R. B.
SINDHA, Mr. MADHAVSANG JORBHAI
SOLANKI, Dr. P. G.
SURVE, Mr. A. N.
SURVE, Mr. V. A.
SYED MUNAWAR, Mr.
THAKOR OF KERWADA, Sardar BHASAHEB RAISINHJI
TOLANI, Mr. S. S.
TURNER, Mr. C. W. A.
VAISHAMPAYAN, Dr. V. G.
VAKIL, Mr. PESTANSHAH N.
VANDEKAR, Rao Bahadur R. V.
WADKE, Mr. B. P.

STARRED QUESTIONS AND ANSWERS.

INTERMEDIATE AND BACKWARD CLASS STUDENTS: ADMISSION TO GOVERNMENT HIGH SCHOOLS AND COLLEGES.

*Rao Bahadur S. K. BOLE: Will the Honourable Minister for Education be pleased to state—

(*a*) whether Government are aware that the number of students from the Intermediate and Backward Classes seeking admission to the Government high schools and colleges is increasing;

(*b*) if so, whether Government intend to increase the percentage reserved for students of these classes for admission into the Government high schools, Government Arts Colleges, the Law School, the Sydenham College of Commerce, the College of Engineering, the School of Art and the V. J. Technical Institute?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) The number of students of the Intermediate and Backward classes seeking admission to Government colleges is generally increasing. So far as Government secondary schools are concerned, the number of pupils seeking admission from the Backward communities only is increasing.

(*b*) As regards Government Arts Colleges, no percentages of places are at present reserved for the admission of students of the Intermediate and Backward Classes. Nearly all qualified candidates from these classes are admitted so that no specific reservation is necessary. As

regards Government Professional Colleges the percentages shown below* are at present laid down for admission of students from the Intermediate and Backward communities. There is no necessity for increasing the percentages since all eligible candidates from these classes have been admitted. In the case of the Sir J. J. School of Art, there is no occasion to fix a percentage of admission for the Intermediate and Backward class students as no one seeking entrance to the school has been refused admission. The Victoria Jubilee Technical Institute is a non-Government institution managed by a Board of Management. Students are admitted into this institute after an entrance examination. The Secretary and Principal of the Institute reports that no percentage has been fixed for the admission of students belonging to the Intermediate and Backward communities as it is not necessary to fix any such percentage.

In regard to Government secondary schools, the Government have at present under consideration a proposal for refixing the number of seats reserved for students of different communities.

INTERMEDIATE AND BACKWARD CLASS STUDENTS: ADMISSION TO VETERINARY AND AGRICULTURAL COLLEGES.

*Rao Bahadur S. K. BOLE: Will the Honourable Minister for Education be pleased to state—

(a) whether Government are aware that the number of students from the intermediate and backward classes seeking admission to the Veterinary and Agricultural Colleges is increasing;

(b) if so, whether Government intend to increase the percentage reserved for students of these classes for admission to those colleges?

The Honourable Dewan Bahadur S. T. KAMBLI: (a) No. The number of students seeking admission to the two colleges is decreasing.

(b) 25 per cent. of the total seats at the Poona Agricultural College have been reserved for students from the intermediate and backward classes of the Hindus and 10 per cent. for Mahomedans. At the Bombay Veterinary College, no students have been refused admission for want of accommodation. The question of reserving accommodation for these classes does not, therefore, arise at present.

DISTRICT JUDGES FOR KANARA.

*Mr. G. S. GANGOLI (Kanara District): Will the Honourable the Home and General Member be pleased to state—

(a) the names and dates of service of the District Judges in Kanara during the years 1931, 1932 and 1933;

(b) the total amount of travelling allowance paid to them on their transfers during that period?

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*1.	College of Engineering and the Diploma Classes	25
2.	Sydenham College of Commerce	10
3.	Law College, Bombay	10

The Honourable Mr. R. D. BELL: (*a*)

Name of Officer.	Date of Service.	
	From	To
(1) Mr. D. S. Oka, LL.B. ..	1st January 1931 ..	21st February 1932.
(2) Mr. K. M. Kumthekar, LL.B. ..	22nd February 1932 ..	9th November 1932.
(3) Mr. R. W. H. Davies, I.C.S. ..	10th November 1932 ..	30th November 1933.
(4) Mr. K. M. Kumthekar, LL.B. ..	11th December 1933 ..	Still continues.

(*b*) Rs. 1,533-6-0

Mr. G. S. GANGOLI: What has become of No. 1, Mr. Oka?

The Honourable the PRESIDENT: How do you mean?

The Honourable Mr. R. D. BELL: If the honourable member will give notice of that question, I will answer it.

Mr. G. S. GANGOLI: This gentleman was placed there for three years and then reverted as Assistant Judge. My purpose in asking this question is whether Government look upon Kanara as a dumping ground or as a training ground?

The Honourable the PRESIDENT: What is that? I cannot follow the honourable member. What is the idea of the honourable member?

Mr. G. S. GANGOLI: I mean, Sir, that sometimes inconvenient persons or Assistant Judges were posted there and they were made to revert or soon transferred from the post of District Judge. At least, let us have some permanent judge. That is what I want.

The Honourable Mr. R. D. BELL: Very well, I shall bear that in mind.

RELIEF TO RICE PRODUCERS.

*Mr. M. M. KARBHARI (Thana and Bombay Suburban Districts): Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) whether Government are aware that producers of rice in this Presidency suffer owing to unfair competition from outside;

(*b*) if so, whether Government propose to take any steps in the matter affording them relief in this respect?

The Honourable Sir GHULAM HUSSAIN: (*a*) Statement A giving statistics of imports into and exports from British India of (1) rice in husk and (2) rice not in husk from and to foreign countries by sea, during the year 1932-33 and also showing the shares of the maritime provinces in the trade is placed on the Council table. Similar figures according to

provinces for the period from 1st April 1933 to 31st December 1933 are not available. Statement B shows the share of the Bombay Presidency excluding Sind for this period. A comparison of the statistics in statement A will show that the share of the Bombay Presidency as an importing centre is negligible. The exports from the Presidency in proportion to the All-India total are small but in proportion to imports they are considerable.

(*b*) Does not arise.

STATEMENT A.

Imports into, and exports from, British India of (1) *rice in husk and* (2) *rice* not *in husk during* 1932–33, *i.e.,* 1*st April* 1932 *to* 31*st March* 1933, *and also share of each province.*

—		Imports into British India 1932–33.		Exports from British India 1932–33.	
		Quantity.	Value.	Quantity.	Value.
		Tons	Rs.	Tons	Rs.
Share of Bengal.	Rice in husk ..	..	..	2,161	1,12,469
	Rice *not* in husk ..	16	3,466	120,795	1,31,17,596
	Total ..	16	3,466	122,956	1,32,30,065
Share of Bombay.	Rice in husk ..	..	7	2	831
	Rice *not* in husk ..	57	10,848	11,829	20,19,094
	Total ..	57	10,855	11,831	20,19,925
Share of Sind.	Rice in husk ..	..	..	..	....
	Rice *not* in husk ..	..	442	28,339	39,52,930
	Total ..	..	442	28,339	39,52,930
Share of Madras.	Rice in husk ..	10	660	2,028	1,25,551
	Rice *not* in husk ..	35,418	30,92,824	64,894	86,36,432
	Total ..	35,428	30,93,484	66,922	87,61,983
Share of Burma.	Rice in husk ..	1	30	54,653	24,99,056
	Rice *not* in husk ..	19	2,507	1,602,339	11,41,11,782
	Total ..	20	2,537	1,656,992	11,66,10,838
	Grand total ..	35,521	31,10,784	1,887,040	14,45,75,741

STATEMENT B.

Import and export of rice into and from the Bombay Presidency, excluding Sind, for the period from 1st April 1933 to 31st December 1933.

—	Imports.		Exports.	
	Quantity.	Value.	Quantity.	Value.
	Tons.	Rs.	Tons.	Rs.
(1) Rice in husk	..	10	8	1,246
(2) Rice *not* in husk	116	14,892	9,273	13,44,081

Mr. M. M. KARBHARI: May I know if it is a fact that the price of rice is adversely affected by the price of rice imported from outside the presidency?

The Honourable Sir GHULAM HUSSAIN: I cannot give that information unless I make enquiries.

Mr. M. M. KARBHARI: Is any rice brought into this presidency from Burma?

The Honourable Sir GHULAM HUSSAIN: The honourable member will see from the reply that a large quantity of rice does not come from Burma.

Mr. M. M. KARBHARI: Does the answer refer to Burma rice?

The Honourable Sir GHULAM HUSSAIN: Share of Bengal, Share of Bombay, Share of Sind, are all there.

Mr. M. M. KARBHARI: Share of Burma?

The Honourable Sir GHULAM HUSSAIN: Share of Burma is also there.

Mr. M. M. KARBHARI: I want to know if Burma rice is being imported into this presidency.

The Honourable Sir GHULAM HUSSAIN: The statement is there, if the honourable member will only read it.

Sardar Rao Bahadur B. R. NAIK: The honourable member Mr. Karbhari wants to know about the Bombay Presidency. In the reply the words are "British India", not "Bombay Presidency".

The Honourable Sir GHULAM HUSSAIN: Very little, it seems.

Mr. L. R. GOKHALE: Is it for the whole country or for the presidency only?

The Honourable Sir GHULAM HUSSAIN: The whole presidency excluding Sind.

Mr. L. R. GOKHALE: Not the whole of India then? It is stated that it is for the whole of British India. What is the share of this presidency in it, how much quantity is imported?

The Honourable Sir GHULAM HUSSAIN: The quantity for the whole of India is not much, so the quantity for the Bombay Presidency must be comparatively very small.

Mr. M. M. KARBHARI: Does the Honourable Member mean that the figures show that the rice in husks, Share of Burma, is the only rice that is being imported into this presidency from Burma?

The Honourable Sir GHULAM HUSSAIN: That is the information I have.

Mr. M. M. KARBHARI: Is it true that the prices of rice in this presidency are affected by the imports of Burma rice?

The Honourable Sir GHULAM HUSSAIN: I do not think so, looking to the quantity imported.

Mr. SHAIKH ABDUL MAJID: May I know why Sind has been excluded from the statement B and why figures for Sind have not been shown?

The Honourable Sir GHULAM HUSSAIN: The heading is "*Import and export of rice into and from the Bombay Presidency, excluding Sind, for the period etc.*". If the honourable member gives notice, I will find out what he wants.

Mr. SHAIKH ABDUL MAJID: Am I to understand that it is not possible for Government to take steps to stop the imports of rice into this presidency?

The Honourable Sir GHULAM HUSSAIN: The honourable member knows very well that it is not within the competence of this Government. He must have been reading in the papers that the Government of India are moving in the matter, but I have no official information on the subject.

Mr. SHAIKH ABDUL MAJID: I want to understand if there is any difficulty in the way of the Bombay Government bringing this matter to the notice of the Government of India, and telling them that this unfair competition is seriously affecting the agriculturists in the Presidency including Sind.

The Honourable Sir GHULAM HUSSAIN: If the honourable member will only see the statement, he will find that the quantity is not very large, not large enough to affect the price of rice in this presidency.

Mr. SHAIKH ABDUL MAJID: I did not hear the reply. That is my misfortune.

The Honourable the PRESIDENT: The answer given by the Honourable the Leader is that it will be seen from the table given there that the imports do not show a very large quantity and the Bombay share must have been still smaller, and Government therefore feel that the prices of local rice could not have been affected much.

Mr. SHAIKH ABDUL MAJID: Have Government really made any inquiry into that matter? My information is that foreign rice imported into Karachi is somewhat cheaper than the Sind rice itself.

The Honourable Sir GHULAM HUSSAIN: If the honourable member will read Statement B, he will find these figures:—

Imports.	Tons.	Value.
		Rs.
Rice *not* in husk	116	14,892

Mr. M. M. KARBHARI: In statement A, there is the column "Imports into British India 1932-33" and "Share of Bombay". May I know what it means?

The Honourable Sir GHULAM HUSSAIN: It is clear enough, Sir. I think the honourable member understands it.

Mr. L. R. GOKHALE: Does this include imports of rice from Japan?

The Honourable Sir GHULAM HUSSAIN: Yes.

Mr. L. R. GOKHALE: How much quantity from Japan and how much from other parts?

The Honourable Sir GHULAM HUSSAIN: No details are available.

Mr. L. R. GOKHALE: Are there no statistics available to show how much quantity of rice was imported into Bombay from Japan?

The Honourable Sir GHULAM HUSSAIN: I would refer the honourable member to the returns published by the Government of India. He will find there all the information he wants.

Mr. L. R. GOKHALE: All that I wanted was, if Government would help me by giving this information.

The Honourable Sir GHULAM HUSSAIN: If the honourable member will kindly give notice, I will find out.

GRIEVANCES OF COMPOUNDERS IN GOVERNMENT AIDED DISPENSARIES.

*Rao Saheb P. D. KULKARNI (Poona District): Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) whether Government are aware that Compounders in some of the Government aided Charitable Dispensaries are overburdened with work, as the number of prescriptions to be attended to daily by a Compounder has not been fixed in the rules for the regulation of Government aided Dispensaries;

(*b*) whether Government are aware that the compounders, who are so overburdened with work, neither get extra help nor extra remuneration even though they are detained beyond the prescribed hours of work;

(*c*) whether Government are aware that the prescriptions of the private patients treated by the Medical Officers in charge of Dispensaries and also the prescriptions of cases treated by the registered medical practitioners are required to be made by the compounders;

(*d*) whether Government are aware that there is no provision in the rules for remunerating the compounders for attending to such prescriptions;

(*e*) whether Government are aware that sometimes the compounders are required to attend the Dispensaries out of regular Dispensary hours to make prescriptions of cases of well-to-do patients who are visited by Medical Officers of Dispensaries at nights;

(*f*) whether Government are aware that the compounders and the Dispensary staff do not get any remuneration from such well-to-do patients for attending to this extra work at odd hours;

(*g*) whether Government are aware that the Medical Officers in charge of Dispensaries get remuneration for visiting the well-to-do patients at their residences;

(*h*) whether Government are aware that the Medical Officers, who receive extra fees, are not required to do extra duties in visiting the well-to-do patients;

(*i*) if the answers to the above questions are in the affirmative, whether Government intend to amend the rules for the regulation of Government aided dispensaries so as to remove the grievances of the compounders mentioned above?

The Honourable Khan Bahadur D. B. COOPER: (*a*) and (*b*) No. The compounders at the grant-in-aid charitable dispensaries, like other dispensary servants, are under the control of the Dispensary Committees appointed by the local bodies concerned.

(*c*) Under rules 3 and 4 in Appendix III of the Dispensary Rules, the prescriptions of well-to-do patients treated privately by the Medical Officer as well as the prescriptions of the independent registered medical practitioners are to be dispensed at the dispensaries in towns where there are no dispensing chemists.

(*d*) Yes.

(*e*) and (*f*) No.

(*g*) The Medical Officers in charge of grant-in-aid charitable dispensaries can charge fees at the rates prescribed in rule 34 (4) of the Dispensary Rules for visiting well-to-do patients at their residences.

(*h*) Well-to-do patients are not treated as out-patients but they have to make their private arrangements with the Medical Officer for treatment and to pay fees for his visits.

(*i*) As compounders at the grant-in-aid charitable dispensaries are not under the control of Government, they do not see any necessity to amend the Dispensary Rules with a view to make provision for remunerating compounders for extra work.

GRANT OF HONORARY MAGISTRATESHIPS TO M.L.Cs.

*Rao Saheb P. D. KULKARNI (Poona District): Will the Honourable the Home and General Member be pleased to state—

(*a*) how many M.L.Cs. were given Honorary Magistrateships since the year 1931;

(*b*) their names and the dates of their appointments as Honorary Magistrates ?

The Honourable Mr. R. D. BELL : (*a*) Five.
(*b*)

Name of the M.L.C.	Date of appointment as Honorary Magistrate.
Mr. W. G. Lely ..	.. 7th November 1931.
Dr. P. G. Solanki ..	.. 7th November 1931.
Mr. R. R. Haddow ..	.. 16th May 1932.
The Reverend R. S. Modak	.. 6th December 1932.
Major W. Ellis Jones ..	.. 25th March 1933.

NOMINATION OF M.L.Cs. ON LOCAL BODIES.

*Rao Saheb P. D. KULKARNI (Poona District) : Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) how many M.L.Cs. were nominated on District Local Boards, District School Boards, Municipalities and other local bodies in the Presidency since the year 1931 ;

(*b*) their names and the dates of their nominations ?

The Honourable Khan Bahadur D. B. COOPER : (*a*) and (*b*) The labour and time involved in the collection and compilation of information necessary to answer the question appear to Government to be incommensurate with its utility and public interest and Government regret, therefore, that they do not see their way to undertake its compilation.

POLITICAL PRISONERS.

*Dr. V. G. VAISHAMPAYAN (Sholapur City) : Will the Honourable the Home and General Member be pleased to state—

(*a*) the total number of political prisoners who were sent to jail for having taken part in the Civil Disobedience Movement since 1st January 1932 and who are at present in the jails of this Presidency ;

(*b*) how many of them are given A, B or C class respectively ;

(*c*) how many such political prisoners are there in this Presidency whose term of sentence is still more than one year ;

(*d*) the longest term of imprisonment awarded to such a political prisoner ?

The Honourable Mr. R. D. BELL : (*a*) The total number of persons convicted of offences in connection with the Civil Disobedience Movement during 1932 and 1933 is 14,731 which includes those who were sentenced to fine or whipping only or released under section 562 of the Criminal Procedure Code, warned and discharged or ordered to be detained in the reformatories, etc., and were not sent to jail.

There were 744 such prisoners in the jails of this Presidency at the end of February 1934.

(*b*) Seven were classed A and 386 B.

(*c*) 173. Remission earned by these prisoners has not been taken into account while reckoning the unexpired sentence.

(*d*) The time and labour involved in collecting this information would be incommensurate with its value.

RECRUITMENT TO SUB-REGISTRARS' POSTS.

*Rao Bahadur R. V. VANDEKAR (Nasik District): Will the Honourable Minister for Education be pleased to state—

(*a*) whether there is direct recruitment for the Sub-Registrars' posts;

(*b*) if so, the number of such recruitment every year;

(*c*) the total number of candidates taken up as Sub-Registrars since 1925;

(*d*) how many of them are from the advanced classes, how many from the Maratha and allied classes, how many from amongst the Muhammadans and how many from the depressed classes;

(*e*) the present total strength of the Sub-Registrars in the different grades;

(*f*) the number of persons of different communities holding those posts in the different grades;

(*g*) whether any clerks from the department are promoted to the Sub-Registrars' grade?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) Yes.

(*b*) No annual recruitment is made. The number of recruits depends upon the number of probable vacancies. Since the year 1930 there has been no direct recruitment.

(*c*) 45.

(*d*) 18 from advanced classes.
16 from Marathas and allied castes.
9 from Muhammadans.
2 from Indian Christians.
None from depressed classes.

(*e*) The present total strength of Sub-Registrars in different grades, including Inspectors of Registration offices, is as follows:—

Grade.	Number of posts.
I	10
II	36
III	79
IV	89
V	19
Total ..	233

(*f*)

Grade.	Advanced classes.	Marathas and allied castes.	Muslims.	Depressed classes.	Total.
I	9	1	..	..	10
II	25	4	7	..	36
III	63	5	11	..	79
IV	52	21	14	..	87
V	8	4	5	..	17

Note.—The two remaining posts in the IV grade are held by Indian Christians and the two posts in the V grade are vacant.

(*g*) Yes.

CLOTHING OF PEONS IN POLICE DEPARTMENT.

*Rao Bahadur R. V. VANDEKAR (Nasik District): Will the Honourable the Home and General Member be pleased to state—

(*a*) from where the khaki and other cloth used for the clothing of the peons in the Police Department is purchased;

(*b*) whether it is a fact that it is purchased outside the Presidency?

The Honourable Mr. R. D. BELL: (*a*) and (*b*) The Superintendent, Government Printing and Stationery, Bombay, supplies—

(*i*) White drill cloth,
(*ii*) Blue woollen cloth, coarse,
(*iii*) Lining cloth,
(*iv*) Turkey red for Kamarbands,
(*v*) Pagrees, and
(*vi*) Belts which are required for peons in the Police Department.

The articles mentioned at (*i*), (*iii*), (*iv*) and (*v*) purchased in 1933-34 by the Superintendent, Government Printing and Stationery, were manufactured in mills in the Bombay Presidency, while the articles mentioned at (*ii*) and (*vi*) in factories outside this Presidency. Red Pagrees, Kamarbands and khaki twill for shirting of havildars in the Police Department in Sind are, however, purchased from the Indian Stores Department.

AGRICULTURAL AND CO-OPERATIVE DEPARTMENTS: RECRUITMENT FROM BACKWARD CLASSES.

*Rao Bahadur R. V. VANDEKAR (Nasik District): Will the Honourable Minister for Education be pleased to state how many persons from the intermediate Hindu or backward classes are taken up in Government service in the Agricultural and Co-operative Departments since 1925 as gazetted or non-gazetted officers?

The Honourable Dewan Bahadur S. T. KAMBLI: The information required by the honourable member is furnished below. It relates to the period from 1st January 1925 to 31st July 1933 :—

Nature of appointment.	Appointments from	
	Intermediate Hindu communities.	Backward classes.
AGRICULTURAL DEPARTMENT.		
Gazetted—		
Permanent	5	....
Temporary	2	....
Non-gazetted—		
Permanent	43	5
Temporary	160	10
CO-OPERATIVE DEPARTMENT.		
Gazetted—		
Permanent	....	....
Temporary	....	....
Non-gazetted—		
Permanent	12	....
Temporary	25	....

Mr. B. S. KAMAT: The question and answer do not refer to the number of recruits from the advanced classes. There have been 247 recruits from the intermediate classes since 1925. Am I to take it that none from the advanced classes have found employment in these two departments since 1925 ?

The Honourable Dewan Bahadur S. T. KAMBLI: The original question asked did not relate to the recruitment from advanced classes. Therefore, no assumption as regards recruitment of advanced classes can be made under the circumstances.

Elections to Backward Class Board.

The Honourable the PRESIDENT: I have now to announce the nominations for elections to the various committees. The following are the nominations to the Backward Class Board :—

Name of candidate.	Proposed by.	Seconded by.
Mr. R. R. Bakhale.	Mr. B. S. Kamat.	Mr. J. G. More.
Mr. Syed Munawar.	Rao Bahadur R. V. Vandekar.	Rao Bahadur S. K. Bole.
Mr. Shaikh Abdul Aziz.	Mr. Haji Ibrahim Jitekar.	Mr. Ghulam Hyder Shah.
Mr. V. N. Jog.	Mr. M. M. Karbhari.	Rao Bahadur G. K. Chitale.

[The President]

Name of candidate.	Proposed by.	Seconded by.
Rao Bahadur S. K. Bole.	Mr. Shaikh Abdul Majid.	Rao Bahadur R. V. Vandekar.
Mr. G. S. Gangoli.	Khan Bahadur Abdul Latif Haji Hajrat Khan.	Mr. J. B. Petit.

There are 6 names and 3 are to be elected. The voting is to be cumulative. Each honourable member has 3 votes. He can give all his three votes to one candidate, or 2 to one and 1 to any other candidate, or 1 vote each to three candidates, according to whatever his choice may be.

Mr. V. N. JOG: I beg to retire, Sir.

The Honourable the PRESIDENT: There are now only 5 candidates. Mr. Jog's name goes out.

The scrutineers will be Rao Saheb Kulkarni and Mr. Pestanshah Vakil.

If the business for today is over before the tea interval, we will adjourn and meet again at 5 p.m.

The Honourable Sir GHULAM HUSSAIN: If the rest of the business is over long before the tea interval, then we might continue with the elections.

The Honourable the PRESIDENT: We could take up the elections then. Scrutineers would examine the voting papers and the result might be announced when we meet after tea at 5 p.m.

Elections to Railway Advisory Committees.

The second is the election of members to the Local Advisory Committee for the G. I. P. Railway. The following members have been nominated after being duly proposed and seconded:—

Name of candidate.	Proposed by.	Seconded by.
Mr. A. C. Owen.	Mr. W. G. Lely.	Major W. Ellis Jones.
Mr. B. P. Wadke.	Rao Bahadur S. N. Angadi.	Mr. R. R. Bakhale.
Dewan Bahadur D. R. Patil.	Rao Bahadur N. E. Navle.	Thakor Saheb of Kerwada.
Dewan Bahadur D. R. Patil.	Rao Bahadur S. N. Angadi.	Mr. V. N. Patil.
Dewan Bahadur D. R. Patil.	Dr. M. K. Dixit.	Rao Bahadur G. K. Chitale.
Dewan Bahadur D. R. Patil.	Khan Bahadur M. A. Khuhro.	Dr. J. A. Collaco
Mr. B. S. Kamat.	Mr. R. R. Bakhale.	Mr. P. N. Vakil.
Rev. R. S. Modak.	Mr. N. N. Patil.	Khan Bahadur Abdul Latif Haji Hajrat Khan.
Mr. Shaikh Abdul Aziz.	Mr. Haji Ibrahim Jitekar.	Mr. A. K. J. Bangi.
Mr. J. G. More.	Mr. V. A. Surve.	Mr. G. M. Kalbhor.

[The President]

The following members have been nominated for the Local Advisory Committee for the B.B. & C.I. Railway, after being duly proposed and seconded :—

Name of candidate.	Proposed by.	Seconded by.
Sardar Bhasaheb Thakor of Kerwada.	Khan Bahadur Abdul Latif Haji Hajrat Khan.	Sardar Mahaboobali Khan Biradar Savanur.
Sardar Bhasaheb Thakor of Kerwada.	Khan Bahadur M. A. Khuhro.	Mr. Mahomed Suleman Cassum Mitha.
Mr. A. K. Resaldar.	Mr. Shaikh Abdul Majid.	Mr. Shaikh Abdul Aziz.
Dr. P. G. Solanki.	Mr. A. C. Owen.	Rao Bahadur R. V. Vandekar.
Rao Saheb B. G. Desai.	Mr. Bhailal Sarabhai Patel.	Mr. C. N. Patel.

After being duly proposed and seconded the following members have been nominated for election to the Local Advisory Committee for the Madras and Southern Mahratta Railway :—

Name of candidate.	Proposed by.	Seconded by.
Dr. V. G. Vaishampayan.	Rao Bahadur G. V. Pradhan.	Mr. L. R. Gokhale and Dr. P. G. Solanki.
Dr. V. G. Vaishampayan.	Dr. M. K. Dixit.	Mr. J. G. More.
Khan Bahadur Abdul Latif Haji Hajrat Khan.	Sardar Mahaboobali Khan Biradar Savnur.	Thakor Saheb of Kerwada.
Khan Bahadur Abdul Latif Haji Hajrat Khan.	Mr. Haji Ibrahim Jitekar.	Rev. R. S. Modak.

The following are the members nominated, after being duly proposed and seconded, for election to the Local Advisory Committee on N.-W. Railway :—

Name of candidate.	Proposed by.	Seconded by.
Mr. S. S. Tolani.	Dr. J. A. Collaco.	Mr. B. P. Wadke.
Mr. S. S. Tolani.	Rao Saheb V. S. Patil.	Rao Saheb P. D. Kulkarni.
Mr. Shaikh Abdul Majid.	Mr. Mahomed Hashim Gazdar.	Mr. A. K. Resaldar.
Khan Bahadur M. A. Khuhro.	Dewan Bahadur D. R. Patil.	Mr. Syed Munawar.

The scrutineers for election to the Railway Local Advisory Committees will be the honourable members Dr. M. K. Dixit and Mr. G. S. Gangoli ; and Mr. Jog and Mr. V. N. Patil.

[The President]

Elections to Finance Committee.

The following members have been nominated for election to the Finance Committee, after being duly proposed and seconded.

Name of candidate.	Proposed by	Seconded by
Sardar Rao Bahadur B. R. Naik.	Rao Bahadur R. S. Asavale.	Thakor Saheb of Kerwada.
Mr. V. N. Jog ..	Mr. M. M. Karbhari ..	Rao Bahadur G. K. Chitale.
Mr. Mahomed Hashim Gazdar.	Mr. Shaikh Abdul Majid.	Khan Bahadur M. A. Khuhro.
Mr. S. S. Tolani ..	Mr. G. S. Gangoli ..	Rao Saheb V. S. Patil.
Mr. G. S. Gangoli ..	Rao Bahadur N. E. Navle.	Rao Saheb V. S. Patil.
Mr. R. B. Shinde ..	Rao Saheb V. S. Patil..	Mr. A. N. Surve.

Mr. G. S. GANGOLI : I beg to withdraw.

The Honourable the PRESIDENT : There are five members remaining. The scrutineers will be the honourable members Mr. R. R. Bakhale and Mr. M. M. Karbhari.

Rao Bahadur G. K. CHITALE : The voting papers may be distributed at 5 o'clock because it was announced the other day that the voting would take place at 5 o'clock. Some honourable members may not have come now.

The Honourable the PRESIDENT : I see the situation. It is likely that Government business will be finished earlier than it was then anticipated. What will happen is that after the Government business is over the House will have to adjourn and meet at 5 o'clock when the voting papers will be distributed. Some time should be given to the scrutineers to count the votes and give the results. I thought that this would inconvenience the House.

Khan Bahadur ABDUL LATIF HAJI HAJRAT KHAN : The voting papers should be distributed at 5 o'clock. It has been already fixed.

The Honourable the PRESIDENT : We will postpone this business till 5.

BILL No. III OF 1934 (A BILL FURTHER TO AMEND THE BOMBAY PRIMARY EDUCATION ACT, 1923).

The Honourable Dewan Bahadur S. T. KAMBLI : Sir, I introduce Bill No. III of 1934 (A Bill further to amend the Bombay Primary Education Act, 1923).*

The Honourable the PRESIDENT : Bill No. III of 1934 (A Bill further to amend the Bombay Primary Education Act, 1923) is introduced.

* Appendix 38.

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, I beg to move that Bill No. III of 1934 (A Bill further to amend the Bombay Primary Education Act, 1923) be read a first time. The honourable House is well aware that a resolution was moved by the honourable member Dr. P. G. Solanki in this very House and in pursuance of that resolution the Depressed Classes and Aboriginal Tribes Committee was appointed by Government in the year 1928. That committee recommended in paragraphs 8 to 12 of their report which was published in 1930 that the term "untouchables" as describing the class to which it is applied at present is offensive and that they should henceforth be officially designated as "Depressed Classes", a designation which will be in consonance with the existing practice. They further recommended that the class hitherto known as "Backward Class" should be known hereafter as Intermediate Class. In order to give effect to the recommendations of that committee this amending Bill has been introduduced by Government.

First Reading.

Sir, in section 3 of the Primary Education Act of 1923 provision is made for the election of members of a school board. Section 3 lays down:

2-30 p.m.

"The members shall be elected by the local authority and shall, so far as may be, include persons experienced in education, women, representatives of minorities, backward classes, and depressed classes....."

In order to give effect to the recommendations of the committee, it is necessary to substitute the words "intermediate classes, and backward classes" for the words "backward classes, and depressed classes". Also in the explanation to section 3, the words "backward and depressed classes" appear, and these words also have to be substituted by the words "intermediate and backward classes". This is a simple amendment, and I hope the House will give a first reading to this Bill.

Question proposed.

Clause 2 (*Amendment of section 39 of Bom. III of 1888*):

"In sub-section (1) of section 39 of the City of Bombay Municipal Act, 1888, and in the Explanation to the said sub-section (1), for the word 'backward' wherever it occurs the word 'intermediate' and for the word 'depressed' wherever it occurs the word 'backward' shall be substituted."

Dr. P. G. SOLANKI: Sir, I accept the principle of the Bill, and I rise to support the first reading. But I would like to bring to the notice of this House, that even though the words "depressed classes" have been existing for many years, yet the advantages which were to accrue to the depressed classes under the Primary Education Act were not being given to the depressed or the untouchable classes. This Bill has been brought with the object of making it clear to this House that the recommendations which were suggested by the Backward Classes Board are to be adopted. But at this juncture, I would like to move an amendment to this Bill to the effect:

In clause 2, sub-clause (i), for the words 'intermediate classes, and backward classes' the words 'intermediate and scheduled classes or castes' shall be substituted.

In clause 2, sub-clause (ii), for the words 'intermediate and backward classes' the words 'intermediate and scheduled classes or castes' shall be substituted.

[Dr. P. G. Solanki]

This is my amendment, and I believe that this amendment will make it clear to the Government as well as this House that the benefits intended should go to these scheduled classes or castes which are mentioned in the White Paper Schedule in the appendix. Sir, I move this amendment and recommend to the House to adopt my amendment. With these words, I support the Bill with my amendment.

The Honourable the PRESIDENT: It is for the Honourable Minister to help the Chair in the matter whether this should be taken as an amendment of principle to be disposed of at the first reading. The amendment classifies in a slightly different way. There is another form suggested if the honourable member is ready to accept it. I think, after all, we might dispose of this amendment at the first reading. The second amendment, Mr. Gangoli's, must necessarily be disposed of at the first reading, because that raises a point of principle. Now, as regards the honourable member Dr. Solanki's amendment, this is the form suggested:

"In clause 2, sub-clause (*i*), for the word 'backward' where it occurs for the second time, the word 'scheduled' shall be substituted.

"In clause 2, sub-clause (*ii*), for the word 'backward' where it occurs for the second time, the word 'scheduled' shall be substituted."

Has the honourable member followed that? Does that meet the object he has in view?

Mr. G. DAVIS: May I point out to the honourable member that finally the explanation would read: "Intermediate and scheduled classes shall mean classes so declared by the Government?" In the main section also, the words "backward classes, and depressed classes" will be substituted by the words "intermediate classes, and scheduled classes." The words "backward" and "depressed" will no more be there.

Dr. P. G. SOLANKI: It is clear to me, Sir.

The Honourable the PRESIDENT: Does the honourable member move that?

Dr. P. G. SOLANKI: Yes, Sir. I move—

"In clause 2, sub-clause (*i*), for the word 'backward' where it occurs for the second time, the word "scheduled" shall be substituted.

"In clause 2, sub-clause (*ii*), for the word 'backward' where it occurs for the second time, the word 'scheduled' shall be substituted."

Question proposed.

Mr. R. R. BAKHALE: I am not clear on the point, Mr. President. If I have understood Dr. Solanki correctly, what he desires to do is to divide what are now known as the backward classes into two sub-classes: one the scheduled classes and the other those classes given in Schedule I and Schedule II in the Starte Committee's report and accepted by Government. That is his idea. But if you accept the amendment proposed by the honourable member Mr. Davis, it means that you have changed only the name "Backward" and substituted the [illegible]sed

[Mr. R. R. Bakhale]

"Scheduled", which means that even in the new scheduled classes you have got three sub-classes, namely, the depressed classes, the aboriginal and hill tribes and the other backward classes as they are understood now. I do not think this amendment serves the object that the honourable member Dr. Solanki has in view. (*An Honourable Member*: "Don't stiffen his back.") What he wants to achieve is not, I am afraid, achieved.

Mr. G. DAVIS: For "Backward", "Intermediate"; and for "Depressed", "Scheduled."

Mr. R. R. BAKHALE: But the backward class consists of three sub-classes—depressed classes, aboriginal and hill tribes, and other backward classes. Dr. Solanki's idea is that the present definition——

Dr. P. G. SOLANKI: On a point of explanation, Sir. Can I speak?

The Honourable the PRESIDENT: Yes.

Dr. P. G. SOLANKI: At present the backward classes, which was the name given to all the classes including aboriginals, criminal tribes, hill tribes and other tribes of the Hindu touchables *plus* the depressed classes—are lumped together into one common name "backward." Now, in order to be more clear, I want that the depressed classes, or untouchable classes who are to be known as "scheduled classes" as mentioned in the White Paper, should be separated from these classes who are touchables. This amendment which I have suggested is in accordance with the old Primary Education Act, wherein the classes which were printed as backward classes are now to be promoted and known as "intermediate classes" and the Backward Class Board has accepted that. In the same way, the old depressed classes or classification should be divided up into two, the touchables and the untouchables. It is the untouchables only who are to be treated as scheduled classes, as mentioned in the White Paper. The criminals, the aboriginals, wild tribes and others who were unnecessarily mixed up under the "Depressed Class" name in old Primary Education Act have been substituted under the name of Backward classes which is highly objectionable. My honourable friend Mr. Bakhale believes that my object was to bring in the aboriginals, wild tribes and other classes along with the untouchable castes under the nomenclature of Scheduled classes. I do not admit it. On the contrary, those backward classes which are touchables and belong to aboriginals, wild tribes and criminal tribes and other Backward Hindoos should be included in the intermediate nomenclature. That will form one body; and the untouchables or scheduled classes as mentioned in the White Paper will be a separate body altogether. That is the amendment which I meant to move and which I am moving now. I believe it is clear to the honourable member Mr. Bakhale and I do not think he will have any objection.

The Honourable the PRESIDENT: Does the amendment carry out that object?

Mr. G. DAVIS: I think it does, because the explanation will read: "Intermediate and Scheduled classes shall mean classes so declared by Government." Therefore, it is for Government afterwards to say that the Intermediate Class shall include those classes which the honourable member has in mind and that the Scheduled Class shall include those classes which the honourable member has in mind.

Mr. R. R. BAKHALE: Which means only those classes which are now enumerated in Schedule I.

Mr. G. DAVIS: Not necessarily. It is open to Government at any time to transfer any class to the intermediate or to the scheduled class, as is agreed upon.

Mr. R. R. BAKHALE: Exactly; and therefore I submit that Dr. Solanki's object is not served.

Mr. G. DAVIS: Well, he is of the opinion that it is.

Dr. M. K. DIXIT: Whether that object should be served or not ——

Dr. P. G. SOLANKI: I have said that my object is achieved by this amendment.

Question proposed.

Mr. J. G. MORE (Sholapur District): Sir, so far as the amendment is concerned, I am very doubtful as to the representation of the real depressed classes on various local bodies. Recently an instance took place when the election of the school board of the Pandharpur Municipality took place. In the recent resolution published by Government, there are mentioned scheduled classes such as—(1) depressed classes; (2) aboriginal and hill tribes; and (3) other backward classes. A candidate was to be elected on behalf of the depressed classes, but the President, who was to accept the nomination papers, accepted a nomination paper of one gentleman belonging to the third class. This candidate was a Koli by caste, which caste is allied to the Maratha caste. His candidature was accepted on account of the resolution passed by Government. Then the depressed class candidate, a Mahar by caste, had to resort to the civil Court and the case is still pending. He is contending that if persons of other castes are allowed to stand, they will deprive the real representation of the depressed classes on the School Board and that a Koli by caste cannot stand for the election. So, if the amendment is accepted, the depressed classes, which are now known as "untouchables", such as Mahars, Chamars, etc., will be deprived of their right of representation on school boards. The amendment proposed is wider, because the honourable mover is including other classes which are akin to the Maratha communities, and so the depressed classes, who are really untouchables, will be deprived of their representation. The suit I just mentioned is now pending in the Pandharpur Court. So before the amendment is accepted a serious consideration should be given it.

Mr. V. A. SURVE (Ratnagiri District) (Addressed the House in Marathi): Sir, I have to ask one question with regard to the Bill and not the amendment. The Sanskrit word "Dalit" means a person or animal crushed under the weight of something. The word "Depressed"

[Mr. V. A. Surve]

is the English equivalent of that word. This new Bill introduces new nomenclatures——

The Honourable Dewan Bahdur S. T. KAMBLI : I cannot follow the honourable member.

Mr. V. A. SURVE : The Honourable Minister is in charge of the Education portfolio and must know Marathi.

The Honourable Dewan Bahadur S. T. KAMBLI : I am sorry I am unable to follow, because I cannot understand the Marathi spoken by him.

Mr. V. A. SURVE : The Honourable Minister is in charge of the Primary Education portfolio and must know Marathi and other vernaculars. He says he does not know Marathi !

" Dalit " or " *Chengerla* " means a person or animal crushed under the weight of something. Now, as the word " Depressed " does not sound proper, Government are thinking of changing the nomenclature so as to eliminate that name. I want to ask whether the Honourable Minister has considered this change in all its aspects ?

The Honourable Dewan Bahadur S. T. KAMBLI : I have not followed the honourable member. I cannot understand his language.

The Honourable the PRESIDENT : He says the word " Dalit " is a Sanskrit word which, translated, means " depressed ". He goes into the origin of the word " Dalit " in Sanskrit, as far as I have been able to understand him, and says that it means any person crushed under some weight. He asks : is it an arbitrary method that the Honourable Minister is applying in this Bill to bring in a nomenclature for the depressed classes by that word " Dalit " which may mean much more than what he really intends it to mean. Is that correct ?

Mr. B. S. KAMAT : The word " Dalit " does not appear in the Act but only in the translation made by the Oriental Translator to Government.

The Honourable the PRESIDENT : Have I put it right ?

Rao Bahadur G. V. PRADHAN : Yes, but the honourable member wishes to be satisfied as to what the word " Dalit " is intended to mean.

Mr. L. R. GOKHALE : That word is going to be taken away altogether and so the question why it was used does not arise. It is going to be replaced by the word " Scheduled ".

Rao Bahadur G. V. PRADHAN : The word " Scheduled " will not be objected to in the way in which " Dalit " has been objected to by my honourable friend.

Mr. V. A. SURVE (In Marathi) : May I know what the Marathi word is for the word " Scheduled " ?

The Honourable the PRESIDENT : The word " Scheduled " has to be paraphrased rather than translated. It means that list which includes

[The President]

so many castes Government direct should be included in that word "Scheduled classes". Is the honourable member Mr. Surve satisfied now?

Mr. V. A. SURVE: Before this name came into use, the backward classes were called Intermediate. What is the meaning of "Intermediate" and why should they be called "Intermediate" and who should be called "Intermediate"?

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, to put an end to this controversy, I state on behalf of Government that I accept the amendment moved by Dr. Solanki.

Dr. Solanki's amendment put, and agreed to.

Mr. G. S. GANGOLI (Kanara District): Sir, I beg to move the following amendment:

Add the following sub-section (*iii*) to Section 2 of the Bill:—

(*iii*) classification shall be irrespective of castes and creed as follows:—

(*a*) those within municipal area shall be classed as "forward";

(*b*) inhabitants of villages or towns outside municipal area with a population of over a thousand as "intermediate";

(*c*) the rest as "backward."

Inside this House, Sir, I know very well that this amendment may not be carried to-day but this amendment was tabled at a time when the whole atmosphere was surcharged with the idea of rural uplift and village development, and so on and so on. Although the Primary Education Act has been on the statute book for over 10 years, what has been the effect of it till now? Those who are in cities have got the benefit, whether they belonged to the depressed classes or to intermediate classes or to the backward classes and so on. The idea prevailing here is, or at least it seems so to me, that all Brahmins are treated as forward, all non-Brahmins are treated as backward and so on, but I know of several instances of places where there are several Brahmins who are not forward and several non-Brahmins who are not backward,—they are treated as forward.

Dr. P. G. SOLANKI: All Brahmins are forward.

Mr. G. S. GANGOLI: I know several instances under the Act. The same community cannot be backward all throughout and the same community cannot be forward all throughout. There are several communities which under the special privileges afforded by the Act have gone far ahead farther than the other Brahmins in the neighbourhood, though under the provisions of the Act they are treated as backward or intermediate or backward in education. I can point to several communities of this description. There are also certain communities, for example, Christians. In Kanara the Mangalore Christians are backward but the Goa Christians are forward under the rules and under the Act which Government themselves follow. The same community cannot be backward or intermediate for all ages to come, because under the several privileges given by Government they are sure to come forward. So, there must be a time limit. A community which is backward to-day may be forward after 10 years and a community which is intermediate

[Mr. G. S. Gangoli]

to-day may become forward after 5 years. If the idea is that those who are really depressed, who are really neglected, are to be benefited under the special privileges, my proposal is that those who are mostly remote from a town and therefore from schools and colleges should be really treated as backward; otherwise, for some years to come, the Bombay people and the Poona people have got the benefit up to now and now some other people like the people in the suburbs of Dharwar and Belgaum will get the benefit, and for a hundred years to come the villagers will never get any benefit at all. If the real idea is that the agriculturists, those who are really neglected or the village people should get some benefit, then my proposal should be accepted. What is Kanara compared to the rest of the presidency? My grievance is that there are several schools and colleges in Bombay. All these are attended by city people, and by the time a city boy becomes a B.A. an ordinary village boy cannot even pass the matriculation owing to the expenses required being considerable. Sir, although it has been admitted that the prosperity of the presidency or of the whole of India really depends on the villager and on the agriculturist, I find that it is the city people or the townspeople who have so far derived benefit. What is the percentage of literacy in the villages? It is very, very low, because the existing schools and colleges serve only the city and town people, whatever community they may belong to, and the villagers have never been cared for and will never be provided for. With this in view I am moving this amendment.

There is one more point I want to touch upon, namely, according to the amendment which is now accepted by Government and by this House, the word "scheduled" will come to mean only the untouchables. I really wonder how we can have two things at the same time. In one breath we say that all public wells, public *dharamshalas* and temples should be thrown open to all and that no longer there should be any untouchables, and in another breath we say that the word "scheduled" will mean "untouchables" and so, I do not know what is really meant by the honourable members who have accepted the amendment of Dr. Solanki.

The Honourable the PRESIDENT: The honourable member is going back to an amendment which is passed?

Mr. G. S. GANGOLI: It is already passed. In one breath you say you want that there should be no untouchables any more and yet in another breath you say that the word "scheduled" means untouchables or the depressed classes. With this in view and with the view of assisting the agriculturists who have been really so far neglected and forgotten so far, and in the interest of the villagers who have been so far neglected and forgotten, I move this amendment.

The Honourable the PRESIDENT: Before I put the amendment, I should like to understand the real result of the amendment proposed. I would like to take the instance of the honourable member himself. If he lives in a municipal area, he would be classed as "forward".

Mr. G. S. GANGOLI : Yes, Sir.

The Honourable the PRESIDENT : If he changes his mind and goes back to a village and lives there under the conditions which are mentioned in (*b*), the same individual, the honourable member Mr. Gangoli himself, would be called " intermediate ".

Mr. G. S. GANGOLI : Yes, Sir.

The Honourable the PRESIDENT : And if he goes outside those two limits, he would be called " backward ".

Mr. G. S. GANGOLI : Exactly, because that individual is not given the facilities which are given in towns and cities.

3 p.m.

The Honourable the PRESIDENT : The honourable member, I presume, is a Brahmin himself.

Mr. G. S. GANGOLI : Yes, Sir.

Rao Bahadur R. S. ASAVALE : On a point of order, Sir. Is the amendment in order at all, Sir, because the honourable mover is describing the communities quite differently to those which are already described in the Act, i.e., who are the backward classes, who are the depressed classes, who are the intermediate classes, and who are the forward classes, and he wants that all the people belonging to almost all those communities residing in the cities or towns should be called " forward ". So, this amendment cannot be in order, Sir.

The Honourable the PRESIDENT : I think it is not exactly as the honourable member Rao Bahadur Asavale has put it, that it stands in the Act in which the Explanation states that " Backward and Depressed Classes " shall mean classes so declared by Government.

Rao Bahadur R. S. ASAVALE : According to the honourable mover of the amendment, even Mahomedans will come under " Forward class ". Therefore his amendment is not in order and it cannot be allowed. That is what I submit, Sir.

Mr. P. R. CHIKODI : Is the amendment within the scope of the Bill at all ? At present the depressed classes and the backward classes have been specifically defined and the House has accepted the definition. I want to know whether the amendment proposed is at all within the scope of the Bill itself.

The Honourable the PRESIDENT : Has the Remembrancer of Legal Affairs anything to say on the point ?

Mr. G. DAVIS : I did not take the amendment seriously. I do not see how it would fit in. The Bill is going to amend sub-section (1) of section 3 and the Explanation, the wording of which henceforward will be " intermediate and scheduled classes ". The honourable member desires to introduce in clause 2 a definition which has a relation to backward classes. If he can work it in, Sir, I should be very glad to embody it in the Act. I cannot do it.

The Honourable the PRESIDENT: What is the opinion of the honourable member as regards the point raised whether the amendment is in order?

Mr. G. DAVIS: Whether it is within the scope of the Bill?

The Honourable the PRESIDENT: Yes.

Mr. G. DAVIS: I should say that the scope of the Bill is clearly to deal only with the backward and depressed classes by the substitution of intermediate and scheduled classes. The amendment seeks to bring within the Bill itself a totally different classification, based on a different principle.

The Honourable the PRESIDENT: I have been wondering how I could allow this amendment as falling within the scope of the Bill. If it were an attempt to enlarge the scope of the Bill, the amendment could be considered in order at the first reading. This introduces totally a different question. On the whole, I consider it out of order.

Bill read a first time.

Question, "That the Bill be read a first time," put, and agreed to.

Second reading.

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, I move that Bill No. III of 1934 (a Bill further to amend the Bombay Primary Education Act, 1923) be read a second time.

Bill read a second time.

Question put, and agreed to.

Bill read clause by clause.

Clause 1 (*Short title*) ordered to stand part of the Bill.

Clause 2 (*Amendment of section* 2 *of Bom. IV of* 1923), as amended, ordered to stand part of the Bill.

The preamble ordered to stand part of the Bill.

Third reading.

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, I move that the Bill be read a third time and passed.

Bill read a third time.

Question put, and agreed to.

The Honourable the PRESIDENT: The Bill is read a third time and passed.

BILL No. IV OF 1934 (A BILL FURTHER TO AMEND THE CITY OF BOMBAY MUNICIPAL ACT, 1888).

The Honourable Khan Bahadur D. B. COOPER: Sir, I beg to introduce Bill No. IV of 1934 (a Bill further to amend the City of Bombay Municipal Act, 1888)*.

The Honourable the PRESIDENT: The Bill is introduced.

* Appendix 39.

The Honourable Khan Bahadur D. B. COOPER: Sir, I move that Bill No. IV of 1934 (a Bill further to amend the City of Bombay Municipal Act, 1888) be read a first time.

First reading.

The reasons for introducing this Bill are the same as those given by the Honourable Minister for Education in support of Bill No. III of 1934. The object of the Bill is to change the nomenclature of "backward" and "depressed" classes appearing in sub-section (1) of section 39 of the City of Bombay Municipal Act, into "intermediate" and "backward" classes.

Question proposed.

Dr. P. G. SOLANKI: Sir, I rise to support the first reading of the Bill. The object of the Bill is the same as that of Bill No. III, which we have just passed. This will be a change for the city of Bombay, and, Sir, I would like to move an amendment as follows:

In clause 2, for the word "backward" where it occurs for the second time, the word "scheduled" shall be substituted.

With these words, I support the first reading of the Bill.

Question proposed.

The Honourable Khan Bahadur D. B. COOPER: Sir, I accept the amendment.

The Honourable the PRESIDENT: Has the Remembrancer of Legal Affairs anything to say?

Mr. G. DAVIS: No, Sir. The Honourable Minister for Education just enquired whether any consequential amendment would follow. But it appears to me that the amendment proposed is to the Bill now before the House, itself an amending bill, and it is not as if you are introducing an amendment to the Act itself. We amend the Bill and the Bill then carries into the Act the amendment that the honourable member has proposed, so that clause 2, as amended, would read:

"In sub-section (1) of section 39 of the City of Bombay Municipal Act, 1888, and in the Explanation to the said sub-section (1) for the word 'backward' wherever it occurs the word 'intermediate' and for the word 'depressed' wherever it occurs the word 'scheduled' shall be substituted."

Amendment put, and agreed to.

Bill read a first time.

Question, "That the Bill be read a first time," put, and agreed to.

Second reading.

The Honourable Khan Bahadur D. B. COOPER: Sir, I move that the Bill be now read a second time.

Bill read a second time.

Question put, and agreed to.

Bill read clause by clause.

Clause 1 (*Short title*) ordered to stand part of the Bill.

Clause 2 (*Amendment of section* 39 *of Bom. III of* 1888), as amended, ordered to stand part of the Bill.

The preamble ordered to stand part of the Bill.

The Honourable Khan Bahadur D. B. COOPER: Sir, I move that Bill No. IV of 1934 (a Bill further to amend the City of Bombay Municipal Act, 1888) be now read a third time and passed.

Third Reading.

Question proposed.

Mr. G. DAVIS: Sir, there is a small verbal amendment which I have to move. It is:

In clause 1 of the Bill within the brackets before the word "Amendment" the word "second" shall be inserted.

Question put, and agreed to.

Bill read a third time.

Question, "That the Bill be read a third time," put, and agreed to.

The Honourable the PRESIDENT: The Bill is read a third time and passed.

The House will now adjourn and meet again at 5 p.m. The election papers will be distributed at 5, the elections will then take place, and after the results are declared, the House will adjourn for the day.

The House adjourned accordingly till 5 p.m.

(*The House re-assembled after tea at 5 p.m.*)

ELECTIONS TO COMMITTEES.

The Honourable the PRESIDENT: There is another withdrawal from candidates nominated for election to the Local Advisory Committee for the N.-W. Railway: That is the honourable member Mr. Shaikh Abdul Majid. There only remain two honourable members—Mr. S. S. Tolani and Khan Bahadur M. A. Khuhro.

Mr. SHAIKH ABDUL AZIZ: I withdraw my candidature in regard to the G. I. P. Railway.

The Honourable the PRESIDENT: So, there remain only six candidates in regard to the Local Advisory Committee for the G. I. P. Railway.

I hope honourable members remember that they are not to sign the papers but only to put a cross.—(*After the ballot papers were put into the box*)—If by mistake papers have gone into the wrong box, they will be adjusted.

(*After the ballot boxes were handed over to the scrutineers*)—

Khan Bahadur A. E. PATEL: Sir, I would like to have a voting paper.

The Honourable the PRESIDENT: Too late. The boxes have been removed out of the House.

Khan Bahadur ABDUL LATIF HAJI HAJRAT KHAN: Sir, the honourable member came just now.

The Honourable the PRESIDENT : I think the honourable member is in a way safer than the others, if he escapes voting. [*After a pause.*] The results are :—

Backward Class Board.

Mr. Bakhale	82	votes.
Mr. Syed Munawar	45	,,
Mr. Shaikh Abdul Aziz	26	,,
Rao Bahadur Bole	64	,,
Mr. Gangoli	39	,,

Mr. Bakhale, Rao Bahadur Bole and Mr. Syed Munawar are elected.

G. I. P. Railway Advisory Committee.

Mr. Owen	34	votes.
Mr. Wadke	7	,,
Dewan Bahadur D. R. Patil	6	,,
Mr. Kamat	13	,,
Rev. Modak	5	,,
Mr. More	21	,,

Mr. Owen is elected.

B. B. & C. I. Railway Advisory Committee.

The Thakor Saheb of Kerwada	38	votes.
Mr. Resaldar	15	,,
Dr. Solanki	16	,,
Rao Saheb B. G. Desai	17	,,

The Thakor Saheb of Kerwada is elected.

M. & S. M. Railway Advisory Committee.

Dr. Vaishampayan	43	votes.
Khan Bahadur Abdul Latif Haji Hajrat Khan.	42	,,

Dr. Vaishampayan is elected.

North-Western Railway Advisory Committee.

Mr. Tolani	34	votes.
Khan Bahadur Khuhro	53	,,

Khan Bahadur Khuhro is elected.

Finance Committee.

Sardar Rao Bahadur Naik	..	..	38	votes.
Mr. Jog	..	..	21	„
Mr. Gazdar	..	..	15	„
Mr. Tolani	..	..	4	„
Mr. Shinde	..	..	9	„

Sardar Rao Bahadur Naik is elected.

It being fifty minutes past 5 *p.m., the House adjourned till* 2 *p.m. Thursday, the* 22*nd March* 1934.

BOMBAY : PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Thursday, the 22nd March 1934.

The Council re-assembled at the Council Hall, Bombay, on Thursday, the 22nd March 1934, at 2 p.m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present :

ADVANI, Mr. P. B.
AMINUDDIN, Mr. SAIYID
ARBUTHNOT, Mr. C. W. E.
ASAVALE, Rao Bahadur R. S.
BAKHALE, Mr. R. R.
BANGI, Mr. A. K. J.
BELL, the Honourable Mr. R. D.
BIRADAR, Sardar MAHABOOBALI KHAN.
BOLE, Rao Bahadur S. K.
BULLOCKE, Mr. A. GREVILLE
CHIKODI, Mr. P. R.
CHITALE, Rao Bahadur G. K.
CLEE, Mr. C. B. B.
COLLACO, Dr. J. A.
COOPER, the Honourable Khan Bahadur D. B.
DAVIS, Mr. G.
DESAI, Rao Saheb B. G.
DESAI, Mr. H. R.
DESAI, Mr. S. B.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
D'SOUZA, Dr. J. ALBAN
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GARRETT, Mr. J. H.
GAZDAR, Mr. MAHOMED HASHIM
GHULAM HUSSAIN, the Honourable Sir
GILDER, Dr. M. D.
GOVER RORA, Mr.
GREAVES, Mr. J. B.
HUMPHREY, Mr. JOHN
JITEKAR, Mr. HAJI IBRAHIM
JOG, Mr. V. N.
JONES, Major W. ELLIS
KALE, Rao Bahadur R. R.
KAMAT, Mr. B. S.
KAMBLI, the Honourable Dewan Bahadur S. T.
KARBHARI, Mr. M. M.
KENNEDY, Mr. T. S.

KNIGHT, Mr. H. F.
KULKARNI, Rao Saheb P. D.
LANE, Mr. C. M.
LELY, Mr. W. G.
MADAN, Mr. J. A.
MAXWELL, Mr. R. M.
MEHERBAKSH, Khan Bahadur S.
MEHTA, Mr. M. H.
MITHA, Mr. MAHOMED SULEMAN CASSUM
MODAK, Rev. R. S.
MORE, Mr. J. G.
NAIK, Sardar Rao Bahadur B. R.
NAMDEORAO BUDHAJIRAO, Mr.
NAVLE, Rao Bahadur N. E.
NAWAB SHAH ROOKH SHAH YAR JUNG BAHADUR
OWEN, Mr. A. C.
PARULEKAR, Rao Bahadur L. V.
PATEL, Khan Bahadur A. E.
PATEL, Mr. C. N.
PATEL, Khan Bahadur VALI BAKSH A.
PATIL, Dewan Bahadur D. R.
PATIL, Mr. N. N.
PATIL, Mr. V. N.
PATIL, Rao Saheb V. S.
PETIT, Mr. J. B.
PRADHAN, Rao Bahadur G. V.
RAHIMTOOLA, Mr. HOOSENALLY M.
RESALDAR, Mr. A. K.
ROOSE, Mr. F. O. J.
SERVAI, Mr. A. E.
SHAIKH ABDUL AZIZ, Mr.
SHAIKH ABDUL MAJID, Mr.
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SHINDE, Mr. R. B.
SINDHA, Mr. MADHAVSANG JORBHAI
SMART, Mr. W. W.
SOLANKI, Dr. P. G.
SURVE, Mr. A. N.
SURVE, Mr. V. A.
SYED MUNAWAR, Mr.
THAKOR OF KERWADA, Sardar BHASAHEB RAISINHJI
TOLANI, Mr. S. S.
TURNER, Mr. C. W. A.
VAKIL, Mr. PESTANSHAH N.
VANDEKAR, Rao Bahadur R. V.

NEW MEMBERS SWORN.

Mr. W. W. SMART, I.C.S.
Mr. J. A. MADAN, C.I.E., I.C.S.

STARRED QUESTIONS AND ANSWERS.

WILD ANIMALS IN KANARA: DAMAGE TO CROPS AND DESTRUCTION OF CATTLE.

*Mr. G. S. GANGOLI (Kanara District): Will the Honourable Minister for Education be pleased to state—

(*a*) the number of

(*i*) wild elephants,

(*ii*) tigers, panthers and leopards,

(*iii*) bears,

(*iv*) wolves and

(*v*) wild boars,

in Kanara;

(*b*) the number of cattle devoured by wild animals in the year ending 31st March 1933;

(*c*) the amount of crop damaged by wild animals stated above and also by monkeys and jackals;

(*d*) whether it is a fact that Government have issued instructions to their staff in the Forest Department to have a census of these wild animals made;

(*e*) whether Government are aware that their policy of restricting the use of firearms and of the conservancy of forests has helped the rapid increase in the number of wild animals;

(*f*) what steps Government propose to take to stop the damage to the peasants' crops by wild animals and the destruction of cattle by wild animals in the Kanara District?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) No statistics regarding number of wild animals in Kanara are available, nor can they be obtained. A very rough estimate of the number of elephants is 80, while so far as is known, there are no wolves. They were reported as extinct in 1883.

(*b*) About 1,756.

(*c*) From Rs. 15,000 to Rs. 20,000 approximately.

(*d*) No such instructions have been issued.

(*e*) There is no evidence of any rapid increase in the number of wild animals. There is no restrictive policy in the issue of gun licenses. Though 3,897 licenses were issued, this has resulted in the killing of only about 400 wild pigs, in spite of the inducement of a reward of 8 annas per pig killed.

(*f*) In 1922, Government appointed a committee to consider the question of protection of crops from wild animals and stray cattle and suitable action was taken on its recommendations. At present several concessions are allowed in the Kanara District for protection of crops from wild animals. Gun licenses for crop protection are freely issued to deserving persons. The game rules have been liberally modified in certain areas to enable *bona fide* cultivators to destroy pig, tiger and other wild animals which damage their crops. The occupants and tenants of lands have been granted strips of forest lands adjoining their holdings which they can clear of undergrowth and lantana. Permission

for clearance of forest areas round village sites and cultivation and of grazing grounds is granted in suitable cases. Four elephant Shikaris have been employed in different parts of the district. They have been provided with high velocity rifles and suitable cartridges at Government cost for the destruction of wild elephants. Rewards are granted for the destruction of wild pig and elephants. The number of wild elephants killed in the past year is 30. Government have rendered every possible assistance in the matter but so long as the cultivators remain apathetic and make little use of arms, the number of wild pigs which is the main cause of damage is not likely to be reduced.

Mr. G. S. GANGOLI: Is it a fact that in some of the villages the registers were blank and were filled up only after this question was tabled?

The Honourable Dewan Bahadur S. T. KAMBLI: I am not aware of that.

Mr. G. S. GANGOLI: Will the Honourable Minister please ascertain, because the numbers are much more than given in the reply?

The Honourable Dewan Bahadur S. T. KAMBLI: The reply is given after getting the information from the district officers. There is no reason to believe that it is wrong.

Mr. G. S. GANGOLI: With reference to (*f*), it is stated that the game rules have been liberally modified in certain areas to enable *bona fide* cultivators to destroy pigs, etc. I am thankful to Government that for this year at least.....

The Honourable the PRESIDENT: The honourable member must ask a question.

Mr. G. S. GANGOLI: The reply itself, you will see, Sir, is very long. My point is, I am thankful to Government in that they have increased the rewards for destruction of wild animals, but at the same time, the Collector recently issued a circular that every cultivator must kill 6 pigs every year, and if not the licences will be withdrawn. Is the Honourable Minister aware of such a circular?

The Honourable Dewan Bahadur S. T. KAMBLI: I am not aware. If the honourable member gives me notice, I shall find it out.

Mr. G. S. GANGOLI: I should not have dealt with this at such length because the issuing of gun licences is not in the portfolio of the Honourable Minister. So, there is that difficulty. Very recently a circular was issued that unless a licensee kills 6 pigs a year, the licence will be cancelled. It is very difficult for the cultivator to do it.

The Honourable the PRESIDENT: I thought the honourable member wanted more pigs to be killed?

Mr. G. S. GANGOLI: I suggest that it is the duty of the police officers to protect us, and they should kill at least 2 pigs in a year. Will the Honourable Minister be pleased to enquire whether a circular of the kind that I have mentioned has been issued, and if so, take the necessary action to modify it?

The Honourable Dewan Bahadur S. T. KAMBLI: If the honourable member gives me notice, I shall find it out for him.

Mr. G. S. GANGOLI: If it is a fact, will he move the authorities in the matter?

The Honourable Dewan Bahadur S. T. KAMBLI: If the honourable member gives me notice, I shall find out whether what he says is a fact or not.

LAND REVENUE ASSESSMENT IN KANARA.

*Mr. G. S. GANGOLI (Kanara District): Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) whether it is a fact that in Kanara the agriculturists have to pay assessment even though the lands are fallow for several years, whereas in Sind the agriculturists have to pay land revenue only for the portion of land cultivated, although there may be several holdings standing in their names;

(*b*) if so, the reasons for this differentiation?

The Honourable Sir GHULAM HUSSAIN: (*a*) The Honourable Member has stated the position correctly as regards Kanara. But as regards Sind the statement that assessment is payable only on cultivated land is only true subject to certain qualifications. The attention of the Honourable Member is invited to the fallow rules printed as accompaniment to Government Resolution, No. L.C. 1348, dated 14th November 1927, a copy of which is in the Council Library.

(*b*) The reason for the differentiation is that under the system of cultivation in Sind the occupant is unable to cultivate the whole of his holding every year. This is not the case in Kanara.

PUBLIC WORKS DEPARTMENT ROADS IN KANARA.

*Mr. G. S. GANGOLI (Kanara District): Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) the total length of roads in Kanara under the Public Works Department;

(*b*) the amount required for maintaining one mile of such road;

(*c*) the amount required for constructing one mile of such road;

(*d*) the daily wages paid to a labourer by the Public Works Department;

(*e*) the number of tolls maintained by the Public Works Department;

(*f*) the total amount spent on the roads by the Public Works Department during the last financial year;

(*g*) the proportion of the establishment charges including the pay, allowance, pension charges and daily wages to the outturn of the work done by the Public Works Department?

The Honourable Khan Bahadur D. B. COOPER: (*a*) The total length of roads in Kanara under the Public Works Department is 603 miles, 3 furlongs and 579 feet.

(*b*) In the Kanara Division the amount required for maintaining each mile varies on each road, e.g., the Karwar-Bellary and Kumta-Hubli roads require Rs. 1,000 per mile whereas the mileage rate of about Rs. 850 suffices for maintenance of coastal roads.

(*c*) The amount required for constructing one mile of road in Kanara with satisfactory foundations would approximately be Rs. 10,000.

(*d*) The daily wages paid to a labourer vary from 6 annas on the coasts to 10 annas on the Upghat, where all labour has to be imported.

(*e*) The number of tolls on Public Works Department Roads in Kanara is 19.

(*f*) The total amount spent on the roads during the last financial year is Rs. 2,30,587 which includes cost of maintenance, renewals of road surface financed from special grants from Provincial Revenues and Petrol Tax Funds.

(*g*) The regular establishment charges of the Kanara Division amount to approximately 50 per cent. of the cost of works. Adding thereto the work establishment charge at 4 per cent. the total charges work out to 54 per cent. This excludes the percentage of pensionary charges as such charges are calculated only on the cost of Irrigation establishment and there being very little irrigation in the Kanara Division, the pensionary charges are insignificant.

THE KUMTA-HONAWAR ROAD.

*Mr. G. S. GANGOLI (Kanara District): Will the Honourable Minister for Local Self Government be pleased to state—

(*a*) whether it is a fact that the following provincial main trunk roads are out of use :—

Yellapur-Sirsi road,
Gersappa-Mavingundi road,
Sadashivgad-Supa road,
Kumta-Honawar road ;

(*b*) if so, the reasons therefor ;

(*c*) whether it is a fact that the Kumta-Honawar road, which is only 10 miles long, is very narrow ;

(*d*) whether it is a fact that during the monsoons, this road is oftentimes under water and carts and motor cars have therefore to be stopped ;

(*e*) whether it is a fact that for the 10 miles one has to pay the municipal octroi twice, ferry crossing once and road toll once ;

(*f*) whether it is a fact that the surface of the road is most unsafe ;

(*g*) if so, what steps, if any, Government propose to take in the matter to redress the grievance of the public ?

The Honourable Khan Bahadur D. B. COOPER : (*a*) and (*b*) The trunk roads referred to are not out of use. The Yellapur-Sirsi and Sadashivgad-Supa roads are murum surfaced and are fair weather roads. The Gersappa-Mavingundi road, though fully bridged, has very poor foundations and gets slushy in rains. It is actually a fair weather road only and has little if any traffic in the monsoons. The Kumta-Honawar road is in use throughout the year and carries the heaviest motor traffic in the district.

(*c*) Yes, at a number of places.

(*d*) Carts and motor cars are held up at the approach to the Badgani Creek only when the river is in heavy floods.

(*e*) Yes.

(*f*) and (*g*) No. A project to improve the road is however under preparation.

Mr. G. S. GANGOLI: With reference to (*a*) and (*b*), and the reply that "the Yellapur-Sirsi and Sadashivgad-Supa roads are murum surfaced and are fair weather roads", may I know whether they are not to be used during the rains?

The Honourable Khan Bahadur D. B. COOPER: Generally, there is no traffic during the rains; they are not used. Nobody is prevented from using them.

Mr. G. S. GANGOLI: Are they not provincial trunk roads?

The Honourable Khan Bahadur D. B. COOPER: They may be.

Mr. G. S. GANGOLI: And inter-provincial also?

The Honourable Khan Bahadur D. B. COOPER: No. The district is on the borders of one presidency, and the other presidency is a few miles away. That is all.

Mr. G. S. GANGOLI: If there is a 12-months road, and not only a fair weather road, will it not be available for all the 12 months?

The Honourable Khan Bahadur D. B. COOPER: It is not required for 12 months.

Mr. G. S. GANGOLI: May I know what is the fair weather period there?

The Honourable Khan Bahadur D. B. COOPER: When it is not raining.

Mr. G. S. GANGOLI: If there is rain for nearly 9 months, is it to be used for only 3 months?

The Honourable Khan Bahadur D. B. COOPER: How can we help it?

Mr. G. S. GANGOLI: That is how it is neglected. I wanted to bring out that fact.

STATE OF ROADS AND BRIDGES IN KANARA.

*Mr. G. S. GANGOLI: (Kanara District): Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) whether the roads and bridges in Kanara were constructed before the advent of motors;

(*b*) whether it is a fact that owing to heavy motor traffic, the roads, bridges and culverts have become unfit for traffic;

(*c*) if so, what steps Government propose to take in the matter;

(*d*) whether it is a fact that the road from Mirjan to Antravalli in Kumta taluka and the Sanikatta-Hebbul road in Ankola taluka are closed to the public; if so, the reasons therefor;

(*e*) whether Government intend to throw them open to the public again;

(*f*) whether it is a fact that the roads in Kanara are washed away owing to heavy rains and are greatly damaged;

(*g*) whether Government are aware that this state of things could be remedied cheaply by the gutters being cleaned twice a year and the forest trees within 10 yards from each side being cut so as to leave the roads in good order;

(*h*) if so, whether Government intend to move in the matter?

The Honourable Khan Bahadur D. B. COOPER: (*a*) Yes, mostly.

(*b*) and (*c*) Such is not the case. Due to heavy motor traffic the road surfaces are being worn down gradually. Steps are being taken to keep them as far as possible in order from Provincial and Petrol Tax Funds. A number of bridges and culverts on the roads are weak. They are being replaced by strong masonry works gradually as funds permit.

(*d*) and (*e*) (*i*) *Mirjan Antravalli (Katgal) Road.*—This road is very narrow and has steep gradients and hence motor traffic is restricted to 8 passenger buses. No heavier bus traffic can safely be permitted on this road in its present state.

(*ii*) *Sanikatta Hebbul Road.*—The road is narrow and murum surfaced. Buses running for hire are not allowed to use this road (except for about a week before and after the Mahashivratri festival). The Gangavali River which crosses this road is usually in floods for some 8 months in the year. Eight-passenger buses can however ply on it when the river crossing is passable.

(*f*) Yes, this is an annual feature and the damage is set right as far as possible after the rains every year.

(*g*) and (*h*) The clearance of roadside gutters is attended to regularly. As regards the latter part of the question, the Honourable Member is informed that general clearance of 10 yards on either side of roads as suggested by him is considered unnecessary, expensive and impracticable.

REVIEWS OF ADMINISTRATION: COST.

*Rao Saheb P. D. KULKARNI (Poona District): Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) the total expenditure incurred in compiling, printing, publishing and distributing all the 23 Reviews of Administration in the Bombay Presidency, published from February to June 1933 or thereabout and compiled individually;

(*b*) how many copies of these Reviews were distributed among the Members of the Legislative Council from time to time and what cost was incurred on this account including postage charges, etc.;

(*c*) the capital expenditure incurred in the compilation of the omnibus volume of the Reviews;

(*d*) how many copies of this omnibus volume containing all the Reviews were distributed among the Members of the Legislative Council and how many copies were distributed among other persons;

(*e*) the cost incurred including postage and packing charges in distributing the copies of the omnibus volume to the Members of the Legislative Council;

(*f*) the cost incurred including postage and packing charges in distributing the copies of the omnibus volume to other persons?

The Honourable Sir GHULAM HUSSAIN: (*a*) and (*c*) Expenditure of Rs. 7,566 was incurred in the printing, publication and distribution of copies of the individual Reviews. No expenditure was incurred in compiling the individual Reviews or the omnibus volume.

(*b*), (*d*), (*e*) and (*f*) 93 copies of each of the individual Reviews (first edition) except Reviews Nos. III, IV and V and 92 copies of the omnibus volume were supplied to the Members of the Legislative Council. The postage charges on account of distribution of the omnibus volumes amounted to Rs. 71-14-0.

32 copies of the omnibus volume were supplied to persons other than the Members of the Legislative Council, Departments of Government and India Office. The cost of distribution of these was Rs. 17-0-0.

Rao Saheb P. D. KULKARNI: With reference to (*a*), what purpose was served by sending two sets? Two sets of this volume were sent to us, one in separate leaflets, and the other a combined volume. In these days of economy, why were two sets sent?

The Honourable Sir GHULAM HUSSAIN: I understand that he wishes that we should send them only one set of such publications in future.

Rao Saheb P. D. KULKARNI: Certainly.

The Honourable Sir GHULAM HUSSAIN: Very well.

Rao Saheb P. D. KULKARNI: When Government are quite reluctant to supply us all the Administration Reports, why did they send us two sets of the reviews?

The Honourable Sir GHULAM HUSSAIN: That was for the advantage and convenience of honourable members.

Rao Saheb P. D. KULKARNI: What necessity was there for it?

The Honourable Sir GHULAM HUSSAIN: If honourable members do not want two sets, we will send them only one in future.

Rao Saheb P. D. KULKARNI: I do not want two copies. I want only one copy.

The Honourable Sir GHULAM HUSSAIN: I am afraid the rest of the House does not share his opinion.

Mr. B. S. KAMAT: The compact volume was a distinct advantage in my opinion.

Mr. P. R. CHIKODI: It is a matter of convenience.

Rao Saheb P. D. KULKARNI: What is the expenditure on the binding of the omnibus volume?

APPOINTMENTS OF M. L. C.'S AS PUBLIC PROSECUTORS.

*Rao Saheb P. D. KULKARNI (Poona District): Will the Honourable the Home and General Member be pleased to state—

(*a*) How many M. L. C.'s were appointed to the posts of District Government Pleaders or Public Prosecutors and their Assistants since the year 1931;

(*b*) their names and the dates of their appointments?

The Honourable Mr. R. D. BELL: (*a*) and (*b*) A statement is attached.

Statement.

(1) Mr. V. N. Patil, District Government Pleader and Public Prosecutor, East Khandesh, from 16th February 1933.
(2) Mr. R. B. Shinde, Second Assistant Public Prosecutor, Satara, from 31st August 1933.
(3) Mr. Syed Miran Mahomed Shah, Third Assistant Public Prosecutor, Hyderabad, from 31st October 1933.
(4) Rao Bahadur S. N. Angadi, District Government Pleader and Public Prosecutor, Belgaum, from 15th February 1934.

PUBLICATION OF BUDGET FIGURES BY "TIMES OF INDIA".

*Rao Saheb P. D. KULKARNI (Poona District): Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) whether it is a fact that the Budget with all its accompaniments is treated as confidential until it is laid before the Legislative Council;

(*b*) whether it is a fact that copies of the Budget for the year 1934–35 were distributed to the Members of Legislative Council on the 7th February 1934 and the budget was presented to the Council on 19th February;

(*c*) whether he is aware that an article, headed "Bombay Budget forecast" giving in toto the exact figures of the various budget heads and the departmental allotments had appeared on page 9 of the "Times of India" Issue dated the 13th February 1934;

(*d*) if so, how could the "Times of India" give the precise figures of the Budget before it was presented to the Council;

(*e*) whether there was any leakage of information to that paper and if so from what source and what action Government propose to take against the persons who are believed to have supplied the information to that paper;

(*f*) on what authority the figures were published by the "Times of India" before the Budget was laid on the Council Table;

(*g*) whether there is any other newspaper which has divulged the budget figures which are confidential until the presentation of the budget; if so, what is that paper;

(*h*) what steps Government propose to take to avoid the recurrence of similar happening in future?

The Honourable Sir GHULAM HUSSAIN: (*a*) Yes.

(*b*) (*i*) Copies were sent to Members of Legislative Council on 10th February 1934.

(*ii*) Yes.

(*c*) Yes, a number of the figures of the various budget heads were however incorrectly quoted.

(*d*) It is evident that confidential information was communicated to the "Times of India". The Editor when consulted as to the source of his information, has stated that "it is not customary for newspapers to disclose the source of their information in a matter of this kind".

(*e*) There was obviously a leakage of information to the paper, but in view of the answer to (*d*) no action can be taken.

(*f*) None.

(*g*) Government have no information to this effect.

(*h*) In view of the circumstances it is difficult to see what steps can be taken to avoid such a recurrence.

Rao Saheb P. D. KULKARNI: The budget figures which were confidential were published by a newspaper before the presentation of the Budget. The answer given is that "no steps can be taken by Government." I ask whether the same facility will be given to any other newspaper.

The Honourable the PRESIDENT: The figures were published by one newspaper?

Rao Saheb P. D. KULKARNI: By the *Times of India*.

The Honourable Sir GHULAM HUSSAIN: It is for the Honourable the President to see that budget copies marked confidential circulated to honourable members are not shown to any one else.

Rao Saheb P. D. KULKARNI: Is there any evidence to show that the honourable members supplied the figures? Or is there evidence that——

The Honourable Sir GHULAM HUSSAIN: Copies of the budget marked confidential were circulated to honourable members. The presumption is that some one in this House perhaps supplied the figures.

Rao Saheb P. D. KULKARNI: Why should not enquiries be made? Is not the newspaper responsible for publishing the confidential figures?

Mr. B. S. KAMAT: Assuming the leakage is on the part of some M.L.C., the budget volume itself contained a label marked "confidential" saying that the figures should not be published before the presentation of the budget. In defiance of this label, as soon as they got the volume from some M.L.C. they published the figures. Could not an explanation be asked?

The Honourable Sir GHULAM HUSSAIN: The budget volume itself might not have been given to the newspaper. But some M.L.C. might have said "these are the figures."

Dr. M. K. DIXIT: If the presumption is that they got the information from some M.L.C., why should not the suggestion of the honourable member Mr. Kamat be followed to enquire of the Press as to who gave the information?

The Honourable Sir GHULAM HUSSAIN: They did not wish to disclose the name.

Dr. M. K. DIXIT: Did they not give the information whether they got it from an official or unofficial source?

The Honourable Sir GHULAM HUSSAIN: They did not give us any information.

Mr. P. R. CHIKODI: The question is when the copies of the budget reached the M.L.C.s and when the *Times of India* published the figures. Two days before the M.L.C.s got the budget copies, the *Times of India* published those figures. Therefore, they must have got it from some other source.

The Honourable Sir GHULAM HUSSAIN: The honourable member is thinking of his part of the country. But there are M.L.C.s in this city also.

Mr. P. R. CHIKODI: Not on the same day——

The Honourable Sir GHULAM HUSSAIN: The article was published in the *Times of India* on the 13th; and most of the members must have received the budget before that date.

Rao Saheb P. D. KULKARNI: We got the budget copies after the publication of the figures in the *Times of India*.

The Honourable the PRESIDENT: The next question.

COURTS IN SIND: ALLEGED GRANTING OF GRATIFICATIONS.

*Mr. SHAIKH ABDUL MAJID (Karachi District): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether the attention of Government has been drawn to a note in the "Sirsuti," a Hindu weekly, column one, dated 6th October 1933, published from Hyderabad Sind, which begins with the following sentences:—

"Some of my brothers have remembered a very learned correspondent of the 'Sirsuti' Dino son of Chuto who had written some months ago a very fine article in the 'Sirsuti' under the caption 'The disease of giving bribes and pocket money in the Courts and Government offices'";

(*b*) whether in its issue of 6th October 1933 the above paper has made a statement to the effect;

(1) that nowadays everybody is giving tea parties to the officers to achieve one's selfish ends;

(2) that it is not known why the officers accept dinners;

(3) that I have also been informed about the tea parties and giving of milk, butter, beer and tins of ghee;

(4) that I have been asked to have a look at the cows, buffaloes standing in the bungalows of the officers;

(5) that some pleaders also are guilty of giving presents and bribes;

(6) that some small judges too have begun to emulate the example;

(7) that there is a regular competition among Government servants in the matter of giving presents;

(*c*) if so, what steps Government propose to take in the matter?

The Honourable Mr. R. D. BELL : (*a*) No.

(*b*) Government have no information on the subject.

(*c*) None.

Mr. SHAIKH ABDUL MAJID : With regard to part (*a*) of the question, the reply given is " No." I want to know the meaning of the answer " No." Does it mean that a paper of this name does not exist or does it mean that even if it exists it has made no such allegation at all or does it mean that the Government have not cared to get a copy of that paper ?

The Honourable Mr. R. D. BELL : It means that the attention of Government has not been drawn to the note otherwise than by the question of the honourable member.

Mr. SHAIKH ABDUL MAJID : Does it not mean that the answer is wrong when the attention has been drawn by me to the paper and to the subject matter of the publication ? The answer ought to be " Yes ", instead of " No."

The Honourable Mr. R. D. BELL : So far as Government are aware, there is no paper called " *Sirsuti* ".

Mr. SHAIKH ABDUL MAJID : I have got a copy of it with me. It is in the Sindhi language. I shall place it before Government or on the Council table or before the President. You know, Sir.....

The Honourable Mr. R. D. BELL : It may be ; but there is no paper on official record described as *Sirsuti*.

Mr. SHAIKH ABDUL MAJID : On your side it is pronounced as Saraswati but in Sind it is pronounced as Sarsuti.

The Honourable Mr. R. D. BELL : So, the answer stands, that this paper does not exist.

Mr. SHAIKH ABDUL MAJID : Under this name.....

The Honourable the PRESIDENT : There is a misunderstanding in regard to pronunciation. So, the answer is that the paper known as *Sarsuti* is not known to Government.

Mr. SHAIKH ABDUL MAJID : I shall give notice again correcting the name as Saraswati.

COMPLAINTS AGAINST ADDITIONAL JUDICIAL COMMISSIONER OF SIND.

*Mr. SHAIKH ABDUL MAJID (Karachi District) : Will the Honourable the Home and General Member be pleased to state—

(*a*) whether it is a fact that between the 15th December 1931 and September 1933, several petitions were made to him, to His Excellency the Governor and to Government by the citizens of Karachi, making serious allegations against Mr. Rupchand Billaram, Additional Judicial Commissioner of Sind ;

(*b*) if so, how those petitions have been dealt with by Government and what action Government propose to take against Mr. Rupchand ;

(*c*) whether the citizens of Karachi had ever before complained against any other judicial officer on the Judicial Commissioner's bench;

(*d*) whether Government intend to appoint a commission to inquire into the allegations made against Mr. Rupchand; if so, when; if not, the reasons therefor;

(*e*) whether it is a fact that one Osman Abba, c/o Messrs. Edward & Co., had submitted a petition to Government in 1932 requesting them to investigate into the allegations made against Mr. Rupchand and to proceed against him and the signatories of the other petitions if the allegations were found to be untrue;

(*f*) if so, what has been the fate of that petition?

The Honourable Mr. R. D. BELL: (*a*) and (*e*) Yes.

(*b*), (*d*) and (*f*) Government are satisfied that no action is necessary.

(*c*) The records for the last five years do not reveal that any such complaint has been made during that period.

Mr. SHAIKH ABDUL MAJID: With regard to (*a*) and (*e*) which have been replied to together, the answer is "Yes." Will the Honourable the Home Member be pleased to state the number of petitions that were made to him or to the Government of Bombay from time to time about the Additional Judicial Commissioner? It is admitted that several petitions were made. I want to know the number of those petitions.

The Honourable Mr. R. D. BELL: I think there have been five altogether.

Mr. SHAIKH ABDUL MAJID: It is also admitted that these petitions were signed by the citizens of Karachi. May I know the number of signatories on each petition?

The Honourable Mr. R. D. BELL: I cannot give the honourable member that information. He must give notice. In any case, I do not think it is worth while answering that question.

Mr. SHAIKH ABDUL MAJID: But will the Honourable Member be pleased to say that the signatures, whatever their number, belonged to all classes and communities?

The Honourable Mr. R. D. BELL: We made no enquiries.

Mr. SHAIKH ABDUL MAJID: Sir, I did not hear the honourable member.

The Honourable the PRESIDENT: The reply was: no enquiries were made.

Will the honourable member be quick?

Mr. SHAIKH ABDUL MAJID: The names are written on the petitions, and there is no necessity of making any enquiry whether or not the signatories belonged to various classes or communities. So, can he not say from memory at least, or even referring to the files, that the signatories belonged to different communities and classes?

The Honourable Mr. R. D. BELL: They seem to be mostly Mahomedans, Sir.

Mr. SHAIKH ABDUL MAJID: May I know what the nature was of the allegations made in those petitions?

The Honourable Mr. R. D. BELL: No, Sir.

Mr. SHAIKH ABDUL MAJID: That means that Government are not prepared to state the nature of the allegations made in those petitions.

The Honourable the PRESIDENT: That is the reply.

The Honourable Mr. R. D. BELL: Sir, I read the petitions some time ago, and the matter seemed to be so unimportant that it has faded from my mind. I cannot say what it is unless the honourable member gives me notice.

Mr. SHAIKH ABDUL MAJID: I will give notice in due time.

With regard to (*e*), the reply is "Yes." I want to know why Mr. Osman Abba has not been prosecuted if he has made serious allegations against the highest judicial tribunal in the province.

The Honourable Mr. R. D. BELL: I rather think Government did not take the allegations seriously, although they may appear serious to the honourable member.

Mr. SHAIKH ABDUL MAJID: May I know whether Government made any enquiries as to whether the allegations were made seriously or only as a joke?

The Honourable Mr. R. D. BELL: I think not. I think on the face of the allegations they were not worth enquiring into.

Mr. SHAIKH ABDUL MAJID: Was any intimation given to the petitioners that their petitions were receiving the consideration of the Government?

The Honourable Mr. R. D. BELL: They were probably acknowledged.

Mr. SHAIKH ABDUL MAJID: Were they informed of the result of the consideration of Government?

The Honourable Mr. R. D. BELL: I think no further action was taken on any of them.

Mr. MAHOMED HASHIM GAZDAR: As we understand the English language, they are serious. The honourable member says that the allegations were not serious, or rather Government did not consider them serious. We would like to know what things Government really consider to be serious.

The Honourable Mr. R. D. BELL: Will the honourable member repeat the question?

Mr. MAHOMED HASHIM GAZDAR: Sir, as we understand the English language, very serious allegations were made against a very high tribunal. Government say that they were not serious. We would like to know what sort of allegations are considered by Government to be serious.

The Honourable Mr. R. D. BELL: I said Government did not treat them seriously: that is rather a different matter.

Mr. SHAIKH ABDUL MAJID: Supplementary to (*b*), (*d*) and (*f*). It is stated that Government are satisfied that no action is necessary. May I know whether any enquiry was instituted into the subject matter of the petitions, which led to the satisfaction of Government—or how Government were satisfied that there was no cause for action?

The Honourable Mr. R. D. BELL: The allegations were, generally speaking, of a vague and general character.

Mr. SHAIKH ABDUL MAJID: Well, Sir, I possess the copies of the petitions myself. The allegations——

The Honourable Mr. R. D. BELL: Then, Sir, I do not know why the honourable member is asking for all this information.

Mr. SHAIKH ABDUL MAJID: If it is stated that the allegations were vague and general, it is not absolutely correct to say like that. There may be one or two paragraphs in which some general statements have been made, but, otherwise, the allegations, I humbly submit, were definite.

The Honourable the PRESIDENT: Next question.

COURT OF JUDICIAL COMMISSIONER OF SIND: IRREGULARITIES IN PROCEDURE.

*Mr. SHAIKH ABDUL MAJID (Karachi District): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether it is a fact that an appeal was filed in the Court of the Judicial Commissioner of Sind against the order of conviction and sentence passed by the Additional City Magistrate, Karachi, against the accused Motiram and others for an offence of cheating;

(*b*) whether it is a fact that an application to release Motiram on bail was made to the Additional Judicial Commissioner on the very day on which the order of conviction and sentence was passed by the Additional City Magistrate;

(*c*) whether it is a fact that the accused Motiram was released on bail immediately;

(*d*) whether it is a fact that the Additional Judicial Commissioner had not the copy of the Additional City Magistrate's judgment before him when he passed the order of release;

(*e*) if so, what steps Government propose to take to avoid the repetition of similar irregularities in following the prescribed procedure?

The Honourable Mr. R. D. BELL: (*a*) to (*d*) Yes.

(*e*) Government do not propose to take any steps as there was no irregularity.

MAGISTRATES AND JUDGES IN SIND: PROHIBITION TO TRY CERTAIN CASES.

*Mr. SHAIKH ABDUL MAJID (Karachi District): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether it is a fact that Mr. Mountford, during his period of service in Sind, submitted a brochure to Government stating how

Government officers belonging to the Amil class serving in Sind, and who were closely related to each other, were detrimental to public service;

(b) if so, whether Government intend to issue orders prohibiting the Magistrates and Judges in Sind from trying cases in which their near relatives appear as pleaders;

(c) if not, why not?

The Honourable Mr. R. D. BELL: (a) No.

(b) and (c) Do not arise.

DISTRIBUTION OF PAUPER SESSIONS CASES IN THE SESSIONS COURT, HYDERABAD.

*Mr. SHAIKH ABDUL MAJID (Karachi District): Will the Honourable Home and General Member be pleased to state—

(a) whether it is a fact that Mr. Sen, Sessions Judge, Hyderabad (Sind), generally entrusts pauper sessions cases to Messrs. Baghwandas, Mangharam and Hiranand;

(b) whether it is a fact that these three pleaders are all junior pleaders of 2 or 3 years' standing;

(c) whether it is a fact that the Judicial Commissioner of Sind has issued a circular to the effect that pauper sessions cases should be given to senior pleaders only;

(d) the number of pauper sessions cases given by Mr. Sen to Messrs. Baghwandas, Mangharam and Hiranand during the years 1932 and 1933 and to other pleaders respectively; how many cases were given to each pleader during those years;

(e) whether any and, if so, how many such pauper cases were given to Muslim pleaders during 1932 and thereafter up to September 1933;

(f) whether Government are aware that Mr. Sen has not acted in accordance with the Judicial Commissioner's Circular in the matter of distribution of pauper cases among the senior pleaders of the Hindu and Muslim communities;

(g) if so, whether Government propose to take any steps and, if so, what steps in the matter;

(h) whether it is a fact that before Mr. Sen became the Sessions Judge of Hyderabad, the Additional Sessions Judges of that Court had the power to appoint pleaders in pauper cases in their court;

(i) whether it is a fact that Mr. Sen has taken away that power from the Additional Sessions Judges: if so, the reasons therefor;

(j) the practice followed in the distribution of pauper cases in the other Sessions Courts in Sind?

The Honourable Mr. R. D. BELL: (a) No.

(b) Messrs. Bhagwandas and Mangharam are pleaders of 6 and 2½ years' standing respectively, while Mr. Hiranand is a Barrister-at-Law of more than three years' standing.

(c) No.

(d) A list is attached containing this information.

(e) 11 cases were given to Muslim pleaders up to September 1933.

(f) Government are not aware of any such circular.

(*g*) Does not arise.

(*h*) Yes.

(*i*) Yes, his object was to ensure better distribution of pauper cases. A list of pauper pleaders has been prepared and cases are given to them in rotation.

(*j*) In the Sukkur and Larkana districts the Sessions Judges and the Additional Sessions Judges distribute amongst senior pleaders by turn pauper cases which are on their boards.

List of pleaders showing the distribution of pauper sessions cases in Hyderabad district.

Names of Pleaders.	Nos. of cases
1. Mr. Mangharam	2
2. Mr. Bhagwandas	2
3. Mr. Hiranand	6
4. Mr. Chuhermal	3
5. Mr. Abdul Latif	4
6. Mr. Abdul Jabbar	4
7. Mr. Nasir Mahomed	1
8. Mr. Nadirbeg Mirza	1
9. Mr. Abasi	2
10. Mr. Musakhan	1
11. Mr. Moledino	1
12. Mr. Jethmal T. Lalwani	1
13. Mr. Dharamdas Mulchand	1
14. Mr. Gobindram Jechandrai	2
15. Mr. Dharamdas Khushiram	2
16. Mr. Jhamatmal	1
17. Mr. Gaganmal	4
18. Mr. Sobhanmal	3
19. Mr. Mulchand Hazarising	1
20. Mr. Balchand	1
21. Mr. Udharam	2
22. Mr. Ghanshamdas Hassomal	3
23. Mr. Vishindas	2
24. Mr. Udharam Valiram	1
25. Mr. Lakhasing	2
26. Mr. Valiram	1
27. Mr. Tuljaram	1

Mr. SHAIKH ABDUL MAJID: Supplementary, Sir. The list that has been given of the pleaders and the number of pauper cases given to them shows that Mr. Hiranand has been given 6 pauper cases, while, according to the admission of the Honourable the Home Member himself, he is a barrister of about 3 years' standing. May I know why he has been preferred to the seniormost pleaders in Hyderabad, Sind, who have grown grey in practice?

The Honourable Mr. R. D. BELL: I do not know in what circumstances he obtained six. Several reasons occur to me. The other pleaders may have been engaged at the time.

Mr. SHAIKH ABDUL MAJID: Is the Honourable the Home Member aware that Mr. Hiranand, Bar-at-Law, is the younger brother of Mr. Parmanand, Public Prosecutor, Hyderabad, Sind?

The Honourable Mr. R. D. BELL: If the honourable member says so, I accept the statement.

Mr. SHAIKH ABDUL MAJID: Another pleader, Mr. Mangharam, who is of 2 years' standing, and has been given pauper cases, is the partner of Mr. Parmanand, Public Prosecutor of Hyderabad, Sind.

The Honourable Mr. R. D. BELL: My reply is the same.

Mr. SHAIKH ABDUL MAJID: Mr. Bhagwandas was also a partner of Mr. Parmanand when he was being given these pauper cases.

The Honourable the PRESIDENT: I should like to know either from the Honourable the Home Member or from the honourable member who is putting this question. My experience of the Bar is that these pauper cases are usually given to juniors rather than to seniors. If a case is handed to a senior he will not accept it. I do not know what the actual trouble is about.

Mr. SHAIKH ABDUL MAJID: If you refer to part (*j*), you will find it stated there that in the Sukkur and Larkana districts, the Sessions Judges and the Additional Sessions Judges distribute amongst senior pleaders by turn pauper cases. At least, in two districts that is the practice followed.

The Honourable the PRESIDENT: There again, I might inform the honourable member, from my personal experience, that that might be the result of a sad experience in those districts. It might be that when pauper cases were given to the juniors it was found that they were not up to the mark, and in order to give proper help to the parties concerned the Judges concerned might have arranged to give it to the seniors. But the general rule, so far as we lawyers understand, is to give these pauper cases to juniors, who, otherwise, are not likely to get a chance of appearing before the court. Seniors will never accept a brief even if it is handed over by the highest judicial authority.

2-30 p.m.

Mr. SHAIKH ABDUL MAJID: My question (*f*) was:

"Whether Government are aware that Mr. Sen has not acted in accordance with the Judicial Commissioner's Circular in the matter of distribution of pauper cases among the senior pleaders of the Hindu and Muslim communities."

The answer to that is:

"Government are not aware of any such circular."

May I understand whether that answer is based on what has been communicated by the Judicial Commissioner to the Government or whether Government have made any enquiry in the matter as to whether any official circular exists on that point?

The Honourable Mr. R. D. BELL: That is the reply of the District Judge of Hyderabad.

POSTPONEMENT OF A SESSIONS CASE BY THE SESSIONS JUDGE, HYDERABAD: EXTRA EXPENDITURE.

*Mr. SHAIKH ABDUL MAJID (Karachi District): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether it is a fact that Sessions cases are not to be postponed save in most exceptional circumstances;

(*b*) whether it is a fact that the Sessions case tried by Mr. Sen at Tando Mahomed Khan in March or April 1933 was postponed for one day; if so, the reasons therefor;

(*c*) whether it is a fact that the accused had ample time to apply for the copies;

(*d*) the total expenditure for that day, including Public Prosecutor's fees, travelling expenses and daily allowance of the Sessions Judge and his establishment and of the Public Prosecutor and the witnesses;

(*e*) if the answer to (*c*) is in the affirmative why the postponement was granted by the District Judge?

The Honourable Mr. R. D. BELL: (*a*) Yes.

(*b*) to (*e*) Government have no information and consider it unnecesssary to enquire. The matter was within the discretion of the Sessions Judge.

CROWN CASES IN HYDERABAD DISTRICT.

*Mr. SHAIKH ABDUL MAJID (Karachi District): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether it is a fact that Mr. Sen, the Sessions Judge, Hyderabad (Sind), has been giving Crown cases of the Hyderabad district to Mr. Mangharam, a junior pleader of Hyderabad, of one or two years' standing;

(*b*) how many Crown cases have been given to him so far by the Sessions Judge, Hyderabad;

(*c*) the special reasons why such Crown cases are being entrusted to a junior pleader in preference to other senior pleaders of the district?

The Honourable Mr. R. D. BELL: (*a*), (*b*) and (*c*) Neither the District Judge nor the Sessions Judge entrusts any pleader with a Crown case.

ENGAGEMENT OF CIVIL PRACTITIONER IN CRIMINAL CASES BY SESSIONS JUDGE, HYDERABAD, SIND.

*Mr. SHAIKH ABDUL MAJID (Karachi District): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether it is a fact that Mr. Sen, the Sessions Judge, Hyderabad, entrusts Crown cases to Mr. Chuharmal, a civil practitioner, and, if so, the reasons therefor;

(*b*) how many Crown cases have been given to Mr. Chuharmal since Mr. Sen's appointment as Sessions Judge, Hyderabad, Sind?

The Honourable Mr. R. D. BELL: (*a*) and (*b*) Neither the District Judge nor the Sessions Judge entrusts any pleader with a Crown case.

FEES TO PUBLIC PROSECUTORS IN TULSIBAI'S ABDUCTION CASE.

*Mr. SHAIKH ABDUL MAJID (Karachi District): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether it is a fact that Mr. Sen, the Sessions Judge, Hyderabad, Sind, has recommended to Government that Mr. Parmanand, Public Prosecutor, Hyderabad District, and Mr. Parsram Talaram, Public

Prosecutor, Karachi, should be given maximum fees in the case of Tulsibai's abduction;

(*b*) if so, the reasons therefor?

The Honourable Mr. R. D. BELL: (*a*) No.

(*b*) Does not arise.

ENGAGEMENT OF PLEADERS IN THE SESSIONS CASE OF CROWN *versus* LAKHANO.

*Mr. SHAIKH ABDUL MAJID (Karachi District): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether it is a fact that the pauper Sessions case Crown *versus* Lakhano is being heard by Mr. Thadani, Additional Sessions Judge, Hyderabad (Sind), since 30th October 1933;

(*b*) who are conducting the case on behalf of the Crown and also on behalf of the pauper accused;

(*c*) whether it is a fact that the pleaders engaged on behalf of the Crown and the pauper are both juniors;

(*d*) if so, the reasons why the case has been entrusted to juniors in preference to senior members of the bar;

(*e*) the name of the judicial officer responsible for appointing the pleaders in the above case?

The Honourable Mr. R. D. BELL: (*a*) Yes. The trial commenced on 30th October 1933 and the judgment was delivered on 3rd November 1933.

(*b*) Mr. Mangharam Bhawandas, Honorary Assistant to the Public Prosecutor, Hyderabad, Sind, for the Crown and Mr. Hiranand Kundanmal for the pauper accused.

(*c*) Yes.

(*d*) and (*e*) The District Magistrate appoints pleaders to conduct the prosecution with the concurrence of the Remembrancer of Legal Affairs in cases of pleaders other than Public Prosecutors. The pleaders for the pauper accused are appointed by rotation out of a list specially prepared by the Sessions Judge (Mr. K. C. Sen).

Mr. SHAIKH ABDUL MAJID: Supplementary question with regard to (*b*). I would again ask the same question, whether the Honourable the Home Member knows that Mr. Mangharam Bhawandas is the partner of Mr. Parmanand, Public Prosecutor of Hyderabad Sind and Mr. Hiranand Kundanmal is his brother; and that in the same case one party is represented by the brother and the other party by the partner.

The Honourable Mr. R. D. BELL: Sir, the honourable member seems to be more anxious to give information than to obtain it.

MR. PARMANAND AS ACTING PUBLIC PROSECUTOR FOR SIND.

*Mr. SHAIKH ABDUL MAJID (Karachi District): Will the Honourable the Home and General Member be pleased to state—

(*a*) the period for which Mr. Parmanand, Public Prosecutor for Hyderabad (Sind), acted as Public Prosecutor for Sind;

(*b*) the date on which Mr. C. M. Lobo took charge from Mr. Parmanand;

(*c*) whether Government are aware that soon after Mr. C. M. Lobo took charge as Public Prosecutor for Sind, Mr. Parmanand approached Mr. C. M. Lobo with a request that Mr. C. M. Lobo should proceed on sick-leave and thus once more enable Mr. Parmanand to act as Public Prosecutor for Sind;

(*d*) if so, what steps, if any, Government propose to take against Mr. Parmanand?

The Honourable Mr. R. D. BELL: (*a*) From 8th June to the 10th September 1933.

(*b*) On the forenoon of 11th September.

(*c*) No. Government are not aware.

(*d*) Does not arise.

JUDICIAL OFFICERS IN SIND: PROHIBITION OF ACCEPTING DINNER PARTIES.

*Mr. SHAIKH ABDUL MAJID (Karachi District): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether he is aware of any circulars being issued by Government or by the Commissioner in Sind prohibiting Government servants from accepting dinners, at homes and tea parties from those with whom they have to deal in official capacity; if so, will the Honourable Member be pleased to keep the copies of those circulars on the Council table;

(*b*) what steps, if any, Government propose to take to prohibit the judicial officers in Sind from accepting dinner parties, etc. from the Public Prosecutors or other subordinate officers?

The Honourable Mr. R. D. BELL: (*a*) No.

(*b*) None.

Mr. MAHOMED HASHIM GAZDAR: Supplementary question with regard to (*a*). May I enquire whether Government propose to issue any orders that officers may receive such dinners and parties?

The Honourable Mr. R. D. BELL: No, Sir.

Sir, I have to bring to your notice, in connection with the questions asked by the honourable member Mr. Shaikh Abdul Majid, a letter which I have received from the President of the Karachi Bar Association, Karachi, and which, with your permission, I shall read:

"On behalf of my Association, I have the honour to invite your attention to certain interpellations put by Shaikh Abdul Majid, member, Legislative Council, published in English in the daily "Al Wahid" dated 17th February 1934 in its front page. It is not known to my Association whether these questions were admitted before they were published; but up to now, the answers to these interpellations have not been published in any of the local papers. The nature of the questions is very objectionable and, to say the least, the questions appear to have been so framed as to bring some of the highest judicial officers in Sind into contempt and hatred. My Association is alive to the fact that members of Legislative Councils and Assembly have certain privileges accorded to them under the constitution which cannot possibly be interfered with; and my Association is not desirous of curtailing those privileges which, when rightly exercised, do immense good in focussing public attention and Government attention on misfeasances and malfeasances committed at times by officers of Government.——What my Association desire

to point out is that abuse of those privileges should be prevented as far as it is possible to do so without touching the essential principles on account of which those privileges have been granted. The "Daily Gazette", a local paper of Karachi, has, in its issue of the 17th February 1934, in its editorial column at page 8, summed up the position correctly; and I take the liberty of attaching hereto the passage referred to marked in red pencil. I may also point out that the interpellations referred to above tend to increase communal bitterness. Were the questions published along with the answers given in the Council, the mischief would not be so great as it is likely to be when the questions have been published long in advance of the answers, and it may be that the same paper may not publish the answers at all; and that section of the public which has been fed on garbage may be denied the salutary antidote likely to be afforded by the answers to the interpellations. It is not even clear whether these interpellations have been admitted by the Honourable President of the Council. My Association therefore requests the Government to take steps to ensure that no interpellations put in the Council are published without their answers."

I desire to bring this letter to your attention on the floor of the House.

Mr. SHAIKH ABDUL MAJID : I may be permitted to make one point clear with regard to the publication of these questions in the press. I would like to point out that these questions were published in the paper after they were admitted by the Honourable the President in an amended form, and I am also sending the answers to the same paper for publication; so that the objection of the Bar Association does not hold good.

The Honourable the PRESIDENT : This is not the first time that such matters have been brought to the notice of Presidents of various Councils, and in this Council also circulars have been issued to honourable members, particularly for the information of new members, elected or nominated, so that they might know what the rules are. I will read the portion which refers to this particular matter :

"6. *Publication of questions and resolutions before admission.*—Members are advised not to publish their questions and resolutions or other notices for the Council in the newspapers before their admission by the President. It would be a breach of the privileges of the House if a Member of the British Parliament were to do so and it is hoped that members of the Council will help the President in establishing a similar high tradition for the Council." (Circular No. 1 to Members of the Bombay Legislative Council.)

I would draw the attention of honourable members to the last words "establishing a similar high tradition for the Council." Then, this matter came up in 1933 before the Honourable the President of the Council of State, and he went fully into the question. He went further than the mere instructions that have been given either in this Council or in other Councils that nothing should appear in the press before it is admitted. Not only the privilege and prestige of the House are concerned in the publication of questions, resolutions or other matters after admission, but if a really high tradition is to be established, it connotes that the question is not complete until the other side, viz. the counterpart of the question or questions, is there, so that the outside public can make a full estimate of the whole thing. There may be a statement which may be, in some cases, purely an allegation without any foundation, particularly in serious matters—and I take these questions to be of that serious nature, where high judicial officers are brought under discussion. If some of these questions prove to be a mere allegation without foundation, then the honourable member himself and other honourable members will agree with me that that is not fair justice to the persons concerned who have not the privilege of being present in the Council itself to answer

to the allegations, though the Government give replies in the form that suits them best. Therefore, although the instructions are that publication should not precede admission, and that is the main point, the publication of questions or any other matter hurriedly in the papers without their counterpart, that is, the replies, is not a fair and a proper practice, and should not be followed as far as possible. The matter has waited for some months or for even a longer time than that; it could very well wait till the whole thing was over and finished in the Council.

Now, I was just going to allude to what the Honourable the President of the Council of State has ruled in this matter. The President referred with a considerable amount of disappointment and sorrow to the growing practice among non-official members, immediately they sent in their questions, to have them published in the newspapers. This, according to him was very objectionable and reprehensible, and he said that the practice would not be tolerated in the House of Commons. Until and unless the questions were admitted and published in the list of business, they were of a confidential character. That is an important point. They are of a confidential character. The honourable members must understand that after admission also there is a period which may be called a period of correspondence during which sometimes correspondence goes on between the President and the Departments concerned. In case the honourable members are not aware of the procedure, I may inform them that when a question comes before me, I try to see whether it falls within the four corners of the Standing Orders or not. After admission, the question is sent on to the Department concerned. Very often the Departments draw the attention of the President to certain matters or details in connection with the question and ask him to reconsider the question which has been admitted and sent to them. The President, sometimes, reconsiders the matters and agrees with the Department when it is pointed out that the question is not admissible, and rescinds his order of admission and disallows the question.

This is a general statement that I am making by way of information that there is a period between the admission and the actual publication of the question in the list of business when it comes before the Council. Then it stands on its own legs as it were, and there is a reply attached to it, and the two put together is sufficient material for the public outside to judge. Now, going further, Sir Maneckjee Dadabhoy stated that it was, therefore, a breach of privilege to publish questions or resolutions. The Chair had no power in this country to deal with such infractions. In the House of Commons both the House and the Speaker have the right to deal with the matter and with the editor of the offending journal. The practice there had grown up under a convention and the convention should grow in the Council here.

That is a sound ruling and very good advice to honourable members for establishing a tradition. I am glad that the Honourable the Home Member brought the matter to my notice, and I hope in future honourable members would not hurry to the press to bring out in the press something which they have endeavoured to bring before the House until the whole matter is properly brought up in the Council itself.

That is about all that I can say on the subject and we now go on to the next business.

Rao Bahadur R. R. KALE: Sir, in connection with your remark to the effect that after admission of a question or a resolution there is often some correspondence between you and the department concerned and that in certain cases the department points out the undesirability of certain matter appearing, when the Chair also agrees with the department and remodels or disallows the question or resolution, may I know whether the admission which has been intimated to the honourable member is to be regarded as a sort of pro temporary——

The Honourable the PRESIDENT: I understand the practical difficulty and I am glad that that point has also been brought up. When the President agrees with the department and disallows the question, the honourable member is again informed that although the question was admitted, on reconsideration it has been disallowed. So, the honourable member sees that between this, that is to say, his information from the Chair or from the President's office that it has been admitted, and the subsequent information given to him that it has been reconsidered and disallowed, if he runs to the press and publishes that question, he puts himself and the House in an awkward position. Therefore, the best course is to wait till the matter comes up before the House. The press is there and if the press does not take cognizance of the matter as not being an important matter, the honourable member is entitled to bring it to the notice of the Editor and point out the proper way in which he wishes the paper to take notice of it. But the difficulties are there. For instance, a question is put in connection with a matter which appears to be a matter of public importance and is admitted and sent to the department concerned. Then the department points out that the matter is sub-judice—a thing which the Council office could not have known. Then the question has to be disallowed. If then the President disallows the question, and if, in the meanwhile, the honourable member has rushed to the press and published that question, the position of the House becomes very awkward. So, on the whole, the soundest method is to wait.

The Honourable Mr. R. D. BELL: There is just one point which you, Sir, may make clear. Is it not a fact that unless an honourable member or his nominee appears in his place in this House and asks a question when his name is called, for the purpose of the official proceedings the question and answer do not exist at all?

Rao Bahadur G. V. PRADHAN: They are treated as unstarred questions.

The Honourable the PRESIDENT: We have lately introduced the practice of dividing the questions into two groups, starred and unstarred. If the honourable member who has tabled a question which is answered is not present, then, according to our practice, the question is printed in the proceedings as an unstarred question.

Mr. SHAIKH ABDUL MAJID: That difficulty does not arise in my case. My difficulty is that these questions have been printed in a list

which is taken up on the last but one day of the session, and the answers are given then. Moreover, I gave notice of my questions about a month before they were admitted. After I received intimation about the question from the Council office, the disallowed questions were not published, and those questions which were printed were sent to the press about a fortnight after I received intimation that they had been admitted. So that, if there was any opportunity for the Chair still to disallow any other questions of mine, I think I waited for it sufficiently long. Sometimes our people become impatient, and questions and resolutions, as soon as they are admitted, have to be published.

Mr. G. S. GANGOLI : Should we take it, Sir, that the ruling is that we should not publish any more ?

An Honourable MEMBER : Yes.

Mr. R. R. BAKHALE : There is another point which I should like to be cleared up. Sir Maneckjee Dadabhoy, the President of the Council of State, has stated in the communication which you have just read, that questions should not be published in the press until they appear in the list of business. I believe that the list of business at the central legislature is a somewhat different thing from the list of business here. What happens at the central legislature is that, as soon as a question is admitted by the President of the Legislative Assembly or the Council of State, it is put on the notice board of the legislature concerned, and the very fact that these questions are put on the notice board for the information of the members is considered to be a list of business from their point of view. We have no such thing here. If that practice, from the point emphasised by Sir Maneckjee Dadabhoy, is to be observed, it means this, that in our case we cannot do anything, we cannot publish the questions until they appear on the agenda along with the answers. That is not the case in the central legislature. Even 10 days or 15 days before the sessions begin at Delhi or Simla, questions are published which are considered to be as in the list of business. That is not the case here. That is the difficulty which I would like to point out.

Mr. P. R. CHIKODI : Another difficulty in this connection is this. Questions are sent in, and they are admitted by the President, but Government sometimes do not care to reply to them for six months even. In my own case, when I had sent some questions, the replies had not been given even after a year had passed. Does it mean that in such cases the questions should not be published ? Then there is this point also, that a member of a constituency wants the honourable member representing him to put a particular question, and the honourable member has got to reply to his constituency about it. If Government do not give a reply for 6 or 8 months, what should the member do ?

The Honourable the PRESIDENT : To cut the matter short, honourable members have, I hope, followed me carefully, that no hard and fast rule has been laid down, nor has any ruling been fully relied upon. I have merely pointed out what view was taken in the Council of State. The whole thing comes to this, that a convention of the kind that is being followed or adhered to, for instance, in the House of

Commons should be established in our Councils in India. To do that, it would be the best policy on the part of honourable members, where they can possibly do it, to wait for the whole thing to come up in the House, before they rush to the press. If there are exceptional cases, they may be considered on their own merits, and it may be possible to say that those cases do not come under the convention. But the general rule should be kept in mind, that until the questions are answered here in the House they might await publicity in the Press.

AUDITING OF DISTRICT COURT ACCOUNTS.

*Rao Bahadur R. V. VANDEKAR (Nasik District): Will the Honourable the Home and General Member be pleased to state—

(*a*) the total number of District Courts in the Presidency;

(*b*) the names of the districts for which there are District Courts;

(*c*) whether Government instituted any special audit enquiries during the last five years into the accounts of the District Courts in the Presidency;

(*d*) whether any irregularities were found;

(*e*) whether there is any arrangement for an independent audit of the accounts of all the District Courts in the Presidency;

(*f*) whether there is any scheme drawn up for the audit of the minors' estates under the courts in the Presidency?

The Honourable Mr. R. D. BELL: (*a*) 20.

(*b*) Ahmedabad, Ahmednagar, Belgaum, Bijapur, Broach and Panch Mahals, Dharwar, Kaira, Kanara, East Khandesh, West Khandesh, Nasik, Poona, Ratnagiri, Satara, Sholapur, Surat and Thana in the Presidency proper.

Hyderabad, Sukkur and Larkana in Sind†.

(*c*) No.

(*d*) Does not arise.

(*e*) No.

(*f*) There are private guardians as well as official guardians appointed by Courts for minors' estates. The accounts of the official guardians are periodically audited by the Accountant General. The District Judges occasionally request Government to get the accounts of private guardians audited by an officer from the office of the Accountant General.

RECEIPTS OF IRRIGATION DUES IN NASIK DISTRICT.

*Rao Bahadur R. V. VANDEKAR (Nasik District): Will the Honourable the Home and General Member be pleased to state—

(*a*) the total number of acres of land watered by the several Government irrigation works in the Nasik district from the year 1920 to 1933;

(*b*) the amount of irrigation dues received during these years from the several canals or talukas?

The Honourable Mr. R. D. BELL: (*a*) and (*b*) The information in respect of all the irrigation works in the Nasik Irrigation Division is

†The Court of the Judicial Commissioner of Sind exercises the powers of a District Court in Karachi City and Taluka.

given below. It includes the figures for the Godavari Canals which irrigate an area partly within and partly outside the limits of the Nasik District :—

Year.	Area irrigated.	Gross assessed revenue from irrigation works.
	Acres.	Rs.
1920-21	87,681	8,02,843
1921-22	78,151	7,30,460
1922-23	91,790	8,66,195
1923-24	92,591	8,96,656
1924-25	88,400	8,82,129
1925-26	79,460	8,25,014
1926-27	69,018	8,21,072
1927-28	65,823	8,68,258
1928-29	63,389	7,88,306
1929-30	59,903	6,95,290
1930-31	60,964	6,87,950
1931-32	55,443	5,99,350
1932-33	Not available.	

Rao Bahadur N. E. NAVLE : I find from the area irrigated and the revenue shown in the second column that there is a great deal of decline since 1930-31 and 1931-32. I want to know exactly the reasons why the area irrigated and the revenue accruing from the irrigation cess are on the decline.

The Honourable Mr. R. D. BELL : I regret I cannot give the honourable member the information. But I am making enquiries into the matter.

SPREAD OF EDUCATION AMONGST MARATHA COMMUNITY.

*Rao Bahadur R. V. VANDEKAR (Nasik District) : Will the Honourable Minister for Education be pleased to state—

(*a*) the proportion of the persons belonging to the Maratha community in the presidency, who have received primary, secondary and higher education, to the persons belonging to the advanced, Hindu, Muhammadan and Depressed Class communities who have received that education as per their respective population of 1931 ;

(*b*) the proportion of the persons belonging to the Intermediate Hindu community who have received education to that of the advanced Hindus, Muhammadans and persons belonging to the Depressed classes who have received education as per their respective population of 1931 ;

(*c*) whether Government are aware that the percentage of higher, secondary and primary education in the Maratha community is lower than that in the other communities ;

(*d*) if so, whether Government intend to change their name as Intermediate to that of educationally backward Hindus and take special measures for the spread of education amongst them ?

The Honourable Dewan Bahadur S. T. KAMBLI: (a) The Census Tables do not give information showing separately the number of persons who have received primary, secondary and higher education, and therefore, it is not possible to work out the proportion as desired by the Honourable Member.

(b) Please see Imperial Tables XIII and XIV and Provincial Table II of the Census Report, 1931, Volume VIII-Part II and paragraph 8 of Chapter IX and the diagram referred to therein and subsidiary Table V at pages 299–300 and 312 of the Census Report, 1931, Volume VIII—Part I. No further information is available with Government.

(c) Government have no information besides that contained in paragraphs 243 to 245 of the Quinquennial Report on Public Instruction for the years 1927–32.

(d) Government do not think that any useful purpose would be served by the change in nomenclature suggested. The percentage of Maratha pupils under instruction is higher than that of the Backward class pupils. It is 4·8 of the population as against 3·4. With a view to accelerating the progress of the Intermediate classes generally in secondary and higher education Government have provided special facilities in the form of free-studentships, scholarships and reservation of places, etc. A detailed account of these facilities is given in paragraphs 255 to 256 of the Quinquennial Report on Public Instruction for 1927–32.

UNSTARRED QUESTIONS AND ANSWERS.

LAND RECORDS DEPARTMENT, CENTRAL DIVISION: EMPLOYMENT OF NON-BRAHMINS.

Rao Bahadur S. K. BOLE: Will the Honourable the Revenue and Finance Member be pleased to state—

(a) whether Government have received any petition from a retired non-Brahmin officer ventilating the grievances of the non-Brahmins in connection with the employment of staff in the Land Records Department in the Central Division;

(b) if so, what action they have taken in the matter;

(c) how many vacancies have occurred since 1931 in the several branches of that department and how many fresh men were taken up since then and what their designations and castes are;

(d) whether in recruiting new men due regard was paid to the Government Resolution regarding the recruitment of the Backward Classes;

(e) whether it is a fact that there are no non-Brahmins on the staff of the office of the Survey Mamlatdar and that of the Superintendent, Land Records; if so, the reasons therefor;

(f) the name and caste of the present incumbent of the post of Survey Mamlatdar;

(g) for how many years he is working on the same post, and why he has not been transferred even after so many years;

(h) whether it is a fact that he is a resident of Poona;

(i) whether any non-Brahmin was appointed as Survey Mamlatdar before; if not, why not?

The Honourable Sir GHULAM HUSSAIN: (*a*) No.

(*b*) Does not arise.

(*c*) 45 vacancies occurred in the several branches of the Land Records Department in the Central Division, but on account of retrenchment only 14 were filled up by new recruits. Information regarding their designations and castes is given in the statement put up below.

(*d*) Yes. Government are satisfied that the recruitment of the intermediate and backward classes has been up to the prescribed percentage.

(*e*) There are no non-Brahmins in the office of the Survey Mamlatdar, the reason being that the present men have been working there for a long time and there was no occasion to displace or replace them.

There are at present two non-Brahmin clerks in the office of the Senior Superintendent of Land Records. Also there were two non-Brahmin clerks in that office, but they had to forfeit their appointments as they failed to pass the Departmental examinations, although more chances than permissible under the Rules were given to them. Besides, two temporary non-Brahmin clerks were discontinued on account of retrenchment.

(*f*) Rao Saheb V. R. Sane. He belongs to the Brahmin Konkanastha caste.

(*g*) The Rao Saheb has been working as Survey Mamlatdar since 30th November 1912, with an interval of 6 weeks in 1930 when he acted as Superintendent of Land Records, Central Division. He has been retained in the post in the interests of public service.

(*h*) Yes.

(*i*) No; as no suitable man was available.

Serial No.	Names of fresh men recruited and their castes.	Designation.	Year of recruitment.
1	2	3	4
1	Mr. J. S. Joglekar (Brahmin—Konkanastha).	Clerk to Senior Superintendent of Land Records.	1933.
2	Mr. A. M. Mundewadi (Muhammadan) ..	Clerk to District Inspector.	1931.
3	„ M. Sampson (Christian)	Utara Karkun ..	1932.
4	„ R. Y. Chakranarayan (Indian Christian)	Do. ..	Do.
5	„ R. K. Deshpande (Brahmin) ..	Do. ..	Do.
6	„ R. L. Pingulkar (Maratha) ..	Do. ..	Do.
7	„ B. C. Bhosle (Mahar)	Do. ..	Do.
8	„ T. S. Parab (Maratha)	Do. ..	Do.
9	„ Muhammad Hussain Mirabhaisaheb (Muhammadan).	Do. ..	Do.
10	„ M. U. Khan (Muhammadan) ..	Do. ..	Do.
11	„ C. A. Dixit (Brahmin)	Do. ..	Do.
12	„ B. D. Kadam (Indian Christian) ..	Do. ..	1933.
13	„ R. Y. Chakranarayan (Indian Christian)	Fee Karkun ..	Do.
14	„ M. W. Sane, B.E. (Brahmin—Konkanastha).	Maintenance Surveyor.	1931.
14			

'INAM VILLAGES IN GODHRA TALUKA: RECOVERY OF RENTS FROM TENANTS.

Mr. M. H. MEHTA (Panch Mahals District): Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) whether Government are aware that there is discontent amongst the tenants of inami villages in Godhra Taluka of Panch Mahals District, about the way in which rents are collected by the inamdars with the assistance of revenue authorities;

(*b*) the names of inami villages the inamdars of which had filed rent suits against their tenants in 1931 and 1932 in the Godhra Mamlatdar's court;

(*c*) the number of tenants against whom decrees were passed in each of the said villages with the decretal amounts in each case;

(*d*) the amounts recovered by the Mamlatdar of Godhra through the talatis or circle inspector by adopting coercive methods in each of the inami villages during the following periods:—

April 1932 to June 1932
August 1932 to September 1932
October 1932 to March 1933
April 1933 to June 1933;

(*e*) whether the Mamlatdar made any recoveries for the inamdars of amounts for which no decrees were passed; if so, in which villages and what amount was so recovered;

(*f*) the names of inam villages which the Mamlatdar visited in 1932–33 and the number of times each such village was visited;

(*g*) whether it is a fact that the Mamlatdar compelled the tenants to give kabulayats for payment of rents by threatening them with the levy of attachments;

(*h*) whether it is a fact that the talatis and circle inspectors also invariably followed this practice throughout the year 1932–33;

(*i*) whether it is a fact that the matter was reported to the Collector by the aggrieved parties;

(*j*) whether Government propose to take steps to put an end to this practice?

The Honourable Sir GHULAM HUSSAIN: (*a*) No. There is none. There are disputes between certain Inamdars and their tenants, as also between co-sharers in certain inams and these result in dues being withheld. But the only recoveries made by Revenue authorities are of decretal amounts in respect of these dues and these recoveries are made according to law by the Revenue authorities in execution of their duty.

(*b*) Narsana.
Dhamai.
Mataria Vyas.
Sureli.
Padardi.
Kasanpur.
Aniad.
Vinjol.
Chanchopa.
Erandi.

(c)

Name of village.	Number of tenants.	Amount decreed.
		Rs.
Narsana	112	1,660
Dhamai	26	373
Mataria Vyas	86	2,920
Sureli	157	1,373
Padardi	555	1,078
Kasanpur	212	1,399
Aniad	148	4,656
Vinjol	405	4,463
Chanchopa	85	2,403
Erandi	64	2,366

(d)

Name of village.	Amount recovered during the period from			
	April to June 1932.	August to September 1932.	October 1932 to March 1933.	April to June 1933.
	Rs.	Rs.	Rs.	Rs.
Narsana	780	....	81	548
Dhamai	....	....	....	....
Mataria Vyas	....	....	20	....
Sureli	295	1,080	230	41
Padardi	323	38	869	140
Aniad	396	347	1,382	2,223
Vinjol	....	....	....	192
Chanchopa	76	58	1,733	208
Erandi	....	....	1,834	....
Kasanpur	76	....	....	....

Notices under section 152, Land Revenue Code, were issued in all these villages and attachments were made as detailed below :—

Name of village.	Number of cases.	Amount recovered.
		Rs.
Sureli	1	9
Padardi	8	79
Aniad	6	151
Chanchopa	9	36
Erandi	4	60

(e) No.

(*f*)

Name of the Village visited by the Mamlatdar in 1932-33.	No. of visits.
Jafrabad	1
Veganpur	3
Chanchopa	3
Kotda	2
Padardi	3
Sureli	2
Mataria Vyas	1
Vinjol	4
Kasanpur	1
Chikhodra	3
Aniad	1
Chharia	1
Erandi	1

(*g*) No.

(*h*) No.

(*i*) Some of the tenants of the villages of Kasanpur and Aniad applied to the Collector for postponement of the execution of decrees, and these applications were duly disposed of by the Collector. No other complaints were received by him.

(*j*) This presumably refers to clauses (*e*), (*g*) and (*h*). The question does not arise.

DISTRICT AND SESSIONS COURT AT GODHRA: PUBLIC GRIEVANCES.

Mr. M. H. MEHTA (Panch Mahals District): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether Government are aware that the Sessions Court building at Godhra is situated far off from the town and in an isolated place;

(*b*) whether any arrangement is made by Government for the supply of water to the parties, witnesses and others visiting the Court;

(*c*) whether water arrangements are made by Government at all courts and public offices;

(*d*) if the reply to (*b*) is in the negative, whether Government propose to make any water arrangement in the near future;

(*e*) whether Government are aware that there is insufficient accommodation for the Court-room in the district bungalow where the court is at present held;

(*f*) whether proposals are received by Government for shifting the District and Sessions Court from its present building to the vacant premises of the Collector's Office;

(*g*) if so, how Government propose to deal with that proposal;

(*h*) whether, pending the decision of this question, Government propose to make arrangements for witness-shed and pleaders' waiting room;

(*i*) whether Government are aware that people are much inconvenienced during the monsoon and summer owing to insufficient space in the court to wait;

(*j*) if so, what steps, if any, they propose to take in the matter?

The Honourable Mr. R. D. BELL: (*a*) No.

(*b*) No.

(*c*) No.

(*d*) No. The additional Government pleader Mr. V. C. Shah has made arrangements for the supply of water from motives of charity.

(*e*) Yes.

(*f*) Yes.

(*g*) The matter is under consideration.

(*h*) No.

(*i*) Yes.

(*j*) If the Court is shifted to the Collector's Office, there will be accommodation for witnesses and pleaders.

CHANGE IN BIRTH-DATE OF MR. FARROW, EXCISE SUPERINTENDENT.

Mr. M. H. MEHTA (Panch Mahals District): Will the honourable Minister for Education be pleased to state—

(*a*) when Mr. Farrow joined the Excise Department and what was the age given by him at the time of his appointment;

(*b*) when was he promoted to the grade of the Superintendent of Excise;

(*c*) whether it is a fact that after his appointment as Superintendent of Excise he applied for the change of his birth date so as to have his age reduced;

(*d*) whether Government permitted him to make the change in his birth-date;

(*e*) if the reply to (*d*) is in the affirmative, whether Government have considered the desirability of not allowing their servants to change their birth-dates at the fag end of their service to get automatic extensions?

The Honourable Dewan Bahadur S. T. KAMBLI: (*a*) Mr. G. U. Farrow joined the Excise Department on 21st November 1902. The date of birth given by him at the time of his entering Government service was 5th January 1880.

(*b*) In April 1933.

(*c*) Mr. Farrow did apply for a change in the record of the date of his birth; but not after his appointment as Superintendent of Excise.

(*d*) Yes, because Government had no doubt that the error in the entry of the birth-date of Mr. Farrow in his service book was due to inadvertence.

(*e*) Does not arise.

PLAGUE IN AHMEDNAGAR.

Rao Bahadur N. E. NAVLE (Ahmednagar District): Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) whether Government are aware of the outbreak of plague in the Ahmednagar City;

(*b*) if so, when the first death due to plague occurred;

(*c*) the total number of deaths and of attacks so far;

(*d*) what special measures of prevention and cure have been adopted by the Municipality and Government?

The Honourable Khan Bahadur D. B. COOPER: (*a*) Yes.

(*b*) On 16th January 1934.

(*c*) The total number of cases and deaths reported from 16th January to 15th February 1934 were 8 and 4 respectively. No further case has since been reported.

In the year 1933, 7 cases and 2 deaths were reported in the months of September and October, all of which were imported.

(*d*) One special medical officer has been appointed for inoculation work by the Municipality and vaccine is being supplied to all the private medical practitioners in the City and their dispensaries have been notified to the public as centres for inoculation. Nearly 6,000 persons have been inoculated since 1st September 1933. Rat-trapping and baiting is being vigorously carried out by the Municipality and 40,749 rats were destroyed during the course of last year. Nearly 100 houses have been disinfected and whitewashed by the Municipality. Two hundred traps have been in circulation and trapping is done in 100 houses daily.

The Assistant Director of Public Health, Central Registration District, visited Nagar when it was threatened and after the epidemic broke out and personally discussed preventive measures. Detailed instructions as to disinfection, inoculation and a systematic rat campaign, involving examination of infected rats, were given to the Medical Officer of Health.

Information as to the infected villages in the Nagar District and other districts has been made available to the Municipality in order that they may be able to watch immigrants from these villages to Nagar. The Inspector of Sanitation and Vaccination has been asked to act in close co-operation with the Medical Officer of Health in this connection.

BANKOT HARBOUR.

Rao Bahadur L. V. PARULEKAR (Ratnagiri District): Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) whether Government are aware that steamers do not touch Bankot Harbour for some years past as they used to do formerly;

(*b*) whether they are aware that a great inconvenience is caused to the public on account of Bankot being thus closed;

(*c*) whether Government are aware that Bunder Hareshwar where the steamers now touch is extremely inconvenient for communication;

(*d*) whether it is a fact that almost every year country crafts meet with serious accidents on account of the silting of the Bankot Bunder;

(*e*) whether any attempt has been made in the direction of clearing the way of the ships to touch Bankot Bunder;

(*f*) if not, whether Government intend to take steps to clear the way for the ships?

The Honourable Sir GHULAM HUSSAIN: (*a*) Yes.

(*b*) Yes.

(*c*) Yes.

(*d*) No: no country craft has met with any accident owing to the silting up of the entrance to Bankot Bunder. The five accidents which took place during the last three years occurred in the months of May and September and were due to strong winds which prevail in these months.

(*e*) No.

(*f*) No. The cost of dredging will be prohibitive, and even dredging at a prohibitive cost would only give temporary relief. Country craft have no difficulty in entering the bunder.

CREEKS AND PORTS OF RATNAGIRI DISTRICT.

Rao Bahadur L. V. PARULEKAR (Ratnagiri District): Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) whether Government are aware that almost all the creeks and some of the ports are silted up and thereby ship communication in the ports and creeks has become extremely inconvenient and sometimes dangerous, especially in the ports of Dabhol, Jaigad, Ratnagiri, Rajiwda, Jaitapur and Devgad;

(*b*) if so, whether Government intend to take any steps, and, if so, what steps, to better the condition of the creeks and ports mentioned above?

The Honourable Sir GHULAM HUSSAIN: (*a*) Government are aware that some of the creeks and ports have silted but not to the extent of rendering them unfit for navigation. In the case of the 6 ports mentioned by the Honourable Member silting has not taken place at the entrances and steamers are able to pass in and out of the 5 steamer ports at all times without difficulty.

(*b*) Opinions of experts have been taken from time to time and it is found that no scheme of dredging is in any way feasible, as dredging could only be undertaken at an entirely prohibitive cost, which would be quite out of proportion to any results that might be achieved. No special measures can therefore be taken.

WHARFAGE FUND.

Rao Bahadur L. V. PARULEKAR (Ratnagiri District): Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) the average income and expenditure of the Wharfage Fund for the last three years;

(*b*) whether there is any arrangement made to check the accounts of the Bombay Steam Navigation Company which recovers the Wharfage Fund fee individually from the passengers and pays it in lump sum towards the Wharfage Fund;

(c) why it is that the accounts of the receipts and expenditure of the Port Fund as well as the Wharfage Fund are not included in the General Budget of the Presidency and subjected to the criticism of the Council ?

The Honourable Sir GHULAM HUSSAIN: (a) The average income and expenditure of the Landing and Wharfage Fund for the last three years is Rs. 98,973 and Rs. 32,549, respectively.

(b) Yes.

(c) As Government have appointed a special Committee for the administration of the Landing and Wharfage Fund and as the Committee is formed of non-official members such as the representatives of the steamship companies and Local Boards, Government have not found it necessary to subject the budget to the discussion of the Council. This being a local fund the budget, like the budgets of Local Boards and Municipalities, is to be passed by the Committee and not by the Bombay Legislative Council. The Act does not provide for the approval of the Council.

As regards Northern and Southern Group Ports Funds, the Indian Ports Act provides that a distinct account called the Ports Fund Account should be kept. The local Government have invested the Deputy Collector of Salt Revenue with the powers to supervise the Ports Fund receipts and expenditure of the Ports. This also being a local fund, the accounts are not submitted for the approval of the Council.

RELIEF TO AGRICULTURISTS IN RATNAGIRI DISTRICT.

Rao Bahadur L. V. PARULEKAR (Ratnagiri District): Will the Honourable the Revenue and Finance Member be pleased to state—

(a) that the prices of paddy and other agricultural produce have gone down to their lowest pitch in the Ratnagiri District;

(b) whether Government are aware that even for those low prices there is no demand for the agricultural products as the same products including prepared rice from paddy are available in the local markets for the same low prices and also on credit;

(c) whether Government are aware that on account of this state of things the agriculturists are hard hit and unable to change their products in money and to pay the Government assessment in instalments;

(d) if so, whether Government intend to give relief to the agriculturists of the district by granting suspensions and remissions in the land revenue ?

The Honourable Sir GHULAM HUSSAIN: (a) Government are aware that the prices of paddy and other agricultural produce in the Ratnagiri District are low, and have been for the past three years. Whether or not prices in that district have ever been lower is a matter which can be ascertained only after minute inquiry which Government are not prepared to undertake.

(b) Government are not aware of this position. The local supply is sufficient for 3 months only and thereafter Burma rice or paddy from

Kolaba has to be imported. There is therefore necessarily a demand in the local markets for staple agricultural products of the district at market rates.

(*c*) and (*d*) As stated in the reply to (*b*) above it is not a fact that agriculturists are unable to change their products in money; though it is true that prices obtainable are low, agriculturists must necessarily feel the adverse effects of low prices. To meet this position Government has granted relief to agriculturists of Ratnagiri, as elsewhere, to the best of its ability, both this year and in the preceding two years. A copy of Press Note No. P. 37, dated 14th February 1934, on the subject is placed on the Council table.

With the compliments of the
Director of Information, Bombay.

P-37
14-2-34

The Government of Bombay after considering carefully the situation arising out of the continued low level of prices of agricultural produce with a view to deciding whether any concessions in land revenue similar to those granted in the last three years should prove necessary, have concluded that the situation requires concessions this year also. They have accordingly directed that the collection of land revenue dues during the current year should be regulated in the following manner :—

Northern Division and Bombay Suburban District.

2. (*i*) In no district of the Northern Division, and in the Bombay Suburban District should more than one year's assessment be levied except in cases where the arrears are unauthorised. The special suspensions given during the last two years in the rice tracts should be remitted.

(*ii*) In certain areas specified below, in which rice is the principal crop and in which the settlements are of recent dates, a further concession by way of remission of 3 annas in the rupee is to be given. The following are the talukas and mahals of the Thana and Bombay Suburban Districts affected by the above order :—

Thana District.

(1) Thana, (2) Bhiwandi, (3) Kalyan, (4) Bassein and (5) Murbad.

Bombay Suburban District.

South Salsette and Ambernath.

Central Division.

3. The collections including collections of arrears should follow the annewaris provided that in no case should more than 1½ assessments be collected, even though the annewaris should justify collection of 2 assessments.

Southern Division.

4. (a) *Kolaba District.*—The special suspensions given during the last two years in the rice tracts are remitted. In addition a special remission of 3 annas in the rupee is to be granted in the following talukas :—

(1) Karjat, (2) Panwel, including Uran Mahal, (3) Pen, (4) Roha and (5) Alibag.

(b) *Ratnagiri District.*—The special suspensions given during the last two years in the rice tracts are remitted. In addition a special remission of 2 annas in the rupee is to be given in the following talukas and mahal of the Ratnagiri District :—

(1) Rajapur, (2) Devgad, (3) Khed and (4) Mandangad Mahal.

(c) *Belgaum.*—(*i*) A suspension of 4 annas in the rupee is to be granted in the case of 26 rice villages of the Sampgaon Taluka.

(*ii*) As regards the rest of the district the annewari limits of 4 annas and 6 annas should be raised to 5 annas and 7 annas, respectively, as the critical limits for collection of land revenue; and in villages where there are suspended arrears and the annewari is 8 annas or above but less than 10 annas, only one assessment should be collected. In villages with an annewari of 10 annas and above, 1½ assessments should be collected, if due, but not more.

(d) *Dharwar.*—The ordinary rules should be followed except that not more than 1½ assessments should be collected, even though the annewari is 11 annas or above.

(e) *Bijapur.*—In Hungund, Badami and Bagalkot talukas and Bilgi Petha the annewari limits of 4 annas and 6 annas should be raised to 5 annas and 7 annas, respectively, as the critical limits for the collection of land revenue; and throughout the district, in villages where there are authorised arrears and the annewari of crops is 8 annas and above but less than 10 annas, only one assessment should be collected, where it is 10 annas and above, 1½ assessment should be collected, if due, but not more.

(f) *Kanara.*—Only the current year's land revenue should be collected except where the arrears are unauthorised. As regards past arrears the arrears of 1930-31 should be remitted, while those of 1931-32 and 1932-33 should be re-suspended.

VILLAGE PANCHAYAT OF AMOD IN BROACH DISTRICT: ELECTION.

Khan Bahadur A. E. PATEL (Northern Division): Will the Honourable Minister for Local Self-Government be pleased to state—

(*a*) whether it is a fact that the Bombay Village Panchayats Act of 1933 was assented to by the Governor General on 30th May 1933 and came into force, after being first published in the *Bombay Government Gazette*, on 12th June 1933;

(*b*) whether Government are aware that the election of the village panchayat of Amod, a taluka town in Broach district, was held on 3rd July 1933, under the old Village Panchayats Act of 1920, after the publication of the new Act on 12th June 1933;

(*c*) if so, whether Government intend to direct a fresh election under the new Act of 1933?

The Honourable Khan Bahadur D. B. COOPER: (*a*) Yes.

(*b*) Yes.

(*c*) The Commissioner has been requested to instruct the Collector to set aside the election in question under section 9 of the Bombay Village Panchayats Act, 1933.

APPOINTMENT OF HONORARY ASSISTANT GOVERNMENT PLEADER FOR GODHRA.

Khan Bahadur VALI BAKSH ADAMBHAI PATEL (Northern Division): Will the Honourable the Home and General Member be pleased to state—

(*a*) the qualifications of the Honorary Assistant Government Pleader, Mr. Kanyalal Lallubhai, of Godhra;

(*b*) whether it is a fact that Mr. Kanyalal is quite a junior practitioner;

(*c*) whether there were many Mahomedan applicants for the post; if so, how many and why none of them was selected;

(*d*) whether it is a fact that Mr. Kanyalal has got his sanad transferred to Kaira District and does not attend the office of the Government Pleader at Godhra;

(*e*) whether Government have considered the desirability of appointing a Mahomedan when the next vacancy of Honorary Government Pleader occurs?

The Honourable Mr. R. D. BELL: (*a*) Advocate's examination.

(*b*) Yes.

(*c*) There was one Muhammadan applicant who was not selected on account of age.

(*d*) Government have no information as to the transfer of Mr. Kanyalal's sanad, but his appointment as Honorary Assistant has already been cancelled as he has left Godhra.

(*e*) Yes.

EMPLOYMENT OF GOVERNMENT PENSIONERS BY COURTS OF WARDS IN GUJARAT.

Khan Bahadur VALI BAKSH ADAMBHAI PATEL (Northern Division): Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) the names and ages of the Government pensioners employed by the Courts of Wards in Gujarat as managers;

(*b*) whether they are classed as executive or ministerial officers?

The Honourable Sir GHULAM HUSSAIN:

(*a*)

District.	Name.	Appointment.	Age.	
			Y.	M.
Ahmedabad ..	Khan Bahadur Reubin Benjamin.	Manager for the British villages in the Patdi Estate and Adviser to the Regent Rani of Patdi.	54	9
Kaira ..	Mr. Kashibhai Vasanbhai Amin.	Manager, Dehwan Estate..	53	0
Broach and Panch Mahals.	Khan Saheb Imamkhan Chhotekhan.	Deputy Manager, Jhanor Estate.	63	0
	Mr. Maganlal Ghelabhai.	Deputy Manager, Dehej and Janiadra Estates.	61	0
	Mr. Ranchhodlal Chhaganlal.	Japtidar, Mehlol Estate ..	56	0
	Mr. Jethalal Ranchhodlal.	Japtidar, Shivrajpur Estate.	53	0

(*b*) The duties of the managers are like those of executive officers of Government but no classification whether executive or ministerial has been made applicable to them as they are not Government servants.

ALLEGED DELAY BY MAGISTRATES IN BROACH DISTRICT IN RELEASING ACCUSED ON BAIL.

Khan Bahadur VALI BAKSH ADAMBHAI PATEL (Northern Division): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether Government are aware that the certificates of solvency granted by the police patels are not accepted by the Magistrates in the Broach District;

(*b*) whether it is a fact that these certificates are required to be countersigned by the Mamlatdars;

(*c*) whether Government are aware that usually inordinate delay takes place in the inquiry to be made by the Mamlatdars as a result of which the accused have to remain in jail for a long time even after the passing of the order of release on bail;

(*d*) whether it is a fact that such inordinate delay occurred in releasing the accused on bail in the two murder cases of Kamboli, taluka Broach;

(*e*) what practice is followed in the other districts in releasing the accused on bail;

(*f*) whether Government intend to change the practice in this respect at present prevailing in the Broach district so as to bring it into line with that prevailing in the other districts?

The Honourable Mr. R. D. BELL: (*a*) Yes. The solvency certificates are rarely given by Police Patels. They are generally given by Talatis and accepted.

(*b*) No. Certificates given by Police Patels are not accepted.

(*c*) Does not arise.

(*d*) No.

(*e*) Inquiries were made by Government in two other districts in the Northern Division and it was found that certificates of solvency granted by Police Patels are generally accepted by the Magistrates and they are not required to be countersigned by Mamlatdars.

(*f*) No.

MANAGER OF JHANOR ESTATE IN BROACH DISTRICT: ALLEGED TAKING PART IN ELECTIONS.

Khan Bahadur VALI BAKSH ADAMBHAI PATEL (Northern Division): Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) whether it is a fact that Mr. Imamkhan Chhotekhan, the manager of the Jhanor estate in Broach district, attended the Commissioner, Northern Division's office on 30th September 1933 and seconded the nomination of Mr. A. O. Kureshi for the Northern Division Muhammadan Rural constituency;

(*b*) whether it is a fact that he was in the Commissioner, Northern Division's office on the day of scrutiny;

(*c*) whether Government are aware that he was present with Mr. Isap Kiledar in Surat at the house of Pir Motamia who tried for a compromise between the two candidates;

(*d*) whether Government are aware that he visited the villages of Jhanor, Jhangar, Nabipur, Kothi, etc., to canvass votes for Mr. Isap Kiledar;

(*e*) whether Government are aware that he daily attended Mr. Kiledar's house to advise him in his election campaign;

(*f*) whether Government are aware that he accompanied Mr. Kiledar to the house of Mr. Manilal K. Vakil for legal advice;

(*g*) whether it is a fact that Government servants are prohibited from taking part in any way, directly or indirectly, in an election to a Legislative Council;

(*h*) if so, what steps Government propose to take against Mr. Imamkhan Chhotekhan for his having taken part in the recent election;

(*i*) his age;

(*j*) whether Government have considered the desirability or otherwise of continuing him in service after superannuation?

The Honourable Sir GHULAM HUSSAIN: (*a*) Yes.

(*b*) Yes.

(*c*) Yes.

(*d*) No.

(*e*) No.

(*f*) No.

(*g*) Yes, but Khan Saheb Imamkhan is not a Government servant within the meaning of Nos. 5 and 30 (2) of the Bombay Civil Services Conduct, Discipline and Appeal Rules.

(*h*) Does not arise.

(*i*) 63.

(*j*) His appointment was made by the Court of Wards under section 20 of the Bombay Court of Wards Act, and the provisions of the Bombay Civil Services Rules regarding superannuation do not apply to him. His retention in service depends only on the maintenance of his efficiency and he has been found efficient in the performance of his duties.

KOLABA DISTRICT: RELIEF TO AGRICULTURISTS.

Mr. N. N. PATIL (Kolaba District): Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) the number of applications received by the Collector of Kolaba for reduction of assessment of land revenue on account of erosion of lands by sea or damage to khar land by sea;

(*b*) what relief, if any, was granted to such applicants;

(*c*) whether it is a fact that the Collector has declined to grant any relief in such cases; if so, why;

(*d*) whether Government intend to remove such grievances, if any, by executive orders or, if necessary, by legislation?

The Honourable Sir GHULAM HUSSAIN: (*a*) Four—one in Alibag Taluka on account of erosion of land by sea and 3 in Panvel Taluka on account of damage to khar lands by sea. There was also a fifth case of Mangaon Taluka, of an application for relaxation of the terms of a reclamation lease, owing to the land concerned being over-run by salt water;

(*b*) and (*c*) In one of the 3 cases in Panvel Taluka the damage was found on enquiry to have been caused by the gross negligence of the man appointed to look after the embankment that protects the khar though the resources of the petitioner were found excellent. Consequently no relief was granted in this case. The remaining 2 cases of Panvel and the case of Alibag are under investigation.

In the Mangaon Taluka case, the flood-gate, constructed by the grantees of Khajan land given out on reclamation lease on the maximum terms, gave way owing to breaches in the embankment and salt water flowed

over the land which in consequence became unfit for rice cultivation. Petitioners, therefore, requested that the rent at annas 4 per acre levied on their lands under the reclamation lease might be remitted for 10 years and that the period of levying full assessment on the land be extended by 10 years. But as no variations in the maximum terms of the reclamation lease could be made under Land Revenue Rule No. 40 there was no case for suspension or reduction of rent or land revenue. The request of the grantees was therefore refused. Reclamation leases are specially framed with a view to the fact that final results are uncertain; and anyone taking out such a lease has to be prepared to face vicissitudes of this nature. There were also 13 applications from Alibag Taluka for relinquishments on account of erosion of lands by sea and all of them were accepted under section 74, Land Revenue Code. Nine of the cases have been dealt with under sections 117-B and 47 of the Land Revenue Code, and 2 are under consideration. The lands in the remaining 2 cases are treated as assessed waste.

(*d*) As such cases can be dealt with under the provisions of the Land Revenue Code, Government do not consider any executive orders or fresh legislation necessary.

SMALL CAUSE COURT, BOMBAY: APPOINTMENTS OF MAHOMEDANS.

Mr. A. K. RESALDAR (Ahmedabad and Surat Cities): Will the Honourable the Home and General Member be pleased to state—

(*a*) whether he is aware that the Chief Judge, Small Cause Court, Bombay, has recently advertised some vacancies to be filled up in that Court;

(*b*) whether he is aware that many qualified Mussalmans have applied for them;

(*c*) if so, whether the Chief Judge proposes to appoint any Mussalmans in those vacancies?

The Honourable Mr. R. D. BELL: (*a*) Yes.

(*b*) Yes.

(*c*) Out of three candidates appointed, one is a Mussalman.

MENAGERIE BY HEAD BAILIFF OF SMALL CAUSE COURT, BOMBAY, IN COURT PREMISES.

Mr. A. K. RESALDAR (Ahmedabad and Surat Cities): Will the Honourable the Home and General Member be pleased to state why the Head Bailiff of the Bombay Small Cause Court is still maintaining a sort of Menagerie in the Court compound, where he keeps monkeys, ducks, turkeys, a number of dogs and all sorts of animals to the great inconvenience and annoyance at times, of the public and the other members of the establishment staff of the Court?

The Honourable Mr. R. D. BELL: Government do not consider that they are entitled to interfere with the private affairs of their servants unless they have reason to believe that the public interests are in any way adversely affected.

SMALL CAUSE COURT, BOMBAY: APPOINTMENT OF HEAD BAILIFF'S SON AS BAILIFF.

Mr. A. K. RESALDAR (Ahmedabad and Surat Cities): Will the Honourable the Home and General Member be pleased to state—

(*a*) why the Head Bailiff's son is appointed as a Bailiff under his own father in the Small Cause Court, Bombay, superseding the claims of all other candidates and applicants for the post;

(*b*) how many applications were pending for the post before the Head Bailiff's son was appointed, and how many candidates senior to him were on the list, and what was the special reason for giving him preference;

(*c*) whether it is a fact that on former occasions also such appointments of father and son and two brothers were made in the same Department;

(*d*) if so, the reasons why such procedure is adopted;

(*e*) whether Government are aware that such procedure is bound to lower the efficiency of the Department?

The Honourable Mr. R. D. BELL: (*a*) and (*b*) Out of many applicants for the post, preference was given to the son of the Head Bailiff, on account of the meritorious services of his family in the Bailiff's department since 1865. There was only one candidate senior to him on the list for bailiff's appointment and he had been tried in temporary arrangements and found inefficient.

(*c*) and (*d*) Yes. In the first case there were exceptional circumstances. Reasons in the second case are not known.

(*e*) No.

SUPERVISING TAPEDAR KESHUDASS OF UPPER SIND FRONTIER DISTRICT: PUNISHMENT.

SYED MIRAN MAHOMED SHAH (Hyderabad District): With reference to part (*b*) of Khan Bahadur M. A. Khuhro's question under the caption "Articles in the *New Era* of Sukkur" printed on page 58 of Volume XXXVIII of the Bombay Legislative Council Debates, will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) whether the enquiry referred to there has since been completed; if so, with what result;

(*b*) whether it is a fact that it has been proved before the Deputy Commissioner that the Supervising Tapedar Keshudass of the Upper Sind Frontier District had purposely avoided to mention in his landed property return the vast property acquired by him in defiance of the Government Servants' Conduct Rules;

(*c*) whether it is a fact that the Deputy Commissioner has reduced his pay by Rs. 5 only;

(*d*) whether Government are aware that the allegations proved against him were of a very serious nature;

(*e*) whether Government are aware that there were complaints against him both in the Hindu as well as in the Moslem press of Sind

that the conduct of this supervising tapedar was objectionable and that enquiry should be made as to how he had come to possess so much property;

(*f*) if the answers to parts (*d*) and (*e*) are in the affirmative, whether Government intend to increase the punishment awarded to Mr. Keshudass by the Deputy Commissioner?

The Honourable Sir GHULAM HUSSAIN: (*a*) and (*b*) Yes; the inquiry showed that the tapedar was found guilty of submitting an incorrect landed property return. Arable lands alleged to have been purchased in 1913 and 1914 had not been shown in the return before 1928-29.

(*c*) Yes.

(*d*) Government are aware that during the inquiry against Mr. Keshudass allegations were made that he took lapo; but nothing was proved against him in that respect; and all that could be proved was his failure to show lands purchased by him in the return of landed property.

(*e*) Yes.

(*f*) As stated already Government have held inquiry and the only matter proved against the tapedar is his failure to enter the land in the return. For this he has been punished, and Government do not contemplate taking any further action in the matter.

REMISSION OF LAND REVENUE TO ZAMINDARS IN ROHRI CANAL DIVISION.

SYED MIRAN MAHOMED SHAH (Hyderabad District): Will the Honourable the Revenue and Finance Member be pleased to state—

(*a*) whether it is a fact that the Main Rohri Canal has been closed several times during the last year as well as the present year owing to breaches, disorder of regulators and other causes;

(*b*) if so, for how many days in every season in every year the Rohri Canal remained closed and from what date to what date;

(*c*) whether it is a fact that besides the breaches in the main canal there have been several breaches in the distributaries, minors and water courses as a result of which they remained closed for several days each season during the last year as well as this year;

(*d*) whether it is a fact that this closure of the main canal and other channels of the same have seriously affected the crops of zamindars in that Division;

(*e*) whether it is a fact that zamindars have been charged in the Rohri Canal division revised higher rates than the previous years in spite of the irregularity and deficiency of water through Barrage canals;

(*f*) whether Government are aware that, owing to bad crops and low prices, zamindars of this Division are unable to pay land assessment at the increased rates;

(*g*) what the arrears of land revenue are for the last year for both the seasons;

(*h*) whether Government propose to remit any portion of the land revenue due at higher rates by way of rebate as compared to old rates

for the first year of the flowing of the Barrage waters in order to give some relief to the zamindars;

(*i*) whether it is a fact that several associations and individuals have petitioned to Government for the rebate mentioned above, and, if so, what reply has been given to them by the Government?

The Honourable Sir GHULAM HUSSAIN: (*a*) and (*b*) There were some breaches in the main Rohri Canal due to the banks being green. The details of the breaches are given below:—

Kharif season of 1932—*Rohri Division.*

There was only one breach, i.e., on the 30th September 1932, as a result of which the canal was completely closed. This was for a few hours only and the full required discharge was admitted within 30 hours of the occurrence of the breach.

Dad Division.

There were six minor breaches and on each occasion the main canal was only partially closed for a few hours.

Hala Division.

There were only two breaches during the season. The first breach occurred on the 5th May 1932 and was closed on the following day. The second breach occurred on 11th July 1932 and was closed on 13th *idem*. On both occasions the Main Canal was only partially closed.

Rabi 1932.

Dad Division.—There were three breaches during the season which were promptly closed by partially reducing the water level in the Main Canal.

Kharif 1933.

Dad Division.—There were two breaches during the season and they were promptly closed by partial reduction of the water level in the Main Canal. In addition to the above the Main Canal had to be closed for 8 days from 18th to 25th June 1933 to carry out repairs to the damaged payment of the Chanesar Cross Regulator.

Hala Division.—There were two breaches in the Rohri Canal in this Division. The first occurred on the 22nd May 1933 and was closed on the 24th *idem*. The second occurred on the 12th June 1933 and was closed on the following day. The Rohri Canal below Kumb Darun was closed for 56 hours in the case of the first breach and for 26 hours in the case of the second.

The breaches referred to above occurred before the demand for water reached its maximum. In one case the Main Rohri Canal was completely closed at its head. In all other cases the gauge at the head of Rohri Canal was lowered for a few hours and full supply levels above Cross Regulators were maintained to feed all the channels taking off above the site of the breach.

(*c*) Several breaches occurred in distributaries and minors owing to the banks of the channels being green. They were, however, entirely local

in their effects and were promptly closed, mostly without closing the head regulators of the distributaries.

(*d*) The crops suffered to some extent on account of the closure of the Rohri main canal and its channels in the Nawabshah District during the years 1932–33 and 1933–34. In the Hyderabad District the closures during 1932–33 did not affect the Hala and Hyderabad Divisions. In the Nasir Division, however, they affected the acreage of kharif crops but not their yield. During the current year the breaches did not affect the Hala Division. In the Hyderabad Division there was no closure as a result of breaches in the distributaries, minors and water courses. The main canal supply below Uderolal was not stopped for such length of time as could affect cultivation in the end. In the Nasir Division, the distributary closures affected only the Tando Bago and Digri talukas and there also the effect was counteracted by heavy rains of July 1933. The effect of breaches on main Rohri Canal in that Division had mainly been to reduce the area under crop but not the value of the crops raised.

(*e*) The revised rates of assessment were levied in areas affected by the Barrage wherever Barrage water was available. Where Barrage water was not available, the old rates of assessment were charged, the difference between the old and new rates being remitted. In cases where there was failure of crops on account of deficiency of water supply, ordinary "fasli" remissions were granted.

(*f*) The zamindars whose crops failed did experience some difficulty in the Nawabshah District in the payment of Government dues. As regards the Hyderabad District, no substantial variation has taken place in the revised settlement rates so as to render the zamindars incapable of paying their dues.

(*g*) The arrears of land revenue in the Barrage area for the last year for both the seasons are as under :—

	Rs.
Hyderabad District	66,560
Nawabshah District	1,00,694

(*h*) The rebate of land revenue assessment on account of revised rates due to the Barrage Settlement was sanctioned by the Commissioner in Sind. A copy of his order is placed on the Council table.

(*i*) No petition from any Association or individual to the address of Government was received. A representation was, however, received from the Taluka Development Association, Tando Allahyar, to the effect that the lands settled on Ghalu Canal in which water was supplied ex-Rohri Canal, should be assessed at the old rates, but their objections were overruled.

No. 14098-B.

Revenue Department.

Office of the Commissioner in Sind.

Government House, Karachi, 28th December 1932.

MEMORANDUM.

With reference to his letter No. 4992-R, dated the 28th September 1932, the Collector of Thar Parkar is informed—

(*i*) that in view of the late receipt of Government orders sanctioning the revised assessments, the Commissioner accepts his proposal that the new rates should not be shown in the accounts of the year 1931-32.

(*ii*) where the revised assessments have been reduced, the special remission sanctioned in 1931-32 should be calculated on the reduced assessment. Thus the total credit to be given in such cases will be—

(*a*) of the difference between the old and the new rates of assessment, and

(*b*) of the amount of special remission calculated on the revised assessment.

Where the credit already given on account of special remission has been calculated on the former assessment, the amount of credit to be given in respect of (*a*) should be reduced by the difference between the special remission calculated on the former assessment and that calculated on the revised and reduced assessment.

By order,

(Signed) H. T. LAMBRICK,
Assistant Commissioner in Sind.

To

The Collector of Thar Parkar.

CEREBRO-SPINAL MENINGITIS.

Dr. M. K. DIXIT: Sir, may I request the Honourable Minister for Local Self-Government to inform this House regarding the state of affairs of the epidemic of cerebro-spinal meningitis prevalent in Ahmedabad?

The Honourable Khan Bahadur D. B. COOPER: Sir, according to the information at my disposal, I can say that the outbreak of cerebro-spinal meningitis at Ahmedabad is on the whole showing signs of decrease. The number of daily attacks steadily fell from 10 till the 16th instant, on which day there was only one attack. On the 17th and 18th however, the daily number rose to 6 attacks. The total number of persons attacked up to 19th March 1934 is 315, of whom 128 died. The prompt and effective measures taken by all the authorities concerned did not allow the epidemic to spread beyond control. The hospital accommodation and treatment provided by the municipality is very good, and there is sufficient room for the immediate requirements in Wadilal Sarabhai Hospital, and it is not necessary to open the Gujarat Vidyapith at present, which has recently been placed at the disposal of the municipality by Government. Schools, colleges, cinema theatres and other places of amusement are still closed. The order prohibiting meetings of more than 50 persons continues to be in force. Caste dinners are discouraged, and recently the Friday bazaar has also been stopped.

The Director of Public Health visited Ahmedabad on 15th and 16th instant. A conference was called to discuss the preventive measures to be taken in the mills at Ahmedabad. At this conference the President and the Secretary of the Millowners' Association, the Assistant Director of Public Health, the Medical Officer of Health, Ahmedabad Municipality, the Certifying Surgeon and the Secretary, Sanitary Association, were present. The Director of Public Health agreed with the Medical Officer of Health that it was neither advisable nor practicable to close the mills, but he recommended that the mills should be sprayed with disinfectants through the humidification plant or by sprayers, and the spraying should be done three times a day. The representatives of the Millowners' Association promised to have this done as soon as possible.

[Khan Bahadur D. B. Cooper]

The bacteriologists from the Haffkine Institute have made cultures on the spot and have isolated the organism, with a view to prepare vaccine for prophylaxis. A particular strain, when identified, can be utilised for preparing a specific serum for treatment. Serum available in the market is generally made from different strains and is not as potent as the serum made from the specific strain.

Dr. M. K. DIXIT: May I know when it is likely that serum from specific strains could be made available?

The Honourable Khan Bahadur D. B. COOPER: It is likely that serum from specific strains would be available by the next cold weather.

Mr. B. S. KAMAT: May I know if cases have occurred in other towns of the presidency, and, if so, in which towns?

The Honourable Khan Bahadur D. B. COOPER: That information is not at my disposal now.

ARTICLES IN "PEARSON'S MAGAZINE" AND "BOMBAY SAMACHAR".

Mr. A. K. RESALDAR: Sir, I would request the Honourable the Home Member to inform the House whether Government intend to forfeit the defamatory articles published in *Pearson's Magazine* and the *Bombay Samachar*, as the Punjab and Madras Governments have done.

The Honourable Mr. R. D. BELL: Sir, I understand the legal position is that the Punjab Government having proscribed the article in *Pearson's Magazine*, it is equally proscribed in the Bombay Presidency, and it is not necessary for the Bombay Government to take any further action as regards the *Pearson's Magazine*. The action, if any, which will be taken by Government in regard to the local newspaper is still under consideration.

Mr. A. K. RESALDAR: May I enquire whether Government have received any resolutions or representations asking for permission to file a complaint against the publisher?

The Honourable Mr. R. D. BELL: That is also under consideration.

Mr. SHAIKH ABDUL MAJID: May I understand that the particular issue of the *Pearson's Magazine* has been confiscated by the Bombay Government?

The Honourable Mr. R. D. BELL: If any copies are discovered, they will be confiscated.

Mr. SHAIKH ABDUL MAJID: May I know what is the position of the vernacular newspapers which are publishing the translations of the article in *Pearson's Magazine*?

The Honourable Mr. R. D. BELL: They are also covered by the order of forfeiture.

Mr. SHAIKH ABDUL MAJID: Will Government take steps to see that the translations are not published by the vernacular press, and if

[Mr. Shaikh Abdul Majid]

any translations have been published—as I know that they have been published and there is an agitation among the Muslim public about it—the issues of the newspapers in which the translations have been published are forfeited and confiscated ?

The Honourable Mr. R. D. BELL: The newspapers that have published it are liable to confiscation.

CONDOLENCE RESOLUTION re: LATE SARDAR Sir RUSTOM VAKIL, Kt.

Mr. B. S. KAMAT: Mr. President, the resolution which it is my unfortunate lot to place before this House is as follows:

"This Council places on record its sense of deep regret at the sad death of the late Honourable Sirdar Sir Rustom J. Vakil and its appreciation of his services to the Presidency as Minister for Local Self-Government which were characterised by conspicuous ability, industry and uprightness of mind."

I am sure, Sir, that it would be conceded that I am not only giving expression to a conventional feeling if I say that our late departed friend had endeared himself almost to every one in this House by very many qualities of his head and heart. It is not my purpose to give to-day any biographical outline of the career of the late Sir Rustom before he came into this House. I shall content myself with our association with him as Minister of Government during the last three years, although it is necessary for me to state that the late Sir Rustom came into the Council with sufficient experience of local self-government both in connection with the municipalities and the district local board of Ahmedabad. I have chosen for the purpose of this resolution three outstanding qualities of the late Sir Rustom, namely, his conspicuous ability, industry and uprightness of mind. I believe so far as the quality of uprightness of mind is concerned, there could be no two opinions on that subject. Even the special Government Gazette which was published soon after his unfortunate death mentioned the broad outlook which Sir Rustom used to bring to bear upon consideration of questions committed to his care. What I mean by his broad outlook or uprightness of mind is frankly speaking the fact that the late Sir Rustom had no communal bias whatsoever in the discharge of his duties, a great qualification in these days when we find almost on every question communal consideration is brought to bear either openly or otherwise.

As regards his industry, I believe it is perfectly patent to every one in this House from the number of Bills which late Sir Rustom piloted through this House that he was a man of great industry. The four Bills which stand to his credit are the Bombay Improvement Trust Amalgamation Bill, the Weights and Measures Bill, the Village Panchayat Bill and the Karachi Municipal Bill. The subject matter of these four Bills had been hanging fire for many years, some of them for 12 or 13 years. We must imagine the labour that must have been bestowed by the Minister and his Secretaries on these four outstanding Bills before they were ready in a cut and dried form for consideration

[Mr. B. S. Kamat]

by this House. In these days, Sir, what we non-officials expect from the Honourable Ministers is at any rate a great deal of industry. It does not suffice for an Honourable Minister to be separated from his eider down at 9 a.m. and commence his day at that late hour. If he is to satisfy this side of the House he has to show a great deal of energy in looking into the files and papers. I am told that it was the habit of the late Sir Rustom to begin the day very early, to attend office from 10 or 10-30 and continue to work till about 4-30 in the afternoon, a very wholesome practice indeed, if a Minister has to go through his papers. His industry is also exemplified from the fact that, while answering supplementary questions, we found him ready with as much information about the questions as it was possible for a man to carry in his head. He never unnecessarily pressed for notice for supplementary information. These features of his career were really exemplary and it is indeed a pity that he was cut off rather suddenly in life.

His services to the presidency through this House were indeed conspicuous inasmuch as he placed on the statute book the four important Bills to which I have just now referred. For these reasons he had endeared himself to this House and his example, so far as the discharge of the duties of a Minister is concerned, will be a very conspicuous example indeed for every Minister, in fact for his successors to follow. I trust this House will place on record a very warm appreciation of the services of the late Sir Rustom and I am certain that you, Sir, will convey to his bereaved family the warm tribute we are paying to his memory and his services, as I have just mentioned, through the various Bills. I hope this resolution will be carried in the usual manner.

Question proposed.

Rao Bahadur R. S. ASAVALE (Bombay City, North): Sir, I rise to associate myself with the resolution that has been moved by my honourable friend Mr. Kamat. I endorse every word that has fallen from his mouth as regards the qualities of head and heart of the late Sir Rustom Vakil.

Rao Bahadur S. K. BOLE: Sir, I fully associate myself with the sentiments expressed in the resolution. Sir, the late Sir Rustom, though he was not a lawyer, still he was a man of sound commonsense. He did his work very ably and very efficiently. Though he was born with a silver spoon in his mouth, still he had a soft corner in his heart for the poorer classes. Though he was a Parsi, still he was an Indian first and Parsi afterwards.

Sir, he piloted in this Council four Bills that have been mentioned by the honourable mover of this resolution very successfully. He used to work hard and did not care for his health. That brought about his end so suddenly. He died in harness. May his soul rest in peace! That is my prayer.

Mr. G. S. GANGOLI (Kanara District): Sir, I rise to associate myself with the honourable mover of the resolution. So far as my having

[Mr. G. S. Gangoli]

come into contact with the late Sir Rustom is concerned, he was very kind towards me and I always found him a perfect gentleman. He was never actuated by any communal feeling. He was ever above communal and party things. With these words, I associate myself with the feeling of sorrow at his sad death.

Mr. P. R. CHIKODI (Belgaum District): Sir, on behalf of Karnatak, I wish to associate myself with the sentiments expressed in the resolution moved by my honourable friend Mr. Kamat.

Mr. SHAIKH ABDUL MAJID (Karachi District): Sir, I associate myself with the tribute paid to the late Sir Rustom Vakil. So far as Sind is concerned, he has left the Karachi Municipal Bill as a monument to his memory. I pray that his soul may rest in peace.

Mr. A. C. OWEN (European, Presidency): Sir, I very warmly associate myself, on behalf of the European group, with the sentiments expressed in the resolution.

Rao Bahadur N. E. NAVLE (Ahmednagar District): Sir, I associate myself with the sentiments expressed by my honourable friend Mr. Kamat. We are all very well aware of the great qualities of head and heart of the late Sir Rustom. He was very generous in his views and always tried to help members inside as well as outside the House. I have to express my deep sorrow at his sad death.

Rao Bahadur R. R. KALE (Bombay University): Sir, while I fully associate myself with the sentiments expressed by the honourable mover and others, I wish only to point out one trait in the character of the late Sir Rustom which really struck me as peculiar, that is, the desire on his part always to learn the point of view of the other side and to try to meet it as far as he possibly could. That is a very necessary trait in the case of one who is a Minister in the real sense of the word. That is to say, he always desired to minister to the wants and needs of the people as they were presented in this Council by the elected representatives. That trait I had personally known in him on many an occasion and for which I felt grateful to him. That trait marked him out as one who rendered valuable service to the population.

Mr. J. B. PETIT (Bombay Millowners' Association): Mr. President, I desire to associate myself with the general tenor of the resolution moved by my honourable friend Mr. Kamat and to give expression to my deep feelings of regret and sorrow at the sad demise of our late lamented friend and Minister, Sir Rustom Vakil. In his death, the members of this House have lost an esteemed and worthy colleague; and the public life of the Presidency, a valued and zealous worker. It is a pity that he has been cut off at a time when he was shaping so well and putting in so much hard work and energy in the discharge of his onerous duties, as was more than amply exemplified by the three important measures which he recently piloted through this House with such conspicuous success. I mean the Village Panchayat,

[Mr. J. B. Petit]

the Karachi Municipal and the Improvement Trust Amalgamation Bills, all of which have now become Acts of the Legislature.

We beg accordingly to offer our most sincere and heart-felt sympathies to the members of his family in their sad and irreparable bereavement.

Sardar Rao Bahadur B. R. NAIK (Surat District): Sir, I desire to associate myself with the sentiments expressed by the honourable mover and other honourable members who preceded me in paying tribute to the services of the late Sir Rustom to this House and to the whole presidency. Sir Rustom hails from the Northern Division to which I belong. We, the members coming from Gujarat, feel and appreciate how useful he was to the division which he represented in this honourable House. He had one great quality, that is, he was amenable to each and every member without distinction of caste or creed. Sir Rustom was a great merchant. He was a first class Sardar and also a Knight. I know that any member of the public or of this House could easily approach him if he so desired. That was one of his great qualities. He proved himself very successful in this House. He endeared himself to every honourable member, because he was a businessman, and, as such he knew how to win the hearts of members of this side of the House as well as members on the other side. Therefore, he proved himself successful in his administration. Sir Rustom brought with him a great deal of experience of local self-government, as has been pointed out; and also he had wide knowledge of other countries of the world. He was a man who had travelled wide; he had been to America, England and other European countries; and he had gained much experience from his travels. This experience helped him to carry on the administration of the presidency as a Minister of Local Self-Government. The four measures that he gave to us will remain as monuments to his memory during all time to come. Therefore, on behalf of Gujarat—I think some of my honourable friends will echo my voice—on behalf of Gujarat, I heartily associate myself with the resolution.

Dr. P. G. SOLANKI: Sir, I heartily associate myself with the remarks of sorrow and regret at the sad demise of the late Sir Rustom Vakil. Sir, the late Sir Rustom came here as a businessman, and this House was anxious to know how he would behave himself as a Minister. This House soon saw how he took to his work and conducted it so ably in this House. He attained success by dint of his industry and merit. Though he did not belong to any party in this House and worked independently, he won the affections and got the co-operation of all the members of this House. Though he was born with a silver spoon in his mouth, he never was indifferent or discourteous to either the poor or the rich. Coming from a rich family of Parsis in Ahmedabad and Gujarat, he worked here as a friend of the people and worked for the betterment of the public at large. In order to pilot the four Bills through this House, he gave up his rest and comfort. He toiled till the end of his

[Dr. P. G. Solanki]

life, and as my honourable friend Rao Bahadur Bole stated, he died in harness. Even though he was ailing and keeping indifferent health, he worked day and night, from morning to evening, day in and day out, for those measures. Those measures he piloted through this Council, and they will remain for ever as monuments to his industry and perseverance in the annals of this Council. Although he was a businessman and not a constitutional lawyer, yet he studied the clauses of the Bills in a thorough way, and did his work so satisfactorily that none on the opposite benches could say a word of dissatisfaction about his work. He was social with all and made no distinction between Hindu, Mahomedan, Parsi and any other caste. The Parsis as a community are known for their singleness of purpose and wherever they go they render meritorious services to the public and to their community. As a true member of that community, Sir Rustom served the public as well as his community. His death is a great loss to his family, but a greater loss to Gujarat and the people of this presidency. Sir, I fully associate myself with the remarks of my honourable friends who spoke before me.

Dr. J. ALBAN D'SOUZA (Bombay City, South): Sir, on behalf of the Indian Christian community of the City and of the presidency, I heartily associate myself with all the sentiments expressed on the great and irreparable loss we have suffered by the demise of our late friend and colleague Sir Rustom Vakil. Time will never succeed in effacing from our minds and hearts the impress of his career in this Council and this presidency as a popular Minister of His Excellency's Cabinet, as an ideal citizen of this presidency and as a member of society who possessed all the qualities that go to make a perfect gentleman. Sir, his accessibility, his kindliness of ways and manners and, above all, his great devotion to duty will always be remembered by those who came in contact with him. With these words, I heartily associate myself with the resolution before the House.

The Honourable Sir GHULAM HUSSAIN: Mr. President, on behalf of myself and my colleagues on the official benches, I wholeheartedly associate myself with the remarks of the previous speakers. Sir Rustom's death came as a rude shock to me while I was touring in Sind, because when I left Poona he was quite hale and hearty. He was not only an esteemed colleague of ours, but a friend of us all. His death has been a loss not only to his friends and relations, but also to Government, to this honourable House and to the presidency. He was an able and experienced administrator and was loved and esteemed by all.

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, on behalf of the Transferred half of the Government, I support the resolution and associate myself with every sentiment that has been expressed by the Honourable the Leader of the House and the honourable mover of the resolution. I wish to add, Sir, that the late Sir Rustom's broad outlook, his industry and his co-operation with his colleagues were of a very

[Dewan Bahadur S. T. Kambli]

high order, and, as such, much valued and esteemed by his friends and colleagues. With these words, I support the resolution.

The Honourable the PRESIDENT: Before putting the resolution to the House, I wish to add a few words. I had known Sir Rustom many years before he and I came into the Council, and, after his coming into the Council, I remained in close personal touch with him until his death. The Honourable the Leader of the House has stated that when he left Poona, he found Sir Rustom hale and hearty. So did I even a few days after that. But soon after, we heard of his unfortunate demise. In his death Government have lost an able member of the Cabinet, the House a popular Minister in the real sense of the word, and individuals, who knew him, an esteemed personal friend. I hope the House will rise in accepting the resolution.

Resolution put and carried, all members rising in their places.

CENTRAL BOARD FOR PRIMARY AND SECONDARY EDUCATION.

Question proposed:

"This Council recommends to Government to constitute a Central Board for primary and secondary education composed of representatives of the Bombay Government, school boards of local authorities, the University, Labour organisations and of educational bodies to advise the Minister of Education in preparing a well-considered scheme, after a thorough revision of the curricula in primary and secondary education, to give effect to the principles and recommendations laid down and made in the Report of the Committee on Primary and Secondary Education in 1929."

Rao Bahadur R. R. KALE: Sir, this resolution was moved and postponed at the last session. May I say a few words now to supplement my remarks?

The Honourable the PRESIDENT: That is not the procedure. The honourable member can reply to the debate. (*After a pause.*) Well, if no honourable member wishes to speak, I will call upon the Honourable Minister to reply.

Rao Bahadur S. K. BOLE: Sir, what is wanted is mass education. In spite of the passing of the Primary Education Act, primary education has made no appreciable progress in the presidency. Sir, the percentage of literacy has advanced during the last century only by 2 per cent., it has increased from 6 per cent. to 8 per cent. It will be seen from the figures published that while 1,100,000 children are taking education in primary schools, nearly 1,900,000 children of school-going age are out of school. So, provision is required to be made to give education to these children. But, as the finances of Government, as also the finances of the municipalities and district local boards, are not in a good condition, how that is to be achieved is a great problem. But that problem is solved by Mr. R. V. Parulekar, the Secretary of the Bombay Municipal Schools Committee. He has written a pamphlet entitled "Mass Education in India, with special reference to the Bombay Presidency." He has written this not as secretary of the Bombay Schools Committee,

[Rao Bahadur S. K. Bole]

but in his own personal capacity : the opinions are his own ; the Bombay Schools Committee has nothing to do with them. What we are going to achieve is efficiency neglecting expansion, but that procedure was not followed in England, Germany and Japan. They first tried to have expansion rather than efficiency. I think what is wanted by the masses is the knowledge of the 3-R's, reading, writing and arithmetic—simple arithmetic. Now, they have been burdened with so many subjects and that requires much expenditure. Sir, Mr. Parulekar in his pamphlet has made these suggestions : (1) Increasing the number of pupils per teacher from 30 to 60. In European countries that procedure was followed. We have got hundreds of villages which have got no schools. There, they have tried to provide every village with one school. Where a sufficient number of pupils was not forthcoming, then the teacher was required to attend two schools in two villages. One was held in the morning and the other in the evening. The second suggestion was for reducing the period of the primary school course from 5 to 4 years. The third suggestion is the simplification of the curriculum. In England, when provision was made for primary education, they tried to have simple curriculum and no complicated curriculum was adopted. There the curriculum was very simple, but after having achieved expansion, they are now trying to have efficiency. The fourth suggestion relates to the raising of the minimum age of admission from 6 to 7. The fifth suggestion is for the adoption of the shift system or some variation thereof. These remedies were adopted in many European countries and even in Japan. Sir, in England, Japan and Germany, the percentage of literacy is 90 per cent. ; but here we have got the percentage quite the reverse. So, unless Government pay attention to expansion rather than efficiency, our masses will not be educated.

With these words, I resume my seat.

Dr. P. G. SOLANKI : Sir, I would like to make a few observations on the resolution moved by the honourable member Rao Bahadur Kale. This resolution has been brought, I believe, with the object of revising the curriculum and establishing a central board to look after secondary education and primary education.

It has been rightly said by the honourable member Rao Bahadur Bole that the pressing need of the country at present is not secondary education but primary education for the masses. We have seen in the Quinquennial Reports of the Director of Public Instruction that primary education, which ought to have been made compulsory throughout our Presidency and a scheme for which was laid down by our popular Minister Dr. Paranjpye, has not been made compulsory. Some hitch came in the way, either financial stringency or the apathy of the people to whom these activities were entrusted, or the indifference which was and which is being shown by the people who are the custodians of education in this country. The result is that the masses have suffered and are suffering still.

As has been rightly pointed out by the honourable member Rao Bahadur Bole, there are hundreds and thousands of villages in this

[Dr. P. G. Solanki]

Presidency which have not got any primary schools where children can get education in the three R's. Instead, Sir, we find in certain centres and cities and towns of this Presidency the advanced classes mustering strong and starting high schools and middle schools and even colleges for the boys and girls of the advanced classes. Sir, the percentage of population of the advanced classes—I mean the Brahmins, Prabhus, Banias, Bhatias, Jains and such other castes—to the total population of this Presidency is 7·3, while that of the intermediate classes, amongst whom are included all other non-Brahmin Hindoos as well as Marathas, Kunbis, Kolis, cultivating classes, artisans, etc., is 58·8 and that of the backward classes, including aboriginals, hill tribes, criminal tribes and the depressed classes, is 21 per cent. out of which the depressed or Scheduled castes (untouchables) are 10 per cent. and backward including wild tribes, aboriginals, etc. 11 per cent. The Muslim population is 8·8 per cent. of the total population of this Presidency. Now, compare these figures with those relating to the spread of education. Most of these advanced classes, Sir, are, I should think, cent. per cent. saturated with education. Now, the idea of my honourable friend Rao Bahadur Kale is to establish a central board to bring about certain changes by way of simplifying curricula for primary and secondary education and which might help secondary and higher education and its growth.

Rao Bahadur R. R. KALE: No, no. Primary and secondary education.

Dr. P. G. SOLANKI: I fully sympathise with secondary education. I sympathise with his object of spreading it on a wider scale among the children of the masses. I would request my friend Rao Bahadur Kale to send highly intellectual young men from the Brahmins and other advanced communities to the villages and start primary and secondary schools for the purpose of educating the masses—their own countrymen—who are pining away without education. At the same time I request Government to give some subsidy or allowance to such young men who go out of love to spread education in the villages. Sir, it is the noblest profession, a profession which was being followed by the old Rishis and Munis. These Rishis and Munis, who lived in the jungles, started Gurukuls, or places where the children of the poorest could get education along with princes. These Rishis and Munis used to send their disciples to the villages to educate the people. This is a story of the golden past of India. The decline set in after the rule of the Pandavas and the disastrous war of the Mahabharat on the Kurukshetra 8,000 years ago. I am talking of the period between the decline of the rule of the Buddhist Princes and Buddhism, and the commencement of the present era. The most brilliant period of the Buddhist era was when they used to send their disciples to the whole of India and abroad for the spread of education, spiritual and secular. After the decline of the Buddhist rule, the foreign invasions from Greeks, Persians and Mahomedan Arabs, Afghans and Pathans followed. These were the darkest days for India. Education went into the background. Naturally, the people coming from

[Dr. P. G. Solanki]

foreign countries could not have sympathy with the people of India and their education. They themselves were illiterate and the people round about these Mahomedan and Moghul sovereigns belonged to the advanced Hindu communities with their narrow ideas of orthodoxy and apathy and indifference towards the general public and illiterate masses. Such men were their advisers. The same system came down to the present times when the British came and took possession of India. In the earlier days of British rule they had issued certain circulars and resolutions regarding the educational policy of the Government to be followed throughout the British possessions in India and which were read out to us by our honourable friend Moulvi Sir Rafiuddin Ahmad in this Council a year back that education was to be confined to Brahmin classes only and should not be spread to non-Brahmins and the masses. That was the woeful tale of education in the early days of British rule. In our days a lot of money is being wasted on secondary and university education which does not in any way benefit the masses. It is only recently that the cry for industrial education, for technical education and for vocational education has come to the forefront. I would appeal to this House that measures should be taken and special care should be taken to introduce industrial, technical, vocational and such other type of education along with primary education which will supply the wants of the people and the masses in the rural areas. I would put the greatest value on the spread of primary education among the masses than on university and higher education. The honourable member Rao Bahadur Bole said that nearly 11 lakhs of boys had taken to primary education but very few could reach the 4th vernacular standard. That means, lakhs and lakhs of rupees have been wasted on primary education. It is a pitiful sight to see children having to forego studies in schools owing to certain disabilities or hardships. It is the duty of the Government to come forward to tackle the question of primary education and particularly compulsory education and find out ways and means to help the children of these masses to take seriously to primary education. Unless the masses are taught the very fundamental principles of reading and writing and reckoning, unless they are taught the art of election, how are they going to exercise their right of vote and franchise?

Every time, Sir, the charge is laid against the Indian masses that they are illiterate and that they will misuse the authority given to them, that they will be corrupt and so on. Instead of these charges being levelled against these illiterate masses, they should be levelled against those who were and are the custodians of education from amongst the Hindoos and partly against the Government too. It is with great hesitation that I have to bring in the Government in this matter, but unless the Government moves its little finger in this matter, nothing can be done. There are many philanthropic persons who are willing to help primary education, but the rules and regulations and other restrictions laid down by Government restrict the activities of these people and the sympathies of these people are alienated——

An Honourable MEMBER: Are you supporting or opposing this resolution?

Dr. P. G. SOLANKI: Have patience. I will come to that presently. Sir, I am in full sympathy with the object with which this resolution has been brought forward. The object is most laudable, namely, helping primary and secondary education. But our greatest want is primary education, which should go to the very door of the villagers in the mofussil and in rural areas. If money is spent on secondary and collegiate education, it will produce hundreds and thousands of graduates and undergraduates who will add to the number of the unemployed and take part in agitation and unrest in the country. Money spent on very high university education must now be spent on a very very large scale on compulsory primary education. It is high time that our educated young men went to the villages, mixed with the people and spread primary education among the people. It is the dire necessity of the people that they should be given primary education. Government should realise this and introduce compulsory primary education immediately; and secondary education will take care of itself. If the children are given primary education and they cultivate love for education, they will continue to learn and take advantage of secondary and university education. Much money has been spent lavishly over collegiate and university education. It is high time that we cried halt to university and higher education and spent more money for vocational training along with primary education as its basis. Sir, though I feel sympathy for the resolution, I have got my own doubts as to who will be working on the Central Board even if it is going to be started. It is only people from particular communities who will go on that board and there will not be the voice of the masses, there will not be the voice that will echo the sentiments and the feelings of the poor people in the mofussil and the villages and labour, and those who may be coming on the board to represent labour will be persons like my honourable friend Mr. Bakhale or some other honourable member or some other gentlemen from the Brahmin or other community who may take up the cause of labour. As I have been saying always, bona fide representatives of labour and the backward and the depressed should go on such a board and work as the colleagues of the representatives of other communities. Sir, with due deference and respect for my honourable friend Mr. Bakhale, I must say this that Mr. Bakhale may be an exception to the general rule and there were occasions when I have seen that Mr. Bakhale has risen higher than the occasion and associated himself with the desires and the claims and the wishes of the labouring classes as well as the backward and the depressed classes. But these are few and far between, honourable exceptions, but looking at the general trend of labour unions and their leaders, I am afraid that the people who will go on the board will be of such a type who may have very little sympathy with the aspirations of the labouring classes and the people at large, and very little regard for the uplift and the betterment and education of these illiterate people and they will probably be such people who always will

[Dr. P. G. Solanki]

have their own axe to grind, and achieve their own object in the name of these labouring classes. I congratulate the honourable the mover of the resolution which has a very laudable object, but, as I said, I have got my own doubts as to whether this Central Board will ever be able to work in a manner so as to benefit the masses. I therefore suggest that the House should consider well before this resolution goes through.

Dr. M. K. DIXIT (Surat District): Sir, I support the resolution moved by my honourable friend Rao Bahadur Kale. The chief point in the resolution is the establishment of a Central Board of Education. The honourable the previous speakers rambled into the general subject of education but I feel that this is not the occasion for speaking on education in general.

Dr. P. G. SOLANKI: Certainly, I can speak about the primary education.

Dr. M. K. DIXIT: The chief reason that they advanced in speaking on this resolution was whether the expansion of primary education should be given a preference to setting right the secondary education or not. We know that as soon as we approach the first point, namely, the expansion of primary education, we are confronted with the general cry of retrenchment. The whole Council, both the elected element and the official element, are at one that there should be expansion of primary education but the chief objection to that is want of funds. That is the general cry, and unless we are able to make good this want, it is not possible to expand further as we have been pointedly told, but that does not mean that we should allow our secondary education to rot. We all want the expansion of primary education. We want every child of this presidency to be educated, but if that is not possible at this stage, it does not mean that we must stop short and allow our secondary education to go to dogs. The chief function of this Central Education Board will be to prepare a scheme after taking into consideration the various curricula in primary and secondary education. There has been a general cry against the present curriculum that has been in force in primary schools and secondary schools. The curriculum has become so very heavy and loaded with subjects that boys find it very very difficult indeed to grasp things that are inflicted on them. The teachers have also complained very much; and even after finishing the primary final course, namely, the vernacular fourth standard, the children receive education which they are not able to assimilate well. The same cry is heard in secondary education also. So, what is needed is improvement and modification in curriculum to a suitable standard. Let us have a simple standard in primary schools, but let the children do it well; let not the children be burdened with several subjects and complicated teaching but let that be simple so that there will be acquisition of useful and sufficient knowledge. At present, so far as I see in Surat and in Gujarat primary schools, they have introduced even geometry and the use of compass boxes and things of that type to be done in very low

[Dr. M. K. Dixit]

standards and that has only added to the expenditure of primary education in buying materials for learning which poor parents cannot afford. The teachers have also found it very difficult to impart that kind of knowledge to the little ones who are not fit to receive it.

Sir, about secondary education, the Department itself has complained very bitterly against lowering of the standard in education. The way in which secondary education is conducted at present is that the boys have been overburdened with a number of subjects and a number of books but the total sum of useful knowledge that boys receive at the end of the secondary education is very little. They get quite a load of knowledge which they are not able to utilise in practical life—knowledge that they cannot utilise or apply to the practical problems of life is nothing else but a sort of dead weight on the brain. What is wanted is a change of the curricula in such a way that the knowledge that will be imparted to the boys will be useful to them in their daily life and in the practical problems of their after life. At present, that is not the case and the boys are complaining and the teachers too are complaining about it. So, all that is needed is to have a Central Board which will consist not of backward or depressed representatives of the masses as was pointed out by my honourable friend Dr. Solanki but men who are real experts in the science and art of education. You must have on the Board of course representatives of Government, members from school boards of the presidency and some men who are not actually labourers or working as labourers but who know the needs and wants of the children of the labouring classes, to fix the curricula. With these words, I support the resolution moved by my honourable friend Rao Bahadur Kale.

There is one point to which I wish to refer and that is that the present system of education is fearfully rigid. There is no freedom either to the teacher or to the boys, it is a sort of a wooden, dead system which must be made living and elastic, and therefore, while appointing these members on this Board, great care must be taken to see that experts with up-to-date knowledge, who are conversant with educational methods in the European countries as well as in other countries like Japan which are very far advanced in educational methods, men who have some knowledge of the science and art of education prevalent in foreign countries, should be taken on the Board, men with good experience, men who have travelled abroad and who are conversant with Japanese and other methods.

There is one point which my honourable friend Dr. Solanki suggested and it seemed to me to be a very significant point and that is about his request to the honourable member Rao Bahadur Kale to send out highly cultured Brahmins to the villages to give education——

Dr. P. G. SOLANKI: Men who can go to the villages and give primary education.

Dr. M. K. DIXIT: He expects, I suppose, that highly cultured Brahmins can impart education more efficiently than backward depressed classes.

Dr. P. G. SOLANKI: An ordinary Brahmin is more suitable for giving education in the villages. It was the monopoly of the advanced classes to give education in the olden days.

Dr. M. K. DIXIT: I am glad that he has agreed to that point at least once. He wants the Brahmins to do that much sacrifice. I may point out what the late Justice Ranade said:

"It is the privilege of the Brahmin to be the bearer of learning. A Brahmin is always anxious to make a sacrifice for the sake of the poor people. His two chief qualifications are that he is learned and he does not mind poverty."

I am sure that the advanced classes, namely, the Brahmins, will go down to villages and do the work of teaching the masses.

Sir, the honourable member Dr. Solanki also talked about the wastage. I thoroughly agree with him that there is a lot of wastage in primary education, because the curriculum is very complicated and therefore there is bound to be wastage. I know of an instance in the village in which I live. One boy who was admitted into the primary school at the age of seven years became ten years of age and was still in the Infant class!! That shows the progress of education. Mentally he is all right.

Mr. B. S. KAMAT: Is that a Brahmin boy?

Dr. M. K. DIXIT: It could not be a Brahmin boy. He is the son of my own *Mali*. He is mentally all right. It is a one-teacher school and you can understand how much one teacher can teach three standards that are under his control. So, what is wanted is a simple curriculum. I am sure the boy can go forward if he is promoted, but because he cannot satisfy the teacher in the examination in the particular subjects of his class, he is not allowed to go up.

Rao Bahadur R. S. ASAVALE: He is a Mali boy and therefore he is not promoted.

Dr. M. K. DIXIT: The children in that school are all Mali boys.

With these words, I support the resolution.

Mr. R. R. BAKHALE: Sir, I rise to support the spirit underlying this resolution. I say 'the spirit' because I am not sure whether a central board is the right machinery by which the object the honourable mover of the resolution has in view can be achieved. I also feel that the honourable mover of this resolution is not likely to be very keen on the machinery of a central board and nothing else. What he wants is to give a big push to primary education as well as to secondary education. Whatever machinery you may adopt, I think if that machinery is proved to be effective, he will accept that machinery.

Sir, I do not propose to deal with secondary education today. But I would like to confine myself to the progress or regress that primary education has made during the last few years and the need for instituting some machinery to assist the Minister. Sir, after the reformed Councils came into operation, we had a primary education committee and we have also a Primary Education Act. But, Sir, the history of the last 10 or 12 years shows that we have not made progress in the

[Mr. R. R. Bakhale]

direction of increasing primary education among the masses. At present, Sir, as has been pointed out by the honourable members who preceded me, only about 6 to 8 per cent. of the total population are receiving education in our primary schools today. That is not a very happy state of affairs, and if the future constitution is to work satisfactorily, if the extended franchise is to be exercised carefully by our people, it is necessary that the Honourable Minister in charge of Education must do something by which the pace of compulsory primary education can be accelerated. Sir, out of 3,052,000 children of school-going age in this presidency, we have got only 1,140,000 children who are going to school today. If adequate provision for primary education for all the children of school-going age is to be made, the present provision has got to be trebled, and if the present provision is to be trebled, what is the expenditure that we are likely to incur? At present, we are spending only Rs. 2,05,00,000 on primary education, of which the Government contribution is Rs. 1,18,00,000 or about 58 per cent., the contribution by local bodies is about Rs. 64,00,000 or about 31 per cent. and the income from fees and other sources is about Rs. 23,00,000 or about 21 per cent. That is to say, for those boys who are receiving education today, Government, the local bodies, including fees and money from other sources, are spending per pupil in the school about Rs. 18 per year. I want to know why we are spending Rs. 18 on a pupil for primary education, when Bengal is spending only Rs. 4-4-0. I want to know why Bombay is spending Rs. 18-11-0 when Madras is spending only Rs. 8-6-0. These are questions which it may be difficult for the Honourable Minister to consider from day to day.

The Honourable Dewan Bahadur S. T. KAMBLI: Not at all.

Mr. R. R. BAKHALE: If it is not so, I want to know why during his three years' regime the progress of primary education has moved backwards.

Rao Bahadur R. S. ASAVALE: Bombay city spends Rs. 48 per pupil per year.

Mr. R. R. BAKHALE: If at the present rate we are going to have compulsory primary education for 3,052,000 pupils, we shall have to spend nearly Rs. 5,50,00,000 per year on primary education alone, a proposition which is simply unthinkable at the present time. I want to know, Sir, if this proposition is unthinkable and if at the same time we admit that the pace of compulsory primary education has got to be accelerated, what is the alternative that the Honourable the Minister has in view? Sir, we are not satisfied with his education policy. We are not satisfied with his excise policy. We are not also satisfied with the policy of the other Minister in respect of Local Self-Government.

The Honourable the PRESIDENT: How is all this relevant?

Mr. R. R. BAKHALE: It is relevant in this sense, that the Ministers, the transferred half of the Government, we are dissatisfied with, and

[Mr. R. R. Bakhale]

therefore we want the Education Minister to be given some machinery which will be helpful to him in bringing about progress, not only in education, but in other matters as well.

From that point of view, my honourable friend Rao Bahadur Bole has referred to a small publication which is called "Mass Education in India", published by the Secretary of the Bombay Schools Committee, and he has there pointed out that as it is not possible to spend more money on primary education on account of the financial stringency of Government as well as of the local bodies, it is possible, with the same resources, to bring about the compulsion of a larger number of children in this presidency. I suggest to the Honourable Minister that he should try carefully to read that publication, and digest it to the best of his ability, so that some new ideas might occur to him, which he might be able to give effect to during the course of the period that he is on those benches. My honourable friend Rao Bahadur Bole pointed out that the number of students per teacher can be increased. What we find today is that we are taking model institutions in modern countries and trying to give effect to what is obtaining there, after those countries have attained almost perfection so far as their educational institutions are concerned. In England today it is true that the number of boys per teacher is about 30 or 35, and therefore we say that in our primary schools also the number of boys per teacher must be 30 and must not be more than 30. Is that a correct proposition? Sir, we are living at a time when we have to make beginnings in the direction of compulsion and the utmost that we can possibly do is to proceed cautiously as England, or Japan, or Russia had done in the past. Sir, take England, for example, and you will find that in 1865, that is before the introduction of compulsory primary education, the number of boys per teacher there was 63. After the introduction of compulsion in Great Britain, the number of students per teacher in 1880 was 53. In 1900, only 34 years ago, the number of students per teacher was 40 approximately; and in 1920 of course it was 32. Take, Sir, a country like Germany where primary education is compulsory and universal. In 1901 the number of students per teacher was 64; in 1916, 63; and in 1922, 45.

The Honourable Dewan Bahadur S. T. KAMBLI: What is the book from which the honourable member is quoting?

Mr. R. R. BAKHALE: It is "Mass Education in India" by Mr. Parulekar. The point that I want to emphasise is this, that when any country begins to introduce compulsion, it ought to give a drive, so to say, a big push and a big expansion, and then would come the improvement. But if you begin by building your institutions on model lines in the beginning, there will not be any improvement, but there will be stagnation. I therefore suggest that, if you want to spread primary

[Mr. R. R. Bakhale]

education on a very large scale, you must get rid of the idea that a teacher cannot teach more than 30 pupils or 35 pupils.

Take, Sir, another point to which a reference was made by my honourable friend Rao Bahadur Bole. Take the question of the compulsory age limit. What do we find to-day? In our primary schools throughout the presidency, there are nearly 100,000 children below the age of 6, which is the minimum compulsory age. How much are we spending on these children? We are spending on them quite a large amount. Is not that a clear wastage which we can stop? When we want primary education to be made compulsory within the quickest possible time, that primary education will become compulsory and useful to the public only when you raise the age limit of the boys, and prohibit by statute all children who are under 5 or under 6 from coming into the schools. The Honourable Minister nods dissent.

The Honourable Dewan Bahadur S. T. KAMBLI: I was reminded of the Bill of my honourable friend which was thrown out.

Mr. R. R. BAKHALE: It is bound to be thrown out so long as you are there. That is the difficulty. This interjection reminded me of a tragic wail given expression to by a very distinguished member of the Legislative Assembly. Like myself he was dissatisfied with some of the work of the Indian Members of Government. And what did he say? He said, almost with tears in his eyes: "The Indian Members of Government are getting fatter and fatter every day, while the European Members are getting thinner and thinner on account of the pressure of work." Well, Sir, we have got only one European Member on the front Treasury Bench, and I do not think, Sir, that he has got any margin left in him to get more thin. [*Laughter.*] While, look at the Indian Members. [*Laughter.*] I have been seeing them during the last several years, and I find, Sir, that their health has considerably improved.

The Honourable the PRESIDENT: All that also is relevant?

Mr. R. R. BAKHALE: That is relevant because it arises out of the interjection of the Honourable Minister. Otherwise, I would not have referred to it.

The Honourable Dewan Bahadur S. T. KAMBLI: No, Sir. My interjection was quite relevant.

Mr. R. R. BAKHALE: Therefore, my reply is quite relevant.

The Honourable Dewan Bahadur S. T. KAMBLI: I did not indulge in irrelevant talk.

Mr. R. R. BAKHALE: And therefore, my reply too was quite relevant.

[Mr. R. R. Bakhale]

However, the point I was making was this: with regard to the compulsory age limit, I suggest, as has been suggested by Mr. Parulekar in his pamphlet, that if you prohibit the entry of these small children into the schools, which involves the expenditure of a large amount of money on them unnecessarily, the moneys saved by stopping these children going into the schools you will be able to spend in a better manner on other children, say, of the age of 10 or 11. There is also.....

The Honourable the PRESIDENT: Only one minute more.

Mr. R. R. BAKHALE: Well, Sir, I will not take even half a minute.

These are some of the points referred to in this pamphlet and I suggest to the Honourable Minister that he should consider all the suggestions made in that book in the spirit in which he has made them; and I am sure that pamphlet will be very useful and helpful to him.

Rao Bahadur N. E. NAVLE (Ahmednagar District): I wish to offer a few remarks on the resolution moved by my honourable friend Rao Bahadur Kale. As one connected with primary education for the last ten years, as a prominent member of the Ahmednagar District School Board—with which I am connected as an officer and as a private member, —I feel I can say something about this resolution. I am going to confine my remarks to primary education. As regards the constitution of the board proposed by my friend, I am not prepared to express any opinion but as regards the overhauling of the curricula for primary education I have decided and pronounced views to express. As far as the working of the primary schools under the district local boards is concerned, we can see from the figures of expenditure and from the number of boys of school-going age that the percentage of expenditure per pupil is higher in Bombay than in other provinces. But the reasons for this high percentage are patent—we have to pay a higher salary to the teachers and pay higher rents for the school houses than in other provinces. I do not quarrel with the higher percentage as per pupil in Bombay. My difficulty is that the money spent is not well spent. (*Honourable Members*: Hear, hear.) There is great room for improvement in the present system. This improvement can be brought about by simplifying the syllabus for the primary schools. Take, for instance, the four primary standards. What is the curriculum? Why do you want in the village one teacher school grammar to be taught? Grammar is required for higher standards. The arithmetic prescribed for the lower standards such as the 1st, 2nd and 3rd standards is needlessly difficult. Why do you want to commence grammar with the 2nd standard? We know we have financial difficulty and we cannot provide more money for primary education. The question is whether we cannot with the money allotted bring about some improvement in the present curriculum and give a push, as the honourable member Mr. Bakhale has said, to our primary education.

[Rao Bahadur N. E. Navle]

The honourable member referred to the book published by Mr. Parulekar. I have read the book myself with great interest. Even in Japan when the question of mass education was tackled they followed a different system altogether. In regard to primary education we are following the system of countries which are far more advanced than India. We are following the ways of England. Have we their finance and have we the facilities they have, to copy their methods? They have got ample money to provide for their primary education. There is a special board in England and they can well afford to spend more money for primary education. India is a poor country; we are in straitened circumstances; and we cannot provide so much money. I think that we can give a trial to the systems mentioned in Mr. Parulekar's book. The rules prescribed by the department are so stringent and strict that the district local boards are not able to make much progress even on voluntary lines. I leave aside the Primary Education Act of 1923, because we know very well that on account of financial difficulties we cannot translate into action the provisions of that Act. We are now more concerned with progress of primary education on a voluntary basis. So, we must consider the question whether we cannot bring about a greater progress by pursuing better methods. I think there is great room for improvement by adopting the various devices which the learned Secretary of the school board of the Bombay Corporation has suggested in his book. If we allow the local bodies to follow and give a trial to those devices, I believe we can make a more rapid progress than at present. I think the present curriculum is very heavy especially in the village schools and the pupils find it very difficult. If we take the census of children of school-going age in the various schools, we find that there is a great leakage. Students vanish, because of the curriculum, which is very complicated. The result is that students do not go to the higher standards. If we want to have mass education we should have a simple curriculum for the village schools and a different one for the central schools which will be located in central places. In a district, say, you can have 30 or 40 central schools. You must have a special curriculum for the village schools, so that students can be pushed up with encouragement from one standard to another. Suppose there is a Marwari or an advanced class man in a village. He would not like his son or daughter to attend the village school. Let him send his child to the central school, where additional subjects which are not attended to by the village school will be taught. I am, therefore, in entire sympathy with the main object underlying the proposal of the honourable mover. I think if a committee is appointed—not so much on the lines contained in the resolution—by Government consisting of the chairmen of school boards, administrative officers and other experts, like my honourable friend the member for the Bombay University who takes an interest in primary education, we can thresh out the whole question and the curriculum could be so

[Rao Bahadur N. E. Navle]

simplified as to give a great impetus to mass education. With these words, I express my sympathy with the resolution.

(*The House adjourned for tea till* 5 *p.m.*)

(*The House re-assembled after tea at* 5 *p.m.*)

Mr. B. S. KAMAT: Sir, I do not wish to discuss the merits or demerits of the resolution before the House. I rise simply to ask for some information from the honourable mover, who unfortunately is not in his seat just now. The first point, which is in my mind is this. It seems that the previous speakers are assuming that it shall be the function of this committee, if appointed, to go into the very fundamental issues as regards the great push for primary education, the number of boys per teacher in the class room, and the cost per boy and so on. I wanted to know from the honourable mover whether, strictly according to the terms of his resolution, he intends that this committee should go outside the four corners of the recommendations of the Hesketh Committee of 1929, or wander over large questions of fundamental policy regarding primary education. And the second point——
I see the honourable mover is here now: shall I repeat it for his information?

The Honourable the PRESIDENT: Yes.

Mr. B. S. KAMAT: During the absence of the honourable member, Sir, I wanted some information from him, as the honourable mover of this resolution, and the information was this. It seems from the trend of the discussion so far, that many of the previous speakers have in their mind the idea that this committee, if appointed, should go into very wide and fundamental questions of policy as regards the expansion of primary education or questions like the number of pupils per teacher in the class room, or the cost to Government per pupil or the cost to local bodies per pupil. Now, if I read the resolution aright, I think he is expecting this committee only to carry into effect the recommendations of the Hesketh Committee of 1929. I should like to know whether he approves of the idea of this committee roaming over a very large and wide area of fundamental issues regarding educational policy in respect of primary education.

And the second point on which I wanted some information was, if the Honourable Minister is to nominate members to this committee according to his idea of who is an expert and who is not, then will this House accept the policy laid down by this nominated committee even when the departmental experts may not agree with that committee; will the ultimate responsibility be on the Minister, or, supposing he accepts the recommendations of the committee, will he be free from his constitutional responsibility to lay down the educational policy for the presidency?

Sardar BHASAHEB RAISINHJI, THAKOR of KERWADA (Gujarat Sardars and Inamdars): Sir, I would just like to make a few observations on the resolution moved by my honourable friend Rao Bahadur Kale. I had the honour of serving on the committee that was appointed by Government, and I can assure him that if only the report of the committee is acted upon by Government many of the grievances that are sought to be removed by this resolution will cease to exist. The real fact is this. If you look at the figures of the educational budgets, you will be surprised to see the large amounts spent up to now on higher education and the comparatively low quotas spent on primary education. More money, Sir, has to be made available for educating the masses. According to my honourable friend Mr. Bakhale, only 6 per cent. of the population is educated. The reason for that is simply this. Hitherto sufficient attention has not been paid to primary education and sufficient funds have not been available for that.

Mr. B. S. KAMAT: Is that in the Hesketh Committee's recommendations?

Sardar BHASAHEB RAISINHJI, THAKOR of KERWADA: That has nothing to do with the recommendations. In other civilised countries, you will find that higher education is imparted by private enterprise. In this country, you will find that every pie spent on higher education is made available by the State, and consequently primary education has suffered. Therefore, I very much doubt whether the appointment of a committee like the one advocated in the resolution will serve any useful purpose. The simple reason is this. Will it be possible for a committee to travel over such a wide area? A special advisory board to advise the Minister is not now necessary, because primary education has now been transferred to the local bodies. Every district has its own school board, and the school boards are the most suitable bodies to cater to the wants and requirements of their localities, Is it proposed that a board sitting in Bombay or Poona will serve any useful purpose, so far as primary education is concerned? The recommendation of the Hesketh Committee is that the education at present imparted in primary schools is not suitable to the conditions of the country. It is acknowledged also that the tendency of the present system of education is to send the boy away from his home and his vocation. As we all know, in an agricultural country like ours, we do not want to train all the pupils into teachers and assistant teachers. Therefore, I think the report should be acted upon. The question is about money. If the House supports the Honourable Minister in reducing money somewhere else and giving more to primary education, I am sure that the difficulty that is found now will disappear. The remedy lies not in the appointment of a committee—we seem to be fond of appointing committees nowadays merely to deliberate for years—but in finding more money. I think the best remedy to remove the difficulty is to find more money for primary education, and, constituted as we are, the best way to find that money is to cut at the top.

Mr. P. R. CHIKODI (Belgaum District): Sir, I wish to offer a few remarks on this resolution. It seems to me that there is some confusion about the scope of the resolution itself. The resolution is this:

"This Council recommends to Government to constitute a Central Board for primary and secondary education composed of representatives of the Bombay Government, school boards of local authorities, the University, Labour organisations and of educational bodies to advise the Minister of Education in preparing a well-considered scheme, after a thorough revision of the curricula in primary and secondary education to give effect to the principles and recommendations laid down and made in the report of the Committee on Primary and Secondary Education in 1929."

The question of the expansion of primary education, it seems to me, does not enter into the scope of this resolution at all. But, however, some observations have been made with regard to it and I would like to add a few words about it. It seems to me that what is coming in the way of the spread of primary education or mass education is want of money. Funds are not available, and knowing as we do the condition of the finances of the Government and also the taxable capacity of the people, we must admit that we are unable to make any headway in that direction. We in this House have always advocated a higher scale of pay for teachers. When we have done that, we must also note that funds are limited. We cannot have it both ways. Unless funds are forthcoming, it is no use asking Government for expansion of primary education. One word more with regard to expansion of primary education. As regards Bengal and other places, there fees are levied and the scale of the fees is very heavy. That is my information as regards primary education in Bengal. All the schools are private institutions, and only grants are given. Hence, no analogy can be drawn between that system and the system that obtains here.

What is necessary, so far as this resolution goes, is that Government should have taken steps to give effect to such of the recommendations as could be done without incurring any extra expenditure. It is not understood why Government have been silent till now. It is not that all the recommendations or the principles advocated by the committee ought to have been acted upon immediately. At least a beginning could have been made. There are only three cases where extra expenditure is necessary and those three cases are mentioned at page 52 of the report:

"Our proposals involving additional expenditure fall under three heads—
(a) Training of all primary teachers.
(b) Employment of specially qualified teachers of English in elementary schools.
(c) Introduction of a vocational bias in elementary and secondary schools."

With regard to the first, namely, training of all primary teachers, it seems, for the sake of economy, we have gone backwards. The percentage of trained teachers in the Southern Division was very high, and it is now being brought down to the level of the Central Division. The Central Division was far backward at one time—I mean four or five years ago—and now, because the Central Division has been lagging behind, they have brought down the percentage of trained teachers in the Southern Division. That may be also the case with regard to the Northern Division. So far as this question is concerned, instead of the

[Mr. P. R. Chikodi]

recommendation being acted upon, the progress has been on the other side. There may be an explanation, but the fact is there.

As I have said, only these three cases which I have just now read out require financial consideration; but the other proposals can, as far as possible, be accepted or acted upon.

The Honourable Dewan Bahadur S. T. KAMBLI: May I interrupt the honourable member? May I know which of the recommendations can be given effect to without any additional expenditure?

Mr. P. R. CHIKODI: I may give one instance immediately: the high school course can be cut down by one year. Can it not be done? A summary of the recommendations is given at the beginning of the book. There are other similar matters.

Now, Sir, I want to say a few words with regard to the Central Board itself mentioned in the Resolution. The machinery proposed for giving effect to the recommendations in the report is the creation of a central board, and some lines have been given regarding the constitution of the board, namely, that it should consist of representatives of the Bombay Government, of the school boards, of the University, of labour organisations and of educational bodies. It is not known how those representatives are to be appointed—whether by election or by nomination. Then, again, it is not clear whether any expenditure is going to be incurred in connection with that board. It is no use constituting a board like that and remaining silent, without providing any funds for carrying out the measures recommended by the board or by the committee itself. I think the board is intended to be a permanent institution. I think it is going to be, not an *ad hoc* committee, but a permanent institution. Such an institution in my opinion is a premature body. Therefore I am not in favour of the idea of the creation of a board, but I would urge upon the attention of the Government the necessity of accepting, as far as possible, the recommendations made by the committee and preventing the deterioration which is now resulting in the quality of education. If we want to get full value for the money which we spend, it is better to accept these recommendations.

With these few remarks, I resume my seat.

Mr. J. B. PETIT (Bombay Millowners' Association): Mr. President, I think I may appropriately preface my remarks very much in the same manner in which my honourable friend Mr. Bakhale has prefaced his. I sympathise with the object underlying the resolution of my honourable friend, the member for the Bombay University (Rao Bahadur Kale); but am sorry to have to say that I am unable to support it in the form in which it is worded.

First of all, Sir, I confess that I am not quite clear in my mind as to what exactly he wants this honourable House to do. There appears to be a certain amount of confusion about the several issues raised by the honourable member. I must admit that we are also labouring under a disadvantage owing to the fact that his remarks on the resolution were

[Mr. J. B. Petit]

made six months ago, and we have all more or less forgotten them by now. I would like to know what precisely he wishes to convey by advocating the appointment of a "Central board". It seems to me that what he really means is a permanent committee. If my interpretation is correct, I venture to think that, apart from the question of cost and the difficulty of meeting, it is hardly a body which should be entrusted with the several duties of fulfilling the functions which he has detailed in his resolution under discussion. It appears to me that such a body—call it a committee or a board or by whatever other name you choose—composed in the manner he recommends, is not the proper authority and cannot have the requisite qualifications to determine questions like the revision of the curricula in primary and secondary schools, and the extent to which effect can be given to the "recommendations and principles" laid down in the report of the committee of 1929 on primary and secondary education. If, on the other hand, the underlying idea of this resolution is merely to give a sort of push or impetus to the progress of primary education or even in a way to secondary education in the Presidency, then this is about the last thing that he should have done. Let us suppose for the moment that the Government were to accept the recommendation and to immediately appoint a committee of, say, 25 or 30 members, on the lines suggested by the mover, it will take the committee at least a year to report and the Government at least another year to consider and accept the report, assuming for the moment that they do so in its entirety. It will thus mean at least a couple of years more before anything can possibly be done in the matter; and in the meanwhile the whole machinery of the educational department, so far as any question of progress is concerned, must be held up. I am accordingly inclined to think that if our honourable friend intended to give a really effective push to primary or even secondary education in the Presidency, this was hardly the way to go about it. Apart from this fact which is of very great importance, he does not make it at all clear as to what exactly he means by asking the Government to give effect to "the principles and recommendations" laid down in the report of the Education Committee of 1929. What are those "principles and recommendations"? I assume again that he may have detailed them and gone into their merits six months ago; but I think that he should at least have given us a resumé of those "principles and recommendations" to-day to refresh our memory. In the absence of such a "refresher", I am afraid it is not quite possible for the House to come to a definite decision in the matter without further examination. But assuming again for the moment that they were acceptable on principle, they would still have to be considered in detail from various other points of view, particularly those involving the formulation of new policies and the expenditure of large sums of money. All this must therefore necessarily mean more time. In the meanwhile, even if the Government have new policies of their own to introduce in furtherance of their present programme or fresh suggestions to make in order to give

[Mr. J. B. Petit]

an impetus in any form to the progress of education in the Presidency, they are bound to postpone them indefinitely; and the proposal of the honourable member will serve as a very convenient and, plausible excuse for doing so. There is another very cogent, and, if I may say so, almost insuperable objection to the appointment of such a committee. Where is it to meet and how often in the month? What are to be its head-quarters? Is it to be in the nature of a roving committee, required to travel all over the Presidency? If so, how often and at whose expense? Apart from the difficulty of finding suitable men to undertake the duty, the question of the cost involved is by no means negligible, and, in my opinion, is certainly not the least important to be considered. In a word, if anything will effectively hold up the progress of primary and even secondary education in the Presidency for an indefinite length of time, it will be the appointment of such a big and mixed committee as he has proposed, assuming for the moment that we are all agreed as to its functions and the exact terms of its reference. For all these reasons, Sir, I feel inclined to vote against the first portion of this resolution, even though I am in favour of the principle underlying it.

As to the second part thereof, I do not exactly understand what the honourable member means by the use of the word "recognition." I do not know what recognition the Government are required to give to a private institution of this kind; and why? Does he mean a regular annual grant? [*Interruption.*] Even that does not make matters quite clear. But speaking generally of the main idea running through both parts of the resolution, I think the honourable member has made a great mistake in bringing it forward in the shape that he has, for the simple reason that it will impede the progress of primary education in the Presidency rather than encourage it, for the several reasons that I have already advanced. I am accordingly very strongly of opinion that the House will be well advised in rejecting this resolution.

Rao Bahadur G. K. CHITALE (Ahmednagar District): Mr. President, I wish to invite the attention of the House to the discussion which has taken place at Lahore in an educational conference and in which many of the educational experts have taken part. I might also with advantage invite the attention of the House to the fact that now we have an educational expert with the Government of India, a post which has been revived. I am sure that in due course those recommendations which have been adopted on the resolution moved by the first Minister of our Presidency (Dr. Paranjpye) and reinforced by the educational expert (I believe Mr. Anderson) will be of very great help to the Honourable Minister.

The complaint that I wish to make is this: even the Chandavarkar Committee in 1922 stated that the curriculum should be modified and simplified where necessary so as to bring it into close relation with the pupils' environment, that the vernacular reader should be revised as far as may be found necessary. That was 12 years ago. This very recommendation has been adopted by the Committee presided over by

[Rao Bahadur G. K. Chitale]

the Deputy Director of Public Instruction in 1929. My point is that we go on appointing committees and incur some expenditure, they make some very valuable suggestions which are necessary as the foundation for making primary education as much distributed as possible. The same recommendations are repeated by another committee of experts and we allow ourselves to be lulled to sleep so far as the adoption of these recommendations is concerned. For the last five years we have done nothing. I should think this is a policy which ought to be condemned. As far as the recommendations go, they do not mean much expenditure; some of them do not require any expenditure at all. I hope the Honourable Minister has read this small book written by an expert—Mr. Parulekar—which has been referred to by the honourable member Rao Bahadur Bole in his speech——

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, I have not read that book.

Rao Bahadur G. K. CHITALE: I think the Honourable Minister would do well to spend half an hour over it.

The Honourable Dewan Bahadur S. T. KAMBLI: The author has promised to come and discuss it with me. He has also promised to bring the book with him.

Rao Bahadur G. K. CHITALE: In spite of that, it was his duty to look into it. That is my view.

The one excuse given for not doing anything for the last 10 years has been "Very large expenditure is required." But I am entitled to make the point that this book suggests many small beginnings which would appeal to anybody and which would not require any money. I must say that we have got no policy at all. That exactly has been the burden of my song for the last so many years. It was interjected by the Honourable Minister asking in what particular ways advance could be made in a very short time. In that book he will find many a good suggestion which has been repeated here, namely, that the teachers should be given charge of more students, that the curricula should be simplified if the first object is to encourage literacy in respect of enumeration, arithmetic, counting, reading and writing——

The Honourable Dewan Bahadur S. T. KAMBLI: May I interrupt the honourable member? Does he refer to the recommendations of the Hesketh Committee or of some other body?

Rao Bahadur G. K. CHITALE: This pamphlet. My complaint is this. The recommendations of the Hesketh Committee and of the Chandavarkar Committee are the foundation of the whole policy——

The Honourable Dewan Bahadur S. T. KAMBLI: May I request the honourable member to show me the passage where the recommendations occur?

Rao Bahadur G. K. CHITALE: I have not got the Secretariat to help me. But if he wants to see the passage in the Chandavarkar Committee's report, he will find it on page 48——

The Honourable Dewan Bahadur S. T. KAMBLI: I want you to show me such a passage in the Hesketh Committee's report.

Rao Bahadur G. K. CHITALE: Page 48 of the Chandavarkar Committee's report. You may find out the relevant passage in the Hesketh Committee's report. You cannot interject and ask me to show it to you.

The Honourable Dewan Bahadur S. T. KAMBLI: You are in fairness bound to show the passage if asked to do so.

Rao Bahadur G. K. CHITALE: You can, if you have the courage, say that the Hesketh Committee has not gone into that question. I am sure I am not making an incorrect statement——

The Honourable Dewan Bahadur S. T. KAMBLI: Instead of being impatient, my honourable friend will oblige me if he will show me the passage in the Hesketh Committee's report. I will request him to show it to me.

Rao Bahadur G. K. CHITALE: I am not going to do that. I have not got the Secretariat at my disposal, nor even an army of clerks. I am making a statement here. If you like, I will show it to you in the leisure hour. I am not making a statement which is not supported by a document. If you like, I will show it to you in the leisure hour, but the point I am making is that there is a recommendation on which the whole foundation of the Primary Education Act was intended to be built. That was years ago. I say again and most emphatically that that recommendation has been adopted by the Hesketh Committee: the page does not matter——

5-30 p.m.

The Honourable Dewan Bahadur S. T. KAMBLI: Will the honourable member kindly show me the chapter at least, if not the page?

Rao Bahadur G. K. CHITALE: As a matter of fact, in the last five years you have done nothing to simplify the curriculum. I say it is the fault of the Education Department to go on sleeping over the recommendations which really required to be put into effect.

Sardar Rao Bahadur B. R. NAIK (Surat District): Sir, my honourable friend Mr. Shaikh Abdul Aziz has asked me to be brief in speaking on this resolution because he wants to move his resolution, and my honourable friends from Sind have also desired me to finish my remarks as early as I can so as to let them take up a resolution of their own dealing with matters affecting Sind, and so I shall try to be very brief in the observations which I want to make.

It has been said in this House to-day that for the expansion of primary education funds are necessary. Government are not in a position to give the local authorities sufficient funds and to my mind it will not be possible for Government at least for some years to come to give more funds and, therefore, it is necessary that some change needs to be made

[Sardar Rao Bahadur B. R. Naik]

in the curricula. As one who has been connected with a local authority as its president for the last several years and also as a Chairman of a District School Board, I have got some insight as far as primary education is concerned. At present, I am not much concerned with the question whether the Central Board asked for by the honourable the mover is or is not going to be appointed, but I want to tell the Honourable Minister for Education that the rules must be made a little elastic, even if Government cannot give local authorities the requisite funds, so that the local authorities may be in a position to extend literacy in their jurisdiction to the children in their charge. I am sure to be told that there is some misunderstanding about changing the curriculum. I know that both under the Primary Education Act and the rules made thereunder the local authorities have been empowered to change the curricula. I know that and I also know that nobody has referred to it, but I know that local authorities have already got the power to change curricula if they so desire subject to the condition that such changed curricula should be submitted to Government for sanction and that the changes are such as may be approved by Government. There is another point, also, Sir, that there is a rule to the effect that one teacher shall not have more than 30 children——

The Honourable Dewan Bahadur S. T. KAMBLI : May I correct the honourable member ? Rule 57 lays down not 30 but 40 pupils to one teacher.

Sardar Rao Bahadur B. R. NAIK : Yes, I agree with the Honourable the Minister the number is 40. At present Government have also made this rule in practice a little elastic as they have no funds. But, Sir, I say that even if Government are not strictly enforcing this rule and it is found to be elastic in administration they cannot fulfil their small obligations. If a local authority is coming forward with its own share of one-third and even if Government approve of the scheme or the proposal of the local authority, Government say " Oh, we have no funds at present. You better spend from your funds and Government will consider when their financial position improves, and then too, Government will not give retrospective effect to their quota." Therefore, Sir, I think that a shift system will be more suitable, as I have found from some experience of it. In my district of Surat, I have already tried this shift system in about 20 schools and I have found that it works well indeed, in fact so well that I am going to increase the number of schools in which the shift system is introduced. But, to my regret, I find that I am being asked by the Director of Public Instruction, to state under whose permission I have been introducing the shift system. I do not mind receiving such an inquiry from the educational authorities. The School Board of the Surat District Local Board has actually passed a resolution to the effect that the shift system should be introduced into their schools as an experimental measure, and that resolution has been approved by the District Local Board and sent on to Government. That means that

[Sardar Rao Bahadur B. R. Naik]

Government were informed. I would only request Government to let the local authorities follow their own methods in extending primary education and to make the rule a little elastic. The resolution in question has of course been sent to the Director of Public Instruction and still he puts me such a question. I do not, I repeat, mind getting such inquiries from his departmental officers and, in fact, I welcome their advice, their suggestions and their guidance. But I would impress upon Government that if the local authority is given the requisite amount of liberty by lessening the rigour of the rule, I feel that in about three years' time there will be enough expansion of primary education and there will be greater literacy throughout the presidency. It is enough if we give the three R's to the masses, they do not need the detailed knowledge of geography, history, grammar and so on. These things are not necessary in their case, and to achieve this object, what is needed is a change in the curriculum, and personally I think that a Board like the Central Board is hardly necessary. I am not of course an educationist and so I do not think I am competent to pronounce a definite opinion, but I think I can say this much that the change of curricula which is called for can be brought about by the local authorities themselves, for, under the rules as they exist at present, the local authorities have been empowered to do so; but the difficulty lies in the fact that as the school boards are constituted at present, there are hardly one or two educationists on these school boards and I doubt therefore whether they can be considered to be competent to suggest the necessary change in the curricula. As I said, I am not very keen on the proposed Central Board being established. At most, it will consist of 25 members who will sit for two years and then issue a report, which report will be under the consideration of Government for another two years and then it will be shelved as many other reports of other committees and commissions have been pigeon-holed as we all know. All that I ask of Government is "Please give us latitude. Let the district local boards have some freedom in the way in which they can extend primary education in their own ways best suited to them." Of course, we are also making the experiment of giving grants for private teachers. If a village which has no regular school has a private school conducted by a qualified teacher, we give so many rupees towards the teacher's pay, in order to extend primary education. The urgent necessity to my mind is to fix upon a suitable syllabus which is as simple as possible. I agree with my honourable friend Mr. Bakhale that the age-limit should be raised. I have my full sympathy with the agriculturists, but all the same I do not see much good in giving their sons anything more than the three R's. It is true that if an agriculturist parent has two girls or two boys, one of whom is six years old and the other four years old the younger child accompanies the elder child to school and thus takes up some of the time of the teacher. They are not registered and therefore neither the Chairman nor the administrative officer of the district local board can do anything, because only if they are on the rolls as registered pupils, notice can be taken.

[Sardar Rao Bahadur B. R. Naik]

That is the usual course. If there are two boys or two girls of a particular parent and one is six years old and the other four, the elder child takes its younger brother or sister with it. That is a common thing which can be found in the villages. Personally speaking, Committees and Commissions have no charm for me and therefore I am not enthusiastic for the resolution moved by my honourable friend Rao Bahadur Kale. Of course, I do not wish to discourage him in any way, but my apprehension is that so many committees have been appointed in the past with no result that I have not much hope of anything beneficial coming out of the appointment of a Central Board. If any practical improvement is to be achieved, then let the text-books be revised and made as simple as possible and let the curriculum of primary standards be made as easy for the children as possible. That will reduce the work of the teacher also with the result that one teacher can take up more than 40 boys, even 50 or 60 boys ultimately. That was the system in England a hundred years ago. It existed also in Japan. England, which is considered to have attained high efficiency in education of all kinds, had a system 100 years ago under which a teacher taught at one place 60 or 70 pupils on one day, went to another place on the next day and taught an equal number of pupils, returned on the third day to the first place and continued his teaching to the 60 or 70 pupils and repeated this operation, with the result that literacy spread all throughout the villages in England at a rapid rate. I say this because recently I happened to read a book which gives a history of England hundred years ago. In Japan to-day 99 per cent. of the girls of school-going age attend schools and 98 per cent. of the boys of school-going age attend schools, and you see what Japan can boast of after only 50 years' of national education and improvement and effort. We in India cannot make a similar boast. In India, about 33 per cent. of the children of school-going age attend schools, and that is why I say that both Government as well as this side of the House and people should make combined efforts to make education as progressive, as cheap and as simple as we can make it, especially education in the 3-R's, reading, writing and arithmetic. That is my view, and if the resolution of my honourable friend Rao Bahadur Kale is carried, I shall welcome it but if it is not carried, I shall not be much sorry for it because I am not, as I said before, very keen on it, in view of my experience of the treatment accorded by Government to reports made by committees appointed in previous years——

Rao Bahadur R. R. KALE: Not report.

Sardar Rao Bahadur B. R. NAIK: Not report but the suggestions that may be made by the Central Board. If the Central Board makes any suggestions, I know how they will be received by Government and what use they will make of them. It is not a question of extra expense or no extra expense. Government probably will say to themselves "We do not want a Central Board to control our Ministers". That may be the idea of Government that they do not want Advisers to their

[Sardar Rao Bahadur B. R. Naik]

Ministers who, in their opinion, are quite competent enough to deal with the matter and therefore they do not want any advisers behind them.

Sir, I repeat that there is need for the officers of the Education Department making the rules a little elastic and giving the local bodies as much scope as possible in working out their own plans of expansion of primary education in their jurisdictions in their own way. So far as my district of Surat is concerned, the shift system has proved successful. I do not know the conditions obtaining in the other districts of the presidency. That system has been in force in my district for six months and we are already thinking of increasing this shift system. We do want and appreciate the advice of Government officers such as the Director of Public Instruction, the Educational Inspector and the Deputy Educational Inspectors, but what we do not want is their undue interference. What is the good of insisting upon little children in village schools using note-books and pencils? That insistence only makes education costly and in many cases even beyond the means of the average villager. Some honourable member spoke of the system now in vogue in Russia. Why go so far? In the olden days in India, the system used to be, as one proverb has it, "One tree, one teacher and one boy". To-day, we compel the poor villager to have so many things like a note-book, pencil, drawing materials, although we know that after three or four years, the boy will have to go and work on his field. And what good will this education be to him when he has to work on the field? What good will a knowledge of different designs be to him when he has to labour on his field where he will have to look after cattle and do other jobs? I mean all this is unnecessary and that all this leads to unnecessary expenditure. Therefore, I say that this education should be made as cheap as possible. Why, I ask, should we insist on very decent buildings for these small village schools? It is really a funny thing. Even if the father of a village boy has not got a decent place to live in in the village itself, you want the school building for the son which may be very costly from the villager's point of view. The Sanitary Inspector comes and says "Oh, the walls should be of such a height, the length, the width and the breadth of the rooms should be so and so, so as to allow of proper ventilation and so on". Why not, I say, make the thing as simple as possible? Let the local authorities build their schools in their own way provided they arrange for suitable ventilation and sanitation. If Government cannot spare the money required for a proper expansion of primary education and if Government cannot see their way to accept this resolution, at least let Government relax the rule about the number of pupils per teacher and let the local authorities increase the number of pupils per teacher to 65 or even 75 pupils per teacher. Of course, under the Act Government have to bear two-thirds share and the one-third share is to be borne by the district local boards for expansion. Government now say "We have not got funds now, but Local Authorities may spend the whole amount from

[Sardar Rao Bahadur B. R. Naik]

their funds and Government will consider the scheme when their financial position improves." This attitude of Government will encourage no Local Authority to take up schemes of expansion, however cheap the schemes may be. This has actually happened in the case of the District Local Board of Surat——

The Honourable Dewan Bahadur S. T. KAMBLI: That is always qualified by saying that the grant will be paid when funds permit but not with retrospective effect.

Sardar Rao Bahadur B. R. NAIK: I know that Government know how to back out when the time to pay comes.

One word more. I must give some food to the Honourable Minister. Honourable members are all tired. Some years ago Government had sanctioned a building scheme for Surat, known as Sir P. T. Building Scheme. Sir Purshotamdas went to the length of saying that he would not spend any more money for the school buildings in the Surat district, unless Government agreed to pay stamp duties on gift deeds to be passed by him in favour of the district local board of Surat which had to take possession of the buildings. Government said, "No" in the first instance. Sir Purshotamdas went to the length of writing to His Excellency Sir Frederick Sykes, the then Governor, on the matter. Ultimately Government agreed and they had to pay only Rs. 2,100 but could not pay and they had to do so by four or five instalments. And when the time came for the payment of the last instalment of a small sum Government refused to do so on the ground that they had no money. I do not find fault with them for this, as they have no money, but they should help us in other ways, so that we can progress in the matter of primary education.

The Honourable Sir GHULAM HUSSAIN: Mr. President, I am not an educationist, but as I too have the hallmark, I would like to make a few observations. The resolution recommends to Government to constitute a central board consisting of representatives of various school boards, local authorities, and so on. But the honourable mover of the resolution has said nothing about the headquarters of the central board. He has not stated what will be the allowances and other remuneration for the various members constituting this board when they attend its meetings. One member will come from Kanara, another from Sind, and a third from Gujarat. I do not think all these experts will travel at their own expense. I am also not sure whether they will sacrifice their time. Again, will it be a permanent institution? Otherwise, they might call a meeting one day and then disperse, and nothing more will be heard of the board. Then, Sir, I have not heard the honourable mover say anything as to who is going to pay for the board. Is it going to be located at one place and be attached to the Honourable Minister? If so, I wish to point out that the Honourable Minister moves from Bombay to Poona and back to Bombay.

Then, Sir, the object of the board is to prepare a well considered scheme. We have already the recommendations of a number of committees.

[Sir Ghulam Hussain]

I do not know what this board is to recommend in the way of a new scheme. I do not know how long it will take them. I am afraid that the recommendations of this central board will not be in the hands of this House at least. Perhaps, when this House is dissolved, we might get the report.

Then, Sir, I find that some practical suggestions have been made by some honourable members. Personally, I am sure the Honourable Minister will agree with the suggestion that we cannot expand primary education in India or in this presidency unless the curriculum is simplified, so that the boys will learn a little of the art of accounting, and some writing and reading; nothing more. Now, in regard to that, under the Primary Education Act, certain rules have been framed. They enable the local authorities to frame their own curricula. I do not know of any local body which has up to now prepared a new curriculum of the simplest possible form, consisting of reading, writing and arithmetic.

Mr. B. S. KAMAT: They cannot have their own curriculum. They can only modify the standard curriculum a little.

The Honourable Sir GHULAM HUSSAIN: Yes, they must frame their curriculum on the lines laid down. But there have been no complaints in this House that they have done so and that Government have not sanctioned it. Therefore, it is up to the local bodies to prepare their curricula and send them up to Government, and I am sure the Honourable Minister will consider them sympathetically.

Then, Sir, I might say that in this presidency most of our money is spent on the salaries of the school-masters. I do not think that in other provinces they pay their school-masters as much as we do. I am sure the educational authorities, after hearing this debate, even if they continue the present salaries of the school-masters, will get more work out of them. They ought to be asked to educate larger numbers of children, and not to restrict a class to 20 or 30 children, as they do at present. If possible, there should be the double shift system also. India is a poor country and we do not want palatial buildings in the villages for school-houses. I quite agree with that suggestion, but I think there ought to be sufficient sanitation and ventilation in the buildings for our primary schools. I have nothing more to say.

Rao Bahadur R. R. KALE (Bombay University): Sir, I am at a disadvantage over this ill-fated resolution, because last year after I made my speech in moving it, it was postponed to the next session. I find now that there is some misapprehension in the minds of honourable members, because I find that they have not grasped the idea that underlies the resolution. After I made my speech last year, I thought perhaps a great deal of the misapprehension might have been removed, but what I stated then appears to have been forgotten, and I was not allowed to recapitulate what I then stated, and therefore the trouble——

The Honourable the PRESIDENT: The honourable member need not recapitulate.

Rao Bahadur R. R. KALE : Therefore, I am at a certain amount of disadvantage. My idea is this. Just as for higher education there is the University body to act between the people and the Government, and for technical education there is the Committee of Direction between the Educational Department and the people, so in a similar manner there ought to be an intermediate body between the Government and the people to advise the Ministers on matters relating to primary and secondary education. The present curriculum is, as I have stated in my opening speech, unsuitable, and a committee was appointed by the predecessor of the present Honourable Minister for Education as the result of a resolution which was passed in this House. Mr. Parulekar, whose pamphlet has been referred to by the honourable members Rao Bahadur Bole and Dr. Solanki, was a member of that committee, and he has prepared a scheme which, without involving any additional financial responsibility, lays down a curriculum or system which can be given effect to for the purpose of meeting the recommendations of the report made by the committee in 1929. I thought that my object would be served if I moved in the Council. I asked questions whether the Educational Department has done anything to frame their policy in accordance with the recommendations of the committee. In the Review on Education it was promised that the report of the committee would be considered by Government. I put questions as to how far matters had reached. The replies I received on two occasions were that the matter is still under the consideration of the Director of Public Instruction. Sir, the Director of Public Instruction is a very hard-worked officer. He has to deal with administrative matters and finds very little time to spare for other purposes. I sympathise with him. He has probably little time for being able to put those recommendations in a concrete form and do whatever is necessary.

Rao Bahadur G. K. CHITALE : Therefore we have given him a Deputy Director.

Rao Bahadur R. R. KALE : Exactly. My complaint is that five years have now elapsed. The report of the committee was issued in 1929. We are now in the year 1934, and yet we find that nothing has been done. Therefore, I have suggested something like a standing committee. There is no report to be made at all by that committee, but it will just consider what recommendations can be immediately given effect to without incurring any additional financial responsibility. After that report was issued, I contributed an article to the magazine of the Local Self-Government Institute which meets the points of my honourable friend Dr. Solanki and others about private agency doing the work and indigenous schools being started to take in hand the work and also societies for the development of primary education, that being the cheapest method, namely, reviving the system of indigenous schools which was in vogue in the early forties, when there was a board of education. This is by way of reply to my honourable friend Dr. Solanki. I had in the course of that article adumbrated my views at full length.

[Rao Bahadur R. R. Kale]

Mr. Parulekar also contributed some articles to the same journal, which have been put together and published separately.

Now, this idea of a central board is not a new one. The Government of India, in the month of May 1918, had suggested the creation of central boards for the provinces,—an idea which has been quoted with approval by the Hartog Committee, in paragraph 238, page 309 of their report. "It is interesting, however, to observe," they say, "that Government suggested the constitution in each province of a central body, which would co-ordinate the experience of local bodies and provide improved guidance by entertaining further experts." This is not a new idea. Even the Government of India in their resolution of 1918——

The Honourable Sir GHULAM HUSSAIN : That is only with regard to experts.

Rao Bahadur R. R. KALE : My resolution also has reference to experts. It says "a Central Board for primary and secondary education composed of representatives of the Bombay Government, school boards of local authorities, the University, Labour organisations and of educational bodies." These are experts. What does "representatives of educational bodies" mean ? It means experts. What else can it mean ? I say the board should consist of representatives of school boards, of the University, of Labour organisations, and of educational bodies.

Mr. B. S. KAMAT : Labour unions ?

Rao Bahadur R. R. KALE : In my resolution I have stated Labour organisations, not unions. My point is that we need not entertain any apprehensions. The resolution is only by way of a recommendation to Government. After all, Government are simply to see whether they can see their way to have a small body of the kind I have mentioned, in order to assist them, because Government have not done their work. If they do their work without the assistance of any committee or board, well and good. As I said, the idea of a central board is one which has emanated from the Government of India as long ago as 1918, and it is spoken of with approval by the Hartog Committee. Very well. Therefore, the idea is there, and we know that even after 5 years after the committee reported, we have not been able to produce a scheme for changing the curricula to suit present day requirements. I think the Hesketh Committee also said so, and I quoted their opinion on the last occasion, that education must be so organised and arranged as to suit rural areas. It is too much of an urban character and literary character. You require a different curriculum for the villages, and the education imparted must have a relation to life. That committee has framed certain standards, for primary as well as for secondary education. They say that there should be 10 standards for primary and secondary education ; there should be a curriculum, and in the middle there should be a bifurcation, and boys who do not possess the requisite ability should be weeded out, and they should be diverted to take up another course. Here, we are now having the same thing for all the boys going on from

[Rao Bahadur R. R. Kale]

the first primary standard up to the matriculation and then up to the B.A. We turn out so many graduates who are unable to find employment. That is the trouble. Therefore we must be very careful in the measures we take for expansion of education. What happens now is that everybody runs after collegiate education. Even before this the problem of secondary and higher education has been acquiring greater importance and becoming more and more complicated, owing to large numbers of so-called educated people being turned out into the world, without there being any employment for them. Nobody knows an avocation which they can pursue. These are the lines, in my opinion, on which education has so far been expanding. And you have now the backward and other classes going in for higher education. Therefore, I think you should devise some curricula so as to suit the particular class of boys. It does not matter, the boy may come from any class, but you have to provide for him a curriculum according to his capacity and ability to follow any particular line. The curriculum ought to suit his requirements. For that purpose this board which I have suggested is necessary.

6 p.m. I know various honourable members like Rao Bahadur Naik have spoken on this question. I am thankful to the Honourable the Leader of the House for saying that the rules are there. The rules are so innumerable and complicated that it does not give room for the district local boards to give effect to any scheme which will contribute to the progress of primary education. So, what I suggest is that there should be a uniform set of rules.

For instance, there is a text book committee. That committee was constituted long ago. Many rules and regulations with regard to the framing of text books can be made by this committee. As regards the headquarters of that committee it must be in a central place. As you are aware, the University Committee meets in Poona. So, this committee also can be made to meet in Poona. In order to avoid expense you can choose representatives for Kanarese or for backward classes or for the school board from the very place where the committee is to meet. This committee will transact business as a private body——

The Honourable Sir GHULAM HUSSAIN : I drew attention because the position was suggested——

Rao Bahadur R. R. KALE : Suppose the headquarters are fixed at Poona. The representative of the school board of Poona can be nominated. (*Interruption.*) The interests of all the school boards are the same. You cannot appoint representatives of the school boards from far off Sind to Karnatak. A representative of the school board of the Poona municipality or Poona district local board can be appointed. Another expert from any Poona College can be appointed. The Government officers are already there. To avoid expense you can choose men in the same place where the committee will meet. The purpose will be served. There is no question of election. It is, after all, a question of nomination by Government. What all I want is that the rural wants

[Rao Bahadur R. R. Kale]

should be represented; I want nothing more. So, the question of finance does not come in the way.

Lastly, I come to the question of finance. The Hesketh Committee was not called upon to go into the question of finance. Mr. Parulekar in his book has given a historical review of the spread of primary education in different countries. The question is, how to expand mass education with the funds available.

The Honourable Dewan Bahadur S. T. KAMBLI: When was that book issued?

Rao Bahadur R. R. KALE: The articles were published in the *Local Self-Government Quarterly* somewhere in January of this year. The date is not given there. He has been preparing it for a long time. Perhaps, the members of the Corporation may know.

Rao Bahadur R. S. ASAVALE: He has personally done it.

Rao Bahadur R. R. KALE: It must have been under preparation for some time. My article on "National Education" published in 1930 deals with the question how to provide for mass education with the encouragement of private indigenous agency without providing for additional finance. There the honourable member Dr. Solanki will find his very suggestion that the advanced class youths who are educated should take up the education of the masses. Just as the Deccan Education Society was started for finding methods to give higher education, I have suggested that the educated advanced class youths should start schools in villages for promoting primary education among the masses. The late Mr. Justice Ranade, soon after the Education Committee of 1880, contributed an article pointing out the death blow given to indigenous schools by the Department of Public Instruction by abolishing the Board of Education. I have given all the history in my article. There is no question of paucity of materials on the subject. What is required is a little more energy to go through them. If the Honourable Minister wants to have the question examined by an officer of his department, let him do so. After waiting for five years and after so many interpellations, I have moved this resolution offering the co-operation of this side of the House in order to give an impetus to mass education. If you want some people either from this House or from outside it, who are working for the people, you are welcome to do so. This is not a very big task. Without a regular committee, if Government want an informal committee, let them have it. If the Honourable Minister for Education wants that he should approach experts for consultation in the matter, even then the matter can be dealt with. The principle underlying the resolution for a committee has been conceded. My resolution is, after all, a recommendation and it is not any enactment. My honourable friend Mr. Bakhale wanted some different agency and not one contemplated by my resolution. It will serve my purpose only if Government give an assurance that they will create some agency or other to lay down the curriculum to enable the local bodies in the rural

[Rao Bahadur R. R. Kale]

areas to act up to the recommendation made by them. The present curriculum is stereotyped. There must be one curriculum for the urban areas and another special curriculum for the rural areas with agricultural bias and so on. I have already taken much of the time of the House and I have cleared my position. Under these circumstances, I leave the resolution to the House.

The Honourable Dewan Bahadur S. T. KAMBLI : Sir, I beg to preface my reply by reading a passage or two from the report of 1929 of the Committee on Primary and Secondary Education. On page 53 of the said report it is stated :

"The fundamental and the most important educational problem this Presidency has to face is that of finance. We have made proposals, e.g., the training of teachers, and the introduction of vocational education which involve additional recurring expenditure. We are fully aware of the necessity for further expansion of primary education, but we are convinced that mere expansion without improvement will lead to considerable wastage, and that both expansion and improvement will have to be faced simultaneously.'

The next paragraph is more important than the one which I have read :

"We have not been called upon to examine the financial situation, and we are not in a position to indicate where additional funds are to come from. The question however is so important that we recommend the appointment.... "

Not of a central board of the nature indicated in the Resolution under debate, but

"....of financial experts to study the question. We suggest that the committee consider the advisability of diverting for educational purposes certain amounts now allotted for other activities, the raising of loans for non-recurring expenditure, the levying of a special educational cess throughout the presidency, and the building up of endowment funds for rural education."

Finally, they say :

"The present position is impossible. So far, there has been one long struggle to meet an impossible situation with inadequate funds...."

On this sentence I lay important stress.

"Unless there is much greater sacrifice for education by all concerned, than is being made at present, we fail to see how any progress can be made."

Mr. B. S. KAMAT : Then why was the committee of financial experts not appointed ?

The Honourable Dewan Bahadur S. T. KAMBLI : It has not been appointed for obvious reasons.

Now, I come to the resolution itself. The ultimate object of the honourable mover of the resolution is to give effect to the principles and recommendations of the committee made in 1929. The honourable mover wants that a committee or a central board should be set up composed of (1) representatives of Government, (2) school boards, (3) University, (4) labour organisations, and (5) educational bodies. The functions of this committee would be, according to the honourable mover of the resolution, to advise the Minister in preparing a scheme in order to give effect to the recommendations made by the committee, which is known in common parlance as the Hesketh Committee. Now,

[Dewan Bahadur S. T. Kambli]

Sir, on reading the resolution we see that this central board is to come into existence only after a thorough revision of the curricula.

Rao Bahadur R. R. KALE: It is not to come into existence after revision——

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, I will read the resolution as it is:

"This Council recommends to Government to constitute a Central Board for primary and secondary education composed of representatives of the Bombay Government, school boards of local authorities, the University, Labour organisations and of educational bodies to advise the Minister of Education in preparing a well-considered scheme, after a thorough revision of the curricula in primary and secondary education, to give effect to the principles and recommendations laid down and made in the Report of the Committee on Primary and Secondary Education in 1929."

Rao Bahadur R. R. KALE: If the meaning is as the Honourable Minister understands it, let the Chair clear it or I shall clear it myself. According to me, it does not bear that meaning. It is not after the curriculum is revised. My English may be defective.

The Honourable Dewan Bahadur S. T. KAMBLI: Sir, I will deal with this point at once. I take it, Sir, that he has framed the resolution, after having read the recommendations of the Hesketh Committee. In this connection, I draw the attention of the honourable mover to the 28th recommendation of the Hesketh Committee, as the primary object of the honourable mover is to give effect to the recommendations of that Committee. This object has to be borne in mind. What does the committee say? They say: "We recommend to Government that they should appoint a small committee of experts to work out the detailed syllabuses." Not a central board. Therefore, having read this recommendation and having read the resoluion, I have come to the right conclusion that the board is to come into existence and to function after the curriculum is revised. And that revision has to be made by a body of experts, as recommended in recommendation No. 28 of the Hesketh Committee's report. What is the position now? The curricula have not yet been revised. The Hesketh Committee recommended that such a revision ought to be dealt with by a small body of experts. Therefore, Sir, the Resolution is premature.

I may point out that this question of the revision of the curricula is not a simple issue. It is full of difficulties. To mention only one of such difficulties. Sir, the curriculum for secondary education is controlled by the University to a large extent. The syllabus laid down by the University for the matriculation examination is the syllabus which will be followed by the secondary schools. Whatever may be the curriculum laid down either by the Government or the Central Board, or by the body of experts recommended by the Hesketh Committee, it is not that syllabus that will be followed by the high schools; but the matriculation syllabus laid down by the University will be followed by the secondary schools. This must be borne in mind by the honourable mover of the resolution and all those who supported him.

Rao Bahadur R. R. KALE: Did the Honourable Minister ask the University to change the syllabus for the matriculation examination?

The Honourable Dewan Bahadur S. T. KAMBLI: The question is not whether the University has been approached. The question is whether the University has changed its syllabus. My honourable friend is a valuable member of the Senate of the Bombay University, and he has not thought it fit until now to move any resolution there to change the syllabus for the matriculation examination. If the University does not think it fit to change the syllabus for the matriculation examination, I fail to see how the central board can be empowered effectively to change the course of studies in the high schools or secondary schools.

Sir, I may tell my honourable friend that Government are considering the question of revising the curriculum so far as the question of primary education is concerned.

Then, my honourable friend says that there should be a central board and it should advise the Minister. As pointed out by the Honourable the Leader of the House and also by my honourable friend Mr. Petit, such a board will be the least qualified for performing the duties assigned to it—either revising of the curricula or advising the Minister in any way. I may tell my honourable friend that it is not advice that I am in need of; advice I have in plenty. We have plenty of it in even the report of the Hesketh Committee. But what we are in need of, and urgently in need of, are additional funds. Without additional funds we cannot expand, we cannot improve. That is a point which cannot be overstressed, and the committee has adequately stressed it in the last three paragraphs of its report, which I read out in the beginning of my speech.

Now, with regard to the constitution of the central board. The honourable mover of the resolution very eloquently pleaded: "Well, take Poona, for example. You can select all the members to represent the whole of the presidency: they will do the work". Well, Sir, I admire his love for the Poona city. I admire, Sir, his love for the people of Poona. But may I tell my honourable friend that there is hardly one resident of Poona who knows all the principal languages of the Presidency including the Sindhi language? Is not Sindhi a language to be taught in the Sindhi primary schools of the whole of Sind? Again, can he point out a Poona man who has got a genuine love for the language of the Karnatak? Well, I may narrate an incident from my own personal experience. Not very long ago, when I was staying in a hotel in Poona, one of my Poona cultured friends asked me "Is there a drama at all written in Kanarese?" He was a very intelligent man, a degree-holder. Such is the love of the Poona people for other languages. I recall that incident to show why the rest of the presidency will never agree to Poona being given the whole representation.

Rao Bahadur R. R. KALE: Poona happens to be the seat of the Government: change it to Dharwar.

The Honourable Dewan Bahadur S. T. KAMBLI: My honourable friend says "Change the seat of Government to Dharwar." I am not arguing about the merits of the seat of Government; I am replying to his arguments with facts. Well, Sir, how many persons are to sit on that board? As my honourable friend the Leader of the House has pointed out, what will be their travelling expenses; what will be the daily allowances; how many persons are to be represented by the University, how many by labour organisations, how many by educational bodies, which are too numerous in this presidency? Yet, all these persons are to sit on the central board of education and in Poona! I do not think that the rest of the presidency will ever agree to any idea of such a central board sitting in Poona and being composed of representatives drawn wholly from the City of Poona. [*Laughter.*]

Sir, as I heard the debate, I was impressed by the speeches of those honourable members who took the trouble of making it clear to this honourable House that the expansion of primary education is the prime need of the day. [*Honourable Members:* Hear, hear.] I agree with them entirely. But I do not agree with all the recommendations of the Hesketh Committee as they do not seem to offer a solution of this important problem. They begin by saying that the education given in the primary schools is too urban in outlook and too bookish in character and not correlated to the actual or daily conditions or needs of life. Sir, these are mere platitudes. And what do they recommend? Their recommendations are extremely urban in outlook. My honourable friend complained that there was no change in the primers for the last so many years and that the same books and the same primers are used both in village schools and in city schools. Yet, Sir, strangely enough he is very anxious to give effect to the recommendations of the Hesketh Committee. Well, Sir, I ask my honourable friend just to read recommendation No. 29 of the Hesketh Committee's report. Nothing can be more urban in outlook than the recommendation contained therein:

"We recommend that no differentiation should be made in the courses for urban and rural schools. . . ."

This recommendation is made by those——

Sardar Rao Bahadur B. R. NAIK: We do not agree.

The Honourable Dewan Bahadur S. T. KAMBLI: It is not a question of whether you agree or not. I am speaking on the resolution before the House. The resolution aims at giving effect to the recommendations of the Hesketh Committee. And this is one of the most important recommendations. Not only this recommendation, but there are other recommendations which show that most of the members sitting on that committee were too urban in their outlook and did not care for the conditions of life prevailing in the rural areas.

Rao Bahadur R. R. KALE: You have read only half a sentence: read the whole sentence.

The Honourable Dewan Bahadur S. T. KAMBLI : Take for example recommendation No. 7. Before reading out that recommendation, I might enlighten the House on one point. Every member of this honourable House is well aware that there are——

Rao Bahadur G. K. CHITALE : The whole sentence must be read.

The Honourable Dewan Bahadur S. T. KAMBLI : Sir, I do not yield to the interruption. I have only a limited time at my disposal. There are two honourable members interrupting me. When I asked my honourable friend (Rao Bahadur Chitale) when he was addressing the House to show the page in which a recommendation of the nature referred to by him then appeared, he avoided by shouting that he was not provided with a Secretariat. Sir, anger or shout is no substitute for argument. Such a person is not entitled to interrupt me now.

Rao Bahadur G. K. CHITALE : The honourable member should quote correctly.

The Honourable Dewan Bahadur S. T. KAMBLI : Sir, I do not yield to interruption.

Sir, out of the 20,000 villages and towns in this presidency——

Sardar Rao Bahadur B. R. NAIK : The number is 26,000.

The Honourable Dewan Bahadur S. T. KAMBLI : Yes, 26,848. Out of the 26,848 villages and towns in this presidency, not less than 50 per cent. of the villages are without schools. And further, I may enlighten this House, that out of these 50 per cent. which are provided with schools, again 50 per cent. are one-teacher schools. Such being the state of things, what does the recommendation say :

"We recommend the gradual elimination of the one-teacher schools...."

This is a very good recommendation in the abstract. And what is next proposed by the committee ?

"either by the appointment of additional teachers, or by the consolidation of small schools....."

They recommend the consolidation of small schools. That is one of the important recommendations. Sir, I almost imagine that the persons who sat on that committee and made this recommendation were princes rather than persons who knew the condition of villagers. What do they mean by consolidation of five or six village schools ? Did they give any thought to the difficulty that will be experienced by children undergoing instruction in the infant classes of the primary schools having to cover several miles from their houses to the school ? Reading and re-reading that recommendation, I cannot but come to the conclusion that it is extremely urban in outlook ; no urban outlook can surpass that recommendation of the committee.

My honourable friend said that the double shift system should be introduced. Sir, here I may read a passage bearing on this subject from the

[Dewan Bahadur S. T. Kambli]

Report on Public Instruction in the Bombay Presidency for the year 1932-33. This is what an expert has to say in paragraph 66:

One of the most serious problems of primary education is the one-teacher school. A single teacher has to look after 30 or 40 pupils spread over four or five standards and the problem is how to distribute his work and to minimise the inevitable waste of time. By the shift system the school is held in two sections, dividing the school into two sections each section attending for about half the ordinary school day."

Here follow some important sentences well worth while noting and remembering, especially by my honourable friend from Surat, because he wants to venture into this system in his own district.

"As previously reported the system has not met with success, even in one-teacher schools. Those local authorities that introduced it on economic grounds to overcome inadequacy of staff and accommodation are gradually abandoning it. It is unpopular with both the parents and the teachers. Moreover, the system is not sound. It has been introduced in a few places for economic reasons, but the sooner it is abandoned, the better."

I recommend these words to the careful notice of my honourable friend.

Again, I come to the recommendations of this committee. If Government come to the conclusion that the recommendations of the committee should be given effect to—Government have not come to such a hasty conclusion—but assuming for argument's sake that Government come to the conclusion that the recommendations should be given effect to, then one thing that has to be done as a condition precedent for this step is laid down in one of the principal recommendations of that committee. That recommendation is the last of the recommendations, recommendation No. 54. And there they have stated that without additional funds and additional money nothing can be done. I call this recommendation the keystone of the arch of the whole set of the recommendations. Sir, it reads as follows:

"We have not been called upon to examine the financial situation, and we are not in a position to indicate where additional funds are to come from. The question however is so important that we recommend the appointment of a committee of financial experts to study the question. We suggest that the committee consider the advisability of diverting for educational purposes certain amounts now allotted for other activities....."

What these other activities are is not mentioned by the committee. They leave it to others to find out. Sir, I will read the remaining portion of the sentence:

"the raising of loans for non-recurring expenditure, the levying of a special educational cess throughout the presidency, and the building up of endowment funds for rural education."

Sir, what is the resolution of my honourable friend? Instead of funds, he is tendering us a body of experts; where funds are required for expansion, my honourable friend wants to give us a central board. Sir, a central board cannot obviously be a substitute for funds.

Then, let us see what these sets of recommendations are. They can be broadly classified under three heads. One is the shortening of the course from the infant class to the matriculation class to 10 years. My honourable friend Mr. Chikodi said that this can be done easily. I asked him whether he could point

6-30 p.m.

[Dewan Bahadur S. T. Kambli]

out a single recommendation which could be given effect to without additional funds. He put his finger upon this recommendation. Now, Sir, I want to show him that this cannot be done by the Government at all. This cannot be done by Government alone. The whole recommendation is based upon one important condition. It says that if you introduce vernacular as the medium of instruction, then you can cut down the period by one year in the High School course. What is the position now ? Does the University allow students to answer their papers in their vernaculars in all the subjects ? They have of course made exception in two subjects—Classical Languages and History—but the others must be answered in English. When the University itself does not allow the use of vernaculars in the answering of all papers, my honourable friends conveniently ignore this fact and, in an irresponsible way, say without looking into facts and without considering the pros and cons, that this step is very easy and that the Government is to be blamed for not taking this step. The University has not passed any resolution allowing the students to answer all their papers in their own vernaculars. That is the position. We are to proceed on the basis of the conditions as they are now and not on the basis of what the conditions ought to have been. That being the position, I ask my honourable friends how vernaculars can be made the medium of instruction in high schools unless the University passes a resolution to that effect. As I said, the University controls the course of studies in secondary schools through the matriculation examination. They lay down the syllabus; they lay down also to a certain extent and in a certain sense the medium of instruction. Therefore, unless the University allows every student to answer all his papers in his own vernacular, this period cannot be curtailed.

Then, Sir, the second is the training of teachers. Even the Hesketh Committee has admitted that it requires huge funds. A lot of teachers are untrained and to require them all to undergo training would mean a lot of expenditure. Even the expenditure of Rs. 15,000 annually as suggested by them would take a long period to train all the teachers.

The third is the introduction of vocational, agricultural, industrial, and commercial education in primary and secondary schools. [*An Honourable Member:* "Commercial also ?"] Yes, commercial also. My honourable friend the mover of the Resolution was very eloquent on this point. Here also the question of funds comes in very prominently. If my honourable colleague the Finance Member gives me a crore of rupees tomorrow, I am prepared to accept all these suggestions. On page 53 of the report a modest calculation has been made—or in the words of the committee "only a very rough indication of what the cost is likely to be per school." Now, take the agricultural bias subject. The cost is estimated to be Rs. 480 for the Presidency and Rs. 800 for Sind per school. I just ask my honourable friend to calculate what the total cost would be for the whole Presidency. Then, take commercial bias classes. The committee observe: "The cost of a school with

[Dewan Bahadur S. T. Kambli]

a commercial bias will mean an expenditure of Rs. 700 or more on account of a special teacher." Then to come to industrial bias schools: The committee proceed to observe:

"The cost of a school with an industrial bias will depend on the subject selected. The recurring liability should not exceed Rs. 700 for the teacher, and Rs. 300 for material, while the non-recurring expenditure should not exceed Rs. 500 per school."

So, it will be seen that nothing can be done in these directions without adequate funds. Next, they come to the actual expenditure:

"There are in all over 2,400 full primary schools, and if we take the annual recurring expenditure roughly at Rs. 800 per school on the average, the total recurring expenditure will amount to over Rs. 19·2 lakhs, of which the Government share of the expenditure will be Rs. 12·5 lakhs. If an ordinary teacher is replaced by a vocational subject teacher, the cost will be roughly Rs. 500 per school and the total expenditure will amount to Rs. 12 lakhs, of which the Government share will be Rs. 8 lakhs."

Who is to provide this money in these days of deficit budgets? Then, with regard to vocational training in secondary schools, again, my honourable friend was very eloquent. Here again, where is the money? If he provides money, I shall give him as many schools as he wants. Here is what the Committee says:

"The expenditure on account of vocational training in secondary schools will depend on the subject selected, and on whether an ordinary teacher can be replaced by the teacher of the vocational subject or not. Assuming an additional teacher is employed, we estimate on the average the additional annual recurring expenditure at Rs. 1,000 per school, and the non-recurring expenditure at Rs. 500 per school for equipment. There are in all roughly 226 high schools, and on the basis of the figures given above, the total recurring expenditure will amount to Rs. 2·3 lakhs, and the non-recurring expenditure to Rs. 1·1 lakhs."

Then, the last paragraph:

"As stated above, this is not an estimate of the cost involved, but only a very rough indication of what the cost is likely to be per school."

Sir, these are the main recommendations (1) shortening the period of the course (2) the training of teachers, and (3) the introduction of industrial, commercial, vocational, agricultural bias, etc., classes. But none of these we are able to adopt for the reasons stated by me before. With regard to the shortening of the course, the University has not passed the necessary resolution as regards option in answering all the papers. The other recommendations involve a lot of money which we cannot find.

Sir, with regard to the constitution of the central board, for the purpose of advising Government, I may mention that we have plenty of advice given to us or at our disposal. My honourable friend made a pointed reference to the advice given in the Hesketh Committee's report. But everybody knows that the question is one of funds. When we want funds, my honourable friend tenders advice. Sir, advice is not a substitute for funds.

My honourable friend Rao Bahadur Chitale refused to show me the relevant passage in the report referring to the number of pupils per teacher. I have read the whole report, I have re-read it several times. I have made a thorough study of it. I challenge him to show a recommendation of the nature referred to by him; I will follow him to any place

[Dewan Bahadur S. T. Kambli]

he chooses during his leisure time as desired by him. I shall be obliged if he will show me a single sentence regarding the subject in the report of the Hesketh Committee. I assure him that it contains nothing of the sort.

The Committee recommends that an endowment fund should be built up and that educational cess should be levied and that loans should be raised. Are these the points for consideration for the central board which has been suggested by the honourable mover ? It is an easy thing then for that board to say or to advise that an educational cess should be levied, and then throw all the burden and odium of levying such a cess on the Minister of Education and afterwards carry on an agitation against him for levying additional taxation. That is what it is likely to result in. Sir, people are tired of taxes. I know that the highest limit of the taxable capacity of the people has been reached, (Hear, hear); to suggest any new taxes is beyond my comprehension. And what is the board otherwise going to suggest or to advise ? I ask my honourable friend, has he said a word about funds ? I have read and re-read his speech. No mention of money is to be found therein. This report of the Hesketh Committee makes a clear statement that without additional funds you cannot expect to make any expansion and that without funds you cannot make any progress. They are very significant words. I request my honourable friend to read that paragraph. If he has read it, he should read it again and suggest to me the source whence I can get the requisite funds, so that Government can establish industrial, commercial, agricultural bias schools and vocational schools.

Sir, it is not a question of unwillingness or indifference on the part of Government. I have devoted my attention to this question for one year. I have read every sentence in the report with great attention and care. I shall be obliged to my honourable friends if they show me a way by which we can obtain additional funds for this purpose. If my honourable friends make any practical suggestion, I shall be much obliged to them.

I repeat, Sir, that this Hesketh Committee is more urban in outlook than anybody can be. Here is another of the recommendations of the said committee which proves their extreme urban outlook. They recommend that singing should be made a compulsory subject in the primary stage. This is the committee whose recommendations my honourable friend wants us to adopt at once. Some of my honourable friends said that the three R's only should be taught, and that some subjects should be dropped in the primary stage ; but this comt mittee wants singing to be added and introduced as a compulsory subjec- in every primary school. I do not know whether my honourable friend has read and digested the report and the recommendations carefully. If any of my honourable friends have thoroughly read and digested the recommendations, they are sure to come forward and say that many of the recommendations are unsound in principle and in theory. Many

[Dewan Bahadur S. T. Kambli]

of the suggestions cannot be brought into force in any part of the Presidency except in places where there are rich persons with palatial buildings. [*An Honourable Member:* "In Bombay Schools Committee they have introduced it."]

The honourable member Rao Bahadur Chitale brandished the Parulekar report. Sir, the Parulekar report is not under debate. It is the report of the Hesketh Committee which is under debate. Yet I asked him when it was published. He said it was published in January 1934. Is it possible for me, Sir, to find out which person has published a book and when? I say, Sir, that the gentleman himself has written to me a letter and I have asked him to come and see me. I have told him that until the session concludes, I will have no time. I have agreed to discuss the question with him. There is one vicious principle involved in the suggestions of some of these enthusiasts of this subject. Sir, I want to expose that vicious principle before this House. It refers to the increase in the age of admission. According to them, an increase in the age-limit of admission in the primary school will save a lot of money which could be utilized for expansion of primary education. I will tell the honourable members whether you increase or whether you do not increase the age-limit of admission, you shall have to give the child instruction up to the fourth standard, so that the education the child gets may be of some use in after-life—may produce effective literacy so that the child may not relapse into illiteracy afterwards. That is the accepted principle. You shall have to teach him some months if not one year, in the infant class and four years in the higher classes for this purpose. Whether you allow the child to go to school at the age of five years or at the age of six years or more it does not matter. The child shall have to be taught 4½ years or 5 years as now. I do not think that there will be any saving at all. Many find a remedy in that suggestion; many think that you will simply accumulate heaps of money if the suggestion is accepted. That is wrong, because the very children will come next year, or the year after that and shall have to remain in school for the period I have mentioned. It is really the period of their stay in school that matters and not the age of admission.

Some of the honourable members referred to Madras and Bengal, and asked why primary education is so cheap in Madras and Bengal and why it is so very costly in this Presidency. I would commend them to read the passage at page 23 in the Review of Education, wherein they will find that whereas the average salary of a teacher in Bombay is Rs. 47, the average salary of a teacher in Bengal is Rs. 8-6-0. and the average salary of a teacher in Madras is Rs. 15-4-0. Ever since 1921, I have been hearing in this House that the primary school teachers in this Presidency are poorly paid. I do not know what has made honourable members now advise Government to follow Bengal and Madras. Either they have forsaken the teachers, or the teachers have forsaken them. Up to this time there was a very holy alliance between them and the teachers. Everybody was for "poor teachers". The

[Dewan Bahadur S. T. Kambli]

teachers were never referred to without the adjective "poor". These very "poor" teachers of Bombay get an average salary of Rs. 47 as against Rs. 8-6-0 in Bengal. The Bombay Municipality pays its teachers more than in any other part of this Presidency. Sir, the increased or high cost of living in this Presidency accounts for the high rate of salaries here.

I shall be very glad to discuss the whole question with Mr. Parulekar. I will try to find out how he proposes to bring about a revolution in the system of education in the city of Bombay. Sir, the existing rule 67 of the Primary Education Rules gives absolute freedom to the school boards to lay down the courses of study, of course, with the approval of the Director of Public Instruction. They have got the power. But I have never had, at least during the period I have been Minister, any correspondence from him bearing on this subject [*An Honourable Member:* "He is helpless in the matter"]; nor has he sent me any proposals with regard to change in the course of studies.

I do not deny, Sir, that there may be some concrete suggestions contained in the book written by Mr. Parulekar. I admit that I have not gone through the book. But if Mr. Parulekar's book gives any valuable assistance, I will certainly look into the matter. As my honourable colleague the Leader of the House has told you, there will be the question of elasticity of the rules also to be considered. Several other points which have been brought out during the discussion will be considered; I assure my honourable friends that if they have any difficulties, they are always at liberty to come to my office any time and discuss these subjects with me. They are always welcome. I have never refused to discuss these questions with any honourable member.

With these words, I oppose the resolution, first, on the ground that instead of money, my honourable friend tenders advice through a body of experts—not even all experts, because there would be labour representatives—and secondly, many of the recommendations are unsound in principle and impracticable in working. With these words, I oppose the resolution. [*Applause.*]

Mr. M. M. KARBHARI: On a point of information, Sir. If the Honourable Minister for Education has got his own plans, we shall be obliged if he will let us know what they are. If the Education Minister is convinced by now that a revision of the curricula in primary and secondary education has become a matter of necessity and if he answers that question in the affirmative, may I know whether he has taken any steps to put his plans into action?

The Honourable Dewan Bahadur S. T. KAMBLI: Either the honourable member seems not to have been attentive when I made my speech or he seems determined not to remember what I said, namely, that Government is considering the question of revising the curricula of studies in primary education.

Mr. M. M. KARBHARI: My question is whether the Honourable Minister has his own scheme in contemplation and, if so, what that is.

The Honourable the PRESIDENT: I do not think that is a fair question. When the Honourable Minister has said that the matter is under consideration, he cannot say at present anything more than that, and I think the honourable member must be satisfied with that reply.

Question put, and negatived.

The Honourable the PRESIDENT: Now the next resolution which stands in the name of the honourable member Dr. Solanki.

Honourable MEMBERS: That may be taken up to-morrow, Sir.

Dr. P. G. SOLANKI: Yes, Sir, to-morrow will do.

The Honourable the PRESIDENT: To-morrow, the honourable members must remember, is the last day of the session and, according to our usual practice, the House meets at 10 o'clock and the prorogation order is read at about 1 o'clock. That would mean that instead of 4½ hours, the sitting would be for 3 hours from 10 to 1. If that is borne in mind, the honourable member may move his resolution to-morrow.

Dr. P. G. SOLANKI: I did not know that we were meeting at 10 in the morning to-morrow. In any case, I would like to move my resolution to-morrow morning as some of my honourable friends are not here just now and to-morrow morning they may be coming.

It being 50 minutes past 6 p.m. the House adjourned till 10 a.m. on Friday, the 23rd March 1934.

MO-I Bk Hb 185—7

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Friday, the 23rd March 1934.

The Council re-assembled at the Council Hall, Bombay, on Friday, the 23rd March 1934, at 10 a.m., the Honourable the President, Sir ALI MAHOMED KHAN DEHLAVI, Kt., Bar-at-Law, presiding.

Present:

ADVANI, Mr. P. B.
AMINUDDIN, Mr. SAIYID
ARBUTHNOT, Mr. C. W. E.
ASAVALE, Rao Bahadur R. S.
BAKHALE, Mr. R. R.
BANGI, Mr. A. K. J.
BELL, the Honourable Mr. R. D.
BIRADAR, Sardar MAHABOOBALI KHAN
BOLE, Rao Bahadur S. K.
CHIKODI, Mr. P. R.
CHITALE, Rao Bahadur G. K.
CLEE, Mr. C. B. B.
COLLACO, Dr. J. A.
COOPER, the Honourable Khan Bahadur D. B.
DAVIS, Mr. G.
DESAI, Rao Saheb B. G.
DESAI, Mr. H. R.
DESAI, Mr. S. B.
DHALUMAL LILARAM, Mr.
DIXIT, Dr. M. K.
D'SOUZA, Dr. J. ALBAN
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GARRETT, Mr. J. H.
GAZDAR, Mr. MAHOMED HASHIM
GHULAM HUSSAIN, the Honourable Sir
GOKHALE, Mr. L. R.
GOVER RORA, Mr.
JOG, Mr. V. N.
JONES, Major W. ELLIS
KALBHOR, Mr. G. M.
KALE, Rao Bahadur R. R.
KAMAT, Mr. B. S.
KAMBLI, the Honourable Dewan Bahadur S. T.
KARBHARI, Mr. M. M.
KNIGHT, Mr. H. F.
KULKARNI, Rao Saheb P. D.
LANE, Mr. C. M.
MADAN, Mr. J. A.
MAXWELL, Mr. R. M.

MEHERBAKSH, Khan Bahadur S.
MEHTA, Mr. M. H.
MITHA, Mr. MAHOMED SULEMAN CASSUM
MODAK, Rev. R. S.
MORE, Mr. J. G.
NAIK, Sardar Rao Bahadur B. R.
NAMDEORAO BUDHAJIRAO, Mr.
NAWAB SHAH ROOKH SHAH YAR JUNG BAHADUR
PARULEKAR, Rao Bahadur L. V.
PATEL, Khan Bahadur A. E.
PATEL, Mr. C. N.
PATEL, Khan Bahadur VALI BAKSH A.
PATIL, Dewan Bahadur D. R.
PATIL, Mr. N. N.
PATIL, Mr. V. N.
PATIL, Rao Saheb V. S.
PETIT, Mr. J. B.
PRADHAN, Rao Bahadur G. V.
RAHIMTOOLA, Mr. HOOSENALLY M.
RESALDAR, Mr. A. K.
ROOSE, Mr. F. O. J.
SERVAI, Mr. A. E.
SHAIKH ABDUL AZIZ, Mr.
SHAIKH ABDUL MAJID, Mr.
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SHINDE, Mr. R. B.
SINDHA, Mr. MADHAVSANG JORBHAI
SMART, Mr. W. W.
SOLANKI, Dr. P. G.
SURVE, Mr. A. N.
SURVE, Mr. V. A.
SYED MUNAWAR, Mr.
THAKOR OF KERWADA, Sardar BHASAHEB RAISINHJI
TURNER, Mr. C. W. A.
VAKIL, Mr. PESTANSHAH N.
VANDEKAR, Rao Bahadur R. V.
WADKE, Mr. B. P.

SHORT NOTICE QUESTION AND ANSWER.

HUNGER STRIKE OF POLITICAL PRISONERS IN YERAVDA JAIL.

Rao Bahadur G. K. CHITALE (Ahmednagar District): Mr. President, may I be permitted to ask a short notice question, of which notice has been given to the Honourable the Home Member?

The Honourable the PRESIDENT: Yes.

Rao Bahadur G. K. CHITALE: Will the Honourable the Home and General Member be pleased to make a statement on the situation that has arisen at the Yeravda Central Prison owing to the juvenile political

prisoners being forced to stay with the ordinary criminals and the consequent reported hunger strike by some of the adult political prisoners ?

The Honourable Mr. R. D. BELL : Sir, the facts are that part of the juvenile section of the jail required repairs and had to be vacated for two nights only. Ten boys who were in prison for offences connected with the civil disobedience movement and who occupied part of the juvenile section were placed in a barrack which contained some offenders who are classed as star class juvenile offenders, that is, juveniles who are first offenders. There was ample room for the two sets of boys to keep quite apart if desired. The boys who were in prison for offences connected with the civil disobedience movement refused to go into this barrack. The ringleaders were warned and put in separate cells. Still the boys refused to obey orders ; so they were warned that anyone who persisted in refusing would be flogged. One boy jumped up and asked to be flogged. He was thereupon flogged. Next day, all the ten boys went on a hunger strike, which lasted for four days, from the 5th to the 8th of March. They then resumed food. But on the same day as the boys began taking food as usual, that is, on the 9th March, fifteen adult civil disobedience prisoners went on a hunger strike in sympathy. Three of these adults resumed food on the 16th March, and the remainder on the 17th. No prisoner is now on hunger strike.

Dr. M. K. DIXIT : Are they all in very good condition of health ?

The Honourable Mr. R. D. BELL : I have no information to the contrary.

RECRUITMENT TO GOVERNMENT SERVICE.

Dr. P. G. SOLANKI : Sir, I rise to move my resolution, which reads thus :

"This Council recommends to Government that no recruitment should be made from the advanced and other communities whose quota of percentage is reached or is above the ratio laid down to any posts in the several departments of Government so long as suitable and deserving candidates from amongst the Intermediate, Backward and Depressed (scheduled caste) classes and Mahomedans possessing minimum requisite qualifications for such posts are not equally recruited and represented in all the departments in proportion to the percentage ratio laid down by Government for the recruitment of these classes and communities."

Sir, at the very outset, I must admit that I have got only a hazy idea about the ratio or percentage which Government may have laid down for recruitment of candidates of different communities. My recollection is vague, but I have heard many honourable members of this House saying that the services have been earmarked according to the percentage I shall mention. Fifty per cent. for the advanced classes, and the remaining 50 per cent. for all other classes, including non-Brahmins (that is, Intermediate, Backward, Depressed or the untouchable classes who will hereafter be known as scheduled classes), and the Mahomedans. I have only a rough idea about this. I am

[Dr. P. G. Solanki]

anxious that the Honourable the Leader of the House, or anyone from the Government benches, should tell us in plain words, clearly, how the Mahomedans, Intermediate, Backward and Depressed classes stand in connection with Government services. It is the experience of all the communities mentioned in the resolution, namely, the Intermediate, Backward and Depressed classes and Mahomedans, that up till now, or at least up till 20 years ago, all the services used to go to advanced class candidates, no matter whether they possessed very high and distinguished qualifications or they possessed only the minimum qualifications. The facts are there. If you look into the cadre and the number of servants in the Secretariat and other Government offices—and also semi-Government offices—you will find a preponderating number of the advanced classes in all the offices. We might find only one, two or three of Mahomedans and Backward as against hundreds and thousands of servants belonging to the advanced classes. I do not talk of the Depressed classes, as their number in Government services was a big zero. Under these circumstances, when our brethren of the advanced communities are clamouring for democracy, self-government and independence, is it not high time for us who belong to these communities to ask for our due share and our quota in those services which up till now have been a close preserve and monopoly of the advanced classes? It is not in any spirit of rivalry or in any carping spirit that I am speaking, nor do I want to run down the advanced classes. I appeal to my advanced class brethren to keep a cool mind, to judge impartially and as human beings let them deal out justice as men to men. Democracy tells us that the government ought to be of the people, for the people and by the people. The advanced classes may be thinking that the administrative powers should always rest with the advanced classes. If that idea is prevalent in their minds, I may tell them that it is a fallacious idea. Democracy means that every man, however low he may be placed, should have his due share in the administration of the country. It is with this idea that I am pressing my resolution before this honourable House. Even the honourable members on Government benches should not find fault with me. If we are to work in the fair name of justice, equity and impartiality, these loaves and fishes should be divided among the different communities, communities which up to now have been denied the right of sharing these loaves and fishes and bread and butter. It is high time that Government really dealt out justice to us. We want justice, we want fair play and no favours. We want Government officials to come forward and help these people who have been denied all these privileges and rights of Government service in the different departments of Government. Sir, on this point I do not think my advanced class brethren or my intermediate class brethren or those belonging to other classes are divided. I am speaking on behalf of those whom Mahatma Gandhi calls Harijans, the Mahomedans, the intermediate classes and the backward classes; although I may not claim to be the representative of all the above classes, yet I speak as one of them and I think I can speak with some authority on their behalf.

[Dr. P. G. Solanki]

I expect many of my friends in the Mahomedan community as well as the non-Brahmin community and the backward communities to back me up in my demand. I will give you instances of indifference towards the above communities in Government offices as well as other offices. As regards Government service, several press notes have been issued, and I believe that they have prescribed a ratio of 10 per cent. from amongst the Depressed Classes so far as menial servants are concerned. By "menial servants" I mean peons, pattawallas, etc. The other day I heard a sympathetic officer of Government say that they are trying their level best to select their peons from among the untouchables. The pattawallas who come from the Maratha community have got their own prejudices and differences. I admit that. But when the educated and advanced and highly cultured orthodox Hindus have got these prejudices, it is no fault of the peons that they also have got certain prejudices, because they are illiterate and steeped in ignorance about their religion and the progress that has been made. It lies in the power of my intermediate class brethren to persuade these pattawallas not to be so very conservative and to allow these people to serve the Government which every community has a right to do. Even the famous declaration of the late Queen Victoria says that persons should be admitted to Government service without distinction of caste, colour or creed, provided they have got the requisite qualifications. It is not that a man should be appointed because he happens to belong to a particular caste. It is not that that I want. You lay down a certain standard for the advanced, intermediate and backward communities. I do say that you should make a selection out of these men. You must lay down a certain percentage for the backward and the depressed classes, and if men from these classes possessing the requisite qualifications come forward, they should be appointed. I think I should make my own humble suggestions in this respect for the consideration of Government, now that I have had an opportunity of speaking. Sir, I would not like to go by the hard and fast rule of the population basis. But for the information of the House I will give the percentage population of the various communities to the whole population of the Presidency. The minority advanced community has always been vociferous when speaking for the rights of the masses, but with no result. I first take the advanced communities, in which I include, as Government have done, the Brahmins, Prabhus, the Banias, the Bhatias, the mercantile class and others who are rolling in wealth, who do not suffer any disabilities, for whom the doors of educational institutions are always open, who can take advantage of education and become full-fledged graduates. The percentage ratio of these advanced classes to the total population of the Presidency is 7·3. I would request my friends of the Mahomedan community, the backward communities and the depressed classes to bear this in mind. Then I take the intermediate classes containing Marathas, Kunbis, Kolis, cultivating classes and artisans, whose population is 58·8 per cent. of the total population of the Presidency—nearly 59 per cent. In the backward classes I include

[Dr. P. G. Solanki]

the aboriginal and hill tribes, other wandering tribes, the depressed classes or the untouchables, all put together. Their population is 21 per cent. of the total population of the Presidency. If we take the aboriginals and hill tribes and other wandering tribes, they form 11 per cent. and the untouchable depressed classes or scheduled classes form 10 per cent. The Mahomedans in the Presidency proper form 8·8 per cent. of the total population of the Presidency, while in Sind the Mahomedans form 73 per cent. of the total population, the remaining being Hindus and other minor communities. However, that is a question for Sind province. Others, who do not want to be included among Hindus are the Jains and others, who form 4·5 per cent. So, these advanced communities put together form about 11·8 per cent. or on a generous basis, 12 per cent. all told. I would add to these advanced classes, the minority communities of the Parsis and the Goanese Christians, because they are cent. per cent. advanced in point of education and their representation in all the services is as good as the representation of the advanced classes. The Parsis have always gone along with the advanced classes and have never cared for separate electorates. So also, the Goanese Christians did not want separate electorates. They chose joint electorates, but the R. T. C. gave them separate electorates. This affects the percentage of the total population in our presidency. If we are to look minutely into the distribution of the services for these communities, I should think that their condition is deplorable. Our experience has been very bitter. I do not say this without being sure of what I say. It is not that I have moved this resolution with any spirit of jealousy or rivalry, but I have done so in order to pave the way for the future new constitution when I am afraid the scramble for Government services will be very hard and the advanced and other communities will be obstinate in retaining their hold on Government services. No community will yield then. Therefore, so long as the Government benches are with us, so long as we have got a sympathetic officer of the highest order of the type of the Honourable Sir Ghulam Hussain who has got a catholic sympathy for all communities put together, we can hope for some advance for our community, but if we do not get justice from the hands of gentlemen like him, gentlemen who are with us now but who may not be with us after two years, perhaps our case will go by default. I do not wish to take much time of the House. I will point out one or two instances. In the Secretariat the same is the case. In the Collectors' and Commissioners' offices, in districts in the mofussil the tale is the same. I come to the local self-governing institutions. Take for example the Bombay Municipality. In the Bombay Municipality, which has an income of nearly 3½ to 4 crores per annum, almost equal to the income of the Baroda State, they spend annually about 30 to 32 lakhs on primary education. There is one Mahomedan youth with the best qualifications in engineering. That poor fellow has been struggling very hard to get a footing in the municipal engineering service. I know it for a fact myself. I know what has been his plight. He was made to go to the Municipal Commissioner.

[Dr. P. G. Solanki]

The Mahomedan members of the Corporation went in deputation to the Commissioner and requested him to take up this young Mahomedan engineer in service, who possesses the best of qualifications. Yet, to my great regret, I found the Commissioner replying to the leading members of the Corporation who are also members of this House,—it pains me very much, Sir, to quote that answer here—"Don't be in a hurry. Let some white or English Commissioner come. He will give you all services and he will give you every facility. Wait for that time." Is this the way to give a reply to these leading men of the Muslim community? If such is the answer given to such a powerful minority, what would be the plight, the miserable plight, of the depressed classes? They feel that this mighty Municipal Commissioner cannot be curbed or that his power cannot be curtailed. If that is the reply which we have to expect from our Indian brethren, if this is the way in which Mahomedans and depressed classes are to be treated, I shudder to think of our future, Sir. The present Municipal Commissioner, Mr. Kirpalani, it was he who gave such a reply to the leaders of the Mahomedan community in Bombay. It is not I alone who say this. If anybody wants to challenge me, I will prove it——

Rao Bahadur G. K. CHITALE: I want to challenge it.

Dr. P. G. SOLANKI: It will be proved. There are many a Mahomedan gentleman here to-day who have heard the Municipal Commissioner give that reply. They will bear me out. That young man has not yet been recruited, and it is only within a couple of days that I hear that that man now stands a chance of being recruited.

Dr. M. K. DIXIT: By whom?

Dr. P. G. SOLANKI: By the Municipal Commissioner, of course. Such are the difficulties in the way of the Mahomedan, the intermediate, the backward and the depressed classes.. I will give another instance.

Rao Bahadur G. K. CHITALE: On a point of information, Sir, whether such one-sided allegations ought not to be checked.

Dr. P. G. SOLANKI: That is all right. I am giving instances of things I know from personal knowledge. The other instance is of a Vaishya candidate who is a touchable but who comes from a backward community. Poor fellow, he had applied for some service in some department, to the Commissioner in the municipal office. That man's application was not even registered on the waiting list for nearly a week or a fortnight. When I happened to know that, I went to inquire from the Chief Accountant in whose department there were four vacancies.. The Chief Accountant said his name must be on the waiting list and called for the waiting list, but he found that the man's name was not entered at all on that list. I asked the Deputy Commissioner why that man's name was not on the waiting list. He said: "Look here, our clerks are not so free as to keep the waiting list up to date. There are hundreds of candidates who are applying for posts. Do you mean to tell me that they should give their attention only to this work and not to other work?"

[Dr. P. G. Solanki]

Mind you, in that Deputy Commissioner's department there are clerks who are supernumerary, more than the number required, who are whiling away their time, and here is the Deputy Commissioner telling me that there is no clerk free to keep the list of these candidates up to date. It was rather a very painful experience of mine when I heard these things from the Deputy Commissioner who also happens to be a Hindu gentleman from the Intermediate classes. This is the bitter experience of the Mahomedans and the backward classes, and how miserable must be the case of the poor down-trodden depressed classes now and later on? I appeal to the Government benches and over and above that, I appeal to the Honourable the Finance Member who is always ready to show his catholic sympathy and kindness towards all. I hope he will come to our help and formulate a scheme of certain percentage ratio and give us some guidance on which we can work up our legitimate claims and get our due share. With these words, I commend my resolution to this Honourable House for its acceptance.

Question proposed.

Mr. MAHOMED HASHIM GAZDAR (Karachi City): Sir, I rise to give my whole-hearted support to the resolution moved by my honourable friend Dr. Solanki. Sir, the letter of the resolution and its spirit is what was advocated by the Indian National Congress 30 years ago. Sir, the Indian National Congress, when it made a demand that the services should be Indianised and when it made a demand that India should be governed by Indians for the Indians, the whole idea embodied in this resolution was present in those two actions of the Indian National Congress. By asking for the Indianising of the services, Sir, they overruled the principle that India should be governed by the fittest persons. The population of India, as situated to-day, is not formed of one nation, but it contains several nations with different cultures, different tongues, religions and different interests. So, when it made a demand that India should be governed by the people of India, it meant that all people should be given equal and fair opportunities, and that the business of Government should not be the monopoly of one particular community. Therefore I say that this resolution has got the support and sanction of the Indian National Congress, and all people here who say that this demand for self-government and the demand for the Indianisation of services is a proper demand and legitimate demand, should come forward strongly to support this resolution. Sir, once we have set at rest this fetish of efficiency, namely, that we should be governed by the fittest people, we must come down to practical politics and see how we are to give effect to the spirit of the resolution that we should be governed by the people themselves. Well, Sir, I used to be really surprised some time ago as to why the advanced communities should start movements for self-government when they are actually in possession of the Government and why they are fond of making further demands. Well, Sir, now I realise that they wanted to make use of the masses in their name and secure further power and be self-constituted custodians of

10-30 a.m.

[Mr. Mahomed Hashim Gazdar]

the masses as the Britishers claim to be. Well, Sir, that Government, self-constituted, is government by about 5 per cent. of our population. Ninety-five per cent. of the administrative posts which form the government of the country are monopolised by one community. And what is the result? When we make a demand that we should have some share in the governance of the country, our voice is not heard. Well, Sir, we have therefore to find some channels of effectively reaching the third parties, the Britishers in India, and they very kindly look into matters and they think our demand is very fair. So, Government comes forward, issues resolutions and passes orders to secure representation of other classes in the services. But, Sir, who are the people to give effect to these resolutions and orders? The same people who have got the monopoly of service, have monopoly of government, with the result that all the orders of Government remain dead letters as the execution of policy laid down by Government is in the hands of advanced classes only. So, we, who do not want to be governed by any particular community to our great harm and disadvantage, made a demand that there should be statutory provision, that not only we should have an effective voice in the representative bodies to voice our grievances and claim our legitimate rights, but there should be statutory provisions in the Government of India Act that we should have a very legitimate share in the services of Government and local bodies. Well, Sir, though the White Paper and the Communal Award do not contain anything about this matter, we are sure that we have effectively impressed this on Government, that we are not going to be handed over by the Government to only 5 per cent. of our population.

Sir, the instance that my honourable friend Dr. Solanki quoted is only one of a legion. In Sind, the Mahomedans are 73 per cent. of the population. But all our municipalities and local boards, all are manned by a particular community. In the municipalities of course the majority are not Mahomedans, and there you will find not a single Mahomedan employed. The question might arise, when we have got a majority in the local boards, why should we not be able at least to give effect ourselves to what we are asking Government to do? Well, Sir, as I stated before, the Government of the country is run by people who are not disposed to do justice to us, with the result that the members who form these local boards are actually coerced, threatened or promised favours to vote for the relatives of the non-Muslim officers. And what happens? We get non-Mahomedans appointed. We have got a recent example of the appointment of the chief officer of the district local board of Dadu. In spite of 20 members of the board being Mahomedans, the appointment went to a Hindu. The Commissioner in Sind sent back the papers, saying that there were better qualified people and suggesting the name of a particular gentleman. Still, the officer in charge of the district made it impossible for the board to make the appointment by free choice. So, Sir, it is but natural that we take up this sort of attitude, and we ought to be excused, and not only excused but encouraged in not demanding from Government only pious resolutions

[Mr. Mahomed Hashim Gazdar]

but something more substantial. We want something definitely laid down which should make it illegal for any officer of Government to ignore our rights, and it should be considered part of the duty of the officers to give effect to these resolutions, and the promotion of an officer must be made to depend as much upon the spirit he shows in giving effect to the orders of Government regarding recruitment to the services as with regard to the discharge of his other duties.

Sir, before I proceed, I would like to say that I cannot give any figures about the intermediate classes, the depressed classes, the Marathas and other classes, because I am not in touch with them, but I will be able to quote figures about the position of Mussalmans in the services in Sind, and from that it will be evident how, when we, a majority community, with some influence and voice, are not able to get our due share, the depressed classes and the Marathas can get their share unless something definite is laid down in the law. Sir, there are 17 different ways in which the Mussalmans are deprived——

Mr. V. N. JOG: May I know from the honourable member whether he wants a percentage for the whole presidency or for each village, or each municipal body ?

Mr. MAHOMED HASHIM GAZDAR: I want a percentage laid down for Government and a percentage laid down for local bodies, on the proportional basis of population.

Mr. V. N. JOG: In each place or for the whole presidency ?

Mr. MAHOMED HASHIM GAZDAR: For the whole service in each cadre.

I was just giving some of the ways in which Mussalmans are cheated out of the appointments. In order to show apparent respect to the orders of Government, advertisements are inserted in certain newspapers, that a vacancy for such and such a post has occurred, that candidates with certain qualifications should apply, and that Mussalmans will be given preference. Well, Sir, naturally Mussalman candidates also apply, and they expect the appointment to go to them. But there are certain practices, on account of which a Mussalman cannot get the appointment. The first thing is that the applications by Muslims will not reach the office even though they may be registered. Secondly, if a statement of all the applicants is prepared, then the qualifications and experience of Mahomedan applicants will not be shown properly, because the whole office, or at least the head clerk of the office, without exception, is a non-Mussalman. If by some chance the name of some Mahomedan candidate happens to strike the fancy of an officer, he may write a letter to the Mahomedan candidate for an interview. The letter is signed and outwarded but it never reaches its destination, because it is never put in the post box. As I said there are 17 ways in which a Muslim candidate is prevented from getting the appointment. I do not want to enumerate all of them here. I shall give a recent instance.

[Mr. Mahomed Hashim Gazdar]

There were some vacancies of Registrars' posts in the Judicial Commissioner's Court. It was definitely put down in the advertisement that qualified competent Mussalmans would be given preference, in fact would be given the appointment——

The Honourable Mr. R. D. BELL: Can the honourable member produce the advertisement where it was stated that a Mussalman would be given preference, in fact a Muslim would be given the appointment?

The Honourable the PRESIDENT: What did the Honourable the Home Member say?

The Honourable Mr. R. D. BELL: The honourable member stated just now that an advertisement was issued in which it was stated that Mussalmans would be given preference, in fact they would get the appointment.

The Honourable the PRESIDENT: What the honourable member said was that the advertisement was to the effect that a Muslim would be given preference and he went further and said that in fact he would get the appointment. The Honourable the Home Member wishes to know whether the advertisement could be produced.

Mr. MAHOMED HASHIM GAZDAR: It was understood because there was no Muslim registrar in the High Court. The applications were received and considered. Even a committee of the Bar Association was appointed to consider the applications. Some Mussalmans were found competent by the Committee and recommended for appointment. On this there was so much agitation in the Hindu Press and perhaps we may not get it in spite of recognised competence and recommendation by the Committee.

Well, Sir, this is how we are being treated and it is why I am very thankful to the honourable member Dr. Solanki for bringing the resolution that further recruitment from the monopolist classes should be stopped till the Mussalmans and other backward classes get due representation in the services. Of course, we are not here to lower the standard of efficiency or the suitability of candidates to be appointed. By all means pitch up the standard as high as you think best for the different cadres. But once that is done if candidates from our communities are found who satisfy those standards surely they must first be appointed before other communities get these appointments. I know one honourable gentleman from this House, a Mahomedan gentleman, approached the authorities concerned to appoint Mahomedans in the Forest Department in the Presidency. He gave the names of certain candidates. He was informed that as soon as vacancies occurred they would be appointed. Now, three years have passed and though several appointments have been made no Muslim got the chance.

The Honourable the PRESIDENT: The honourable member has only one minute more.

Mr. MAHOMED HASHIM GAZDAR: I have not yet started——

The Honourable the PRESIDENT: The 17 other ways would now have to wait.

Mr. MAHOMED HASHIM GAZDAR: One man belonging to the depressed classes passed his B.A. examination and wanted to get some employment in Government service. An influential Mahomedan member of this House took him from door to door to the authorities to get him an appointment. Still the poor man has not been able to get an appointment. So, we approach the Government with the request to put down definitely some rules for each department in order to secure proper representation to all classes in the service. The honourable member Mr. Shaikh Abdul Majid and the late Mir Mahomed Baloch have already submitted a memorandum to Government pointing out how that can be done and requesting Government to lay down definite rules. I hope Government will consider them favourably. I hope this House will give their hearty support to the resolution of my honourable friend Dr. Solanki.

Mr. V. A. SURVE (Ratnagiri District) (Addressed the House in Hindi): Sir, I rise to support the resolution which has been moved by my honourable friend Dr. Solanki. But I would have been very glad if the honourable member had given in greater detail the names of the communities which stand in need of such support from Government as mentioned in the resolution. All these classes do not at the present day get any employment anywhere. My ambition is that all these classes, the backward and the scheduled classes, should be educated and should be appointed in posts from Collector to Pattewalla. For the post of Collector, Government appoint men even from provincial service. Similarly, when these classes receive a fair amount of education, they should be appointed as Collectors also. Particularly these men are fit to occupy posts as deputy collectors and mamlatdars. Particularly the mamlatdars must be recruited from the depressed classes. Every department of Government and every branch of every department may be kept open for candidates of the depressed classes. In the municipalities also, water works department, health, drainage and other branches may be open to them. It is because they are unable to secure service in the Government offices and the local bodies that they have been kept behind. Lip sympathy on the part of the Government will not help them in the least. Take the villages for instance. You will not find 5 per cent. among the students belonging to the depressed classes. Even though the parents are exhorted to send their children to school, they request that they should not be compelled to do so. The result is that the depressed classes are still backward in respect of education.

My appeal to the Government is that this resolution should be accepted and effect should be given in every department of Government except the Educational Department. My reason for closing the Educational Department for the members of the depressed or scheduled classes is that at the present moment they are better fitted to receive education than to impart it. The result of appointing teachers from among the depressed classes will be detrimental both to the teachers and the pupils.

[Mr. V. A. Surve]

Even there, I have no objection if scheduled caste teachers are appointed in secondary schools. But they should never be appointed in primary schools. With this exception I am prepared to admit them in every department and in every branch of Government in any capacity. It is only in this way that Government will realise that they are fit for service just as any other community is.

Another point in favour of the acceptance of the resolution is that the depressed classes are as a rule very faithful. In my district the land revenue collections amount to 12 lakhs. The collections from the villages are to be taken to the taluka treasury and that work is done by the Mahars, who bring back the receipt for the amount deposited in the treasury.

At present some people exploit the name of the Marathas for purposes of securing service——

Rao Bahadur S. K. BOLE: Who are they? Which are the castes?

Mr. V. A. SURVE: The honourable member knows perfectly well to whom I am referring and his question is unnecessary.

Rao Bahadur S. K. BOLE: I want to know definitely whom you refer to.

Mr. V. A. SURVE: The honourable member knows it better than I do. Let him make it clear to the House.

Rao Bahadur S. K. BOLE: How do I know?

Mr. V. A. SURVE: You do know.

By accepting this resolution, Government will be helping the children of the depressed classes. It will also benefit the Government. I therefore appeal to Government to accept the resolution for all the departments except one department, namely, the Educational Department. With these remarks, I support the resolution.

The Honourable the PRESIDENT: I would like to understand the spirit in which the honourable member spoke. Did he speak ironically?

Mr. V. A. SURVE: No, Sir.

Rao Bahadur S. K. BOLE: Sir, I wholeheartedly support the resolution and I offer my hearty congratulations to the honourable mover of that resolution, Dr. Solanki. Sir, the advanced classes had the monopoly of education, but now that monopoly, though not broken completely, is going to be broken and the members of the Mahomedan community, the intermediate and the backward classes are taking to education. Whenever the members of the Mahomedan community and the Intermediate and Backward classes make a demand to Government that they should give them their legitimate share in Government service, the cry of "efficiency will suffer" is raised. The same argument was advanced by Government when the Indian National Congress passed the resolution, which was referred to by my honourable friend Mr. Gazdar, for Indianising the services after the Reforms. The members of the advanced classes then ridiculed that argument and is it fair on

[Rao Bahadur S. K. Bole]

their part now to trot out the same argument? Did efficiency suffer when Indians were appointed and why will it suffer now? The argument therefore has no weight. During the first Council, several members belonging to the intermediate classes moved resolutions recommending to Government to fix a percentage for giving service to the members of these classes. As a result of one such resolution, Government issued press notes fixing a certain percentage. But what happened? There are officers and officers. Some officers are very sympathetic and when applications are received from these classes, they consider these applications very favourably. But there are others who are guided by their subordinates and who do not go deep into matters and the Government press notes remain uncared for and the percentages remain on paper. Sir, the share which is demanded by these classes is a legitimate share. From whom does the excise revenue come? From whom does land revenue come? From these classes. Therefore they must get their legitimate share in the services. An admixture of castes in the services leads to efficiency of administration. It is in the interests of Government also. We do not say that Government should appoint members of these classes even though they have not got the requisite qualifications. What we say is that when you get a man belonging to these classes and possessing the minimum qualification for any post, preference should be given to him. That is our request to Government. There are so many qualified men amongst the Mahomedans and other intermediate and backward classes.

11 a.m.

Government appoint selection boards for making appointments, but they do not take into consideration the percentage fixed by Government. They make selections in their own way. So, I have tabled a resolution which runs thus:

"This Council recommends to Government to direct the select committees appointed to recommend candidates for Government service in any department, to make their recommendations in two panels, one from the advanced class candidates and the other from the Intermediate and Backward class candidates."

Sir, if such directions are given to the selection committees, then these classes will have a chance; otherwise, by appointing these selection committees, the claims of these classes will not be recognised.

So, I would request Government to give directions to the selection committees as pointed out by me. My honourable friend Dr. Solanki has suggested 50 per cent. of the posts for the advanced classes. I would, however, suggest that 25 per cent. of the posts should be given to the advanced classes and the rest should be distributed amongst the Mahomedans and the rest. So, I would request Government to fix the percentage, and also to lay down a policy embodying the percentage of these classes in the various services of Government and give instructions to the heads of the various departments to give effect to that policy. Unless that is done, of course the grievances of these classes will not be removed. With these words, I strongly support the resolution.

Mr. P. R. CHIKODI (Belgaum District): Sir, I rise to support the principle underlying the resolution now before the House. It was I think in the year 1923 that a resolution was passed by this very House that preference should be given to backward classes for recruitment to the services, at that time the term "backward classes" meaning those who were educationally backward including the depressed classes, and since then Government have also issued orders that that resolution should be acted up to. If however we look to the appointments that have been made since then, we have got to admit that considerable progress has been made in the appointments for the backward communities. While that is admitted, it must also be remembered that much has yet got to be done. Sir, it was rightly pointed out that the issuing of orders is one thing and the carrying out of those orders is another thing. If a ready instance is necessary, Sir, I will give one which has happened in the Southern Division. A certain order was issued by the Commissioner that all those who had reached the age of 28 or more i.e. who have become over-age, should be removed from the list of candidates. What happened? A very large number say, nearly 75 per cent. of the Non-Brahmins have been removed from the list on the ground that they had become over-age. Now, Sir, in the meanwhile some graduates who happened to be Brahmins were confirmed within a few months of this question of over-age arising. Sir, a resolution was passed by this House to which resolution I referred in the beginning and deliberately, to the effect that there ought to be a minimum qualification and if a candidate has got the minimum qualification, there ought to be no differentiation whatsoever, and that the backward classes should be given preference. But, here, that principle which has been accepted by this House was thrown aside by the Collector of Bijapur. If the Honourable the Finance Member will kindly look into this question, he will come to know that the graduates who happened to be Brahmins were retained in service on the ground that they were graduates, while the Non-Brahmins, who had got the minimum qualifications but who did not happen to be graduates it is true, but who did work well for a number of years, five or six years, have now been turned out. That is one thing.

Secondly, in my own district, Sir, there is even today a depressed class officer who was qualified for a mamlat by passing the qualifying examination, but for a number of years he did not get a mamlat. If the principle of appointing those who have got the minimum qualification and who belong to the backward classes is there and has been accepted by this House and by the Government as well, then how is it that that particular officer, who is by caste a Mahar, was kept back for a large number of years although he had passed the qualifying examination and in preference a candidate of a very advanced class was appointed? I must say also in fairness to that particular candidate that recently he has been appointed as an Acting Mamlatdar. That is true and I must admit it, but my grievance which I want to mention before this House and before Government is that that Mahar officer was kept aside and deprived

[Mr. P. R. Chikodi]

of a mamlat for a large number of years although he passed the qualifying examination. If instances like these are there, the complaint from the depressed class people or the backward community is a perfectly justifiable one. It is necessary for Government not only to lay down a policy, not only to issue orders, but to see that that policy and those orders are followed and once the principle of giving preference is accepted, that principle, Sir, has got to be acted up to. So long as that principle is there, whether it is the advanced community or whether it is a less advanced community or a backward or a depressed class community, it is up to every one of us to see that that principle is followed and the grievance today is that that principle is not properly carried into effect.

Now, Sir, there is one thing which I want to bring before the House with regard to promotions—I call them promotions but virtually they are new appointments. For example, the appointments of deputy collectors. It is said that the recruitment from outside the department has been stopped and that promotions are made from the list of mamlatdars. Now, I want to know one thing, namely, whether Government have laid down the policy that these posts of deputy collectors should be filled up according to seniority or preference should also be given to the members of the backward classes in making the selection. That is also a matter on which the policy of Government should be made known to their subordinates. Here and there a suggestion is being made, I know. In many instances, members of the advanced communities have been appointed and also some members of the backward classes were also appointed, but on account of the seniority, the members of the advanced communities were brought in first, but in the meanwhile the orders of retrenchment came in and only those who happened to be Non-Brahmins came to be reverted back. Such things have happened and have been happening and it is these things which are at the back of the various grievances from which the less advanced communities have been suffering. I therefore request, Sir, that Government should carefully look into this matter and when the principle has been accepted by them as well as by the non-official side of the House, that principle should be acted upon in the spirit as well as in the letter by the subordinate officers of Government. With these words, I whole-heartedly support the principle underlying the resolution moved by my honourable friend Dr. Solanki.

Rev. R. S. MODAK: Sir, I give my whole-hearted support to this very important resolution moved by my honourable friend Dr. Solanki. I feel personally indebted to him for the favour which he has tried to do to the people who have so far been left unnoticed. A resolution like this is a mere cry in the wilderness because of the special unsatisfactory situation that is seen almost everywhere in this presidency. I feel sure that no country can grow progressively until all the different classes of people in that country come to a common level. Some time ago, at my request, the Government of Bombay very kindly passed a resolution recognising a Committee of Indian Christians for the purpose of recruitment of Indian Christian candidates for Government service. I have been one of the

[Rev. R. S. Modak]

members of that committee and have taken a special interest in its work at some personal sacrifice. I want to say here with all respect for those concerned that I have been very seriously disappointed in this work. I can quote examples of equally qualified candidates from Mahars and other depressed class communities of the Ahmednagar District as well as Indian Christians, who were practically refused admission, when candidates in some cases even of lesser qualifications were quietly admitted. I say this on actual facts in my own possession. Very often it is said that unless a candidate is qualified, he cannot render efficient service to Government. I know, Sir, two important examples in which two important members employed by a certain Christian Mission were found very inefficient in that Mission and on whom they wanted to spend no more money. One of the influential members of that particular Mission put those men on to Government and in Government service they were found very efficient, one of them drawing for many years the salary of more than Rs. 1,000 a month. I feel, Sir, that, after all, the standard of efficiency depends on the particular attitude that is shown to that particular individual. Unless we are prepared, both as a country and as Government, to present a sympathetic attitude towards a particular group of people who form a part of our life, we are certainly going to be imperfect in our modern administration. I feel, Sir, that unless we are prepared to establish and lay down a principle of giving a helping hand to the less unfortunate people of our country, we are not going to succeed even in spite of the reforms that are coming to India in the near future. I remember in Ahmednagar that most of the domestic servants of the European officials some years ago were particularly chosen from the Mahars and the Mahomedans of that place, and was told hundreds of times by different friends that they could not get along in bungalow work if Mahars were not appointed as butlers and cooks. But then there came a time when a huge contingent of people came from Madras, who offered to work on one-fourth or one-fifth of the salary that was being paid to the local Mahar servants, and then they found that the Madras cooks gave them better pudding and more tasty ice cream, and now the Mahar butlers and cooks are roaming about everywhere in Ahmednagar and they are found less efficient. It depends, Sir, on their action, as to what they are going to do to alleviate the condition of these people who have been for generations together unfortunate, even in spite of all our good intentions for them as well as for others. I have no personal axe to grind against any one who has been more fortunate. Let him enjoy still better fortune. They have been found efficient; they have been placed in a particular situation; they have had the background of culture and the heredity behind them. But we are concerned not with those who have progressed fortunately more than others. We are concerned to bring up those of our brethren who certainly deserve a helping hand in these days of communal competition. I have no doubt that we have to admit that things in India are done more on a communal basis than on anything else. And yet Government cannot boast of any Indian Christian who is a district officer. Perhaps, we have none who is qualified enough.

[Rev. R. S. Modak]

Very rightly, we will have none who will be sufficiently qualified to hold that post. We have a few Indian Christians employed here and there. But some of them are today, after 20 years' service, exactly where they were on the day of their employment. If such a candidate could not go one step higher after all these 20 years of service, which is the full term of a life punishment for a heinous crime, I suppose there must be something wrong somewhere. He should have been dismissed long ago, and no public money should have been wasted on a man like that. The very fact that such people are maintained in service shows that the time has come for us to think very seriously and to stop and reconsider our situation. I do hope, Sir, that those who are concerned will give special attention to this humble resolution, which is most humbly being presented by my honourable friend Dr. Solanki, with real interest in those people who are concerned in it and that the Government would come forward now to give special attention to those of their subjects who need it. I do feel, Sir, that unless these people are given opportunity to grow, invited to make their own contributions, to show themselves as fitting subjects of His Majesty's Government, they cannot bring out the latent forces that exist in them. Many times I feel that, when opportunity is given, various people have grown far beyond the expectations of those who help them.

Once upon a time, in the earlier days of this Council, I remember a deputation having waited on an important Member of this Government, and the officer concerned gave a very tactful reply to that deputation, which was to push forward the claims of the backward classes. He said "We are not at all anxious that any one particular community in India should rise over all other communities. But the fact is that a certain bulk of work has got to be done in Government, and unless that is done, the Secretariat cannot be maintained, and the backward classes are not able to do that kind of work." But I say that unless backward classes are tried and found either fit or unfit, no such conviction can ever psychologically justify itself.

I submit, Sir, that this resolution be unanimously passed by this honourable House, so that we can at a later stage get a report and see whether the members of the backward classes can ever rise higher than where they are today. I know that if unfortunately a man from among these classes commits a mistake and is found guilty, inefficient, unfit, then there will be a hue and cry, as if he had committed the most unpardonable sin. But what about those people who are every day committing such crimes? That even shows that our people, in the first place, are very few in numbers in Government service, and those that are there, do their best to prove satisfactory. Therefore, I submit, without taking any more time of the House that this resolution be unanimously passed and tried for a while.

Sardar BHASAHEB RAISINHJI, THAKOR OF KERWADA (Gujarat Sardars and Inamdars): Sir, to me it seems that our honourable friend Dr. Solanki has given us an opportunity, not by way of bringing up for

[Sardar Bhasaheb Raisinhji]

discussion a fresh resolution, but to review as to what has been done in connection with the policy which Government had once acknowledged, namely, the policy of the recruitment of a certain percentage from the backward classes for Government service. Unfortunately, it seems now very clear from the speeches of the various honourable members who have spoken on this subject that no effect has been given to that resolution as yet. I think therefore that this is a most welcome resolution, which has raised the discussion of a question of such vital importance.

Sir, with regard to the Mahomedan community and other communities, in those days we were very often told that suitable candidates with proper qualifications were not available. But I think now the whole aspect of things has changed, and if Government desire that this deficiency in percentage is to be made up, the only possible way that is open to Government to give effect to it is for them for some time to confine recruitment to the communities who have hitherto been lagging behind.

Sir, I hope the Honourable the Home Member will enlighten the House, and I personally shall be very glad to know, what has been actually done in connection with the recruitment of subordinate judges last year. So far as the appointment of candidates from the backward communities is concerned, out of the 12 posts for which recruitment was to be made, I think only 2 Mahomedans and 1 from the backward communities were selected, and the rest of the appointments were filled up by candidates from the advanced classes. Of course, I have no grudge against them, but our progress is not continued.

Sir, I think it was my honourable friend Rao Bahadur Bole who pertinently remarked that the good intentions of Government are only pious wishes on paper, and they are not worth the paper on which they are given. Of course, all the European members in the higher services are very sympathetic towards us, but now the time has come when we should really give effect to this resolution, and start recruitment from the backward communities. So far as the Marathas and Mahomedans are concerned, I do not think you can very well say that suitable candidates are not forthcoming from these communities. Hundreds of graduates and LL.B.'s are being turned out every year, and there is no reason why the vacancies in Government service should not be filled up by candidates from these communities. I am speaking subject to correction, but so far as my information goes, in regard to the appointments of subordinate judges last year I think the majority of the posts were given to candidates belonging to the upper classes. I shall be obliged, and I am sure the House will be obliged, to the Honourable the Home Member if he enlightens us on the point. If it is a fact, I would very much deprecate it that such things should be allowed to go on in spite of the assurances given by Government. With these remarks, I heartily support the resolution.

The Honourable Mr. R. D. BELL: Sir, as the honourable member the Thakor of Kerwada has asked for an explanation of what is done in the Home Department in the matter of appointing sub-judges, I wish to explain the actual procedure very briefly. It is not a fact, as he suggested, that the appointments of sub-judges from the advanced classes are in excess of the number appointed from the backward classes.

11-30 a.m.

Sardar BHASAHEB RAISINHJI: I said I am open to correction.

The Honourable Mr. R. D. BELL: The procedure in the appointment of sub-judges is for applications to be invited by advertisement. All these are considered by a Selection Board which consists, so far as I remember, of two or three High Court Judges and two or three members of the Bar. Government ask the Selection Board to send up a few more names than are actually required for the filling up of vacancies. They may ask the Selection Board to send in 14 or 15 names when the estimated number of vacancies in the following year is 10. From these 14 or 15 names Government draw up a list of the 10 selections for appointment in the following year. The 14 or 15 names which are submitted by the Selection Board are, under the instructions of Government, placed in order of merit. If in the first 10 there are more than 50 per cent. of the backward classes, then Government would take the list as it stands, subject perhaps to some shuffling, as I shall presently explain, in the arrangement of the advanced and backward class candidates. But if there are not in order of merit 5 members of the backward classes in the first ten then Government make the final 10 selections as follows——

Sardar BHASAHEB RAISINHJI, THAKOR OF KERWADA: On a point of information from the Honourable Member: I am not quite clear about the arrangement by merit. Supposing there are two LL.B.'s from the backward classes and two LL.B.'s from the advanced classes, how do they make a distinction in the order of merit?

The Honourable Mr. R. D. BELL: I will explain that afterwards. If, as I said, there are not 5 members of the backward classes in the first 10 places in the list, according to the Selection Board's ideas of order of merit, then the Government procedure is as follows: They take the first 5 members of the advanced classes in order of merit, who have been recommended by the Selection Board, and they similarly take the first 5 members of the backward classes, similarly placed in order of merit by the Selection Board. Then, in the course of the year, they appoint alternately a member of the advanced communities,—first man on the list first, second man second,—and a member of the backward communities. So that, the appointments are given strictly in rotation. The backward classes in this way receive a minimum of 50 per cent. of sub-judges' appointments. It happens occasionally that some of the High Court Selection Board recommendations are not accepted but only for very clear reasons of a general and administrative character. For instance, under our present regulations applicants who come from Indian States which were formerly in political relationship with the Bombay Government are eligible for appointment. But there

[Mr. R. D. Bell]

is obviously, or ought to be in my opinion, a limit to the number of appointments made from such candidates, although they are still eligible. Again it might happen that all the members of the backward classes were Kanarese speakers or Gujarati speakers. It might therefore be necessary, on occasion, to ask the Selection Board to supplement its recommendations by further recommendation. But in such cases there is no selection by favouritism of Government. The circumstances are explained to the selection board and they are asked to send up more names, with definite instructions that the new names sent up should be those of members of the backward classes who speak Marathi, Gujarati or Kanarese or which meet whatever circumstances Government think it necessary for administrative reasons to meet.

I wish now to deal with the second point which the honourable member the Thakor Saheb has raised and that is how candidates for appointment as sub-judges are arranged in the order of merit. The explanation which I am going to give now in regard to the recruitment of sub-judges must necessarily apply to some extent in regard to recruitment to other services also. I heard honourable members speak of a minimum qualification, as if the possession of a minimum qualification gives a definite right to an individual to obtain an appointment. This is very far from being the case. The minimum qualification for appointment as High Court Judge is that the candidate should be a Bar-at-Law of at least ten years' standing. Let us assume for the moment that Government wish to give preference in making an appointment of High Court Judge to some particular community; and that there is only a single member of that community who is a Bar-at-Law of ten years' standing. Is it suggested that, when Government wish to give such a preference, it is incumbent upon them to give this appointment of High Court Judge to this Bar-at-Law of ten years' standing, whatever his experience and intellectual status may be and whatever he may have or have not done in the exercise of his profession? The minimum qualification test is really a negative check. It means that no one without that qualification can be appointed. It is quite obvious, to take the case of sub-judges, that if we have one hundred applications to the selection board from the backward classes and if Government definitely decide to select five members of these classes for appointment as sub-judges, the test cannot be merely the possession of a minimum qualification. There must be some way of separating the best five from the remaining 95. This is done by the selection board. I do not pretend for a single moment that if we placed all these 100 applications before another selection board, the new board will select precisely the same five candidates. The members of the selection board are human beings and their joint opinion differs with the constitution of the board. The object of constituting the selection board is to eliminate as far as practicable undue influence whether this is political, communal, or personal.

These are the points which I wish to explain in connection with the appointment of sub-judges. I ought to add that all these appointments

[Mr. R. D. Bell]

come before the Governor in Council and great care is taken in making the final appointments, both to enforce the policy of Government in giving a certain degree of preference to the backward classes and also to ensure that as good men as possible are ultimately appointed. The care so taken, I wish to inform the House, is probably little realised by honourable members.

Mr. SHAIKH ABDUL MAJID (Karachi District): Sir, I have no desire to take much of the time of the House. I give my whole-hearted support to the resolution moved by my honourable friend Dr. Solanki. I sincerely thank him and congratulate him for including the Mussalmans also as one of the classes or communities which have a special claim in the matter of representation in services. I am very much inclined, Sir, to agree with the view expressed by my honourable friend Rev. Modak that our cry has been a cry in the wilderness. Nothing is possible when the vested interests with the help of Government take us to task for crying aloud in bringing forward our claims to the attention of Government. Sir, I venture to claim that the Mussalman community at present possesses men of high integrity and high character and of necessary qualifications which can entitle them to occupy the highest post in the gift of Government. I can favourably compare these Mussalmans with those officials who are at the present moment holding high posts in the presidency or in Sind. I do not know fully well what is the standard set up by Government in making selections. This standard has been explained to a certain extent by the Honourable the Home Member. Even according to that standard, the Mussalman community possesses men with requisite qualifications. To my friends of the advanced community I will only say one word, that the backwardness of any class or any section of the population of the Indian people should be considered by them as a blot on the whole country and on the whole Indian nation. This must be their standpoint; it should be their sacred duty to wipe out this blot by according to the backward classes all the necessary encouragement and all the necessary chances which they have hitherto enjoyed. If they are anxious that there should be national consciousness, that there should be enough political consciousness in the country, that consciousness can only come when the backward classes and the backward communities become their equals and are trained in the art of self-government. From that standpoint, I venture to make an appeal to them. Instead of sitting silent or instead of talking to us regarding some weak points that they may find in the speeches that have been made from this side of the House, they should openly give their whole-hearted support to the resolution moved by my honourable friend Dr. Solanki and thus do a great national service to the country.

Sir, my honourable friend Rev. Modak gave some concrete instances—I do not find him here—of how candidates belonging to the backward communities even if they have requisite qualifications are sometimes superseded and ignored in favour of those who happen to belong to the advanced classes. I shall give an instance. Recently there was a temporary post of a clerk vacant in the Judicial Commissioner's office at

[Mr. Shaikh Abdul Majid]

Karachi. Applications were invited for that post. About more than a dozen persons, both Hindus and Mussalmans, applied for that post. Among the Muslim candidates, there was a graduate who had come all the way from Shikarpur to have an interview with the officer at Karachi. In spite of this, the temporary post was given to a Hindu matriculate in preference to a Mussalman graduate. Let the Honourable the Home Member make an enquiry about this—whether what I say is true or not. The point is that a Hindu matriculate was given preference to a Muslim graduate.

My honourable friend Mr. Gazdar referred to the memorandum submitted by my honourable friend the late Mir Mahomed Baloch and myself in regard to the paucity of Mussalmans in the Public Works Department and the Judicial Department. I have no desire to add anything to what has already been submitted to Government in regard to these two departments. But, Sir, you will be surprised to know that a short time after the memorandum was submitted three Sub-Judges' posts had to be filled up, and all the three posts went to our Hindu friends. Not a single Muslim was perhaps found available possessing the requisite qualifications for the Sub-Judge's post. Apart from that, two Hindu Sub-Judges have been seconded while one Muslim Sub-Judge has not been seconded. This was a few days after the memorandum was submitted to the ex-Governor of Bombay. In Sind, I should say, the administrative machinery is out of control. The Bombay Government, sitting here, has not been able to do much justice to the backward community which has been crying so loud for a long time past. I do admit and recognise that there is a sincere desire on the part of the Bombay Government to do justice, as various press notes will show, but those press notes are seldom put into effect. Nearer Bombay, I would refer to the strength of Muslims in the Secretariat. It is practically nil. It is the very citadel of the Bombay Government. I do not know whether I am referring to the newspaper report when I say that the total strength of the Secretariat is about 350 and the Muslims number only 20. The staff attached to the Home Department does not possess a single Muslim. The same is the case with the other departments. There are no Muslim Assistant Secretaries, no Deputy Secretaries. The Translation Department has only one Muslim. The highest paid Muslim in the Secretariat gets only Rs. 300. This is what Government have been able to do under their very nose in the Secretariat, and if we feel a sense of disappointment that their orders and resolutions and press notes are not honestly carried out in distant parts of the Presidency, every reasonable man should admit that there is some force in the complaint that we make.

The Honourable the PRESIDENT: One minute more.

Mr. SHAIKH ABDUL MAJID: Yes, Sir. I will take advantage of that one minute also and give my full support to the resolution.

Rao Bahadur R. S. ASAVALE (Bombay City, North): Mr. President, I rise to support the resolution whole-heartedly. I want to bring to the notice of the Government and of this honourable House that this is not

[Rao Bahadur R. S. Asavale]

a new resolution. It is a sort of reminder to the Government and to this House of the resolution passed in 1925 recommending that certain percentages should be fixed for certain communities for purposes of Government service.

Every year Government resolutions are issued by Government regarding the engagement of these classes, but, Sir, the Government orders have not been given effect to by certain heads of departments who are not sympathetic towards these communities. There has always been a complaint on the part of these communities that although there are qualified people among them, they do not get jobs. We know, Sir, why these people have been kept in the background in respect of education. The educated people from these classes, when they fail to get employment, get disheartened and consequently those who want to follow them and receive education do not go forward to take education. If really the Government and the public desire that these classes should come forward and get education, it is the first duty of Government to get suitable men and give them the first chance in Government service, so that the other people belonging to these communities will be encouraged to receive education.

We know, Sir, that education has become very costly. It is very difficult for the poor people to receive it unless they are helped by some of the rich people by way of scholarships, etc. Even after spending so much time for education if they do not get jobs, they get disheartened and that is the reason why they are complaining about the Government's action, although their Resolution is on the record. Sir, you may remember that when the Honourable Sir George Curtis was Revenue Member, he said:

"Government however are anxious that where there are difficulties in the way of the full and free employment of what are known as the backward classes in the Government service, those difficulties should be removed. I say that in the Revenue and Finance Departments, the strongest sympathy will always be shown to the backward classes. It has been my personal object ever since I have been in charge of the Revenue Department, to do all in my power to give opportunities for Mahomedans and members of the backward classes to enter Government service."

Look at this spirit. Sir George Curtis has himself admitted that there is great need of giving employment to these classes; and he was acting according to the mandate from this House. If the present Government really want to help these classes, they must come forward and select the best men from amongst these classes, and even if they possess the minimum qualifications, they should be given the first chance, so that there should be no discontent among them. We know very well that these persons belong to poor classes, and it is very difficult during these days for the young men who pass their examinations if they are not provided with employment. If they do not get employment, they are thrown into the street and catch hold of certain activities which may go against the present Government. For these reasons, Government will be careful enough to see that these people who are really fit for the job should be given first preference from among these communities. With these few remarks, I support the resolution.

12 noon.

Dr. P. G. SOLANKI: Sir, I am thankful to my honourable friends for supporting my resolution, but before I finish my reply, I would like to draw the attention of certain particular honourable friends who have either spoken out of good faith or ironically that it is my duty that I should speak. When my honourable friend Mr. Surve from Ratnagiri spoke about giving everything and all the services in all the departments to the depressed classes and none but the depressed classes, surely a Mahratta speaking like that creates in my mind a serious apprehension. A Mahratta will not run down his own community, leave his community aside or shelve his own community and come forward with overwhelming generosity and charity towards these untouchables or the scheduled classes. Sir, I can understand him and his sense and the sentiments which he had uppermost in his mind. When I had alluded to the mentality of the peons and the pattewallas, naturally he may have felt a little bit injured, but my humble submission to him and to such other Mahratta gentlemen who are here is that they should persuade their pattewallas and peons that the old days of superstition are gone and the days of equality are coming. If that has in any way injured the feelings of my honourable friend Mr. Surve from Ratnagiri, I am very sorry for that, but at the same time I never for one moment say that it is only the scheduled classes, the depressed classes or the untouchable classes who should be given these posts. I have made it very clear from the very beginning that at the present juncture candidates from among the untouchable or scheduled classes will be very few and far between, but what about my Mahomedan brethren and the intermediate classes, Sir? Their candidates are by hundreds, by dozens, who have not only the minimum qualifications but much better and higher qualifications than the candidates from among the advanced classes and yet they have not been appointed, instances of which were quoted by the honourable members Mr. Gazdar and Mr. Shaikh Abdul Majid who have told the House where a candidate from the Muslim community, a graduate, was discarded and a candidate belonging to the advanced class who was only a matriculate was taken up. I can point out such instances even in the Secretariat Departments of this Government and all the departments of Government. Is it a sin, Sir, to cry here before the representatives of the people in this honourable House and mention our grievances? Let not Government misjudge us. Let not Government benches and the Honourable the Leader of the House misunderstand us. We are with the Government, helping the Government to carry on the government, but at the same time, I appeal to the Government and the Government benches not to let us down like this. When the question of minimum qualifications came up, the Honourable the Home Member explained it in this way, viz., because a man happens to be a Barrister, because a man happens to be of ten years' standing, and because he is the only qualified man in his community, is he to be appointed or nominated? And he gives the duty of selection also to the selection committee. But, Sir, the selection committee of the High Court consists of whom? Three Judges and some members of the Bar Council. But among the Judges there is not

[Dr. P. G. Solanki]

a single member either from the Muslim or from the backward or from the intermediate community.....

The Honourable Mr. R. D. BELL: May I ask the honourable member to state explicitly whether he considers that every Barrister-at-Law of ten years' standing is fit to be a Judge of the High Court? If that is the test of a minimum qualification, let him state his opinion explicitly.

Dr. P. G. SOLANKI: Coming to the point, I am thankful to the Honourable the Home Member for interrupting me and giving me the explanation, but at the same time, I am not satisfied. Here is a Barrister from amongst the Muslim community or from amongst the intermediate class or from amongst the depressed class, who has got outstanding ability, who has multifarious activities in the legal profession and outside the legal profession, and he happens to be the only candidate from amongst the Mahomedan or the intermediate or the depressed class. Is he not to be appointed? And who is to select him? If the Chief Justice is approached, even if the highest authority, viz., the head of the administration of this presidency, is approached, what reply do they give? They say that the choice is in the hands of the selection committee, and consequently they themselves are helpless in this selection matter. The Judges on the selection committee are either from the very advanced classes or English gentlemen who know very little of the internal mechanism and the working of the people in this country and the other three or four members belong to the Bar Council. They too happen to be members of the advanced classes. Now, Sir, I ask, does not the case of such a candidate as I have described go by default? Who is to take the side of that particular man, when there is a choice to be made between the advanced classes and the Mahomedans, or the intermediate or the backward or depressed classes? Surely, there have been many such instances, times without number, where the advanced classes have carried their day and have selected their own men at the sacrifice of members from amongst those classes about whom I have been speaking. This is the tale of the High Court.

Now, Sir, about the Law College. I know of an instance where a Barrister of very high merits and qualifications and good activities was set aside even for the professorship for years together and he could not aspire even for anything higher than the professorship, because he happened not to have any of his Mahomedan brethren or intermediate class brethren or brethren of the depressed classes, on the Selection Board. I do not believe any man who says with all piety and catholicity that he does not believe in communalism. Sir, blood is thicker than water, wherever you may go. If any man says that he does not believe in communalism, I should say that he is deceiving himself and his God, whether such a man be a Mahomedan or a Mahratta or a Brahmin or even an Englishman. If any man speaks like that, I will not believe in him. After all, we all have ancestors. Their blood runs in our veins. We all owe a debt of gratitude to our forefathers, and if we throw overboard our heredity and genealogy of our forefathers, however illustrious or however humble they may have been, we are not worth

[Dr. P. G. Solanki]

our ancestry and heritage. I think every man is or ought to be proud of his community and of his birth and heritage. I would say, Sir, that however backward and handicapped the Mahomedans and the intermediate and the depressed classes may be in comparison to the advanced classes who had a march over these classes for centuries, yet it is but equitable and fair that we should demand our legitimate share from the Government, a Government which has been mighty here, a Government which has put down the Moghuls, the Mahrattas and all other people and a Government which, with only a handful of 2 lakhs of Britishers, are ruling over the whole of India to-day, a Government which has put down the old custom of Suttee and many such harmful customs and systems which formed part of the religion and religious precepts of the Hindus, and if such a mighty Government does not come to the help of the depressed classes, the intermediate, the backward and the Mahomedan communities, I do not know what fate is awaiting us. We, the depressed classes, do not want any special favour. We have got our candidates fully qualified for Government services. If Government want and if they have any mind to take our candidates, let our candidates pass through all the ordeals of departmental admission and examination and tests which Government choose to lay down, but let not Government take up only those people whom they want to take up and retain and confirm and let not Government take up our candidates only to chuck them out later on. This chucking out policy should be stopped at once. The equality of treatment and fair justice must be brought in at once and put into effect. If that is not done, I am afraid things might grow worse. Unemployment has increased and you can well understand the discontent of the unemployed young people who took education and qualified themselves at a considerable sacrifice of money and health and suffering from all sorts of inconveniences and discomforts. If these people do not get their due share of Government jobs which they are rightly entitled to get, if they are denied these privileges, what will be the result? Discontent among these people also, and once discontent spreads in the minds not only of the advanced classes but of the educated depressed classes, backward, intermediate and Mahomedan candidates then they will surely make instruments of these masses, because the advanced classes will talk and talk and do nothing practical but will carry their nefarious business of communism into the masses and thus excite and agitate the educated unemployed and illiterate young men and women of the masses and the backward classes, and, then, Sir, they will put these men and women in clash and conflict with Government. I do not wish that that state should come. It is our humble request. I am very glad and fortunate to say that there are two Members of Government like the Honourable the Home and the Honourable the Finance Member, who are known for their catholic sympathy towards these people.

Sir, before I sit down, I would put in my rough estimate and suggestion, for percentage ratio for appointments on the population basis; that is, advanced 7·3 *plus* 4·1 of the other Hindus, or about 12 per cent. are the

[Dr. P. G. Solanki]

advanced classes; I would say give them about 25 per cent. of the posts. Then the intermediate classes are 58·8 or 59 per cent. They have the largest population of all, and I would give them about 30 per cent.; and for the backward and depressed both included together, let them have 20 per cent., and let the Mahomedans have about 30 per cent. The Honourable the Finance Member may work it out and try to satisfy these people. This is my rough suggestion and gesture.

The Honourable the PRESIDENT: That goes beyond 100 per cent.

Dr. P. G. SOLANKI: Even if it goes beyond a hundred, there are communities who have monopolised the services up to 500 per cent. So, if it goes beyond 100, take out from those communities who have got 500 per cent. and more and adjust the figure. If I have gone beyond 100, it may be out of my earnestness and enthusiasm for helping these communities who have been always neglected and thrown into the background.

With these words, I would request the Honourable the Finance Member to come to our help and give us some satisfactory reply, with the object of putting into action immediately his sympathies for these classes.

The Honourable Sir GHULAM HUSSAIN: Mr. President, at the outset, I might inform the honourable mover and all those who are interested in this resolution that Government have every sympathy with their aspirations, and that Government have been doing their best in this direction.

It has been suggested that we will soon have a new constitution, and that a statutory provision should therefore be made for the representation of Mahomedans and other classes in the public services. This vexed question of services was discussed fully at the Round Table Conference, where the depressed classes were represented by their two able representatives, where the Mahomedans too were represented, and where the non-Brahmins and the Marathas were also represented. (*An Honourable Member*: No.) Mr. B. V. Jadhav was their representative. Almost every community, including the Indian Christians, was represented. Even there in the discussions it was found impossible to incorporate any such provision in the statute. However, that is a question that will be considered by Parliament, and their decision, whatever it may be, will soon be out. But, to my mind, it is impossible to put the particular ratios into a statute. To-day a particular community might be backward; to-morrow it might become advanced. Then every time the provisions of the statute will have to be altered. Again, take, for instance, the non-Brahmins and the Marathas. There are advanced and backward classes among them too. There are, for instance, the Kunbis who are also Marathas. You can say that the Kunbis are backward and that the other Marathas who have taken to education are advanced. It is impossible to put into a statute a provision of this kind. However, that is a question which concerns all India.

[Sir Ghulam Hussain]

It has been discussed at the Round Table Conference, and the decision is in the White Paper.

Then, Sir, my honourable friend from Sind, Mr. Gazdar, said that the Indian National Congress did not want that appointments should be given to Indians as such, but that they should go to the best men, irrespective of caste or creed. I have never heard of any such resolution of the Indian National Congress. If the Indian National Congress does not uphold the claims of Indians, I do not think anybody will call it the Indian National Congress.

Mr. SHAIKH ABDUL MAJID : The object of the honourable member was to say that the Indian National Congress is for Indianisation, while the claim of the Englishman is that he is superior to Indians as an administrator. So, their demand for Indianisation more or less ignores the claim of the English community as men of superior ability. That is what he meant.

The Honourable Sir GHULAM HUSSAIN : Then the proposition reduces itself to this, that the Indian National Congress only advocated Indianisation. It never advocated that appointments should be given to the various communities in proportion to their population, or in any other way, irrespective of merit.

Sir, the one thing that struck me while I was listening to the debate was that everybody gave utterance to one fact, and that was that Government have been doing their best in this matter. They have been issuing orders in this connection from time to time, and nobody disputed the good intentions of Government. But the complaint is that those orders are not given effect to. Well, my honourable colleagues and I have noted the few instances that have been mentioned, and we will look into those cases.

Now I come to my honourable friend from Sind, Mr. Gazdar, whom I do not find in his seat. He says that the Mahomedans in Sind have a monopoly on the district local boards, but that there too appointments are given to non-Mahomedans, in spite of the fact that the representative of Government, the Commissioner in Sind, draws their attention to it. Well, if that is the case, I must say it is their own fault.

Mr. SHAIKH ABDUL MAJID : May I point out that the honourable member wanted to prove the influence that the Hindu official of the district wields ? Though the majority consists of Mussalmans, that majority, because of the influence of the Hindu official of the district, cannot vote according to its will.

The Honourable Sir GHULAM HUSSAIN : If the Mahomedan community is so demoralised, it has no right to complain. I am very sorry to hear these words from the mouth of the honourable member.

Mr. SHAIKH ABDUL MAJID : The claim of the Government is to uplift those who are backward, to reform those who cannot reform themselves otherwise, and to work for the progress and prosperity of

[Mr. Shaikh Abdul Majid]

the masses. In my capacity as a representative of a backward community, I have come here to solicit the aid of Government.

The Honourable Sir GHULAM HUSSAIN : I am sorry the honourable member is merely repeating the same thing. He says that the Mahomedans have a clear majority, and that they have the power to appoint anybody of their own choice, but he says that they are afraid of a certain official, though an official higher than him sends back the resolution to the board for reconsideration. Did anybody inform the Commissioner that all those members, under the pressure of that official, voted against their will ?

Now, I come to the resolution. What does the resolution ask for ? It says, stop all recruitment from the advanced classes till the other communities have reached their ratio. At the same time, the supporters of the honourable mover of this resolution laid down the principle "government by the people for the people." Should this Government recruit only from the people of a particular class, and exclude the advanced classes ? I do understand, Sir, the difficulties of the various communities that are mentioned in this resolution. Their greatest drawback has been lack of education. They have taken to education now. Then, Sir, if we study the conditions before the advent of the British in this presidency, what do we find ? The Brahmin was the official ; he was the clerk. So, there is heredity in his favour, there is education in his favour, and the training of all these years.

Dr. P. G. SOLANKI : When will others have their opportunity ?

The Honourable Sir GHULAM HUSSAIN : Government have been encouraging the education of the backward and other classes by means of scholarships and so on. Government have been giving preference to them in regard to service. I shall quote figures to show how the classes mentioned in the resolution are given preference in the departments in my charge. But honourable members must bear in mind that in certain cases, such as sub-judge's posts or deputy collector's posts or some such superior service posts, direct recruitment is made. If honourable members look at the figures ten years back, they will find that these communities which are mentioned in the resolution had no place in any service. At present, you will see—my honourable friend Mr. Shaikh Abdul Majid will agree with me—even in the Public Works Department where there was not a single Mussalman in 1920–21, I had the good fortune of appointing one Mussalman as the first engineer and another non-Brahmin in the same post. As regards the technical services, it is impossible to lay down any regulation. But whenever Government want to recruit, they appoint selection boards. They give instructions to those boards to recruit eligible candidates from the backward communities. So, honourable members will see that men from these classes are appointed in all branches of service. The Mahomedans, the Mahrattas and other backward classes are appointed as sub-judges. Take for instance the Police. The Mahomedans and the Mahrattas are invariably appointed, because these

[Sir Ghulam Hussain]

communities are more fitted for that service than the advanced classes. There is also the difficulty that we cannot supersede those who are already in service. Promotion is regulated by seniority and efficiency. Now, the whole difficulty has been—I agree with the honourable mover of the resolution—that these services were once the monopoly of the advanced community in the presidency proper. But Government cannot send all these men away at one stroke and appoint Mussalmans or other backward communities in their places. As vacancies occur, Government fill them.

Dr. P. G. SOLANKI: By the same people.

The Honourable Sir GHULAM HUSSAIN: Not by the same people. I am coming to that.

I shall quote some figures to convince you. In the Southern division, among clerks, including circle inspectors, there are:

Brahmins	345
Intermediate (including Mahomedans)	314
Backward classes (including Depressed Classes) ..	14

There is only a difference of 20 between what they call the advanced classes, the Brahmins, and the Intermediate and Backward classes.

Dr. P. G. SOLANKI: Why should you not treat them separately?

The Honourable Sir GHULAM HUSSAIN: They have not been treated separately in the Government Resolution.

Dr. P. G. SOLANKI: Each community must have its share. That is the spirit of my resolution.

The Honourable Sir GHULAM HUSSAIN: The honourable member says: "Recruit from all these communities."

Dr. P. G. SOLANKI: Because they have got no percentage——

The Honourable Sir GHULAM HUSSAIN: As I have pointed out, there is only a difference of 20——

Dr. P. G. SOLANKI: Is that in the Southern Division?

The Honourable Sir GHULAM HUSSAIN: Yes. Clerks, including circle inspectors, in the Northern Division are as follows:

Brahmins	217
Intermediate (including Mahomedans)	163
Backward classes (including Depressed Classes) ..	12

In the Central Division, however, there is greater inequality:

Brahmins	509
Intermediate (including Mahomedans)	310
Backward classes (including Depressed Classes) ..	12

Mr. SHAIKH ABDUL MAJID: Why are Mahomedans included in the Intermediate classes? Is it because that their number is hopelessly low?

The Honourable Sir GHULAM HUSSAIN: That is the resolution which the honourable member himself has supported.

Dr. P. G. SOLANKI: I have given Mahomedans separately in the resolution.

The Honourable Sir GHULAM HUSSAIN: Even in Government Resolutions, they are all grouped together. Now, when it does not suit the honourable member's purpose, he asks why they have been included among the Intermediate classes.

As we see, there is inequality in the Central Division. Government propose to recruit hereafter in the proportion of two from the Intermediate and Backward Classes to one from the advanced classes in order to make up the difference. I hope that will satisfy the House.

Now, I come to the acting places in these divisions.

Brahmins	15
Non-Brahmin (Advanced)	16
Intermediate (including Mahomedans)	38
Backward Classes	3

An Honourable MEMBER: What is meant by "non-Brahmins (Advanced)"?

The Honourable Sir GHULAM HUSSAIN: All those who are not Brahmins.

Now, the honourable member will see that in the acting places there is a large number of men from the communities mentioned in the resolution—more than double the advanced classes. That shows that Government are alive to the situation, and are taking steps to improve the position of these communities in the services.

Rao Bahadur R. S. ASAVALE: As they are temporary posts, they will be asked to go away.

The Honourable Sir GHULAM HUSSAIN: In the Southern Division in acting places, there are—

Brahmins	44
Non-Brahmin (Advanced)	15
Intermediate (including Mahomedans)	57
Backward Classes (including Depressed Classes) ..	4

So, backward communities can have no grievance in that direction. In the Northern Division—

Brahmins	29
Non-Brahmin (Advanced)	25
Intermediate (including Mahomedans)	40
Backward Classes (including Depressed Classes) ..	5

[Sir Ghulam Hussain]

Now, I come to talatis. The numbers are :

12-30 p.m. *Southern Division.*

Brahmins	242
Non-Brahmin (Advanced)	40
Intermediate (including Mahomedans)	298
Backward (including Depressed Classes)	38

The honourable member will see that a larger number has been employed from the backward and intermediate classes.

The Central Division is the stronghold of the Brahmins, as I call it—they will pardon me. The talatis are :

Brahmins	1,177
Non-Brahmin (Advanced)	35
Intermediate (including Mahomedans)	437
Backward (including Depressed Classes)	44

Well, they are nearly 50 per cent. of the advanced classes.

Dr. P. G. SOLANKI : Backward classes form 50 per cent. ?

The Honourable Sir GHULAM HUSSAIN : Backward and intermediate.

Mr. G. M. KALBHOR : Unless the chitnises to the Collectors are Non-Brahmins, there would not be further recruitment of Non-Brahmins.

The Honourable Sir GHULAM HUSSAIN : Now, Sir, in the Northern Division :

Brahmins	366
Non-Brahmin (Advanced)	186
Intermediate (includng Mahomedans)	306
Backward (including Depressed Classes)	77

The intermediate and backward classes are already more than the Brahmins, and the depressed classes have 77 talatis in the Northern Division.

Dr. P. G. SOLANKI : You mean backward or depressed ?

The Honourable Sir GHULAM HUSSAIN : Backward (including Depressed Classes).

Dr. P. G. SOLANKI : Not the scheduled castes ; there is nothing clear about the depressed classes.

The Honourable Sir GHULAM HUSSAIN : What is your resolution ? Just read it.

Dr. P. G. SOLANKI : I have put them separately " Backward and Depressed (scheduled caste) ". You have confused the Intermediate with the Mahomedans and the Backward with the Depressed Classes.

The Honourable Sir GHULAM HUSSAIN: Coming now to the acting posts among talatis. In the Southern Division:

Brahmins	5
Non-Brahmin (Advanced)	1
Intermediate (including Mahomedans)	23

That shows that our officers are giving effect to the Government resolution; for the new places men are recruited more and more from the Intermediate classes. And—

Backward (including Depressed Classes)	10

In the Central Division, which is the stronghold of the Brahmins, there are—

Brahmins	30
Non-Brahmin (Advanced)	4
Intermediate (including Mahomedans)	72
Backward (including Depressed Classes)	26

So, even in the Central Division, in the case of the acting appointments, the intermediate classes and the backward are nearly three times the number of Brahmins.

Rao Bahadur R. S. ASAVALE: Are they *patevalas*?

The Honourable Sir GHULAM HUSSAIN: I am talking about talatis. I will take you later on to other appointments in the Revenue Department. In the Northern Division, the numbers of acting talatis are:

Brahmins	26
Non-Brahmin (Advanced)	15
Intermediate (including Mahomedans)	63
Backward (including Depressed Classes)	18

That will show again that the intermediate and backward classes are more than double the advanced classes—in acting appointments of talatis. That shows that our officers are giving effect to the resolution of Government.

Now, Sir, I will take Deputy Collectors. Deputy Collectors include Assistant Commissioners also. In the Southern Division:

Brahmins	5
Non-Brahmin (Advanced)	3
Intermediate (including Mahomedans)	5

Mr. SHAIKH ABDUL MAJID: Sir, what is meant by including Mahomedans among the Intermediate classes? On behalf of the Moslem community, I would enter a strong protest against this practice of including them among the intermediate classes.

The Honourable Sir GHULAM HUSSAIN: The honourable member should read the Government resolution on which the present resolution relies.

Dr. P. G. SOLANKI: Sir, cannot the Honourable the Leader oblige us by giving separate figures for Mahomedans, Intermediate classes, and Depressed Classes ?

The Honourable Sir GHULAM HUSSAIN: Government have divided the population of the presidency proper into Brahmins, Non-Brahmins (Advanced), Intermediate (including Mahomedans)—but not Marathas—and Backward communities.

Dr. P. G. SOLANKI: This inclusion brings about confusion.

The Honourable Sir GHULAM HUSSAIN: That is how the resolution has divided the classes, and nobody has objected. [*Interruption.*]

In the Central Division, the Deputy Collectors are:

Brahmins	3
Non-Brahmin (Advanced)	6
Intermediate (including Mahomedans)	4
Backward (including Depressed Classes)	*Nil.*

Honourable members will see that the number of Brahmins is not larger than that of the Intermediate classes.

Rao Bahadur R. S. ASAVALE: Here the ratio of forward to intermediate classes is 9 : 4. Is that the ratio ?

The Honourable Sir GHULAM HUSSAIN: The six are "Non-Brahmin (Advanced)," which includes Parsis, Anglo-Indians, Indian Christians, Jews.

Rao Bahadur R. S. ASAVALE: Are they Non-Brahmins or Intermediate ?

The Honourable Sir GHULAM HUSSAIN: Do you want to exclude them ? I am giving you the figures to show that the intermediate classes are not badly treated.

Dr. P. G. SOLANKI: Therefore, you admit that the Non-Brahmin (Advanced) include Parsis, Indian Christians, Jews, etc. "Non-Brahmin" means a Hindu who is not a Brahmin. Are there Brahmins among Christians ?

The Honourable Sir GHULAM HUSSAIN: "Non-Brahmin" means one who is not a Brahmin.

Dr. P. G. SOLANKI: You cannot call a Parsi "Non-Brahmin (Advanced)".

The Honourable Sir GHULAM HUSSAIN: To come back to the number of Deputy Collectors. In the Central Division:

Brahmins	3
Non-Brahmin (Advanced)	6
Intermediate (including Mahomedans)	4

[Sir Ghulam Hussain]

In the Northern Division:

Brahmins	1
Non-Brahmin (Advanced)	5
Intermediate (including Mahomedans)	4

Now, Sir, coming to mamlatdars, including head clerks and chitnises—

The Honourable the PRESIDENT: I am sorry to interrupt the honourable member. He has only three minutes more.

The Honourable Sir GHULAM HUSSAIN: You will please oblige me, Sir.

The Honourable the PRESIDENT: These statistics can be dispensed with.

The Honourable Sir GHULAM HUSSAIN: They are important, Sir. Nobody can contradict them. They speak for themselves.

Mamlatdars, including head clerks and chitnises:

Southern Division.

Brahmins	31
Non-Brahmin (Advanced)	8
Intermediate (including Mahomedans)	13
Backward (including Depressed)	1

Central Division.

Brahmins	59
Non-Brahmin (Advanced)	4
Intermediate (including Mahomedans)	20

I might again inform the honourable House that to remedy this defect, Government propose to keep a separate list of clerks and aval karkuns of the Intermediate and Backward communities, and when there is occasion to promote them to mamlatdars' posts Government will consider their case favourably. Government may again resort to direct recruitment to mamlatdars' posts in order to make up their numbers.

Northern Division.

Brahmins	20
Non-Brahmin (Advanced)	24
Intermediate (including Mahomedans)	12

Sir, I need not take them through the figures of *mahalkaris*, head accountants and aval karkuns. Honourable members will see that Government are doing their best. The figures show that the numbers are increasing. We cannot do away with the permanent hands and recruit these men in their places, but the figures regarding acting appointments clearly show that larger numbers are being recruited in almost every department. My honourable friend the mover of the resolution has no idea that

[Sir Ghulam Hussain]

Government have issued a resolution only relating to recruitment to the clerical line. What about the other services? In all the services, Government have always adopted the principle of a fair admixture of all castes and communities. As he himself has stated, Government ought to be for the people; so Government are trying to run the government for the people. If one community is in larger numbers, they will try to increase the number of those who are in smaller numbers.

Dr. P. G. SOLANKI: One community was specially favoured for centuries.

The Honourable Sir GHULAM HUSSAIN: He will excuse me. That was because his community and my community did not take to education. Now, we do, and I hope all communities will get a due share. My friends of the Brahmin community would not object to it. It is all through education that we can have larger numbers in the services.

With these few words, I would request the honourable member to withdraw his resolution, because it is quite impracticable, as I have shown to him. How can Government, in fairness to other communities, stop recruitment wholesale? Government are complying with his wishes: they are doing their best to increase the number of these communities in the various services.

Mr. B. P. WADKE: Sir, will this principle be applicable also during the time of retrenchment? The cases of the backward communities and allied castes have to be considered by the Government sympathetically during the times of retrenchment. Many of the people who were retrenched recently were from the backward communities and allied castes.

Dr. P. G. SOLANKI: Sir, before I express my decision, may I say a few words——

The Honourable the PRESIDENT: No more speeches.

Dr. P. G. SOLANKI: Before I say I withdraw or carry it to a division, have I no right to say a few words by way of appeal to the Honourable the Finance Member——

The Honourable the PRESIDENT: Not at all. Is the honourable member going to withdraw his motion, or am I to put it to the House?

Dr. P. G. SOLANKI: Sir, I would like to get just a favour from you to request the Honourable the Finance Member that he should be kind enough to be just to us. Our constant request to him is that he should not mix up the Mahomedans with the Intermediate or the Backward with the untouchables.

The Honourable the PRESIDENT: Order, order. The honourable member knows what the policy of Government is in this matter. The Honourable the Leader of the House has stated it, and he has given figures. Nothing more has to be done. [*Interruption.*] Order, order. Is the honourable member going to withdraw it, or shall I put it to the House?

Dr. P. G. SOLANKI: The whole House does not seem to be in favour of withdrawal.

The Honourable the PRESIDENT: Is he going to withdraw it?

Dr. P. G. SOLANKI: Sir, I leave it to the House.

Question put. The House divided: Ayes, 25; Noes, 33.

Division No. 5.

Ayes.

ASAVALE, Rao Bahadur R. S.
BAKHALE, Mr. R. R.
BIRADAR, Sardar MAHABOOBALI KHAN
BOLE, Rao Bahadur S. K.
CHIKODI, Mr. P. R.
KALBHOR, Mr. G. M.
MEHERBAKSH, Khan Bahadur S.
MITHA, Mr. MAHOMED SULEMAN CASSUM
MODAK, Rev. R. S.
MORE, Mr. J. G.
PATEL, Khan Bahadur VALI BAKSH A.
PATIL, Dewan Bahadur D. R.
PATIL, Mr. V. N.
PATIL, Rao Saheb V. S.
RAHIMTOOLA, Mr. HOOSENALLY M.
RESALDAR, Mr. A. K.
SHAIKH ABDUL AZIZ, Mr.
SHAIKH ABDUL MAJID, Mr.
SHANKARRAO JAYARAMRAO ZUNZARRAO, Mr.
SHINDE, Mr. R. B.
SOLANKI, Dr. P. G.
SURVE, Mr. A. N.
SURVE, Mr. V. A.
SYED MUNAWAR, Mr.
WADKE, Mr. B. P.

Tellers for the Ayes: Mr. SHAIKH ABDUL MAJID and Mr. SHAIKH ABDUL AZIZ.

Noes.

ADVANI, Mr. P. B.
AMINUDDIN, Mr. SAIYID
ARBUTHNOT, Mr. C. W. E.
BELL, the Honourable Mr. R. D.
CHITALE, Rao Bahadur G. K.
CLEE, Mr. C. B. B.
COOPER, the Honourable Khan Bahadur D. B.
DAVIS, Mr. G.
DESAI, Rao Saheb B. G.
DESAI, Mr. H. R.
DESAI, Mr. S. B.
DIXIT, Dr. M. K.
FREKE, Mr. C. G.
GANGOLI, Mr. G. S.
GARRETT, Mr. J. H.
GHULAM HUSSAIN, the Honourable Sir
JOG, Mr. V. N.
KAMAT, Mr. B. S.
KAMBLI, the Honourable Dewan Bahadur S. T.
KNIGHT, Mr. H. F.
LANE, Mr. C. M.
MADAN, Mr. J. A.
MAXWELL, Mr. R. M.
MEHTA, Mr. M. H.
NAIK, Sardar Rao Bahadur B. R.
NAWAB SHAH ROOKH SHAH YAR JUNG BAHADUR
PATEL, Mr. C. N.
PETIT, Mr. J. B.
PRADHAN, Rao Bahadur G. V.
ROOSE, Mr. F. O. J.
SERVAI, Mr. A. E.
SMART, Mr. W. W.
TURNER, Mr. C. W. A.

Tellers for the Noes: Mr. R. R. BAKHALE and Rao Saheb P. D. KULKARNI.

Rao Bahadur S. K. BOLE: The advanced class members and the Government officials have become friends and strange bed fellows.

PROROGATION OF COUNCIL.

The Honourable the PRESIDENT: I have now to intimate to the House that I have received a Commission from His Excellency directing me to announce that he is pleased to order that the present session of the Legislative Council should be prorogued. Accordingly, by virtue of this Commission of His Excellency, I declare the Council prorogued until the date of which due notice shall be given. This Council is now prorogued.

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.

APPENDIX 1.

BILL No. IX OF 1932

(A Bill further to amend the Bombay Prevention of Gambling Act, 1887.)

REPORT OF THE SELECT COMMITTEE.

We, the members* of the Select Committee appointed to consider Bill No. IX of 1932 (A Bill further to amend the Bombay Prevention of Gambling Act, IV of 1887), have the honour to report as under :—

We have carefully considered the Bill. In the opinion of the majority of us the appropriate way of giving effect to the intention of the Bill which seeks to impose restrictions on Government as to the Club to which a licence for horse racing may be granted and upon membership of which the right to bet upon a horse race is dependent, is by amending the Bombay Race-courses Licensing Act, 1912, and not by the introduction into an Act designed to deal with the prevention of gambling in general detailed prohibitions and restrictions in relation to one particular sport. It is not possible to amend the Act of 1912 under the present Bill. We have therefore done our best to deal with the subject within the scope of this Bill.

Clause 1.—The amendment made in this clause is purely a drafting amendment.

Clauses 2 and 3.—We are of opinion that to restrict wagering or betting on a horse race to the members of a club owning or occupying a race course would be far too drastic a step. We therefore think that in addition to the members of the club who may or may not be charged an entrance fee, the right to bet upon a horse race in an enclosure should be permitted to those who are admitted on payment of certain admission fees. The proposed amendment also makes it necessary to make special provision to permit betting within proper limits upon horse races organised by Hunt Committees or other point to point races at which attendance is in practice made up of those who themselves ride horses and their relatives and friends. We have therefore deleted clauses 2 and 3 of the Bill and inserted a new clause 3 which introduces a schedule particularly describing the "individuals" referred to in clause (c) of section 3 of the Prevention of Gambling Act, 1887 (clause 2 of the Bill).

We recommend that this report, the Bill as amended by us together with the minutes of dissent, if any, should be translated in Marathi,

*Note.—The signatures of Rao Bahadur R. R. Kale, Dr. P. G. Solanki, Rao Bahadur R. S. Asavale, Dr. M. D. Gilder and Moulvi Sir Rafiuddin Ahmad, Kt., will be notified when received.

[Appendix 1—*contd.*)

Gujarati, Kanarese and Urdu and published in the *Bombay Government Gazette.*

(Signed) R. D. BELL.
(„) C. B. B. CLEE.
(„) D. R. PATIL.
(„) G. DAVIS.
(„) R. M. MAXWELL.
(„) M. K. DIXIT
(*subject to a minute of dissent*).
(„) SHAH ROOKH SHAH YAR JUNG BAHADUR.
(„) C. M. LANE.
(„) J. HUMPHREY.
(„) L. R. GOKHALE
(*subject to a minute of dissent*).

(*Minute of dissent by Dr. M. K. Dixit, M.L.C.*)

I do not agree with the report, because the amendment accepted by the majority of the select committee is in my opinion opposed to the principle of the bill accepted by the House. From the statement of objects and reasons it is evident that the mover of the bill intends to restrict betting to a certain class of people only, and to put a check on gambling by all and sundry who can get admission to the enclosures on payment of certain fees as is the case at present. The amendment of the bill does not alter the position at all; it will not alter the existing law as intended by the mover of the bill. Betting will not be restricted to certain class of people, and no further check will be put on gambling than what exists to-day.

(Signed) M. K. DIXIT.

Surat, 12th February 1934.

(*Minute of dissent by Mr. L. R. Gokhale, M.L.C.*)

I have signed this Report of the Select Committee subject to the following minute of dissent :—

I do not think that for the purpose in view the Bombay Race-courses Licensing Act is the only way to secure the object. The Prevention of Gambling Act makes an exception in favour of horse races and the Bill wants to restrict the gambling to a certain class of people. I do not agree with the view that the amendment proposed is far too drastic a measure. The principle of the Bill is to restrict betting on horse race to the members of the club only while the amendment suggested by majority instead of restricting extends the right to bet. The low scale of fees for admission to the enclosure affords more facilities and inducement to bet also.

(Signed) L. R. GOKHALE, M.L.C.

Poona, 12th February 1934.

[Appendix 1—*contd.*)

Note.—**Deletions made by the Select Committee are shown in square brackets.**

BILL No. IX OF 1932.

A Bill further to amend the Bombay Prevention of Gambling Act, [IV of] 1887.

(As amended by the Select Committee.)

WHEREAS it is expedient further to amend the Bombay Prevention of Gambling Act, [IV of] 1887 in the manner hereinafter appearing; It is hereby enacted as follows :— Bom. IV of 1887.

1. *Short title.*—This Act may be called the Bombay Prevention of Gambling (Amendment) Act, [of] 193[2]. *4.*

[2. [*Amendment of section 3 of Bom. IV of 1887.*]—In sub-section (*c*) of section 3 of the Bombay Prevention of Gambling Act, for the word "individual" the words "member of a recognized Racing Club" shall be substituted.] [Bom. IV of 1887.]

[3. [*Amendment of section 3 of Bom. IV of 1887.*]—At the end of sub-section (*c*) of section 3 the following definition should be added :—]

["In this Act 'Recognised Racing Club' means a Racing Club owning or occupying a race-course and recognised by the Governor in Council by a notification published in the *Bombay Government Gazette*":]

["Provided, however, that only such Racing Clubs shall be so recognized, as admit as members, persons not below the age of twenty-one and charge a minimum entrance fee of Rs. 25 and a minimum annual subscription of Rs. 15."]

2. Amendment of section 3 of Bom. IV of 1887.—In clause (c) of section 3 of the Bombay Prevention of Gambling Act, 1887, *hereinafter called the said Act, for the words "individual in person," the words "person specified in the Schedule," shall be substituted.* Bom. IV of 1887.

3. Insertion of a schedule in Bom. IV of 1887.—To the said Act the following schedule shall be added namely :—

"Schedule

1. A person who is a member of a club or association to which a licence has been granted under the Bombay Race-courses Licensing Act, 1912. Bom. III of 1912.

2. A person who has been admitted to an enclosure on the premises of a club or association to which a licence has been granted under the Bombay Race-courses Licensing Act, 1912, and who pays— Bom. III of 1912.

(i) an admission fee of not less than three rupees per race day and is admitted to an enclosure reserved for persons paying such fee, or

(ii) an admission fee of less than three rupees but not less than one rupee per race day and is admitted to an enclosure reserved for persons paying such fee.

[Appendix 1—*concld.*)

3. A person who has been admitted to a race-course of which the licensee is a Hunt Committee or Secretary of a point to point race."

G. S. RAJADHYAKSHA,
Secretary to the Legislative Council
of the Governor of Bombay.

Bombay, 15th February 1934.

APPENDIX 2.

BILL No. XXIII OF 1932.

A Bill further to amend the City of Bombay Municipal Act, 1888.

(As introduced on the 30th September 1932 and published in the "Bombay Government Gazette" of the 20th October 1932.)

Bom. III of 1888.

WHEREAS it is expedient further to amend the City of Bombay Municipal Act, 1888, in manner hereinafter appearing; It is hereby enacted as follows :—

1. *Short title.*—This Act may be called the City of Bombay Municipal (Amendment) Act, 193 .

2. *Amendment of section 11 of Bom. III of 1888.*—In sub-section (2) of section 11 of the said Act, in line 11 the word "five" for the word "ten" shall be substituted.

STATEMENT OF OBJECTS AND REASONS.

The object of this Bill is to democratise the constitution of the Municipality of the City of Bombay by lowering the franchise from a Rs. 10 rental to a Rs. 5 rental. Under the existing franchise it has been found that out of a total population of 1,135,079 only 138,804 people are entitled to vote which is very unfair.

(Signed) S. K. BOLE, M.L.C.

APPENDIX 3.

BILL No. XXIV OF 1932.

A Bill further to amend the City of Bombay Municipal Act, 1888.

(As introduced on the 30th September 1932 and published in the "Bombay Government Gazette" of the 20th October 1932.)

Bom. III of 1888.

WHEREAS it is expedient further to amend the City of Bombay Municipal Act, 1888, it is enacted as follows :—

1. *Short title.*—This Act may be called the City of Bombay Municipal (Amendment) Act, 193 .

[Appendix 3—*contd.*]

2. *Amendment of Schedule B of Bom. III of 1888.*—The last column of schedule "B" of the City of Bombay Municipal Act shall be repealed and the following columns shall be substituted for it :— Bom. III of 1888.

Name and No. of Sub-Divisions of Wards.		Names of the Sub-Divisions of each Ward.	Main Divisions of each Ward.	Number of seats as per proposed Wards.	
A	1	Upper Colaba ..	A South ..	5	12
	2	Middle and Lower Colaba.			
	3	Fort, Southern ..			
	4	Fort, Northern ..	A North ..	7	
	5	Esplanade ..			
B	6	Mandvi ..	B South ..	6	12
	7	Chakla ..			
	8	Umerkhadi ..	B North ..	6	
	9	Dongri ..			
C	10	Market ..	C South ..	8	16
	11	Dhobitalao ..			
	12	Fanaswadi ..			
	13	Bhuleshwar ..	C North ..	8	
	14	Khara Talao ..			
	15	Kumbharwada ..			
	16	Khetwadi ..	D East ..	7	16
	17	Girgaum ..			
	18	Tardeo ..	D West ..	9	
	19	Chowpati ..			
	20	Walkeshwar ..			
	21	Mahalaxmi ..			
E	22	Mazagon ..	E East ..	4	12
	23	Tarwadi ..			
	24	First Nagpada ..	E South ..	4	
	25	Second Nagpada ..			
	26	Kamathipura ..			
	27	Byculla ..	E West ..	4	
F	28	Parel ..	F South ..	4	9
	29	Sewri ..			
	30	Sion ..	F North ..	5	
G	31	Mahim ..	G North ..	4	9
	32	Worli ..	G South ..	5	
			Total ..	86	86

[Appendix 3—*contd.*]

3. *Addition of a Schedule to Bom. III of 1888.*—The following schedule shall be added at the end of Schedule "B":—

DIVISION OF THE CITY INTO SUB-WARDS.

A Ward South.

A line starting from Colaba Point extending along the harbour up to its junction with Ballard Road, thence along Ballard Road, Mint Road, the North side of Elphinstone Circle, Church Gate Street, to meet Back Bay (near South side of Church Gate Station), thence along Back Bay to Colaba Point.

A Ward North.

A line starting from Back Bay near Church Gate Station, where it meets Church Gate Street, extending along Church Gate Street, North side of Elphinstone Circle, Mint Road up to its junction with Ballard Road, thence along Ballard Road, South side of Mole Station, thence along the Sea up to the North Wharf of Carnac Basin, thence along the aforesaid Wharf, along South side of Carnac Road, First Marine Street, continuing thence in a straight line to Back Bay, and along Back Bay to the starting point (viz. Church Gate Station).

B Ward South.

A line starting from the junction of Abdul Rehman Street and Carnac Road, extending Eastward along Carnac Road, thence in a straight line extending along the North Wharf of Carnac Basin to harbour, thence along the harbour up to the North Wharf of Victoria Docks, thence extending along the Bombay Port Trust Railway siding running South of A and B Sheds of Prince's Dock, thence along Masjid Siding Road, First Chinch Bunder Road up to its junction with Dongri Street, thence Southward along Dongri Street up to its junction with Pydhoni Road, thence along Pydhoni Road to its junction Bhendy Bazar Road, thence along Abdul Rehman Street to its junction with Carnac Road.

B Ward North.

A line starting from the junction of Abdul Rehman Street, Pydhoni Road, Dongri Street up to its junction with First Chinch Bunder Road, thence along First Chinch Bunder Road, Musjid Siding Road, thence running along the Bombay Port Trust Siding South of A and B Sheds of Prince's Dock to Sea, thence along the harbour Northward up to the South Wharf of Clerk Basin, thence Westward to Wari Bunder Road, thence along Wari Bunder Road, Mazagon Road, Babula Tank Road, Bhendy Bazar Road to its starting point, viz. junction with Abdul Rehman Street and Pydhoni Road.

C Ward South.

A line starting from the junction of Carnac Road and Abdul Rehman Street, extending along Abdul Rehman Street to its junction with

[Appendix 3—*contd.*]

Kalbadevi Road, thence along Kalbadevi Road up to its junction with Dady Shet Agiary Street, thence along Dady Shet Agiary Street to its junction with Cathedral Street, thence along Cathedral Street, Bhuleshwar Road, Thakurdwar Road, thence in a straight line running South of the Government Press, to meet Back Bay, thence Southward along Back Bay up to where it meets First Marine Street (South of Marine Lines Station), thence along First Marine Street, Carnac Road to the starting point, viz. junction with Abdul Rehman Street.

C Ward North.

A line starting from the junction of Thakurdwar and Bhuleshwar Roads, extending along Bhuleshwar Road, Cathedral Street, Dady Shet Agiary Street, Kalbadevi Road, Parel Bhendy Bazar Road to its junction with Grant Road, thence along Grant Road up to its junction with Trimbak Parashram Street, thence along Trimbak Parashram Street, Ardeshir Dady Street, Girgaum Road to the starting point (viz. its junction with Thakurdwar Road).

D Ward East.

A line starting from the Back Bay at its junction with the South edge of Charni Road Gardens, extending along the South side of Government Printing Press, Thakurdwar Road, Girgaum Back Road, up to its junction with Ardeshir Dady Street, thence along Ardeshir Dady Street, Trimbak Parashram Street, thence along Grant Road up to its junction with Harvey and Gawalia Tank Roads, thence along Harvey Road to Sea.

D Ward West.

A line starting from Back Bay where it meets Harvey Road, extending along Harvey Road, Grant Road up to its junction with Suklaji Street, thence along Suklaji Street, Bellasis Road to its junction with B. B. & C. I. Railway Lines, thence along B. B. & C. I. Railway lines Northward to its junction with Clerk Road, thence Westward along Clerk Road to meet the Sea at Hornby Vellard, thence Southward along the Sea up to the Malbar Point, thence Northwards along the Sea to the starting point (viz. its junction with Harvey Road).

E Ward East.

A line starting from the junction of Babula Tank Road and Victoria Gardens Road extending along Babula Tank Road, Mazagon Road up to its junction with Wari Bunder Road, thence along Wari Bunder Road to the South Wharf of the Clerk Basin, thence Northward along the harbour up to the South Wharf of Brick Bunder (i.e., the South-East corner of the new Cotton Green), thence along Brick Bunder, thence Southward along Signal Avenue to its junction with Fosbery Road, thence Northward along Fosbery Road up to its junction with Jackaria Bunder and Reay Roads, thence Northward along Reay Road, Kalachowki Road to its junction with Parel Road, thence Southward along Parel Road, Victoria Gardens Road to the starting point (viz. junction with Babula Tank Road.)

[Appendix 3—*contd.*]

E Ward South.

A line starting from the junction of Grant Road and Victoria Gardens Road, extending along Victoria Gardens Road up to its junction with Shepherd Road, to meet Clare Road, then Southward along Clare Road up to the Old Parsi Statue, thence along Bellasis Road up to its junction with Suklaji Street, thence along Suklaji Street to its junction with Grant Road, thence Eastward along Grant Road to the starting point (viz. junction with Victoria Gardens Road).

E Ward West.

A line starting from junction of the Victoria Gardens and Shepherd Roads, extending along Victoria Gardens Road, Parel Road, up to its junction with Kalachowki Road, thence Westward along Kalachowki Road to its junction with the G. I. P. Railway lines, thence cutting across Chinchpokli Station to Arthur Road, thence along Arthur Road, North side of Jacob Circle, Clerk Road up to its junction with the B. B. & C. I. Railway lines, thence Southward along B. B. & C. I. Railway lines up to its junction with Bellasis Road, thence along Bellasis Road, Clare Road, up to its junction with Shepherd Road, thence along Shepherd Road to the starting point (viz. its junction with Victoria Gardens Road).

F Ward South.

A line starting from the junction of G. I. P. Railway Chinchpokli Station, and Kalachowki Road, extending along Kalachowki Road, Reay Road up to its junction with the First Avenue, thence along First Avenue up to its junction with Fosbery Road, then Southward along Fosbery Road up to its junction with Signal Avenue, thence Northward along Signal Avenue up to its junction with South Wharf of Brick Bunder to the South-East corner of the New Cotton Green, thence along the Sea, Eastward and Northward to Khadkal Creek; thence from Khadkal Creek in a straight line Westward to meet the junction of Bhoiwada Road and Bhoiwada Cross Road, thence along Bhoiwada Cross Road, thence crossing Suparibag Road to and along Elphinstone Road to Parel Railway Station, thence Southward along G. I. P. Railway lines to the starting point (viz. Chinchpokli Railway Station).

F Ward North.

A line starting from G. I. P. Railway Parel Station extending along Elphinstone Road, crossing Suparibag Road to and along Bhoiwada Cross Road to its junction with Bhoiwada Road and thence in a straight line Eastward to Sea at Khadkal Creek, thence along the Sea and the Northern limit of the City up to G. I. P. Railway line, thence along the G. I. P. Railway line up to the starting point (viz. G. I. P. Railway Parel Station.)

G Ward South.

A line starting from the junction of Hornby Vellard and Clerk Road, and extending along Clerk Road, Jacob Circle, Arthur Road up to Chinchphokli Station and thence along G. I. P. Railway lines up to Elphinstone

[Appendix 3—*concld.*]

Road Station, thence along Elphinstone Road to its junction with Sayani Road, thence along Sayani Road to its junction with Cadell Road, thence along Cadell Road Northward to a distance of about 250 feet, thence along the proposed 40′ Road (North of the Bombay Dyeing and Manufacturing Co.) to Sea, thence along Sea to the starting point (viz. junction of Hornby Vellard and Clerk Road).

G Ward North.

A line starting from junction of Sea and a proposed 40′ Road, running to the North of the Bombay Dyeing and Manufacturing Co. and extending along the said 40′ Road to meet Cadell Road, thence Southward along Cadell Road to its junction with Sayani Road, thence along Sayani Road, Elphinstone Road up to its junction with G. I. P. Railway Elphinstone Railway Station, thence Northward along G. I. P. Railway lines up to the centre of Duncan Causeway, thence along a line running through the centre points of the Duncan Causeway and the centre of B. B. & C. I. Railway and Lady Jamshedji Bridges, thence along the Sea shore to the starting point (viz. 40′ Road North of the Bombay Dyeing and Manufacturing Co.).

STATEMENT OF OBJECTS AND REASONS.

The present number of seats allotted to some of the Wards is very unfair and though the population of some of the Wards is reduced the number of seats allotted to them remains the same. This Bill seeks to correct the distribution of the elected seats to be filled up by each Municipal Ward and whilst doing this due consideration is given to population, number of voters and rateable value of property.

So also the Sub-Division of Wards is a reform long overdue and the Bill seeks to sub-divide the Wards and to allot to them seats in proportion in order to reduce the size of the present electorates.

(Signed) S. K. Bole, M.L.C.

APPENDIX 4.

BILL No. XXV OF 1932.

A Bill further to amend the Sind Incumbered Estates Act, 1896.

(As introduced on the 30th September 1932 and published in the "Bombay Government Gazette" of the 20th October 1932.)

WHEREAS it is expedient further to amend the Sind Incumbered Estates Act, 1896, for the purpose hereinafter appearing; It is hereby enacted as follows :— Bom. XX of 1896.

1. *Short title.*—This Act may be called the Sind Incumbered Estates (Amending) Act, 193 .

[Appendix 4—*contd.*]

2. *Amendment of section* 31 *of Bom. XX of* 1896.—In sub-section (*1*) of section 31 of the Sind Incumbered Estates Act for the word "Commissioner" the words "District Court of the competent jurisdiction" shall be substituted.

Bom. XX of 1896.

3. *Amendment of section* 31 *of Bom. XX of* 1896.—In sub-section (*2*) of section 31 for the word "Commissioner" the words "District Judge" shall be substituted.

4. *Amendment of section* 32 *of Bom. XX of* 1896.—In section 32 of the said Act the word "Commissioner" shall be substituted by the words "District Judge" and the words "of his own motion or" shall be deleted.

STATEMENT OF OBJECTS AND REASONS.

It has been found by experience undesirable on the grounds of public policy to vest in the Executive final appellate power in claim suits relating to Incumbered Estates. It will be more in accordance with the principle of justice to vest in the higher judicial courts power to hear appeals from the decision of the Manager, Incumbered Estates. It is therefore proposed to amend the Act accordingly.

(Signed) S. S. TOLANI, M.L.C.

APPENDIX 5.

BILL No. X OF 1933.

A Bill to regulate the rents of premises in the Bombay Presidency.

(As introduced on the 16th February 1933 and published in the "Bombay Government Gazette" of the 7th March 1933.)

WHEREAS it is expedient to provide, on account of the present economic situation, means for regulating the rents of premises in the Bombay Presidency; And Whereas the previous sanction of the Governor General required by sub-section (*3*) of section 80A of the Government of India Act has been obtained for the passing of this Act; It is hereby enacted as follows :—

5 & 6 Geo. V, c. 61.

PRELIMINARY.

1. *Short title, extent and operation.*—(*1*) This Act may be called the Bombay Rent Act, 193 .

(*2*) It extends to the whole of the Bombay Presidency except the area covered by the Karachi Rent Restriction Act, 1929, during the continuance thereof.

Bom. III of 1929.

(*3*) It shall come into operation in the first instance only in the City of Bombay and in such municipal and notified areas in the Bombay

[Appendix 5—*contd.*]

Suburban District and the Thana District as are or may hereafter be governed, wholly or in part, by the Bombay District Municipal Act, 1901, and the Bombay Municipal Boroughs Act, 1925, in respect of any premises of which the standard rent does not exceed Rs. 200 per month; but the Governor in Council may by notification direct that it shall come into operation in any other local area on such date as may be specified in such notification. In such notification the Governor in Council may direct that all or any specified portions of this Act shall come into operation in such local area and shall apply, with such modifications as to dates as he may think necessary, having due regard to the general principles of this Act, to any class or classes of premises as may be specified.

Bom III of 1901 and Bom. XVIII of 1925.

(*4*) This Act shall be in force for a period of five years:

Provided that the expiration of this Act shall not render recoverable any rent which during the continuance thereof was irrecoverable or affect the right of a tenant to recover any sum which during the continuance thereof was under this Act recoverable by him.

(*5*) The Governor in Council may, on being satisfied that any premises have been or will be let on a concessional rent with charitable motives, exempt such premises from all or any of the provisions of this Act.

2. *Definitions.*—(*1*) In this Act, unless there is anything repugnant in the subject or context—

(A) the expression "standard rent" in relation to any premises means—

(*a*) the rent which shall be less by 25 per cent. than

(*i*) the rent at which the premises were let on the first day of January 1930, or where they were not let on that date, the rent at which they were last let before that date; or

(*ii*) in the case of any premises that were or shall be first let after the first day of January 1930 and before the commencement of this Act, the rent at which they were or shall be first let; or

(*b*) in the case of any premises that shall be first let after the commencement of this Act, the rent at which they shall be first let; or

(*c*) in the case of any premises let under a lease for a period of less than ten years, the rent which shall be less by 15 per cent. than the rent fixed by such lease for the period containing the first day of January 1930; or

(*d*) in the case of any premises let under a lease for a period of ten years or upwards, the rent which shall be less by 10 per cent. than the rent fixed by such lease for the period containing the first day of January 1930; or

(*e*) in any of the cases specified in section 10, the rent fixed by the court; or

(*f*) in any of the cases specified in section 14, the standard rent fixed by the controller.

[Appendix 5—*contd.*]

(B) the expression "premises" means—

(*a*) any building or part of a building or any hut let separately for any purpose whatever, including any land therewith;

(*b*) any land let separately for the purpose of being used principally for business or trade; it does not include a room in an hotel or a boarding house.

(C) the expression "small premises" means any premises the standard rent of which, without any increase allowable under section 4 or section 6 of this Act, does not exceed fifty rupees a month.

(D) the expression "landlord" means any person for the time being entitled to receive rent in respect of any premises whether on his own account or on account or on behalf or for the benefit of any other person or as trustee, guardian or receiver for any other person; it includes a rent-farmer, a tenant who sub-lets any premises and every person from time to time deriving title from the owner of the premises.

(E) the expression "tenant" means any person by whom or on whose account rent is payable for any premises, and includes every person from time to time deriving title under a tenant.

(F) the expression "controller" means a controller of rents appointed under this Act and any person authorised by the Governor in Council or by the controller with the sanction of the Governor in Council to perform any of the duties of the controller under this Act.

(G) the expression "committee" means a committee constituted under section 16.

(2) (*a*) where under the provisions of this Act, any question arises for determination by a court or any order is to be made by a court, such question shall be determined or such order made by the court taking cognisance of the suit or proceeding, if any, in relation to which such question arises or such order is to be made;

(*b*) where such question arises or such order is to be made otherwise than in relation to a suit or proceeding, the court of lowest grade, or the court of small causes if any, within local limits of whose jurisdiction the premises are situate, in relation to which or in relation to a tenancy of which, such question arises or such order is to be made, shall have jurisdiction to determine such question or make such order.

Regulations of Rent.

3. *Restriction on rent.*—(*1*) Subject to the provisions of this Act, where the rent of any premises has been, or is hereafter during the continuance of this Act, increased above the standard rent, the amount by which the rent exceeds the standard rent shall, notwithstanding any agreement to the contrary, be irrecoverable.

(*2*) Nothing in sub-section (*1*) shall apply to any rent which accrued due before the first day of January 1932.

4. *Increase of rent on account of improvements excepted.*—Where the landlord has since the first day of January 1930 incurred, or during the continuance of this Act incurs, expenditure on the improvement or

[Appendix 5—*contd.*]

structural alteration of any premises (not including expenditure on decoration or ordinary repairs), an increase of rent at a rate not exceeding six per cent. per annum on the amount so expended, shall not be deemed to be an increase on the standard rent for the purposes of this Act.

5. *Case where rent not to be deemed to be increased.*—(*1*) Where, as the result of any alteration of the terms of the tenancy, the terms on which any premises are held are on the whole less favourable to the tenant than the previous terms, the rent shall be deemed to be increased, for the purposes of this Act, above the standard rent, whether the sum payable as rent is increased or not.

(*2*) Where, as the result of any alteration of the terms of the tenancy, the terms on which any premises are held are not on the whole less favourable to the tenant than the previous terms, the rent shall not be deemed to be increased, for the purposes of this Act, above the standard rent, whether the sum payable as rent is increased or not.

6. *Increase of rent on account of payment of rates excepted.*—Any increase in rent above the standard rent that may be made on account of any addition, subsequent to the first day of January 1930, to the municipal rates, cesses or taxes, if any, in respect of any premises covered by this Act, shall not be deemed, for the purposes of this Act, to be an increase on standard rent:

Provided that such an increase in rent represents not more than half the amount of such addition, for the time being payable by the landlord in respect of such rates, cesses or taxes, over the amount paid in the period of assessment which included the first day of January 1930.

7. *Notice to be given before increase of rent.*—(*1*) Wherever an increase of the rent of any premises is allowable under the provisions of this Act, no such increase shall be recoverable until the expiry of four clear weeks after the landlord has served on the tenant a notice in writing of his intention to increase the rent, accompanied—

(*a*) where the increase of rent is on account of such expenditure as is mentioned in section 4 by a statement of the improvements or alterations effected and of their cost, and

(*b*) where the increase of rent is on account of an increase in municipal rates, cesses or taxes, by a statement showing particulars of the increased amount charged in respect of such rates, cesses or taxes.

(*2*) Where such a notice has been served on any tenant the increase may be continued without service of any fresh notice on any subsequent tenant.

8. *Fine or premium not to be charged for grant, renewal or continuance of tenancy.*—(*1*) It shall not be lawful for any person, in consideration of or in consideration of the securing of the grant, renewal or continuance of a tenancy or a sub-tenancy of any premises, to require the payment of any fine, premium or any other like sum in addition to the rent.

(*2*) Where any such payment has been made to a landlord after the first day of January 1932 the amount shall be recoverable by the tenant by whom it was made from the landlord, and may without prejudice

[Appendix 5—*contd.*]

to any other method of recovery be deducted from any rent payable by him to the landlord.

(*3*) Where any such payment has been made to a person other than a landlord after the first day of January 1930, it shall be recoverable from him.

(*4*) Nothing in this section shall apply to any payment under an agreement entered into before the first day of January 1930.

9. *Act does not permit increase of rent if not otherwise permissible.*—(*1*) Nothing in this Act shall be deemed to entitle a landlord to increase the rent of any premises in any case in which he would not be entitled to do so if this Act had not been passed.

(*2*) If the rent actually agreed upon between the landlord and the tenant, is less than the rent allowable by this Act, the landlord shall not be entitled to increase the same.

Jurisdiction and Powers of Court.

10. *Court may determine standard rent in certain cases.*—(*1*) In any of the following cases the court may fix the standard rent at such amount as, having regard to the provisions of this Act and the circumstances of the case, it deems just:

(*a*) where, by reason of any premises having been let at one time as a whole and at another time in parts, or where a tenant has sub-let or sub-lets a part of any premises let to him, or where for any reason any difficulty arises in giving effect to this Act;

(*b*) where, in the case of any premises let furnished, it is necessary to distinguish, for the purpose of giving effect to this Act, the amount payable as rent from the amount payable as hire of furniture; or

(*c*) where any premises have been or are let rent-free or at a nominal rent or for some consideration in addition to rent.

(*2*) In the case of any such sub-letting as is referred to in clause (*a*) of sub-section (*1*), the court shall have regard to the standard rent of the premises a part of which has been or is sub-let.

11. *No order for ejectment ordinarily to be made if rent paid at allowable rate.*—(*1*) No order for the recovery of possession of any premises covered by this Act shall be made so long as the tenant pays or is ready and willing to pay rent to the full extent allowable by this Act within thirty days after it falls due, and performs the conditions of the tenancy.

(*2*) Provided that nothing in this section shall apply where the tenant has committed any act contrary to the provisions of clause (*o*) or clause (*p*) of section 108 of the Transfer of Property Act, 1882, or has been guilty of conduct which is a nuisance or an annoyance to adjoining or neighbouring occupiers, or where the premises are reasonably and *bona fide* required by the landlord either for the erection of buildings or for his own occupation or for the occupation of any person for whose benefit the premises are held, or where the landlord can show any cause which may be deemed satisfactory by the court.

IV of 1882.

[Appendix 5—*contd.*]

(*3*) The fact that a tenant who entered into possession of any premises by reason of his being *bona fide* in the employment of his landlord has ceased to be in his employment shall be deemed to be a satisfactory cause within the meaning of sub-section (*2*).

(*4*) The fact that a tenant knowingly receives whether directly or indirectly on account of the rent of any premises or any part thereof which were or was sub-let prior to the first day of January 1930 any sum in excess of the standard rent for the whole premises or in excess of the proportionate standard rent for the part thereof so sub-let, shall be a satisfactory cause within the meaning of sub-section (*2*).

(*5*) Nothing in sub-section (*1*) shall apply in the case of any premises

(*a*) (*i*) which have been specially certified for the purposes of this Act to be in a ruinous or dangerous condition, in the case of the city of Bombay by the Municipal Commissioner for the City of Bombay, and in the case of any municipal or notified area by the municipality or the notified area committee, or

(*ii*) which, being situated in a cantonment, have been so certified to be in an insanitary state or unfit for human habitation by the cantonment authority, and

(*b*) in respect of which notice has been issued under section 354 of the City of Bombay Municipal Act, 1888, by the said Commissioner, or under section 119 of the Bombay District Municipal Act, 1901, or by section 149 of the Bombay Municipal Boroughs Act, 1925, by the municipality or notified area committee, or under section 140 or 142 of the Cantonments Act, 1924, by the cantonment authority to the owner or occupier of the said premises.

Bom. III of 1888. Bom. III of 1901. Bom. XVIII of 1925. II of 1924.

12. *Court may rescind order in certain cases.*—Where any order of the kind mentioned in section 11, sub-section (*1*), has been made but not executed before the commencement of this Act, the court by which the order was made may, if it is of opinion that the order would not have been made if this Act had been in operation at the date of the making of the order, rescind or vary the order in such manner as the court may think fit for the purpose of giving effect to this Act.

13. *In city of Bombay distress warrants barred.*—No distress warrant shall be issued under Chapter VIII of the Presidency Small Cause Courts Act, 1882,

XV of 1882.

(*a*) for any rent which is under the provisions of this Act irrecoverable, or

(*b*) unless the person applying for a warrant under the said chapter of the said Act shall, when making his application for the same, swear or affirm that none of the rent, in respect of which the warrant is applied for, is irrecoverable under this Act:

Provided that in the case of any premises the monthly rent of which does not exceed twenty-five rupees, no distress warrant shall under any circumstances be issued.

[Appendix 5—*contd.*]

JURISDICTION AND POWERS OF CONTROLLER AND COMMITTEE.

14. *Standard may be fixed for small premises by controller.*—(*1*) In any area in which this Act is in operation, the controller may, after such enquiry as he may think fit—

(*a*) determine whether any premises are or are not small premises, and

(*b*) from time to time, having regard to the provisions of this Act, fix the standard rent of any premises determined by him or by the committee to be small premises.

(*2*) In fixing the standard rent of any small premises the controller shall have the power referred to in section 10 of this Act.

(*3*) The controller may alter the standard rent fixed by the court for any small premises or any part thereof under section 10 of this Act if there be a change of conditions affecting the standard rent thereof subsequent to the same having been so fixed.

(*4*) Before exercising any of the powers contained in sub-sections (*1*) and (*3*), the controller shall give notice in the prescribed manner of his intention so to do and shall duly consider any application received by him from any person interested within such period as shall be specified in the notice.

(*5*) All orders of the controller under sub-sections (*1*) and (*3*) shall be in writing and a copy thereof shall be affixed to some conspicuous part of the premises to which they relate or to some conspicuous object near such premises.

(*6*) Subject as hereinafter provided and subject to the right of the controller to refix the standard rent of any small premises, should there be a change of conditions affecting the standard rent thereof any order under sub-section (*1*) or sub-section (*3*) shall be final.

15. *Restriction on application of sections* 4 *to* 7 *and* 10.—Nothing in sections 4, 5, 6, 7 and 10 of this Act shall apply in respect of any premises of which the standard rent may be fixed under section 14 of this Act.

16. *Provisions for determination of objections by Committee.*—(*1*) If the landlord or tenant objects to any order made by the controller under sub-section (*1*) or sub-section (*3*) of section 14, whether such objection be to the determination that the premises are or are not small premises or to the amount of standard rent fixed, he may, by written application to the controller within thirty days from the date of the order, require that such objection shall be determined by a committee consisting of the controller and two persons selected by the controller from a list of persons nominated in this behalf by the Governor in Council by notification.

(*2*) Notwithstanding any such objection being preferred the order of the controller shall be effective in all respects unless and until set aside or varied in the manner hereinafter provided.

[Appendix 5—*contd.*]

(3) The committee, after giving notice in the prescribed manner of their intention so to do, and after duly considering any application from any person interested, received by them within such period as shall be specified in the notice, and after such enquiry as they may think fit, shall proceed to determine such objection, and

(*a*) whatever be the objection, may affirm the order of the controller, or

(*b*) if the objection be that any premises determined by the controller not to be small premises are small premises, may determine that the same are small premises, or

(*c*) if the objection be that any premises determined by the controller to be small premises are not small premises, may determine that the same are not small premises, and in such event shall set aside any order of the controller fixing standard rent for the same, or

(*d*) if the objection be to the amount of the standard rent fixed, may fix the standard rent having regard to the provisions of this Act.

(4) In fixing the standard rent of any small premises the committee shall have the powers referred to in section 10 and of the controller under the provisions of this Act.

(5) The decision of the committee shall be in accordance with the opinion of the majority. If they are all divided in opinion, such decision shall be in accordance with the opinion of the controller.

(6) The provisions of sub-section (5) of section 14 shall apply to all decisions of the committee.

(7) The decision of the committee shall relate back to the date of the order objected to and shall, subject to the right of the controller to refix the standard rent of any small premises, should there be a change of conditions affecting the standard rent thereof, be final.

17. *Controller may require information to be furnished and may summon witnesses.*—(1) For the purposes of any enquiry under section 14 or section 16, the controller may by order require any person

(*a*) to furnish particulars in such form, within such time and at such place as may be specified in the order as to the rent at which and the manner in which any premises were let in the year 1930 or subsequently, and as to any other matter specified in the order;

(*b*) to produce for inspection such accounts, rent receipts, books or other documents at such time and at such place as may be specified in the order.

(2) The controller shall, subject to any rules under this Act and in so far as such powers are necessary for carrying out the provisions of this Act, have power to summon and enforce the attendance of witnesses and to compel the production of documents by the same means and so far as may be in the same manner as is provided in the case of a court by the Code of Civil Procedure, 1908. V of 1908.

18. *Statement as to standard rent to be made in certain suits.*—(1) (*a*) In every suit for rent, compensation for use and occupation or ejectment in

[Appendix 5—*contd.*]

respect of any premises of which the monthly rent does not exceed sixty-five rupees, the plaintiff shall annex to the plaint a copy of an order in force, made under this Act, determining that the premises are not small premises or fixing their standard rent.

(*b*) In every such suit in respect of any premises of which the monthly rent exceeds sixty-five rupees, the plaintiff shall state in the plaint whether the standard rent has or has not been fixed under this Act, and if he states that it has been so fixed, he shall annex to the plaint a copy of the order in that behalf in force under this Act.

(*2*) If the plaintiff fails to comply with the terms of sub-section (*1*), the plaint shall be rejected.

(*3*) The rejection of the plaint on any of the grounds hereinbefore mentioned shall not of its own force preclude the plaintiff from presenting a fresh plaint in respect of the same cause of action.

(*4*) Nothing in this section applies to the High Court of Judicature at Bombay.

19. *Power of entry.*—For the purpose of any enquiry under section 14 or section 16, the controller, or any person duly authorised by him in writing either generally or specifically in this behalf, or any member of the committee, may enter any building or land with or without any assistants:

Provided that no building used for human occupation shall be so entered, except with the consent of the occupier thereof, without giving such occupier at least twenty-four hours' previous notice in writing.

20. *Controller or committee not a court.*—Nothing in this Act shall be deemed to constitute the controller or the committee to be a court.

21. *Legal proceedings barred.*—No order of the controller or committee under this Act shall be called in question in any court, and no suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Act.

PENALTIES.

22. *Rent which should not have been paid may be recovered.*—(*1*) Where any sum has, whether before or after the commencement of this Act, been paid on account of rent, being a sum which is by reason of the provisions of this Act irrecoverable, such sum shall at any time within a period of six months after the date of payment, or, in the case of a payment made before the commencement of this Act, within six months after the commencement thereof, be recoverable by the tenant by whom it was paid from the landlord who received the payment or his legal representative, and may without prejudice to any other method of recovery be deducted by such tenant from any rent payable within such six months by him to such landlord.

V of 1908. (*2*) In this section the expression "legal representative" has the same meaning as in the Code of Civil Procedure, 1908, and includes also,

[Appendix 5—*contd.*]

in the case of joint family property, the joint family of which the deceased person was a member.

23. *Penalty for recovering rent in excess of standard rent.*—(*1*) Whoever knowingly receives whether directly or indirectly on account of the rent of any premises of which the standard rent has been fixed under section 14 of this Act, any sum in excess of such standard rent, shall on conviction by a magistrate be punishable, in the case of a first offence, with fine which may extend to one thousand rupees, or in the case of a second or a subsequent offence in regard to the same or any other premises of which the standard rent has been fixed, with fine which may extend to two thousand rupees.

(*2*) A person shall be deemed to receive a sum in excess of the standard rent if he receives any consideration representing money value in excess of such standard rent.

(*3*) Nothing in this section shall apply to any rent accruing due before the standard rent has been fixed.

24. *Consequences of non-user or non-occupation of premises of which possession has been restored to landlord.*—Where any order for the recovery of possession of any premises has been made under sub-section (*2*) of section 11 on the ground that the premises are reasonably and *bona fide* required by the landlord either for the erection of buildings or for his own occupation or for the occupation of any person for whose benefit the premises are held and the premises are not used for the erection of buildings or occupied by the aforesaid persons within six months of the date when possession has been obtained or are re-let within the same period to any person other than the original tenant, the court by which the order was made may on an application by the original tenant made within nine months of such date place him in occupation of the premises on the original terms and conditions and if in the opinion of the court the premises were not reasonably and *bona fide* required by the landlord for the aforesaid purposes, direct payment to him by the landlord of such compensation as the court may think fit.

25. *Penalty for disturbance of easements and tampering with things provided for use with premises.*—Whoever, save for the purposes of effecting repairs or complying with any municipal requisitions, wilfully disturbs any easement annexed to any premises covered by this Act, the standard rent of which has been fixed, or removes, destroys or renders unserviceable anything provided for permanent use therewith or discontinues any supply or service comprised in such rent shall be punishable, in the case of a first offence, with fine which may extend to one thousand rupees, or, in the case of a second or subsequent offence in regard to the same or any other premises of which the standard rent has been fixed, with fine which may extend to two thousand rupees.

[Appendix 5—*contd.*]

MISCELLANEOUS.

26. *Appointment of controller.*—The Governor in Council may by notification appoint a controller for any area in which this Act is in operation.

27. *Rent deemed to accrue from day to day.*—For the purposes of sub-section (*1*) and sub-section (*2*) of section 3 and sections 14, 16, 22 and 23, rent shall be deemed to accrue from day to day.

28. *Rules by Governor in Council.*—(*1*) The Governor in Council may by notification make rules for the purpose of giving effect to the provisions of this Act.

(*2*) Without prejudice to the generality of the foregoing provisions, such rules may prescribe—

(*a*) the manner in which notices under sections 14 and 16 shall be given;

(*b*) the manner in which the persons selected by the controller to form a committee shall be selected; and

(*c*) the manner in which and the agency by which the controller may enforce the attendance of witnesses and compel the production of documents for the purposes of this Act, and may also provide for the charging or remission of fees.

29. *Rules by High Court.*—(*1*) The High Court may, with the approval of the Governor in Council, make by notification such rules as it thinks fit for the purpose of giving effect to the provisions of this Act.

(*2*) Without prejudice to the generality of the foregoing provisions, such rules may

(*a*) prescribe the practice and procedure to be followed in the proceedings under this Act;

(*b*) provide for the charging and remission of fees.

(*3*) Except as may be otherwise directed by rules under this section, the court shall in proceedings under this Act follow the practice and procedure followed in suits and proceedings of a civil nature.

STATEMENT OF OBJECTS AND REASONS.

The unprecedented economic situation caused, *inter alia*, by trade depression is, it is stated, largely responsible for the heavy taxation proposals of the Government of India and the Government of Bombay and has not, it is further stated, left unaffected the financial position of the statutory public bodies, such as municipalities, port trusts, etc. To restore the budgetary equilibrium the Central and the Local Governments and the statutory public bodies have been and are making herculean efforts to reduce expenditure and increase revenue. Retrenchment and taxation have become the order of the day. There is hardly any department of Government, statutory bodies or commercial firms, any industry, trade or occupation where staff has not been and is not

[Appendix 5—*contd.*]

being cut down—thereby creating serious unemployment or under-employment or both. Simultaneously with or following this step, cuts in salaries and wages without any regard to the ability of the people to bear them, have been and are being made. Grades or scales of salaries for new entrants have been or are being reduced; and with this reduction the purchasing power of the people is steadily going down. On the top of all this, has come the heavy taxation, direct and indirect, from the Government of India. In addition to this all-India taxation the people of this Presidency will have, it is apprehended, to face additional taxation of the Government of Bombay and also, perhaps, of some of the local bodies. They have, however, already begun to feel, in the shape of increased expenditure on education of children, medicine charges, etc., the effects of the reduction in grants to these nation-building activities. This extraordinary situation has been causing a serious disturbance in the social and economic life of the people, particularly of the salaried classes and the wage-earners and enormously reduced their purchasing and spending power. Under these circumstances it is almost impossible for them to bear, in a city like Bombay and its suburban area, the heavy rent charges which take away a disproportionately heavy slice from their reduced earnings. Since the Bombay Rent Acts ceased to operate, the rents in Bombay have, in a vast majority of cases, gone up and it is highly desirable that, having regard to the present situation, they should be brought down so as to conform, to the extent to which it is possible, to the economic position of the people. Moreover, when every one has been asked to make large sacrifices in every direction, it is only fair that the landlords also should be asked to make similar sacrifices and be content with a reduction in their earnings through rents.

2. This is the justification for the introduction of this Bill. The Bombay Municipal Corporation has, by passing a resolution in favour of the 25 per cent. reduction in rents, given a lead in this behalf. The Bill is largely modelled on the Bombay Rent (War Restriction) Acts, Nos. II and VII of 1918, with this important difference that, whereas the said Acts were applicable to all premises, irrespective of their rent, this Bill restricts its scope only to those premises the standard rent of which does not exceed two hundred rupees a month. It applies, in the first instance, to the city of Bombay and the municipal and notified areas in the Bombay Suburban and Thana Districts; but the Governor in Council has been given the power to extend all or any of its provisions to any local area in the Bombay Presidency. The Bill, when passed into law, will remain in operation for five years. It includes, subject to their standard rent not exceeding Rs. 200 a month, all premises, business and residential, as the business community is, it is believed, likewise affected; but "small premises" are separately defined as premises the standard rent of which, without any increase allowed for in the case of other premises, does not exceed fifty rupees a month. The procedure laid down in fixing the standard rent of small premises and the method of doing it are different from and simpler than that laid down for other premises. The standard rent is defined, in the case of

[Appendix 5—*concld.*]

premises other than small premises, as rent which shall be less by 25 per cent. than the rent at which the premises were let on the first day of January 1930 or shall be first let between this day and the day of the commencement of the operation of this Bill when it becomes law; and in the case of small premises, as rent fixed by the controller, appointed for this purpose, having regard to the provisions of this Bill. A smaller reduction of fifteen and ten per cent. in rents is prescribed for premises let on lease extending respectively to less than ten years and ten years and more. The operative part of the Bill is clause 3 which makes irrecoverable any rent above the standard rent and does not give retrospective effect to any rent accrued due before the first day of January 1932. Provision is made in the case of premises other than small premises for a reasonable increase in rent above the standard rent on account of any improvements or alterations and of any increase in municipal rates, cesses or taxes in respect of such premises. The payment of fine or premium in consideration of the grant, renewal or continuance of any tenancy is made illegal and provision is made for the recovery of such payment. The Court is given the power to determine the standard rent in certain cases. No order for ejectment can be made so long as the tenant pays or is willing to pay the full allowable rent within thirty days after it falls due. Distress warrant in the case of premises the monthly rent of which does not exceed twenty-five rupees, is barred in the city of Bombay. In the case of small premises, the controller fixes the standard rent. To determine the objections against any order of the controller, a committee of three persons including the controller is provided and its decisions are final. Legal proceedings against any person for anything done or intended to be done in good faith under the Bill are barred.

3. The Bill provides for the recovery of rent which under its provisions should not have been paid; and in the case of small premises, a fine is imposed for recovering rent in excess of the standard rent. A similar penalty is imposed for the disturbance of easements or for tampering with things provided for permanent use or discontinuing any supply or service in respect of all premises covered by this Bill. Provision is made for rules to be framed by the Governor in Council and the High Court to give effect to the provisions of the Bill.

R. R. BAKHALE.

APPENDIX 6.

BILL No. II OF 1934.

A Bill further to amend the Bombay Finance Act, 1932.

(As published in the "Bombay Government Gazette" of the 19th January 1934.)

Bom. II of 1902. WHEREAS it is expedient further to amend the Bombay Finance Act, 1932, for the purposes hereinafter appearing; And whereas the previous

[Appendix 6—*contd.*]

sanction of the Governor General required by sub-section (*3*) of section 80A of the Government of India Act and the previous sanction of the Governor required under section 80C of the Government of India Act have been obtained for the passing of this Act; It is hereby enacted as follows: 5 & 6 Geo. V, c. 61. 5 & 6, Geo. V, c. 61.

1. *Short title and commencement.*—(*1*) This Act may be called the Bombay Finance (Amendment) Act, 1934.

(*2*) It shall come into force on the 31st day of March 1934.

2. *Amendment of section 2 of Bom. II of 1932.*—The provisions of Part II of the Bombay Finance Act, 1932, hereinafter called the said Act, relating to the levy of duty on consumption of electrical energy, the amendments made in the Court Fees Act, 1870, in its application to the Presidency of Bombay by the provisions of Part III of the said Act, and the amendments made in the Indian Stamp Act, 1899, in its application to the Presidency of Bombay by the provisions of Part IV of the said Act, are hereby continued in operation for a further period of one year by the substitution of the word "three" for the word "two" in sub-section (*3*) of section 2 of the said Act. Bom. II of 1932. VII of 1870. II of 1899.

STATEMENT OF OBJECTS AND REASONS.

Parts II, III and IV of the Bombay Finance Act, 1932, relating to the levy of duty on the consumption of electrical energy, of enhanced court-fees and stamp duties are, under section 2 (*3*) of the said Act, to remain in operation till 31st March 1934. The enhanced rates of court-fees and stamp duties have been in force since 1922. The present financial position makes it necessary that the operation of Parts II, III and IV of the Bombay Finance Act, 1932, should be extended to a further period of one year. This Bill is intended to carry out the above object.

24th December 1933.

(Signed) GHULAM HUSSAIN HIDAYATALLAH.

APPENDIX 7.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

The Honourable Khan Bahadur D. B. COOPER.

TRANSFERRED 1. *Extension of the Pleaders' Chambers in the compound of the District and Sessions Court Buildings, Ahmedabad.*

The work in question is estimated to cost Rs. 12,053, and is being constructed at the cost of the pleaders on certain conditions.

[Appendix 7—*contd.*]

One of the conditions is that the pleaders should advance money for the work which would be ultimately repaid by Government, the pleaders occupying the chambers rent-free till the money is repaid. Thereafter rent is to be charged. Accordingly, the pleaders have deposited Rs. 12,053 with Government to defray the cost of the work. The Accountant General, Bombay, is however of the opinion that, since no date is fixed by Government for repayment of the advance, it should be credited to Provincial revenues under the head "XXX—Civil Works" and the cost met from funds under the head "41-Civil Works—Provincial," like other Government works. Government accept the opinion of the Accountant General. This involves provision of funds to the extent of Rs. 12,000 under the head "41-Civil Works—Provincial," which is only for accounts purposes as corresponding revenue will accrue on the receipt side. The amount required will be provided by Government from savings under the major head "41-Civil Works—Provincial". As however the expenditure on the work will be of the nature of a new service, sanction of the Legislative Council is requested to the demand for the grant of a token sum of Rs. 10.

Demand voted and now increased.

"41-Civil Works—Provincial" (partly Reserved and partly Transferred.)

Rs. 1,24,69,010 + Rs. 10.

FINANCE DEPARTMENT:

Bombay Castle, 23rd January 1934.

APPENDIX 8.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

The Honourable Dewan Bahadur S. T. KAMBLI.

TRANSFERRED 2. *Grant to the Regional Committee for the exhibition of modern Indian Art in London.*

The India Society, London, intend to hold in 1934 an exhibition in London of modern Indian Art, with a view to show to the public in England, and funds permitting, also on the Continent, a selection of the best work done by Indian artists in modern times in painting and drawing, sculpture and architecture. With a view to select the best type of exhibits, the India Society have suggested that Regional Committees should be formed in the different provinces of India comprising representatives of the Schools of Art and Art Societies of the provinces concerned. As far as Bombay is concerned, with its conspicuous art traditions and its very important place in the art of India, it has been felt

[Appendix 8—*contd.*]

that the fullest advantage should be taken of the proposed exhibition in the interests of the artists of Bombay to bring their work to the notice of the Western Countries, and with this end in view a strong and representative Regional Committee has been formed of which His Excellency the Governor has consented to be the patron. The Honourable Sir Phiroze Sethna, Member of the Council of State, is the Chairman.

The Regional Committee has applied to Government for a grant towards its expenditure and Government are satisfied that if the Committee is to conduct its work satisfactorily and collect the best examples of work on this side of India, it will have to be properly financed. The Committee has represented that they are making efforts to collect donations from well-to-do art lovers and from ruling princes, but that in the face of an estimated expenditure of about Rs. 8,000, they would require a grant of Rs. 2,500 from Government. Government have however postponed the consideration of what precise amount would be adequate as a grant, but have decided that if an amount of Rs. 750 is paid immediately it would enable the Committee to start work at once. The expenditure is debitable to the head "30-Scientific Departments" and will be met by reappropriation. As however this is a new service the sanction of the Legislative Council would be required, and the Council is therefore requested to sanction a token grant of Rs. 10.

Demand voted and now increased.

"30-Scientific Departments."

Rs. 91,000 + Rs. 10.

FINANCE DEPARTMENT :

Bombay Castle, 23rd January 1934.

APPENDIX 9.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

The Honourable Khan Bahadur D. B. COOPER.

TRANSFERRED 3. *Asphalting Sholapur-Osmanabad Road.*

The work is estimated to cost Rs. 80,428 and consists of 2 sections :—

	Estimated cost Rs.
(*i*) Asphalting the portion from the Railway Station, Sholapur, to the Panjrapol	49,081
(*ii*) Asphalting the portion near the Municipal Water Works Pumping Station	31,347
Total ..	80,428

[Appendix 9—*contd.*]

On account of the very heavy traffic of motor cars, lorries and bullock-carts these sections of the road are badly cut up and the dust nuisance is considerable. Asphalting of these sections is therefore considered to be essential both for the health and amenities of the town. The Sholapur Municipality is also very anxious to have this work carried out as soon as possible and, with this end in view, has promised a contribution of Rs. 37,454 (Rs. 27,454 for the first section and Rs. 10,000 for the second section). Out of this, a sum of Rs. 15,000 is being paid during the current financial year and the balance of Rs. 22,454 will be paid early next year. Thus, the net cost to Government will be Rs. 42,974 only. The Sholapur Municipality has also agreed to exempt all through traffic on provincial roads within the Municipal limits from payment of tolls. Work on both the sections is being undertaken during the current financial year and financed from the Municipal contribution of Rs. 15,000. The Government share of the cost, viz., about Rs. 42,000 is being provided for in the Budget of 1934–35 from the petrol tax fund. As the expenditure on the work is of the nature of a new service, sanction of the Legislative Council is requested to the demand for the grant of a token sum of Rs. 10.

Demand voted and now increased.

"41, Civil Works—Provincial (partly Reserved and partly Transferred)."
Rs. 1,24,69,010+Rs. 10.

FINANCE DEPARTMENT:

Bombay Castle, 25th January 1934.

APPENDIX 10.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

The Honourable Khan Bahadur D. B. COOPER.

TRANSFERRED 4. *Creation of a temporary appointment of additional Assistant Director of Public Health for the Central Registration District.*

When the post of Director of Public Health for the Government of Bombay fell permanently vacant in December 1932 on account of the death of Dr. A. Da Gama, Government decided not to fill the post pending decision on the question of its abolition which was then under their consideration as a result of one of the recommendations made by the Reorganisation Committee and they directed the Assistant Director of Public Health, Central Registration District, to do the duties of the Director in addition to his own. It was then anticipated that a decision on the question of the abolition of the post of Director would be reached soon. As, however, the abolition of the post involved the transfer of the duties pertaining to it to the Surgeon General, and as another recommendation made by the Reorganisation Committee, viz., the cancellation of the reservation of one appointment in the Public Health Department to

[Appendix 10—*contd.*]

Indian Medical Service officers, was linked with this question, Government were advised that the sanction of the Secretary of State for India was necessary before the combined proposals could be put into effect. The Government of India were addressed by the Local Government on 18th April 1933 and requested to obtain the sanction of the Secretary of State, but the requisite sanction has not yet been received. Meanwhile plague broke out in a virulent form in Poona and the adjoining districts and attacks of cholera were also reported in almost all the districts of the Central Registration District, and the Assistant Director of Public Health, Central Registration District, who was carrying on the duties of the post of Director of Public Health in addition to his own, found it impossible to continue to perform the double duties any longer. Government could have appointed one of the Assistant Directors to act as Director of Public Health, as a temporary measure, but they thought it better not to fill the post even temporarily pending the orders of the Secretary of State. They therefore decided to keep the post vacant and to give relief to the Assistant Director of Public Health, who had also to carry on the duties of the Director of Public Health, by appointing an additional Assistant Director of Public Health in the Central Registration District as a temporary measure. Mr. R. V. Shiveshwarkar, one of the Assistant Directors of Public Health who was on leave, was specially recalled to duty and appointed to this post on his own pay, viz., Rs. 1,066–11–0 per mensem less the emergency cut with effect from the 26th October 1933. This arrangement will continue till the orders of the Secretary of State are received on the proposal to abolish the post of Director of Public Health. The expenditure on account of this post will be met from the savings in the provision made in the current year's budget under the head "33, Public Health—Transferred." As this expenditure relates to a new service the sanction of the Legislative Council is requested to the demand for a grant of a token sum of Rs. 10.

Demand voted and now increased.

"33, Public Health—Transferred."

Rs. 24,14,000 + Rs. 10.

FINANCE DEPARTMENT:

Bombay Castle, 31st January 1934.

APPENDIX 11.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

The Honourable Dewan Bahadur S. T. KAMBLI.

TRANSFERRED 5. *Expenditure in connection with the continuance of the appointment of Special Officers for the recovery of dues of co-operative societies.*

At the February-March session of 1933 the Legislative Council sanctioned a grant of Rs. 17,000 for the employment up to 31st July 1933 of 18 Special Officers with their staff in connection with the

[Appendix 11—*contd.*]

scheme devised for the systematic and speedy recovery of dues of co-operative societies through the revenue agency. An additional special officer was subsequently entertained for work in the Broach and Panch Mahals District. Up to 31st July 1933 the special staff had recovered about Rs. 10,90,000 and more than Rs. 50,00,000 still remained to be recovered. It was therefore considered necessary to continue the special staff throughout the current financial year. It is likely that the staff will be required during the financial year 1934-35. Requisite steps have been separately taken to obtain the sanction of the Legislative Council to the employment of the staff in the next year. It is proposed to meet the additional expenditure incurred in continuing the special staff during the current year from the anticipated savings in the grants under the head "34, Agriculture." Sanction of the Legislative Council is requested to the demand for a grant of a token sum of Rs. 10.

Demand voted and now increased.

"34, Agriculture (Transferred)."

Rs. 24,08,050+Rs. 10.

FINANCE DEPARTMENT:

Bombay Castle, 1st February 1934.

APPENDIX 12.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

The Honourable Sir GHULAM HUSSAIN HIDAYATALLAH.

RESERVED 6. *Expenditure on Flood Relief.*

Since April 1933, applications were received by Government for the allotment of funds for flood relief expenditure for which no provision was made in the current year's budget.

2. The heavy rains of August last caused floods in some parts of the Kaira District. The Waghri and Bhangi colony in Nadiad suffered considerably as their katcha houses were damaged. It was necessary to provide gratuitous relief to those who were in urgent need of it. An allotment of Rs. 2,000 was placed at the disposal of the Collector for the purpose. Relief on a large scale was not however found to be necessary. Only Rs. 562 were required and nearly the whole of this expenditure was met from the District Famine Charitable Relief Fund, with the result that the amount that had to be spent from the above allotment was insignificant (Rs. 10).

3. The occurrence of floods, in the Nerbudda in August last owing to the very heavy rain locally and in the upper reaches of the river caused some distress in the riverain villages of the Broach District. Government, therefore, sanctioned a grant of Rs. 2,000 for emergency flood relief, boat hire and other necessary measures. An amount of

[Appendix 12—*contd.*]

Rs. 1,727 was spent on the provision of such relief, out of which a sum of Rs. 1,056 was met from the allotment mentioned above. The balance was made available from the public contributions.

4. As the money appeared to be urgently required in both cases, sanction to the expenditure was accorded by Government in anticipation of the sanction of the Legislative Council. The approval of the Legislative Council is now required to the expenditure of Rs. 1,066 under the head '43-A, Famine Relief.'

Demand voted and now increased.

43-A, Famine Relief—Reserved.

Nil plus Rs. 1,066.

FINANCE DEPARTMENT:

Bombay Castle, 2nd February 1934.

APPENDIX 13.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

The Honourable Khan Bahadur D. B. COOPER.

TRANSFERRED 7. *Payment of grant-in-aid to the Nasik Municipality in connection with the expenditure incurred by it on Sinhast arrangements.*

In the year 1931, Government had sanctioned a loan of Rs. 75,000 to the Nasik Municipality at a rate of 7 per cent. per annum as interest to enable it to make sanitary arrangements during the last Sinhast Fair. The Municipality has repaid a sum equal to the original amount of the loan but has requested Government that as the actual receipts from the pilgrim tax had fallen by more than 50 per cent. of the anticipated yield, some relief might be afforded to it in connection with the payment of interest on the loan. In the circumstances explained by the Municipality and having regard to the fact that the maintenance of sound health conditions during the Sinhast fair is not a merely municipal concern but of interest to the whole Presidency, Government have decided to sanction, as a special case, a grant-in-aid of Rs. 1,000 to the Municipality by re-appropriation from savings in the provisions for grants-in-aid to Municipalities made in the current year's budget under "33-Public Health—B." As the expenditure in question relates to a new service, the sanction of the Legislative Council is requested to the demand for a token sum of Rs. 10.

Demand voted and now increased.

"33-Public Health—Transferred".

Rs. 24,14,000+Rs. 10.

FINANCE DEPARTMENT:

Bombay Castle, 2nd February 1934.

APPENDIX 14.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

The Honourable Khan Bahadur D. B. COOPER.

TRANSFERRED 8. *Expenditure in connection with Village Improvement Scheme.*

His Excellency the Governor, Sir Frederick Sykes, recently inaugurated a scheme for village improvement, the details of which have been published in the brochure "Village Improvement" and in the "Manual of Village Improvement". In pursuance of this scheme Government have decided to appoint District Executive Committees under the chairmanship of the Collectors and to attach to these committees, Secretaries one for each district of the Presidency proper. This organisation is intended to supply an agency which shall co-ordinate the work in villages, prevent waste of effort and give definite directions to the various activities of the village improvement scheme. The appointments of District Secretaries will be made by the Chairman of the several distric executive committees. The Chairman will be free to choose their secretaries either from amongst subordinate Government servants of any Department or non-official workers attached to any organisation functioning in the district. The Commissioners have been requested to ascertain and inform Government in which districts it will be necessary to appoint stipendiary secretaries and whether in each of these it will be necessary to appoint them from the start or only later. If the Chairman of any committee considers that no secretary will be needed or that he will be able to find a non-official or a member or an employee of some unofficial organisation able and willing to carry out satisfactorily the duties of secretary to the committee without the work falling on the Collector's staff, so much the better. Otherwise the Collectors will be authorised to appoint a special stipendiary secretary of the Aval Karkun's grade. The secretaries will receive their pay and allowances from the District Executive Committees which will be given an equivalent grant-in-aid from Government for a period of one year as an experimental measure.

2. The cost on account of the district secretaries, if taken from Government service, will be about Rs. 105 per mensem each, including tranvelling allowance. The scheme has been started in six districts of the Presidency, viz., (1) Ahmedabad, (2) Surat, (3) Nasik, (4) West Khandesh, (5) Satara, (6) Sholapur and Government have sanctioned the appointments of stipendiary secretaries for the District Executive Committees in these districts. The expenditure during the current year is estimated at Rs. 650 and as no savings are anticipated in the grant under the major head "37-Miscellaneous Departments—Transferred" (to which the expenditure on this account is debitable) a supplementary grant to this extent is required. During the ensuing year it is estimated that an expenditure of Rs. 23,000 in round figures

[Appendix 14—*contd.*]

will be incurred in connection with the scheme and a provision of this amount has been made in the budget for that year.

Demand voted and now increased.

37-Miscellaneous Departments—Transferred.
Rs. 29,000 + Rs. 650.

FINANCE DEPARTMENT:

Bombay Castle, 2nd February 1934.

APPENDIX 15.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

The Honourable Khan Bahadur D. B. COOPER.

TRANSFERRED 9. *Expenditure incurred on account of the Maharashtra University Conference held at Poona on the 7th and 8th July 1933.*

His Excellency the Governor accompanied by the Honourable Minister for Education received on April 3rd last a deputation led by Mr. M. R. Jayakar which asked Government to undertake early legislation for the establishment of a University at Poona with jurisdiction over all the Marathi-speaking parts of the Presidency except Bombay City. The proposal involved far-reaching issues which included the future position of the University of Bombay and the question whether some form of relief was required by it. Government considered therefore that it was advisable, before determining their policy, to convene a conference to which all heads of colleges affiliated to the University, representatives of the interests of the Bombay University, head masters of selected high schools, ex-Ministers of Education, certain heads of departments and educational officers of Government, and representatives of special interests, e.g., the Backward Classes were invited. A conference was accordingly held in Poona on the 7th and 8th July 1933, which was opened by His Excellency the Governor and presided over by the Honourable Minister for Education. The upshot of the discussions that took place was summarised in a press note issued on July 27th, 1933. An expenditure of Rs. 2,654 was incurred on account of the travelling allowance of the non-official members who were invited to the conference. The charge is debitable to the head "47-Miscellaneous—Transferred". No provision on account of this expenditure was made under this head, and it is proposed to sanction the expenditure from the savings anticipated under this major head. Since, however, the expenditure relates to a new service, the sanction of the Legislative Council is requested to a token demand of Rs. 10.

Demand voted and now increased.

"47-Miscellaneous—Transferred."
Rs. 4,89,000 + Rs. 10.

FINANCE DEPARTMENT:

Bombay Castle, 2nd February 1934.

APPENDIX 16.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

The Honourable Khan Bahadur D. B. COOPER.

TRANSFERRED 10. *Expenditure in connection with the Panchgani Town Planning Scheme No. III (Final).*

The Panchgani Town Planning Scheme No. III (Final) has been sanctioned and takes effect from 1st January 1934. Under section 40 (2) of the Bombay Town Planning Act, 1915, Government, like other plot holders in the scheme, have to pay their share of the contributions under section 18 of the Act. The Revenue Department's contribution amounts to Rs. 7,854, and that of the Public Works Department is Rs. 4,318. Savings are available under the respective budget heads '5, Land Revenue' and '41, Civil Works', to which the charges are ultimately debitable. The expenditure being in connection with a public health scheme, the demand is made under "33, Public Health", but the ultimate debit to this head will be *nil*. As the expenditure relates to a new service, the sanction of the Legislative Council is requested to the demand for a token sum of Rs. 10.

Demand voted and now increased.

"33–Public Health—Transferred."

Rs. 24,14,000 + Rs. 10.

FINANCE DEPARTMENT:

Bombay Castle, 3rd February 1934.

APPENDIX 17.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

The Honourable Dewan Bahadur S. T. KAMBLI.

TRANSFERRED 11. *Expenditure in connection with the purchase of a sugar-making set for demonstration of sugar-making by open pan process.*

The Co-operative Conference held at Poona in June 1933 considered the steps to be taken for improving the economic condition of members of rural societies in canal areas and elsewhere. The general concensus of opinion was to erect centrifugal plants for the manufacture of sugar

[Appendix 17—*contd.*]

by the open pan process. On account of the low prices of gul, the sugar-cane growers in the Deccan are undergoing loss by the manufacture of gul, and if sugar-making by the open pan process is introduced, there is every possibility of the cane-growers realising a fair margin of profit. The Bombay Provincial Co-operative Bank agreed to co-operate in the matter by erecting one or more sets, provided Government opened a centrifugal pan and erected machinery for demonstration purposes. The arrangement was that the cane should be supplied by the cultivators without getting any price. The manufacture of sugar and gul and their sale was to be undertaken by the Agricultural Department. The actual working cost and commission on sale was to be deducted from the price and the balance was to be handed over to the cultivators. The work was undertaken on the condition that the cultivators did not interfere with the working and supplied the cane according to the requirements of the plant. As the matter was urgent, Government authorised the purchase of a sugar-making apparatus and machinery at a cost not exceeding Rs. 7,500 for demonstrating the manufacture of sugar by the open pan process, in anticipation of the sanction of the Legislative Council. It is proposed to meet the expenditure from the anticipated savings in the provisions for pay of establishment and contingencies under the head "34–A, Agriculture–Agriculture in Sind". As the expenditure in question relates to a new service, the sanction of the Legislative Council is requested to the demand for a grant of a token sum of Rs. 10.

34, Agriculture (Transferred).

Rs. 24,08,050 + Rs. 10.

FINANCE DEPARTMENT :

Bombay Castle, 3rd February 1934.

APPENDIX 18.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

The Honourable Sir GHULAM HUSSAIN HIDAYATALLAH.

RESERVED 12. *Payment of a part of the remuneration to the Secretary, Western India Turf Club, for collecting the betting tax due for the year* 1932–33.

Since the year 1932–33 the remuneration to the Secretary, Western India Turf Club, for collecting the betting tax has been fixed at the rate of 2 per cent. of the yield of the tax subject to a minimum of Rs. 6,000 per annum. Part of the remuneration for 1932–33 was paid in that year

[Appendix 18—*contd.*]

but the bill for the month of March 1933 was received late and thus the balance of the remuneration *viz.*, Rs. 2,682, was paid on 1st April 1933. The payment has thus been debited to the grant sanctioned for the purpose during the current year which in consequence will be exceeded. Out of the amount of Rs. 2,682 a sum of about Rs. 182 can be met by reappropriation from savings in other items under the head "9 A, Scheduled Taxes". A supplementary demand for Rs. 2,500 is accordingly asked for. Steps have been taken to see that such bills are received in proper time in future.

Demand voted and now increased.

"9-A, Scheduled Taxes—Reserved."

Rs. 34,000 + Rs. 2,500.

FINANCE DEPARTMENT:

Bombay Castle, 3rd February 1934.

APPENDIX 19.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

The Honourable Sir GHULAM HUSSAIN HIDAYATALLAH.

RESERVED 13. *Expenditure under "47-Miscellaneous—Provincial (Reserved)".*

The following paragraphs explain the total excess of Rs. 15,27,000. under this head.

2. *I. Donations for charitable purposes.*—A provision of Rs. 41,310 was made in the current year's budget estimate for the payment of grants-in-aid to the Societies for the Prevention of Cruelty to Animals at Bombay, Ahmedabad, Surat, Poona, Hyderabad, Sukkur, Shikarpur and Bandra. 90 per cent. of the actual receipts from fines is paid as grants-in-aid to the societies at Bombay, Ahmedabad, Poona, Shikarpur and Bandra, while 50 per cent. is paid to the societies at Surat, Hyderabad and Sukkur. The provision in the current year's budget was made on the basis of past actuals. The latest actuals of receipts from fines show that larger amounts than those provided for will have to be paid to the societies at Bombay and Ahmedabad as grants-in-aid for the current year as shown below :—

	Provision 1933–34.	Payments expected to be made 1933–34.
	Rs.	Rs.
Bombay Society	32,400	39,600
Ahmedabad Society	4,800	12,770

[Appendix 19—*contd.*]

The actual receipts from fines in 1932–33 so far as the Bombay and Ahmedabad societies were concerned showed that over and above the amounts of Rs. 33,720 and Rs. 2,285 paid to them in 1932–33, further amounts of Rs. 723 and Rs. 1,574 respectively were due as grants-in-aid for that year. These amounts have already been paid to the societies from the provision made in the budget estimate of the current year. The total provision of Rs. 41,310 will be exceeded by Rs. 17,000 due to the reasons mentioned above and small variations between the provisions for and the payments to be made to the societies other than those at Bombay and Ahmedabad.

3. *II. Rewards for the destruction of wild animals.*—The current year's grant for the payment of rewards for the destruction of wild animals under the head "47-Miscellaneous—Reserved" is Rs. 200. Having regard to the fact that most of the claims for rewards come from the Kanara District, the whole of the provision was allotted to that District. In the latter half of 1933 the Collector of Kanara represented that this allotment was insufficient to meet the claims received by him for the payment of rewards for the destruction of wild elephants, the killing of each full grown elephant carrying a reward of Rs. 100 and that of a half grown elephant Rs. 50 unless the tusks are retained by the shikari when the rewards are reduced by half. The Collector therefore applied for an additional grant of Rs. 3,400 for the settlement of these claims. In view of the ravages of wild elephants in the District and the consequent necessity of protecting life and crops, the Collector was authorized to incur the expenditure.

4. *III. Petty establishments.*—The provision on account of establishment for collection of the tobacco duty in the city of Bombay is made under this head. The contributions received from the Bombay Municipality on account of establishment and supervision charges and those received from Messrs. D. Macropolo & Company were formerly credited to this head by *deduct* entry. It has now been decided that the contributions should be credited to the receipt head "XXXV" instead of crediting them by *deduct* entry under this head. The current year's budget estimate is —11,700 Rs. This is made up of Rs. 77,100 for establishment charges *minus* Rs. 88,800 credited as contributions. Against the amount of Rs. 77,100 for establishment charges the revised estimate is Rs. 84,300. Since the contributions are now credited to the receipt head "XXXV", the net excess will amount to Rs. 96,000.

The above amount of Rs. 84,300 for establishment charges includes an amount of Rs. 6,300 for establishments in the districts. The issue of licences under the Bombay (District) Tobacco Act, 1933, and the work of assessment of the licence fee and its realisation have been assigned to the district staff under the Collector. In some areas where the number of licences issued is large the work was found to be beyond the capacity of the existing staff and it was necessary to strengthen it temporarily. Each case was considered carefully and the staff entertained is detailed

[Appendix 19—*contd.*]

in the accompanying statement which also shows certain establishment in respect to which proposals are under examination. This is a new service which will be continued temporarily during the next year also and there is no provision in the current year's budget on this account.

5. *IV. Special Commissions of Enquiry.*—In March 1933 Government appointed a Committee to inquire into the care of destitute children and young offenders. The Committee held several meetings in Bombay and Poona and examined witnesses. A sub-committee consisting of three members also visited the Borstal School and allied institutions at Dharwar with a view to studying the conditions there. The Committee submitted its report (Part I), copies of which were supplied to the Members of the Legislative Council. The recommendations of the Committee are at present under the consideration of Government and effect will be given to them gradually as funds permit. The Committee is now considering the subject in its relation to the beggar and *mavali* problems in the City of Bombay.

A sum of Rs. 1,270 has already been sanctioned by Government to meet the miscellaneous expenditure and travelling and daily allowances on account of the visit of the sub-committee to Dharwar and of the visits to Bombay of the mofussil members appointed on the Committee. It is estimated that a sum of about Rs. 130 more will be required during the remainder of the current year. The net amount required will be Rs. 1,400.

5. *V. Irrecoverable temporary loans written off.*—The budget estimate for the current year for this item which is made on the basis of past actuals is Rs. 18,600. The latest actuals show that an amount of Rs. 22,000 will be required. The excess anticipated comes to Rs. 3,400.

7. *VI. Contributions.—Payment to the Bombay Municipality by way of grant of the net proceeds of the tobacco duty collected under Bombay Act IV of 1857 as amended by Bombay Act I of 1932.*—Realisations under the Tobacco Duty (Town of Bombay) Act IV of 1857, as amended by Act I of 1932, are provincial revenue and consequently they are credited to the Government account under the receipt head "XXXV-Miscellaneous". As was done in previous years, the amount representing the net receipts from the tobacco duty (inclusive of licence fees, fines, warehouses, rents, etc.), after deduction of the whole expenses of collection, is payable to the Bombay Municipality as a state contribution to it. Three quarters of the sum which is granted by Government to the Corporation are to be credited in the Improvement Trust budget (*vide* rule 5 (5) of the Rules in Schedule B and section 41 (*ii*) of the City of Bombay Municipal (Amendment) Act, XIII of 1933).

The total net proceeds derived from the tobacco duty from 1st April 1933 to the end of December 1933 after deducting expenses, amounted

[Appendix 19—*contd.*]

to Rs. 10,41,200, while those during the remaining quarter of the year are estimated at Rs. 3,24,900. The total net receipts for the year are accordingly estimated at Rs. 13,66,100. In addition to the current year's receipts, a sum of Rs. 31,004–11–9 had to be paid to the Bombay Municipality for credit to the Improvement Trust budget on account of arrears of the past year. The total payments will, it is estimated, amount to about Rs. 13,97,105.

As under the account rules the necessary provision is required to be made in the current year's budget under the head "47-Miscellaneous—Reserved" to which the charge is debitable, and as no provision is made on this account, the amount required for this item comes to Rs. 13,97,000 in round figures.

8. *VII. Miscellaneous compensations.*—The talukdars of the village of Bawaliari, taluka Dhandhuka, district Ahmedabad, are in receipt of an annual cash allowance of Rs. 931 as compensation for the abolition of certain dues, under Act XIX of 1844 (an Act for abolishing town duties and mukats and all taxes upon trades and professions within the Presidency of Bombay). The practice hitherto has been to adjust the allowances by credit against the jama due from the talukdars. Government have now decided to stop the present practice and to bring the allowance on the printed cash alienation list and pay it in cash to the talukdars. The allowance has been in arrears for two years and has also to be paid for the current year 1933–34. A sum of Rs. 2,793 is thus required, for which no provision exists in the current year's budget.

9. *VIII. Miscellaneous Darbar charges.*—

(*i*) The last Darbar for the Sardars of Gujarat was held by His Excellency the Governor in December 1932. Since then nine new Sardars have been admitted to the rank, and it was necessary to present them and one Sardar, who was enrolled in the list of Sardars in 1930 but who could not attend the last Darbar, with their Dresses of Honour. This presentation of Poshaks could only be done at a Darbar and since it was not certain when His Excellency the Governor would visit Ahmedabad, the Commissioner, Northern Division, was authorised to hold a Darbar and distribute the Dresses of Honour. As the provision of Rs. 150 made for "Darbar Presents" under this minor head is not likely to be utilised, the net additional amount required is Rs. 875. It has not been found possible to meet this extra charge from savings under this major head.

(*ii*) *Darbars held by His Excellency the Governor in the cause of Village Improvement.*—In the past there has been no co-ordinating agency in this Presidency for village improvement work. Various non-official agencies have been working but without any settled and co-ordinated plan. The officers of Government whose work takes them into villages have done what they could, but the attention they could

[Appendix 19—*contd.*]

devote to this work was necessarily limited by more pressing administrative needs which are now becoming increasingly complex. It has become clear to Government for some time past that the existing policy of village improvement needs the mobilization of all possible resources and the exertion of the fullest possible effort. Government accordingly decided to secure close collaboration between the agencies of Government on the one hand and the actual cultivator on the other not by launching a new scheme and starting new agencies but by reshaping the existing mechanism and initiating a new method of approach. The method is one which seeks to enlist the help of the villager himself and of the whole public, including the local self-governing bodies and associations, in doing what is within the power of all in spreading greater material welfare and with it greater contentment among the agricultural population. To explain this problem and to inaugurate his scheme His Excellency the Governor held Darbars at Belgaum, Ahmednagar and Surat to which patils of as many villages as possible were invited, as also representatives of local bodies and other people who have already shown interest in village improvement work. The expenditure on the three darbars amounted to Rs. 11,230 out of which only Rs. 450 could be provided from the saving anticipated under the head "47-Miscellaneous—Miscellaneous Darbar Charges—Grants at the disposal of Commissioners". Thus the net excess under this item comes to Rs. 10,780.

10. *IX. Expenditure in connection with electricity duty.*—

(*i*) Government have sanctioned a general rebate of one per cent. of the amount of electricity duty collected by Electric Supply Companies on behalf of Government to compensate them for the work involved in the collection. On this basis a provision of Rs. 8,000 has been made in the current year's budget for grant of rebate but it has been found to be insufficient. It is estimated that the total expenditure on account of rebate during the current year will amount to Rs. 11,730 thus causing an excess of Rs. 3,730 over the provision of Rs. 8,000.

(*ii*) The Huzur Deputy Collector, Karachi, is an Inspecting Officer under section 8 of the Bombay Finance Act, 1932, for the purpose of inspection of accounts of electric licensees. In the course of his inspection he has to go about Karachi a good deal. In order that he may not be out of pocket in the discharge of his duty Government have allowed him to draw actual expenses incurred by him on this account with effect from 1st September 1932, subject to a maximum of Rs. 3 per day and Rs. 45 per mensem. The Huzur Deputy Collector is assisted in this work of inspection of accounts, etc., by the Treasury Head Munshi, for whom Government have sanctioned a conveyance allowance of Rs. 15 per mensem. The total extra expenditure on this account, including the Treasury Head Munshi's conveyance allowance during the current year is estimated at Rs. 861.

[Appendix 19—*contd.*]

11. The excess under the above-mentioned items amount to Rs. 15,37,239 and after taking into account the saving of Rs. 10,489 under "Refunds", it comes to Rs. 15,26,750. As it is not possible to meet the charge from savings, the Legislative Council is requested to sanction a grant of Rs. 15,27,000 to meet the above-mentioned excesses.

Demand voted and now increased.

47–Miscellaneous—(Reserved).

Rs. 7,16,000 + Rs. 15,27,000.

FINANCE DEPARTMENT:

Bombay Castle, 3rd February 1934.

STATEMENT REFERRED TO IN PARAGRAPH III OF THE STATEMENT OF SUPPLEMENTARY DEMAND.

Statement showing the details of the temporary establishment sanctioned by Government and that proposed to be sanctioned during the year 1933–34 *together with its cost, in connection with the working of the Bombay (District) Tobacco Act* 1933.

—	Establishment already sanctioned by Government.								Total.	Remarks.
	Number of		Rates of pay.		Period for which sanctioned.		Expenditure.			
	Clerks.	Peons.	Clerks.	Peons.	Clerks.	Peons.	Clerks.	Peons.		
1	2	3	4	5	6	7	8	9	10	
			Rs.	Rs. a.	Y. m. d.	Y. m. d.	Rs.	Rs.	Rs.	
1. Ahmedabad	1	1	35*	12 4†	1 0 0	1 0 0	194	64	258	*Appointed from 15th September 1933. †Appointed from 25th September 1933.
2. Kaira	5	..	35	..	0 3 0	....	525	..	525	
3. Panch Mahals ..	1	..	35‡	..	0 6 0	....	134	..	134	‡Appointed from 8th November 1933.
4. Broach	1	..	45§	..	0 6 0	....	252	..	252	§Appointed from 13th September 1933.
5. Surat	1	1	45‖	15 0¶	Up to 3	1-3-34	246	60	306	‖Appointed from 17th September 1933. ¶Appointed from 1st November 1933.
	1	..	35	..	0 3 0	....	105	..	105	
6. East Khandesh ..	6	..	35	..	0 3 0	....	630	..	630	

7. West Khandesh ..	2	..	35	..	0 2 0	....	210	..	210	
	1	..	35	..	0 2 0	....				
8. Bombay Suburban ..	2	2	50**	17 8††	Up to 3	1st March 1934.	515	175	690	**One clerk from 26th September 1933 and one from 29th September 1938. ††Appointed from 1st October 1933.
9. Poona	1	..	35	...	0 3 0	....	105	..	194	
	1	1	35	18 0	0 1 0	0 3 0	35	54		
10. Ahmednagar ..	1	..	35	..	0 4 0	....	140	..	140	
11. Satara	10	..	35	..	0 2 0	....	385	..	385	
					0 1 0	....				
12. Sholapur	2	..	35	..	0 2 0	....	140	..	140	
13. Dharwar	7	..	35	..	0 1 0	....	315	..	315	
	1	..	..	..	0 2 0	....				
14. Belgaum	2	..	35M	..	Up to 3	1st March 1934.	297	..	297	M 1 clerk employed from 27th October 1933 and another from 22nd October 1933.
15. Bijapur	1	..	35	..	0 2 0	....	70	..	70	
16. Karachi	1	1	35+P 10 C.A.	17+ 2 P.L.A.	0 5 0	0 5 0	175 +50	85 +10	320	P Appointed from 1st October 1933.
17. Hyderabad	1	..	35P	..	0 5 0	....	175	..	175	
Total ..	..	..	..	..	....	....	4,698	448	5,146	

STATEMENT REFERRED TO IN PARAGRAPH III OF THE STATEMENT OF SUPPLEMENTARY DEMAND—*contd.*

—	Additional establishment required during the year.								Total.	Grand Total.	Remarks.
	Number of		Rates of pay		Period for which required.		Expenditure.				
	Clerks.	Peons.	Clerks.	Peons.	Clerks.	Peons.	Clerks.	Peons.			
	11	12	13	14	15	16	17	18	19	20	
			Rs.	Rs. a.	Y. m. d.	Y. m. d.	Rs.	Rs.	Rs.	Rs.	
Ahmedabad	..	..	..	..	....	....	..	..	..	258	
2. Kaira	..	..	..	..	....	....	..	..	..	525	
3. Panch Mahals ..	..	..	..	..	....	....	..	..	..	134	
4. Broach	..	..	..	..	....	....	..	..	..	252	
5. Surat	1	1	45	15 0	From 18th February 1934.	From 20th November 1933.	18	51	69	480	
6. East Khandesh ..	1	..	35	..	0 1 0	....	35	..	35	665	

[Appendix 19—*concld.*]

7. *West Khandesh* ..	..	..	..	..	....	....	..	..	..	210	
8. Bombay Suburban ..	..	..	..	..	....	....	..	..	..	690	
9. Poona	1 1N	1 ..	85 35	18 0 ..	0 2 0 0 3 0	0 3 0	170 70	54 ..	294	488	N Employed from 1st January 1934.
10. Ahmednagar ..	..	..	..	..	....	....	..	..	..	140	
11. Satara	..	..	..	..	....	....	..	..	..	385	Actually 2 clerks were appointed for 2 months and 7 clerks for 1 month.
12. Sholapur	2R	..	35	..	0 4 0	....	210	..	210	350	R. Appointed from 1st December 1933.
13. Dharwar	2	..	35	..	0 1 0	....	70	..	70	385	
14. Belgaum	..	..	..	..	....	....	..	..	..	297	
15. Bijapur	..	..	..	..	....	....	..	..	..	70	
16. Karachi	..	..	..	..	....	....	..	..	..	320	
17. Hyderabad	..	..	..	..	....	....	..	..	..	175	
Total ..	..	..	..	..	....	....	573	105	678	5,824	

APPENDIX 20.

The Honourable Dewan Bahadur S. T. KAMBLI.

TRANSFERRED 14. *Expenditure in connection with the scheme for the development of fisheries.*

With a view to developing the local fishing industry Government have decided to demonstrate to the fishing community the advisability of using motor boats for collecting the fish caught in their sail boats and bringing the same to the ports quickly. At present the fishing boats, which are all sailing boats, stay at sea for a comparatively short period because it is necessary for them to bring the fish quickly to the port before it deteriorates. If oil engine driven boats are used as collecting boats, to collect the catches and bring them to land at intervals, the sailing boats will be able to stay at sea for much longer periods than at present. The supply of fish will thus be considerably increased. To demonstrate to the fishing community the great advantage of such an arrangement it has been decided to construct two boats fitted with powerful engines, each boat being capable of carrying a net weight of 3 tons. The boats will be 35 feet long 11 feet wide and 4 feet deep. The cost of construction of two boats is estimated at Rs. 23,200. These boats will be used as collecting boats to bring the catches to market. Besides accelerating the transport of catches of fish this experiment is intended to provide training to fishermen in the handling of motor boats and to this end three stipends of the value of Rs. 20 each have been offered, to be raised to five, when the two motor boats are ready. Government have sanctioned the entertainment of the following establishment in connection with the scheme of training of fishermen in the use of motor boats.

	Pay per mensem.
	Rs.
Fisheries Officer ..	300—15—450 *plus* conveyance allowance of Rs. 20.
Peon ..	21 *plus* bicycle allowance of Rs. 3.

The demonstration boats will be in the immediate charge of the Fisheries Officer and the demonstration work and the training of fishermen will be carried out under his direct supervision.

The scheme involves a non-recurring expenditure of Rs. 23,200 on account of the cost of two motor boats. The recurring

[Appendix 20—*contd.*]

expenditure is estimated at Rs. 14,082 per annum as shown below :—

	Rs.
Fisheries Officer's pay at Rs. 300—15—450 ..	4,700
Peon on pay of Rs. 21 per mensem	252
Conveyance allowance to the Fisheries Officer at Rs. 20 per mensem	240
Bicycle allowance to the peon at Rs. 3 per mensem ..	36
Two mechanic drivers for two launches at Rs. 60—5/2—90	1,864
Two tindals at Rs. 50—2—60..	1,360
Two boatmen at Rs. 30 for eight months' season ..	480
Five stipends for pupils for training in handling motor boats at Rs. 20 per mensem	1,200
Fuel oil, etc., for two boats for eight months' season..	2,250
Insurance for two boats	500
Miscellaneous such as maintenance, repairs and other incidental expenditure	1,200
	14,082

The boats will be constructed in this country but it will be necessary to import oil engines from England. In order to start the demonstration work from the commencement of the fishing season the Flag Officer Commanding and Director of the Royal Indian Marine was approached for the loan of a launch till Government boats could be built and made ready. That officer has placed at the disposal of the Department of Industries one power-driven launch for a period of six months on the conditions that this Government pay all the running expenses including wages of the men necessary for manning the boat, cost of petrol and all other incidental expenses. Government have sanctioned the entertainment of the following crew for the working of the Royal Indian Marine launch—

	Rs.
Mechanic driver	75
Tindal	50
Boatman	30

The scheme has been started from November 1933. The launch will be in operation for five months in the current year. The tota expenditure

[Appendix 20—*concld.*]

during the current financial year will amount to Rs. 4,863 as shown below :—

	Rs.
Fisheries Officer's pay	1,140
Pay of peon	84
Pay of crew	645
Conveyance allowance of Fisheries Officer at Rs. 20 per mensem	80
Bicycle allowance to peon at Rs. 3 per mensem ..	12
Petrol	1,640
Miscellaneous	500
Travelling allowance	100
Stipends	212
Contingencies	450
	4,863

It is proposed to meet the expenditure from the savings anticipated in the current year's budget grants under the head "35, Industries". As the expenditure in question relates to a new service, the sanction of the Legislative Council is requested to the demand for a grant of a token sum of Rs. 10.

35, *Industries* (*Transferred*).

Rs. 3,60,010 + Rs. 10.

FINANCE DEPARTMENT :

Bombay Castle, 3rd February 1934.

APPENDIX 21.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

The Honourable Khan Bahadur D. B. COOPER.

TRANSFERRED 15. *A special grant-in-aid of Rs. 3,000 to the Bombay Presidency Baby and Health Week Association, for the purchase of a cinema outfit for health propaganda in rural areas.*

The Bombay Presidency Baby and Health Week Association has, since 1924, the year of the inauguration of the Baby Week in India, been

[Appendix 21—*contd.*]

carrying on an organised propaganda for mass education in the elementary principles of health and hygiene and maternal and infant welfare. In recognition of the aims and objects of the Association, Government have, year after year, been giving that body grants-in-aid as shown below :—

	Rs.
1924	18,000
1925	16,000
1926 to 1931	10,000 annually.

In 1932 Government had to curtail their expenditure in all directions and the grant-in-aid of Rs. 10,000 which the Association had been receiving from Government since 1926, had to be reduced to Rs. 5,000. In 1933, though the grants to several other bodies were further reduced by Government owing to the financial stringency, this grant of Rs. 5,000 to the Association was maintained because Government recognised the very useful work carried on by the Association and that a further reduction in its grant would seriously handicap it.

Government have, at present, under contemplation a scheme for improving rural medical relief but it will be some time before the lines of definite action are settled. In the meantime, they consider that they should avail themselves to the utmost of the services of such bodies as the Bombay Presidency Baby and Health Week Association which are already in the field, by giving them all reasonable facilities and financial aid. The Bombay Presidency Baby and Health Week Association has recently asked for a special grant of Rs. 3,000 to enable it to equip itself with a new cinema outfit to be utilised mainly for rural health propaganda. In view of the work already done by the Association in this direction and of the work which it is proposing to do, Government propose to sanction to that body the special grant asked for from savings in the current year's budget under the head "33-Public Health—Transferred". As this expenditure relates to a new service the sanction of the Legislative Council is requested to the demand for a grant of a token sum of Rs. 10.

Demand voted and now increased.

"33-Public Health—Transferred."

Rs. 24,14,000 + Rs. 10.

FINANCE DEPARTMENT :

Bombay Castle, 13th February 1934.

APPENDIX 22.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

The Honourable Mr. R. D. BELL.

RESERVED 16. *Grant-in-aid to the Mayor's Earthquake Relief Fund Committee, Bombay, equal to (a) the amount of the entertainment, totalisator and betting taxes in connection with the extra race day held on the 12th February 1934, in aid of that Fund, and (b) ⅓rd of the amount of the entertainment tax in connection with the first performance of Carl Hagenbeck's Circus held on the 27th January 1934, for the same purpose.*

At the request of the Mayor's Earthquake Relief Fund Committee and with the approval of Government, the Western India Turf Club, Limited, agreed to hold an extra race meeting on the 12th February 1934, for the benefit of the Mayor's Earthquake Relief Fund. At the request of the same Committee, the Proprietor of Carl Hagenbeck's Circus also agreed to give ⅓rd of the proceeds of the first performance held on the 27th January 1934 in aid of that Fund. It has been decided to hand over to the Mayor's Earthquake Relief Fund Committee (*a*) the amount of the entertainment, totalisator and betting taxes collected on the extra race day and (*b*) ⅓rd of the entertainment tax collected on account of the Circus performance given in aid of that Fund. The total amount of the taxes likely to be credited to Provincial Funds is estimated at Rs. 42,741–5–9. As, however, moneys so credited to Provincial Funds are not available for expenditure without the necessary provision in the budget estimates, the total amount to be paid to the Mayor's Earthquake Relief Fund Committee has to be treated as a grant-in-aid to the Committee and will be debited to the Budget head "47–Miscellaneous—Reserved—Donations for Charitable Purposes". The payment of this grant does not involve any extra burden on Government as the taxes collected will be credited to Provincial Funds and an *equal* amount paid to the Committee. The sanction of the Legislative Council is requested to a supplementary demand of Rs. 42,800 in round figures to cover the excess over the total voted grant under the head "47–Miscellaneous Reserved".

Demand voted and now increased.

47–Miscelleneous—Reserved.

Rs. 7,16,000 + Rs. 42,800.

FINANCE DEPARTMENT:

Bombay Castle, 23rd February 1934.

APPENDIX 23.

STATEMENT OF DEMANDS FOR SUPPLEMENTARY GRANTS.

The Honourable Sir GHULAM HUSSAIN HIDAYATALLAH.

RESERVED 17. *Superannuation allowances and pensions.*

The latest revised estimate of expenditure during the year 1933-34 under the head "45-Superannuation allowances and pensions" (including refunds) amounts to Rs. 83,56,000 (voted) against the sanctioned grant of Rs. 78,44,000. The excess of Rs. 5,12,000 has been caused mainly by an abnormal increase of expenditure under the minor heads "Superannuation and retired allowances" partly owing to pensions charges not having reached their peak and partly owing to an increase in the number of pensioners as the result of reductions in establishments. The Legislative Council is requested to sanction an additional grant of Rs. 5,12,000.

Demand voted and now increased.

45-Superannuation allowances and pensions (Reserved).

Rs. 78,44,000 + Rs. 5,12,000.

APPENDIX 24.

The Honourable Sir GHULAM HUSSAIN HIDAYATALLAH.

RESERVED 18. *Commutation of pensions financed from ordinary revenue.*

The latest revised estimate under the head "45-A, Commutation of pensions financed from ordinary revenue" amounts to Rs. 1,58,000 (voted) against the budget estimate of Rs. 1,33,000. The excess of Rs. 25,000 is due to the increase in the rate of pensionary charges (see paragraphs 225 and 226 of the Budget—Preliminary Issue—for 1934-35). The Legislative Council is requested to sanction an additional grant of Rs. 25,000.

Demand voted and now increased.

"45-A, Commutation of pensions financed from ordinary revenue—Reserved."

Rs. 1,33,000 + Rs. 25,000.

APPENDIX 25.

The Honourable Sir GHULAM HUSSAIN HIDAYATALLAH.

RESERVED 19. *Expenditure on leave salaries and travelling allowances of retrenched personnel.*

The latest revised estimate (including refunds) under the head "52-Extraordinary charges" during the year 1933-34 amounts to Rs. 2,97,000 (voted) against the budget estimate of Rs. 2,59,000. The excess of Rs. 38,000 is mainly due to staff having been retrenched more quickly than was anticipated at the time of framing the budget and larger refunds (viz., Rs. 9,000) of deposits recovered in advance in respect of lands in the Lloyd Barrage area in the case of sales subsequently not sanctioned by the Revenue Officer, Lloyd Barrage Scheme. The Legislative Council is requested to sanction a further grant of Rs. 38,000.

Demand voted and now increased.

"52-Extraordinary charges—Reserved."

Rs. 2,59,000 + Rs. 38,000.

APPENDIX 26.

The Honourable Sir GHULAM HUSSAIN HIDAYATALLAH.

RESERVED 20. *Payments of commuted value of pensions charged to capital.*

The latest revised estimate under the head "60-B, Payments of commuted value of pensions" is Rs. 14,85,000 (voted) against the budget estimate of Rs. 8,03,000. The excess of Rs. 6,82,000 is partly due to the desire of Government to meet in the current year, as far as possible, all claims received for the commutation of pensions and partly to the acceptance of the recommendation of the Reorganization Committee to allow commutation up to one-half of the amount of pension admissible, provided that the residue is not reduced below Rs. 20 per mensem. The Legislative Council is requested to sanction an additional grant of Rs. 6,82,000.

Demand voted and now increased.

60-B, Payments of commuted value of pensions—Reserved.

Rs. 8,03,000 + Rs. 6,82,000.

FINANCE DEPARTMENT:

Bombay Castle, 23rd February 1934.

APPENDIX 27.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

The Honourable Mr. R. D. Bell.

RESERVED 21. *Improvements to the Begari Canals.*

Since the opening of the Lloyd Barrage Canals the Begari Canal has surplus water in the tail reaches owing to the closure of the Edanwah and Sirwah and the transfer of certain areas from the old tail portion of the Begari Canal to the Barrage System. Considerable difficulty has in consequence since been experienced during the abkalani season in disposing of the surplus water. Provision has had to be made as a special emergent measure for passing this water off through the Barrage Canals, resulting in temporary disorganization of that system over a large area. Even so breaches occurred last year in the tail reaches of the Begari and in the Mirpur Distributary causing some flood damage and involving an expenditure of Rs. 2,500 in repairing these breaches.

There are long reaches of the Begari Canal in which water levels are uncontrolled in the absence of cross regulators and a large number of direct karias take off in these uncontrolled reaches. Regulation has to be effected in consequence at the head and at the few existing cross regulators to prevent surplus supply flooding out the tail, with the unavoidable result that water supply is deficient in the direct karias. This is particularly the case between the 19th and 38th miles of the canal and again from the 47th mile to the 56th mile. It is therefore necessary to carry out certain improvements to the canal in order to obtain efficient control and equitable distribution of water. Besides improving the distribution of supplies these measures will be effective in the prevention of water-logging which is a serious menace in existing conditions and has already caused damage in the vicinity of Jacobabad. The improvements will consist of—

(*a*) Constructing a distributary ex mile 19 Begari Canal Lett Bank.

(*b*) Constructing a distributary ex mile 28 Begari Canal Left Bank.

(*c*) Converting 28th mile Road Bridge into a Cross Regulator.

(*d*) Constructing a cross regulator over the Begari Syphon in mile 56.

The work is classified under the head "55—Construction of Irrigation, Navigation, Embankment and Drainage Works" and is estimated to cost Rs. 76,337 for "works" and Rs. 1,05,704 including all charges.

The improvements are expected to be highly remunerative. The total area to be cultivated annually under the improved conditions will be 19,963 acres as compared with the average cultivation of 8,707

[Appendix 27—*contd.*]

acres during the 10 years ending 1931–32. An additional area of 11,256 acres will therefore be brought under cultivation annually and the net extra revenue anticipated therefrom will be Rs. 22,858, as shown below :—

		Rs.
Gross revenue at existing rates	.. ..	43,192
Deduct—possible remissions at 5 per cent.	..	— 2,159
		41,033
Irrigation share at 9/10th of Rs. 41,033	..	36,929
Deduct—Working expenses	.. ..	—14,071
		22,858

In addition to this extra annual revenue from the present kabuli area, it is expected that a sum of Rs. 2,62,980 will be realised as the sale-proceeds of Government land (8,766 acres) estimated at the conservative rate of Rs. 30 per acre. There is every reason to anticipate that this area will be taken up readily when an assured supply of water is provided for it. Nine-tenths of the interest on this amount (Rs. 2,62,980) or Rs. 13,160, will be credited to the project. Thus the total net annual revenue anticipated from the project is Rs. 36,018, representing a return of 34 per cent. on the capital investment of Rs. 1,05,704.

In view of the urgency of the work, particularly from the point of view of the prevention of water-logging and the resultant damage likely to occur therefrom, it was considered most desirable to complete it before the abkalani of 1934. The Chief Engineer in Sind was accordingly authorised to commence the work in November last. It is expected that about Rs. 37,000 will be spent during the current financial year and this sum will be met from savings on the current year's voted grant under the head "55" for works other than the Lloyd Barrage and Canals Construction Project. As, however, the expenditure in question relates to a new service, the sanction of the Legislative Council is requested to the demand for the grant of a token sum of Rs. 10.

Demand voted and now increased.

"55—Construction of Irrigation Works—Reserved (except Lloyd Barrage and Canals Construction)."

Rs. 7,08,000 + Rs. 10.

FINANCE DEPARTMENT :

Bombay Castle, 26th February 1934.

APPENDIX 28.

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT.

The Honourable SIR GHULAM HUSSAIN HIDAYATALLAH, K.C.S.I.

RESERVED 22. *Changing over of the electric installation in Government House, Ganeshkhind, to the Poona Electric Supply Company's mains.*

Government House, Ganeshkhind, and its attached buildings are at present supplied with electrical energy from the Government Power House at Ganeshkhind. Government have had for some time under consideration the proposal to take electrical energy from the Poona Electric Supply Company and to close down their own generating station as a measure of economy. This proposal involves a change over from the existing D. C. installation to the A. C. supply of the Company. The initial cost of this change over is Rs. 27,895 and the resulting saving accruing after the change over will be about Rs. 6,400 per annum. An amount of about Rs. 13,000 expected from the sale-proceeds of the old plant, etc., will be credited to Government as a revenue receipt. In consideration of the initial expenditure required to be incurred, this proposal has been deferred from time to time in view of the prevailing financial stringency. The Electrical Engineer to Government has, however, recently reported that, if the change over is to be further deferred, a sum of about Rs. 20,000 will be required to be spent at a very early date on immediately necessary renewals and replacements. To avoid this, Government have issued orders sanctioning the change over and requiring it to be completed before 1st April 1934. Out of the amount of Rs. 27,895 required, a sum of Rs. 11,895 will be made available by effecting savings in the current year's grant under the head 41, Civil Works—Provincial (Reserved). The balance, Rs. 16,000, cannot, however, be met from available grants and hence sanction of the Legislative Council is requested to the demand for a supplementary grant to that extent.

Demand voted and now increased.

41, Civil Works—Provincial (Reserved).

Rs. 2,25,000 + Rs. 16,000.

FINANCE DEPARTMENT:

Bombay Castle, 26th February 1934.

APPENDIX 29.

BILL No. XXVII OF 1933.

A Bill to prevent the dedication of women to service in Hindu temples in the Bombay Presidency.

(As introduced on the 14th August 1933 and published in the "Bombay Government Gazette" of the 13th September 1933.)

WHEREAS the practice of dedicating women as Devadasis for service in Hindu temples exists in the Bombay Presidency;

AND WHEREAS such practice, however ancient and pure its origin, invariably serves at present as an initiation to a life of prostitution and results in such women adopting the profession of prostitution;

AND WHEREAS steps have been taken in some other Provinces and Native States to discontinue such practice and it is now desirable and expedient to terminate it wherever it exists in the Bombay Presidency;

AND WHEREAS the enfranchisement of lands held by such women on condition of service in temples will be an effective step in termination of such practice;

5 & 6 Geo. V, c. 61.

AND WHEREAS the previous sanction of the Governor General of India required by sub-section (*3*) of section 80A and of the Governor of Bombay required by section 80C of the Government of India Act has been obtained for the passing of this Act; It is hereby enacted as follows:—

1. *Short title, extent and commencement.*—(*1*) This Act may be called the Prevention of Dedication of Devadasis Act, 193 .

(*2*) It extends to the whole of the Bombay Presidency.

(*3*) It shall come into force on the first day of 193 .

2. *Definitions.*—In this Act, unless there is something repugnant in the subject or context:—

(*a*) the expression "Devadasi" shall mean any Hindu unmarried woman who is dedicated to service in a temple; and

(*b*) the expression "temple" shall mean any place of worship, public or private.

3. *Illegality of dedication of a Hindu woman as a Devadasi.*—The performance, within the precincts of a Hindu temple or outside of any ceremony under whatever name or description, with reference to a Hindu woman, with or without her consent, intended or having the effect to dedicate her for service as a Devadasi in a Hindu temple, is hereby declared illegal and of no effect.

4. *Marriage by a Devadasi.*—Subject to the provisions of the laws by which she may be otherwise governed, a Devadasi may contract a marriage and the same shall be regarded as valid, notwithstanding any law or custom declaring such marriage to be invalid by reason of her subjection to the ceremony mentioned in section 3.

[Appendix 29—*contd.*]

5. *Punishment.*—Whoever performs, or permits, takes part in or abets the performance of any ceremony mentioned in section 3, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine or with both.

6. *Liability to punishment under other laws.*—Nothing in this Act shall be construed to prevent any person from being liable under section 372 of the Indian Penal Code, or under any other law, to any other or higher punishments than is provided by this Act. XLV of 1860.

7. *Enfranchisement of lands held by Devadasis.*—(*1*) Where the remuneration for any service to be rendered by a Devadasi in a temple consists in whole or in part, of lands, or assignments of the revenue of lands, granted or continued by Government, shall enfranchise the said lands, from the condition of such service, and substitute an adequate quit rent therefor, under such rules as it may prescribe in this behalf and such enfranchisement shall take effect from the date to be fixed as hereinafter provided.

(*2*) Where the remuneration for such service consists, in whole or in part, of lands or the produce of lands, not falling under sub-section (*1*) the Government of Bombay shall direct the Collector of the District in which such lands are situate, to determine the amount of rent payable in respect of such lands. The Collector shall, thereupon, after notice to the parties concerned, hold an inquiry and determine the amount of such rent.

(*3*) The Government of Bombay shall prescribe rules not inconsistent with the provisions of this Act, providing for the holding of such inquiry, the determination of the said rent, the payment of the costs of the proceedings, and all other matters relating thereto. The said rules shall be published in the Government Gazette, and within six months of such publication, shall be submitted for the approval of the Legislative Council and will become operative on receiving such approval, with or without amendments.

(*4*) The order fixing the quit rent under sub-section (*1*) or the rent under sub-section (*2*) shall be communicated to the parties concerned and published in the Government Gazette, and subject to any appeal which the rules to be prescribed by the Bombay Government under sub-section (*3*) may allow, the said order shall be final and shall not be liable to be contested in any Court of Law.

(*5*) The order fixing the quit rent or rent as aforesaid shall specify a date from which the order shall take effect, and the said lands shall be deemed to have been enfranchised from the condition of such service as and from the said date.

(*6*) From and after the said date :—

(*a*) the quit rent imposed under sub-section (*1*) shall be payable to the temple concerned and subject to such payment, the Devadasi concerned shall hold the land as her own ; and

[Appendix 29—*contd.*]

(*b*) the assignment of revenue in respect of lands enfranchised under sub-section (*2*) as the case may be, shall be payable to the Devadasi concerned during her life and after her death to the temple concerned.

(*7*) From and after the said date, no obligation to render such service to the said temple shall be enforceable against the Devadasi concerned.

(*8*) No order passed under sub-section (*1*) or (*2*) shall operate as a bar to the trial of any suit or issue relating to the right to enjoy the land on which the quit rent has been fixed as aforesaid.

STATEMENT OF OBJECTS AND REASONS.

The practice of dedicating girls to Hindu temples for purpose of service to the idol exists in the Bombay Presidency. This is done in various ways, and under different names. The common notion, however, which influences the practice, is that the girl should become a "servant of God" (Devadasi) at a young age, remain unmarried for life, and devote herself to the service of the idol. Doubts have been expressed by experts whether this practice has any sanction in Vedic Hinduism. Many ascribe it to an aboriginal origin. But whatever its source or original purity, there is no doubt that, in recent times, the practice has degenerated mainly into a method of initiating young women to a life of immorality and prostitution, which in many cases, become compulsory by reason of the cruel custom that a girl so dedicated cannot contract a valid marriage.

It is therefore highly desirable and expedient to terminate this practice and permit the girl to contract a valid marriage. Attempts have been made in the past to put an end to this practice, but they have been more or less indirect, and have not produced the desired results. Experience shows that the provisions of sections 372 and 373 of the Indian Penal Code have been evaded. Consequently, a few provinces in British India like Madras and the United Provinces of Agra and Oudh, have been compelled to adopt legislative measures directly dealing with this evil. Likewise, the Mysore Government, after consulting expert opinion from the point of view of Hindu Shastras, thought it necessary to pass orders, as early as 1909, directing the exclusion of Devadasis from service in temples in the State and also laying down the manner in which the cash emoluments or Inam lands attached to the said service should be treated. Similar provisions for the enfranchisement of such lands and emoluments have been adopted at Madras, and it is high time that such measure dealing with this evil is passed in the Bombay Presidency.

The Mysore Government observed in their order referred to above, that whatever might be the euphemism by which the true nature of the (dedication) ceremony was concealed, it had an intimate connection with the profession of a prostitute or dancing girl. They were therefore not prepared to allow the performance of such a ceremony in the State temples and were satisfied from the depositions and the opinions of the authorities concerned that no hardship would be caused by the prohibition of such ceremonies in temples. This is indeed very high and valuable

[Appendix 29—*concld.*]

testimony, proceeding as it does from a Government over which an enlightened Hindu Ruler presides, and which has singular opportunities of consulting Shastric authorities and the Hindu sentiment relating thereto. Similarly Her Highness the Dowager Maharani of Travancore State has passed order to prohibit Devadasis from service in temples in the State; His Highness the Chief of Sawantwadi State has passed an Act in 1931 making illegal the dedication of girls to temples and prohibiting such women from service in temples in the State; and the Portuguese Government of Goa has also passed an Act in 1930 making illegal the practice of dedicating women to temples in the Portuguese territory.

Since the passing of the foregoing orders public opinion has more strongly insisted on the suppression of this evil, and several appeals have been addressed to Government and the moral sense of the Hindu community by men and women associations, including a few in which enlightened members of the Devadasi community whole-heartedly joined.

S. K. Bole, M.L.C.

APPENDIX 30.

BILL No. XVI OF 1933.

(*A Bill to amend the Bombay Maternity Benefit Act, 1929.*)

REPORT OF THE SELECT COMMITTEE.

We, the members of the Select Committee appointed to consider Bill No. XVI of 1933 (A Bill to amend the Bombay Maternity Benefit Act, 1929), have the honour to report as under :—

We have carefully considered the provisions of the Bill. We have deleted the sub-clause (*a*) in clause 3 of the Bill, for we consider a flat rate of annas eight a day for maternity benefit not to be excessive wherever the woman may be employed and to be preferable to a varying rate dependent upon local wages. Clause 2 has therefore also been deleted as a consequential amendment.

We considered and rejected a proposal that the method of payment of the maternity benefit should be dependent upon the wishes of the woman concerned, for we were of the opinion that, as the liability to pay was upon the employer, he was entitled to pay according to a method which was practicable and which he thought would most assist the woman.

We have added a sentence to clause 7 to make it clear that a woman entitled to benefit under the present Act should continue to be entitled to the same benefit for the period specified.

The clauses of the Bill have been renumbered consequential upon the alterations made.

[Appendix 30—*contd.*]

We recommend that the report of the Select Committee, with the minutes of dissent, if any, and the Bill as amended should be published in Marathi, Gujarati, Kanarese and Urdu in the *Bombay Government Gazette* and in Sindhi in the *Sind Official Gazette*.

(Signed) R. D. BELL
(*subject to a minute of dissent*).
(„) C. W. A. TURNER
(*subject to a minute of dissent*).
(„) G. DAVIS
(*subject to a minute of dissent*).
(„) D. B. COOPER
(*subject to a minute of dissent*).
(„) W. ELLIS JONES
(*subject to a minute of dissent*).
(„) R. S. ASAVALE.
(„) S. K. BOLE.
(„) B. S. KAMAT
(*subject to a minute of dissent*).
(„) R. R. BAKHALE
(*subject to a minute of dissent*).
(„) PESTANSHAH N. VAKIL.
(„) SYED MUNAWAR
(*subject to a minute of dissent*).
(„) JEHANGIR B. PETIT.
(„) M. K. DIXIT.

(*Joint Minute of Dissent by the Honourable Mr. R. D. Bell, C.S.I., C.I.E., I.C.S., M.L.C.; Mr. C. W. A. Turner, C.S.I., C.I.E., I.C.S., M.L.C.; Mr. G. Davis, I.C.S., M.L.C.; and Khan Bahadur D. B. Cooper, M.L.C.*)

We dissent from the decision of the Select Committee to strike out clause 3 (*a*) of the bill as originally drafted. The effect of the decision, if approved by the Legislative Council, would be to continue the maternity benefit at a flat rate of 8 annas in the mofussil. This rate is almost invariably greater than the average daily earnings of women who draw maternity benefit in the mofussil.

2. The decision in the Select Committee was made on the casting vote of the chairman who gave it in accordance with the principle that when the voting is equal the chairman's casting vote should be recorded in

[Appendix 30—*contd.*]

favour of maintaining the *status quo ante.* On the merits of the proposal, the chairman, however, supports this minute of dissent.

3. We are in favour of retaining clause 3 (*a*) of the original bill together with consequential clauses on the ground that, if employers are not convinced of the fairness of the rates imposed, they will discharge their women employees as soon as the latter are likely to become liabilities. We are informed that the experience of the Act up to date indicates that employers in some factories in the mofussil are already evading payments when the earnings are less than eight annas. At present it is difficult to enforce the Act in some areas. Although women will lose in some areas if clause 3 (*a*) in the bill as originally drafted is retained, they will gain in other areas.

4. Apart from this consideration, it is understood that there is no country in the world where a sick or maternity benefit exceeds the employee's full remuneration when at work.

5. Under the present Act, the maternity benefit in Bombay, Karachi and Ahmedabad is almost invariably less than the employee's full remuneration, but it is almost invariably in excess of the full remuneration in the mofussil. There is, therefore, unfair discrimination at present against employers in the mofussil.

6. The Central Provinces Maternity Act provides for maternity benefit at the rate of the woman's average daily earnings or at the rate of eight annas a day whichever is less. The Royal Commission on Labour in India stated in their Report that "this seems suitable for general application". It was on this recommendation of the Royal Commission that clause 3 (*a*) was included in the bill as originally drafted. The flat rate of 8 annas has been retained in the cities of Bombay, Ahmedabad and Karachi for reasons of convenience since the wages of women workers in these cities are seldom less than this amount.

(Signed) R. D. BELL.
(") C. W. A. TURNER.
(") G. DAVIS.
(") D. B. COOPER.

(*Minute of Dissent by Major W. Ellis Jones, M.L.C.*)

In my opinion the period of employment to qualify should be extended to 12 months; this would make it case of genuine employment, and would meet employer's case, rather than the present compromise, and I am opposed to the alteration from 6 to 9 months in clause 2, sub-clause (*a*). The extension to 9 months is in my opinion a compromise which is likely to cause dissatisfaction among the workers, and thus undo any possible advantage that may accrue to the employers from the extension.

(Signed) W. ELLIS JONES.

[Appendix 30—*contd.*]

(*Minute of Dissent by Mr. B. S. Kamat, M.L.C.*)

I cannot agree with the decision of the Select Committee to pay women workers throughout the mofussil areas maternity benefit at a flat rate of annas eight per day. The decision was arrived at not on merits of the case but owing to the accident that there was an equality of votes over the question of a flat rate *versus* average daily earnings of the women workers, and the Chairman gave his casting vote on the principle of retaining the *status quo ante*. The effect of this will be that employers will have to pay maternity benefit at a uniform rate of annas eight a day though, in the mofussil, the average earnings of a woman are much less. There is no virtue in uniformity and I do not see why the legislature should pass such a palpably unjust law which, by placing a premium on attaining motherhood, will, I fear, ultimately defeat itself since employers, if compelled to pay at eight annas a day, are likely to turn away women workers as soon as they notice them to be heavy liabilities on their hands.

(Signed) B. S. KAMAT.

(*Minutes of Dissent by Mr. R. R. Bakhale, M.L.C., and Mr. Syed Munawar, M.L.C.*)

I regret I have to disagree with the majority of the Select Committee on the following points :—

(1) The main idea underlying the system of maternity benefit is that the woman should receive financial assistance at the time of her confinement. It is, therefore, desirable that, when the law lays down alternative methods of payments of such benefit and if the benefit is to be of real assistance to her, she should be given the discretion to choose such alternative method of payment as would suit her financial circumstances which she alone, and certainly not the employer, is expected to know best. Clause 3 lays down three alternative methods of payment which the Select Committee consider to be "practicable"; and I suggest that the woman should be given the choice of selecting one of the three alternative methods. The mere fact of her, and not the employer, being given the discretion of the choice, does not make the alternative method, which is already considered to be practicable, an impracticable one.

(2) The proviso to clause 3 lays down the time limit of six months within which the maternity benefit can be claimed. The present Act lays down no such limit. I consider that, if a time limit is to be put at all, that of six months is too short. Many women go to their villages for confinement and do not return to their places of work soon after their confinement. In their case, there is the risk of their forfeiting the benefits altogether. I, therefore, suggest that the time limit should be of at least twelve months, if not more.

[Appendix 30—*contd.*]

I may add that I keep to myself the liberty to move amendments seeking to base the rates of maternity benefit on the daily earnings of the women employed in Bombay, Ahmedabad and Karachi if an attempt is made to revive the original clause 3 (*a*) which the Select Committee have now deleted.

(Signed) R. R. BAKHALE.
(„) SYED MUNAWAR.

BILL No. XVI OF 1933.

A Bill to amend the Bombay Maternity Benefit Act, 1929.

(As amended by the Select Committee.)

WHEREAS it is expedient to amend the Bombay Maternity Benefit Act, 1929, for the purposes hereinafter appearing; And whereas the previous sanction of the Governor-General required by sub-section (3) of section 80A of the Government of India Act has been obtained for the passing of this Act; It is hereby enacted as follows:— Bom. VII of 1929. 5 & 6 Geo. V, c. 61.

1. *Short title.*—This Act may be called the Bombay Maternity Benefit (Amendment) Act, 193 .

2. ~~Amendment of section 3 of Bom. VII of 1929.—After clause (e) of section 3 of the Bombay Maternity Benefit Act, 1929, hereinafter called the said Act, the following shall be inserted, namely :—~~ ~~Bom. VII of 1929.~~

"~~(d)—'wages'—includes the money value of any earned grain concession, and any money paid to cover high cost of living but does not include a bonus given for regular attendance.~~"

3. 2. *Amendment of section 5 of Bom. VII of 1929.*—In section 5 of the ~~said Act~~ *Bombay Maternity Benefit Act, 1929, hereinafter called the said Act*— *Bom. VII of 1929.*

~~(a) in sub-section 1, after the word "day" the words, figures and brackets "in the cities of Bombay, Ahmedabad and Karachi, and elsewhere at the rate of her average daily wage calculated to the nearest quarter of an anna on the total wages earned during a period of three months immediately preceding the date on which she gives notice under sub-section (1) of section 6, or at the rate of eight annas a day, whichever is less" shall be inserted;~~

~~(b)~~ (*a*) in the proviso to sub-section (*1*),—

(*i*) for the word "six" the word "nine" shall be substituted; and

(*ii*) for the words "notifies her intention" the words "gives notice" shall be substituted; and

[Appendix 30—*contd.*]

(e) (*b*) in sub-section (*2*), for the words "seven" and "three" the words "eight" and "four" respectively shall be substituted.

4. *3. Amendment of section 6 of Bom. VII of 1929.*—For sub-section (3) of section 6 of the said Act, the following shall be substituted, namely :—

"(3) Maternity benefit shall be paid by the employer to the woman entitled thereto in any one of the following three ways, namely :—

(*i*) for four weeks—within forty-eight hours of the production of a certificate signed by a registered medical practitioner certifying that the woman is expected to be confined within one month next following, and for the remainder of the total period for which she is entitled to maternity benefit under sub-section (*2*) of section 5—within forty-eight hours of the production of a certified extract from a birth register stating that the woman has given birth to a child ; or

(*ii*) for the period up to and including the day of delivery—within forty-eight hours of the production of a certified extract from a birth register stating that the woman has given birth to a child, and for the remainder of the total period for which she is entitled to maternity benefit under sub-section (*2*) of section 5—punctually four weeks after the production of such certified extract from a birth register ; or

(*iii*) for the entire period for which the woman is entitled to maternity benefit under sub-section (*2*) of section 5—within forty-eight hours of the production within six weeks of her delivery of a certified extract from a birth register stating that she has given birth to a child ;

Provided that no woman shall be entitled to any maternity benefit or any part thereof the payment of which is dependent upon the production of a certified extract from a birth register under the provisions of this sub-section unless such extract has been produced within six months of the day of her delivery."

5. *4. Amendment of section 14 of Bom. VII of 1929.*—In sub-section (2) of section 14 of the said Act, for clause (*a*) the following shall be substituted, namely :—

"(*a*) the preparation and maintenance of a muster roll or register or a combined muster roll and register and the particulars to be entered in such muster roll, register or combined muster roll and register or in the register kept or deemed to have been kept under section 35 of the Indian Factories Act, 1911."

XII of 1911.

6. *5. Amendment of section 15 of Bom. VII of 1929.*—In section 15 of the said Act,—

(*a*) for the words "A copy" the words "An abstract" shall be substituted ;

(*b*) for the word "place" the word "manner" shall be substituted ; and

[Appendix 30—*concld.*]

(*c*) after the word "every" the words "part of a" shall be inserted.

6. *Savings.*—Nothing in sections 2 *and* 3 ~~and 4~~ of this Act shall apply for a period of six months from the date when this Act comes into force to any woman who shall have been employed on the said date and who shall continue to be employed by the same employer for a period of six months thereafter.

Such woman shall be paid the maternity benefit to which she is entitled under the said Act in accordance with the provisions thereof, as if this Act had not been passed.

APPENDIX 31.

BILL No. V OF 1934.

A Bill further to amend the City of Bombay Municipal Act, 1888.

(As published in the "Bombay Government Gazette" of the 10th March 1934.)

WHEREAS it is expedient further to amend the City of Bombay Municipal Act, 1888, for the purpose hereinafter appearing; and whereas the previous sanction of the Governor required under section 80C of the Government of India Act for the passing of this Act has been obtained; It is hereby enacted as follows:— Bom. III of 1888. 5 & 6 Geo. V, c. 61.

1. *Short title and commencement.*—(*1*) This Act may be called the City of Bombay Municipal (Amendment) Act, 1934.

(*2*) It shall come into force on the 1st day of April 1934.

2. *Repeal of sections 195A and 195B and sub-sections (7) and (8) of section 195C of Bom. III of 1888.*—Sections 195A and 195B and sub-sections (*7*) and (*8*) of section 195C of the City of Bombay Municipal Act, 1888, hereinafter called the said Act are hereby repealed. Bom. III of 1888.

3. *Amendment of sub-section (1) of section 195C of Bom. III of 1888.*—In sub-section (*1*) of section 195C of the said Act, for the words, letter, figures and brackets "allotted under sub-section (*2*) of section 195B to the provision of such tenements" the words, figures and letter "which have been paid to them by the Corporation from the town-duty levied on raw cotton under section 195A, now repealed, and allotted to the provision of tenements for the working classes in the City of Bombay, as constituted on the 1st day of October 1920;" shall be substituted.

4. *Amendment of section 195D of Bom. III of 1888.*—In section 195D of the said Act,

(*1*) the words "for such schemes of improvement or," the words "for such schemes or" and the words "as the case may be" shall be omitted; and

[Appendix 31—*contd.*]

(*2*) for the words, figures, letter and brackets "(*2*) of section 195B" the words, figures, letter and brackets "(*1*) of section 195C" shall be substituted.

STATEMENT OF OBJECTS AND REASONS.

It is considered necessary to abolish, with effect from the 1st day of April 1934, the town-duty which is being levied under section 195A of the City of Bombay Municipal Act, 1888, on raw cotton imported into the City of Bombay, since the passing of the City of Bombay Municipal and Improvement (Amendment) Act, 1920. The reasons for the proposed abolition of the duty are: firstly, this duty assists the increasing diversion from the City of Bombay of the trade in the export of raw cotton; and secondly, in view of the prevailing low prices of raw cotton it is desirable, in the interests of the grower, to remove as far as possible every hindrance to the demand for Indian cottons.

GHULAM HUSSAIN HIDAYATALLAH.

10th March 1934.

APPENDIX 32.

BILL No. I OF 1934.

A Bill further to amend the Bombay Borstal Schools Act, 1929.

(As published in the "Bombay Government Gazette" of the 15th January 1934.)

Bom. XVIII of 1929. 5 & 6 Geo. V, c. 61.

WHEREAS it is expedient further to amend the Bombay Borstal Schools Act, 1929, for the purposes hereinafter appearing; And whereas the previous sanction of the Governor-General required by sub-section (*3*) of section 80A of the Government of India Act has been obtained for the passing of this Act; It is hereby enacted as follows:—

1. *Short title.*—This Act may be called the Bombay Borstal Schools (Amendment) Act, 1934.

Bom. XVIII of 1929.

2. *Amendment of section 11 of Bom. XVIII of 1929.*—For section 11 of the Bombay Borstal Schools Act, 1929, hereinafter referred to as "the said Act", the following shall be substituted, namely:—

"11. *Transfer from prison to Borstal school.*—(*1*) If the Inspector-General is satisfied that a person undergoing transportation or imprisonment in consequence of a sentence passed either before or after the commencement of this Act, being within the limits of age within which persons may be ordered to be detained in a Borstal school, by reason of his criminal habits or tendencies, or association with persons of bad character, might with advantage be detained in a Borstal school, the Inspector-General may by order in writing direct such person to be transferred from prison to a Borstal school and to be detained in such

[Appendix 32—*contd.*]

school, in lieu of the unexpired residue of his sentence, for such period as together with the period of transportation or imprisonment already undergone will not exceed the maximum period for which such person could have been ordered to be detained by a Court under section 6 :

Provided that the Inspector-General shall not, without the previous sanction of Government, direct such person to be detained in a Borstal school for a period which including the period of imprisonment or transportation undergone exceeds the period of imprisonment or transportation to which such person has been sentenced.

(*2*) A person transferred to a Borstal school under sub-section (*1*) shall upon transfer to such school be deemed to be an offender ordered to be detained by a Court under the provisions of section 6 and the provisions of the Act shall apply to such person accordingly."

3. *Amendment of section 12 of Bom. XVIII of 1929.*—To clause (*b*) of sub-section (*1*) of section 12 of the said Act, the following shall be added, namely :—

"or ordered to be transferred to and detained in such school by the Inspector-General."

4. *Insertion of new section 17A in Bom. XVIII of 1929.*—After section 17 of the said Act, the following section shall be inserted, namely :—

"17A. *Discharge from Borstal school.*—The Governor in Council may at any time order any person detained in a Borstal school to be discharged from such school, either absolutely or on such conditions as may be imposed."

5. *Amendment of section 18 of Bom. XVIII of 1929.*—In section 18 of the said Act, after the word and figures "section 14", the words "or has committed a breach of any of the conditions imposed under section 17A" shall be inserted.

6. *Amendment of section 19 of Bom. XVIII of 1929.*—In sub-section (*2*) of section 19 of the said Act, after clause (*k*), the following clause shall be added, namely :—

"(*l*) the conditions on which an offender may be discharged under section 17A".

STATEMENT OF OBJECTS AND REASONS.

Under section 11 of the Bombay Borstal Schools Act, 1929, the Inspector-General of Prisons has power to order the transfer of a juvenile prisoner to a Borstal school, but a prisoner so transferred is not, as the law now stands, in the same position as a juvenile offender ordered to be detained under section 6 by a Court; for the order of transfer by the Inspector-General does not affect the length of the sentence of imprisonment or transportation which the juvenile offender has been ordered by a Court to undergo. It is considered that a juvenile offender if considered suitable by the Inspector-General for transfer to a Borstal school should

[Appendix 32—*concld.*]

on transfer to such school be treated in all respects as a juvenile offender ordered to be detained by a Court and the period of imprisonment or transportation for which he has been sentenced by a Court should be replaced by the order of transfer and detention passed by the Inspector-General and which will be governed by the provisions of section 6. Clause 2 of the Bill is therefore intended to empower the Inspector-General to transfer, in suitable cases, juvenile offenders from prison to a Borstal school to be detained for a period not exceeding five years but in cases where the period of detention will exceed with the period of imprisonment or transportation already undergone, the sentence passed by the Court, the sanction of Government to such order of the Inspector-General is necessary. Clause 2 also makes it clear that all other provisions of the Act apply to a juvenile offender ordered to be transferred by the Inspector-General under section 11.

Clause 3 of the Bill is consequential on the amendment in clause 2 and applies the provisions of section 12 to persons transferred to a Borstal school under section 11.

The Act contains no provision under which Government can sanction the discharge of an inmate of a Borstal school on account of sickness or for other reasons. Clause 4 of the Bill is intended to make the necessary provision.

Clauses 5 and 6 make other necessary and consequential amendments.

27th November 1933.

(Signed) R. D. BELL.

APPENDIX 33.

BILL No. VI OF 1934.

A Bill further to amend the City of Bombay Municipal Act, 1888.

(As published in the "Bombay Government Gazette" of the 12th March 1934.)

Bom. III of 1888. 5 and 6 Geo. V, c. 61.

WHEREAS it is expedient further to amend the City of Bombay Municipal Act, 1888, for the purposes hereinafter appearing; And whereas the previous sanction of the Governor required by section 80C of the Government of India Act has been obtained for the passing of this Act: It is hereby enacted as follows:—

1. *Short title and commencement.*—(*1*) This Act may be called the City of Bombay Municipal (Amendment) Act, 1934.

(*2*) This Act shall come into force on the 1st day of April 1934.

Bom. III of 1888.

2. *Amendment of section 109 of Bom. III of 1888.*—In clause (*b*) of section 109 of the City of Bombay Municipal Act, 1888, hereinafter called the said Act, after the word "taxes" the words "and any sum or tax in lieu of property taxes" shall be added,

[Appendix 33—*contd.*]

3. *Amendment of section 140 of Bom. III of 1888.*—In clause (*a*) of section 140 of the said Act, for the words "with reference to the expenses of" the word "for" shall be substituted.

4. *Amendment of section 143 of Bom. III of 1888.*—To clause (*b*) of sub-section (*1*) of section 143 of the said Act, the following explanation shall be added, namely :—

"*Explanation.*—Government House and buildings and lands in the compound thereof and buildings or lands or parts thereof, as the case may be, used for the purposes of Post or Telegraph offices shall be deemed to be buildings or lands used solely for public purposes and not used or intended to be used for purposes of profit within the meaning of this clause."

5. *Amendment of section 144 of Bom. III of 1888.*—In section 144 of the said Act—

(*1*) in sub-section (*1*)—

(*i*) after the word "annually" the words "in two half-yearly instalments" shall be inserted ; and

(*ii*) after the letter and brackets "(*b*)" the words, figure and brackets "of sub-section (*1*)" shall be inserted ;

(*2*) in sub-section (*2*)—

(*i*) for the words "the buildings and lands in the City vesting in Her Majesty and" the words "such buildings and lands when" shall be substituted ; and

(*ii*) for the words "the buildings and lands vesting in Her Majesty in the City" the words "such buildings and lands" shall be substituted ; and

(*3*) in sub-section (*3*)—

(*i*) for the word "annually" the words, figure and brackets "under sub-section (*1*)" shall be substituted ; and

(*ii*) after the word "Council" the words, figure and brackets "in respect of buildings and lands of which the rateable value is fixed under sub-section (*2*)" shall be inserted.

6. *Amendment of section 146 of Bom. III of 1888.*—To sub-section (*1*) of section 146 of the said Act, the following proviso shall be added, namely :—

"Provided that property-taxes due in respect of the tenements for the working classes provided by Government and referred to in sub-section (*2*) of section 195B shall be leviable primarily from Government."

7. *Amendment of section 169 of Bom. III of 1888.*—After sub-section (*1*) of section 169 of the said Act, the following new sub-section shall be inserted, namely :—

"(*1A*) The provisions of sub-section (*1*) shall not apply to the four sets of tenements provided by Government for the working classes at Worli, Naigaum, Sewri and DeLisle Road."

[Appendix 33—*contd.*]

8. *Amendment of section 170 of Bom. III of 1888.*—For section 170 of the said Act the following shall be substituted, namely :—

"170. *Government and the Port Trust to be charged for water by measurement.*—(*1*) If, in respect of any premises (other than public parks, gardens and open spaces) used solely for public purposes and not used or intended to be used for purposes of profit or for residential, charitable or religious purposes, water tax would be leviable under this Act from the Secretary of State for India in Council, the Commissioner, in lieu of levying such tax, shall charge for the water supplied to such premises, by measurement, at such rate as shall have been prescribed by the Standing Committee in this behalf in the preceding official year. Such rate shall not exceed the minimum rate charged in the said year under clause (*a*) of sub-section (*1*) of section 169 to any other person and shall not also exceed the cost to the Corporation of the supply to the City in the said year of the quantity of water for which the rate is prescribed plus twenty per centum of such cost.

(*2*) If, in respect of any premises water tax would be leviable under this Act from the Trustees of the Port of Bombay, the Commissioner, in lieu of levying such tax, shall charge for the water supplied to such premises, by measurement, at such rate as shall be prescribed by the Standing Committee in this behalf, not exceeding the maximum rate, at the time being charged under clause (*a*) of sub-section (*1*) of section 169 to any other person.

(*3*) Charges leviable under sub-sections (*1*) and (*2*) shall be recoverable as provided in sub-section (*3*) of section 169."

9. *Amendment of section 172 of Bom. III of 1888.*—For sub-section (*2*) of section 172 of the said Act, the following sub-section shall be substituted, namely :—

"(*2*) The halalkhore-tax payable by the Secretary of State for India in Council in respect of premises used solely for public purposes and not used or intended to be used for purposes of profit or for residential or charitable or religious purposes and the halalkhore-tax payable by the Trustees of the Port of Bombay in respect of any premises shall be fixed by the Commissioner at a special rate approved as aforesaid."

10. *Insertion of a new section 179A in Bom. III of 1888.*—After section 179 of the said Act, the following new section shall be inserted, namely :—

"179A. *Deductions in lieu of drawback and refund in certain cases.*—The Commissioner shall allow from time to time in lieu of drawback under sub-section (*2*) of section 158 and of refund under section 175, such deduction on account of vacancies in each of the four sets of tenements provided by Government for the working classes at Worli, Naigaum, Sewri and DeLisle Road and regarded as four separate properties as having regard to the provisions of the said sections he may deem fit. Such deduction shall be made in the bills for property taxes leviable for the half year following that in which the vacancies

[Appendix 33—*contd.*]

have occurred and shall not be less than the actual percentages of vacancies as ascertained from the accounts of Government for the half year preceding that in which the vacancies have occurred."

11. *Amendment of section 181 of Bom. III of 1888.*—In section 181 of the said Act, for clause (*e*) the following shall be substituted, namely :—

"(*e*) vehicles and animals belonging to His Majesty and used solely for public purposes and not used or intended to be used for purposes of profit, or vehicles and animals belonging to the Corporation;

If a question arises whether any vehicle or animal belonging to His Majesty is or is not used solely for a public purpose it shall be referred for decision to the Local Government whose orders shall be final."

STATEMENT OF OBJECTS AND REASONS.

The question of removing some of the difficulties and anomalies in the working of the sections of the City of Bombay Municipal Act, 1888, dealing with the assessment of Government properties to municipal taxes has been engaging the attention of the Corporation for a long time. At the instance of the Municipal Commissioner for the City of Bombay, a Committee of experts was appointed by Government to discuss what changes should be made in the system under which municipal taxes are assessed on Government properties in Bombay in order to adapt it to the present position of Government, which has altered in certain important respects, since the Act was passed in 1888. The Committee recommended—

(1) that Government residential properties including military officers' rentable quarters should be made legally liable for water tax and halalkhore tax on value,

(2) that charitable and religious institutions owned by Government should be made eligible for the same concessions in respect of water charges as private institutions of the same nature,

(3) that the properties of State-owned Railways should be excluded from section 143 (1) (*b*), (this has been done by Bombay Act X of 1928),

(4) that a special section corresponding to section 85 of the City of Bombay Improvement Trust Transfer Act of 1925 should be enacted for the taxation of Development Department Chawls referred to in section 195B (2) and that these chawls should also be liable to pay water tax and halalkhore tax as private properties.

The main provisions of this Bill have been drafted in the light of the recommendations of the Committee which have to a large extent been accepted by the Corporation. The following notes on clauses explain the objects of the Bill :—

Notes on Clauses.

Clause 2.—The object of the amendment in this clause is to include for the purposes of section 109 (*b*) the rateable value of premises assessable under section 144 to a lump payment in lieu of the general tax.

[Appendix 33—*contd.*]

Clause 3.—Under section 140 (*a*), as it stands, the Corporation is precluded from making a profit on its water-tax. Such a binding provision is not considered desirable. The amendment is intended to make it clear that the Corporation is not precluded from making a profit on its water-tax, if it so chooses.

Clause 4.—Post and Telegraph offices are not exempt at present from the general tax like other Government offices under section 143 (1) (*b*), because these Departments are run for the purposes of trade and profit even though they may not be self-supporting. They are, however, not on exactly the same footing as either Government residential bungalows from which rent is derived or railway premises which are used for business purposes. Also, the Government House and buildings are not rented like other residential buildings and cannot, therefore, be said to be used, or intended to be used, for purposes of profit, simply because they are used for purposes of residence. Since, however, the decision of the question as to which Government properties are exempt or not exempt under section 143 (1) rests with the valuer appointed to assess the rateable value of buildings under section 144 (2), it is considered desirable that a specific provision should be made exempting Government House buildings from the general tax, similarly to Government offices under section 143 (1) (*b*) and bringing them under the provisions of section 144. The proposed explanation makes the position clear as regards these two classes of premises.

Clause 5.—(*1*) A private rate-payer has to pay his dues in advance in two instalments, i.e. on April 1st and October 1st each year. At present, Government pay their dues in arrears at the end of the year. The proposed amendment gives effect to the arrangement that dues of Government should be paid in two half-yearly instalments in arrears, one in September and one in March. A corresponding amendment has been made in section 144 (3) also.

(*2*) It is not considered necessary to repeat the description "vesting in Her Majesty in the City" in sub-section (2) of section 144. The sub-section deals only with those buildings which are exempt from general tax under section 143 (1) (*b*) and are beneficially occupied.

Clause 6.—Under section 146 as it stands when a room in a Development Department Chawl or a flat in a Government residential property is let, the occupier and not Government is responsible for the municipal taxes, whereas if the premises are vacant, Government as the person in whom the right to let them vests is so responsible. As it has been proposed in clause 10 of the Bill that Development Department Chawls should be taxed in the manner similar to the properties of the Improvement Trust, the proposed proviso enacts that the property taxes on Development Department Chawls shall not be leviable from the tenant occupiers but from Government.

Clause 7.—The object of this amendment is to enable the water-tax on the Development Department Chawls to be levied under section 141, read with section 140 (*a*).

[Appendix 33—*concld.*]

Clause 8.—Water tax which was formerly levied on hospitals and such other charitable buildings owned by Government at a compounded rate is now levied at the minimum rate prescribed by the Standing Committee for water charged for by measurement. The proposed amendment will do away with this anomaly and will enable the Corporation to charge for the water used both for charitable buildings owned by Government and on open spaces, e.g., the Maidans, Charni Road Garden, Back Bay Reclamation ground maintained by Government at similar concessional rates to those charged on open spaces maintained by the Corporation. Also it is proposed that any rate prescribed and chargeable to Government for water supplied by measurement shall not have any operation till after the expiry of the official year in which it is prescribed. Further in order to protect Government from being overcharged it is proposed that the rate charged under section 169 (1) (*a*) shall not exceed by more than 20 per cent. the average cost of the supply of water to the City in the preceding year.

Clause 9.—Under section 172, as it exists, the Municipal Commissioner has to fix a special rate of halalkhore tax for Government properties with reference to the cost of collection, removal and disposal by the agency of municipal halalkhores of excrementitious matter. Private owners similarly situated pay halalkhore tax under section 140 (*b*) limited to 3 per cent. on the rateable value. As far as ordinary public buildings are concerned, the existing method of taxation for halalkhore services is reasonable and adequate. It is intended not to apply this method to charitable institutions such as hospitals. The amendment is intended to secure for such Government institutions the same concessional rates as are charged to similar private institutions.

Clause 10.—Section 85 of the City of Bombay Improvement Trust Transfer Act, 1925, which has since been repealed by Bombay Act XIII of 1933, provided that the allowance for vacancy is to be calculated with respect to each Trust estate. The Corporation accordingly have proposed that the Development Department Chawls should be treated similarly, each set of chawls being taken as one unit. The amendment is intended to meet the views of the Corporation.

Clause 11.—The object of this amendment is to give effect to the recommendation of the Corporation that section 181 (*e*) should be amended so as to make the railway and other commercial departments of Government liable to the payment of the tax on vehicles and animals which are not used solely for public purposes but are used or intended to be used for purposes of profit. The amendment proposed is on the lines of proviso (*a*) to section 73 (*xv*) of the Bombay Municipal Boroughs Act, 1925.

D. B. COOPER.

10th March 1934.

APPENDIX 34.

STATEMENT OF DEMANDS FOR SUPPLEMENTARY GRANTS.

The Honourable Sir GHULAM HUSSAIN HIDAYATALLAH.

RESERVED 23. *Payments of gratuities to retrenched personnel.*

The latest revised estimate under the head "61, Payments to retrenched personnel" amounts to Rs. 58,000 (voted) against the budget estimate of Rs.—30,000. As the net budget estimate was a minus figure a token demand of Rs. 1,000 was sanctioned by the Legislative Council. The latest revised estimate shows an excess of Rs. 88,000 (voted) over the budget estimate. The increase is mainly due to larger payments of gratuities having been sanctioned owing to retrenchment of staff being carried out more quickly than was anticipated at the time of framing the budget. The Legislative Council is requested to sanction a grant of Rs. 87,000 in addition to the demand of Rs. 1,000 already voted.

Demand voted and now increased.

"61, Payments to retrenched personnel (Reserved)."

Rs. 1,000 + Rs. 87,000.

APPENDIX 35.

The Honourable Sir GHULAM HUSSAIN HIDAYATALLAH.

RESERVED 24. *Refund of stamp duty on a deed of exchange of lands between the G. I. P. Railway and the Bombay Port Trust.*

Certain exchanges of lands between the G. I. P. Railway and the Bombay Port Trust were agreed upon in 1913. The details of the areas of the several pieces of land to be exchanged between the parties were settled in 1931 and a deed of exchange was thereafter drawn up to legalise the transaction. The Superintendent of Stamps, Bombay, determined the stamp duty on the deed of exchange at Rs. 1,34,857-8-0 to be paid half and half by the parties. The duty was paid in 1932-33 but the authorities of the G. I. P. Railway protested that the deed was exempt from stamp duty under item No. 85 in the Government of India, Finance Department (Central Revenues), Notification, No. 6, dated 12th September 1931. The Superintendent of Stamps, Bombay, made a reference to the High Court of Judicature, Bombay, under section 57 of the Indian Stamp Act and the Court have recently decided that the deed of exchange is exempt from stamp duty as contended by the G. I. P Railway. A refund of the amount of Rs. 1,34,857-8-0 is, therefore, to be paid. Out of this amount a sum of Rs. 5,857-8-0 can be paid from

[Appendix 35—*contd.*]

savings in the current year's grant under 7, Stamps and VII–Stamps—Refunds. The sanction of the Legislative Council is now requested to a supplementary grant for Rs. 1,29,000.

Demand voted and now increased.

"7, Stamps—Reserved."

Rs. 4,62,000 + Rs. 1,29,000.

APPENDIX 36.

The Honourable Mr. R. D. BELL.

RESERVED 25. *Additional funds required for the Lloyd Barrage and Canals Construction Project.*

An excess of Rs. 6,17,000 is anticipated on the current year's voted grant for the Lloyd Barrage and Canals Construction Project under the head "55, Construction of Irrigation Works" as shown below:—

Minor Head.	Existing grant (Voted).	Revised estimate (for votable expenditure).	Excess (+) or saving(—) on the grant.
	Rs.	Rs.	Rs.
Works	51,04,000	65,04,200	+14,00,200
Establishment (special)	2,22,700	3,72,600	+ 1,49,900
Pensionary charges	1,23,600	1,47,000	+ 23,400
Tools and Plant (special)	....	14,000	+ 14,000
Suspense	— 20,000	—5,91,000	— 5,71,000
Less—Receipts on capital account ..	—2,00,000	—6,00,000	— 4,00,000
Add or *Deduct*—For rounding	— 300	+ 200	+ 500
	52,30,000	58,47,000	+ 6,17,000
Add—Token grant for Drainage Division sanctioned in August 1933	10		
	52,30,010		

It will be seen that the excess is mainly due to excesses under "Works" and "Special Establishment", partly counterbalanced by savings under "Suspense" and "Receipts on capital account". Reasons for the excesses are explained below.

[Appendix 36—*contd.*]

Works.—The additional sum of Rs. 14 lakhs is required for the items mentioned below :—

	Rs. (in lakhs).
(*i*) Payment of bills which could not be paid in the last financial year	5
(*ii*) Carrying out works to deal with excessive seepage from the Rohri Canal in its upper reach and the consequent rise of sub-soil water levels in this area. The necessity for this could not be forseen when the current year's budget was framed	2·57
(*iii*) More expenditure than anticipated on construction of water courses	1
(*iv*) Adjustment on account of surplus stone lying in Rohri Quarries by debit to "Works" and credit to "Suspense"	5·43
	14·00

Establishment (*Special*).—The additional sum required for establishment is Rs. 1,49,900 as under :—

Rs.

52,900 to meet the cost of the establishment of the Drainage Division and of the Special Officer appointed in the office of the Chief Engineer in Sind to compile the Completion Report of the Lloyd Barrage and Canals Construction Project. The Drainage Division with four sub-divisions was opened last November and a token demand therefor was obtained from the Legislative Council on the 12th August 1933. As it was then too early to arrive at a reliable estimate of the amount of savings or excesses on grants for the several items under the head, only a token sum was asked for from the Council.

Provision for the establishment of the Special Officer was made for only two months in the current year's budget as sanction accorded to his appointment expired then. However, the period of the appointment has had to be extended up to the 30th April 1934 as it has been found that the work could not be completed before that date. Sanction of the Legislative Council to the creation of the appointment was obtained by asking for a token demand in its September-October session of 1932.

The additional amount required is Rs. 61,200. The non-barrage canals in Sind will derive some benefit from the operations carried out by the Drainage Division. It has therefore been decided to debit ¼th of the cost of that Division and the cost of one

[Appendix 36—*concld.*]

Rs.	
	sub-division for 4 months to the head "XIII". It amounts to Rs. 7,700. A small saving of Rs. 600 is available on the voted grant for English expenditure. Thus the extra amount required is reduced by Rs. 8,300.
97,000	to meet the debit to be raised against the Lloyd Barrage and Canals Construction Project on account of leave allowances of the ordinary establishments for the period of such leave as has been earned by them by their services on the Project. The decision to this effect was arrived at after the current year's budget was framed.
1,49,900	

Pensionary charges.—The additional sum of Rs. 23,400 is required on account of increase in the rate for calculating these charges. In the budget provision was made for these charges at the rate of 7·25 per cent. of the provision for ordinary establishment. This rate was based on the then prevailing rate of interest, viz. 5½ per cent. As the rate of interest has since been fixed at 4½ per cent., the pensionary charges have been calculated at 8·899 per cent. of the provision for establishment.

Tools and Plant.—The additional sum of Rs. 14,000 is required for (*a*) urgent and necessary repairs and overhauls to tools and plant in Plant Division and (*b*) tools and plant required for the newly opened Drainage Division.

A supplementary grant of Rs. 6,17,000 is now required to cover the anticipated excess on the total voted grant and the sanction of the Legislative Council is requested thereto.

Demand voted and now increased.

"55, Construction of Irrigation Works—Reserved—Lloyd Barrage and Canals Construction."

Rs. 52,30,010 + Rs. 6,17,000.

APPENDIX 37.

The Honourable Mr. R. D. Bell.

RESERVED 26. *Additional expenditure on Irrigation Works under the heads XIII and 15.*

An excess of Rs. 5,73,500 is anticipated on the current year's voted grant under the heads "XIII—Working Expenses" and "15–Other Revenue Expenditure financed from ordinary revenues" as shown below :—

	Rs.
XIII	.. 3,63,000
15 (P. W. D.)	.. 1,71,000
15 (Civil)	39,500
	5,73,500

[Appendix 37—*contd.*]

2. The additional sum of Rs. 3,63,000 under the head "XIII" is required for the items noted below :—

	Rs.	
(*a*)	1,44,200	for repairing the damage to canals in Sind caused by heavy rains and floods.
(*b*)	1,37,700	for supplementing the current year's budget grants for ordinary maintenance and repairs of certain canals in Sind.
(*c*)	27,600	for carrying out investigations in connection with water-logging in the Begari Canals area.
(*d*)	39,000	for meeting the share of expenditure on retrenched personnel debitable to the Irrigation Department.
(*e*)	14,500	for pensionary charges.
	3,63,000	

Item (*a*).—The heavy rains and abnormally high inundation during 1933 caused considerable damage to canals in certain areas in Sind and therefore an additional expenditure of Rs. 1,44,200 had necessarily to be incurred in this connection, as the ordinary maintenance and repairs grants were not sufficient to meet this unforeseen and essential expenditure. The sum demanded is required for distribution as follows :—

	Rs.
Begari Canals Division.	
Unharwah	12,200
Shikarpur Canals Division.	
Canals in Rohri	9,000
Sind Canal	10,000
Rajib, Chitti and Garang Canals	6,000
Khirtar Division.	
North-Western Canal System	6,200
North-Western Canal Division.	
North-Western Canal System	12,000
Barrage Division.	
North-Western Canal System	1,500
Rice Canal	1,500
Warah Division.	
North-Western Canal System	30,300

[Appendix 37—*contd.*]

	Rs.
Northern Dadu Division.	
Dadu Canal	12,700
Southern Dadu Division.	
Dadu Canal	13,100
Hyderabad Division.	
Rohri Canal System	9,200
Dadu Division.	
Rohri Canal System	15,000
Khipro Division.	
Eastern Nara System	5,500
	1,44,200

Item (*b*).—The current year's budget grants for ordinary repairs to the Rohri Canal and Eastern Nara Systems were found to be inadequate, and an additional sum of Rs. 1,37,700 (Rs. 1,17,000 for Rohri Canal *plus* Rs. 20,700 for the Eastern Nara System) was required for carrying out certain urgent items of repairs which could not be postponed without running a grave risk of breaches and endangering the stability of masonry works.

Item (*c*).—The investigations in connection with water-logging in the Begari Canals area, which were estimated to cost Rs. 34,687, were commenced during last financial year after obtaining the approval of the Legislative Council by a token grant in the February-March session of 1933. An expenditure of Rs. 2,500 was incurred on this work during last financial year. As the immediate necessity for these investigations became apparent after the budget items for the current year had been settled, no provision could be made for the work in this year's budget. A sum of Rs. 31,500 is required for expenditure during the current year out of which Rs. 3,900 have been met from savings, and the balance required is therefore Rs. 27,600.

Item (*d*).—The current year's budget provision for the share of expenditure on retrenched personnel debitable to the Irrigation Department is Rs. 10,000. At the time of framing the current year's budget the method of distributing the expenditure on retrenched personnel in the Public Works Department between the Roads and Buildings and Irrigation Branches had not been settled and the provision made was therefore only approximate. It was decided during the course of the current financial year that the expenditure in question should be distributed between the Irrigation and Roads and Buildings Branches in the proportion which the ordinary establishment charges of the Irrigation

[Appendix 37—*contd.*]

Branch bears to those of the Roads and Buildings Branch after those charges have been distributed *pro rata*, and further that the share of the Irrigation Branch should be debited to the head "XIII" only and it should not be distributed among other Irrigation heads. The amount required according to this method of calculation is estimated at Rs. 87,000 out of which Rs. 49,000 are "Voted" and Rs. 38,000 are "Non-voted", and thus an additional sum of Rs. 39,000 for votable expenditure is required.

Item (*e*).—In the budget provision for pensionary charges was made at the rate of Rs. 7·25 per cent. of the provision for ordinary establishment. This rate has since been increased to 8·899 per cent., and in consequence an additional amount of Rs. 14,500 is required.

3. The additional sum of Rs. 1,71,000 under the head "15, P.W.D." is required for the items noted below :—

	Rs.	
(*a*)	77,000	for repairing the damage caused to bunds in Sind by the heavy rains and abnormally high inundation during 1933.
(*b*)	48,000	for raising and strengthening certain bunds in Sind.
(*c*)	41,900	for improvements to the Sukkur Begari Bund.
(*d*)	4,100	for pensionary charges.
	1,71,000	

Item (*a*).—A total sum of Rs. 1,05,500 was required for meeting the expenditure incurred on repairing the damage to the bunds and of this, Rs. 28,500 having been met from savings, an additional sum of Rs. 77,000 only is required.

Item (*b*).—During the course of the abkalani season of 1933 abnormally high river levels were recorded throughout considerable lengths of the river bunds. Consequently it was absolutely necessary to raise and strengthen these bunds and bring them to the standard Indus River Commission specification. A list of the works involved, together with complete explanations therefor, is attached.

Item (*c*).—The work of improvements to the Sukkur Begari Bund, estimated to cost Rs. 4,68,000, was commenced in 1932–33 after obtaining the approval of the Legislative Council on 3rd December 1932. The current year's budget provision for the work is Rs. 2,03,000 only. As the progress on the work has been greater than was anticipated at the time of framing the budget, an additional sum of Rs. 41,900 is required for expenditure during the current year.

Item (*d*).—The additional sum of Rs. 4,100 for pensionary charges is required for the same reason as given for item (*e*) in paragraph 2 above.

[Appendix 37—*contd.*]

4. The additional grant of Rs. 39,500 under "15, Civil" is required in connection with the construction of a dam on the Jhore Malukshah Creek ex River Ochito in the Karachi District. The river Indus bifurcates at its delta into two branches, the Ochito and Haidari rivers. The Jhore Malukshah Creek takes off from the former about 35 miles below the bifurcation. It was only 25 feet wide at its off-take about 10 years ago, but has recently increased in width to 160 feet and carries to waste about 60 per cent. of the total discharge of the Ochito. This large withdrawal has rendered the irrigation of the area dependent on the Ochito below the off-take of the creek very precarious. It has also caused a serious situation in regard to the supply of drinking water to Keti Bunder town, which is situated lower down the Ochito, 25 miles below the off-take of the creek, and depends entirely for its supply of drinking water on the river. Closure of the head of the creek by ordinary measures of throwing across an earthen bund proved ineffective in the working season of 1932. The expenditure then incurred amounted to Rs. 5,886 (inclusive of Establishment and Tools and Plant charges) debitable to the head "15-A, Irrigation Works—Civil". A second attempt was therefore made in May 1933 to dam the head of the creek in order to provide continued supply to established cultivation on the Ochito below the off-take of the creek, and also to restore the assured supply of drinking water to Keti Bunder town.

In this second attempt to dam the head of the creek, 40-foot interlocking steel sheet piles were driven across the channel by means of special heavy power plant brought down the Indus from the Lloyd Barrage at Sukkur, and this piling was backed by gunny bags filled with earth, and the slopes banked up in support. The large cut-off due to high spring tides and consequent scour outflanked the dam and it failed. The attempt had then to be abandoned due to the rise of the river at the commencement of the abkalani of 1933. The total expenditure incurred on the work amounted to Rs. 42,500 against the estimate of Rs. 55,063. Of this amount, the share of the Revenue Department debitable to the head "15-A, Irrigation Works—Civil" is Rs. 39,352 *plus* Rs. 10,625 establishment and tools and plant charges, i.e., Rs. 49,977 in all. A portion of the charge of Rs. 49,977 to the extent of Rs. 10,482 will be met from savings under "Works" under the head "15-A, Civil" leaving an uncovered excess of Rs. 39,495 or Rs. 39,500 in round figure.

It is now proposed to make a third attempt to close the creek, if local conditions appear favourable to its success and if it is established definitely that the interests involved justify the incurring of further expenditure. Meanwhile an amount of Rs. 39,500 is required to meet the uncovered excess.

[Appendix 37—*contd.*]

5. A supplementary grant of Rs. 5,73,500 is thus required to cover the total anticipated excess under the head "XIII" and "15," and the sanction of the Legislative Council thereto is requested.

Demand voted and now increased.

"XIII-Deduct Working Expenses, 15, Other Revenue Expenditure financed from Ordinary Revenues and Refunds of Revenue under the heads XIII and XIV—Reserved."

Rs. 72,95,020+Rs. 5,73,500.

Statement showing the new works in connection with the protective bund system in Sind commenced during the current year on account of the abnormally high inundation of the River Indus in 1933.

Name of work.	Amount required.	Explanation.
	Rs.	
15-A, IRRIGATION WORKS (2) WORKS FOR WHICH NEITHER CAPITAL NOR REVENUE ACCOUNTS ARE KEPT.		
EXTENSIONS AND IMPROVEMENTS.		
Northern and Southern Dadu Divisions.		
Raising and strengthening Nara Bunds ..	35,000	As a result of the high river in 1933, a very serious state of affairs existed along the Western Nara Bunds particularly in the length from mile 88 to 101. At some of the most dangerous places in this reach, e.g. from mile 94 to 99, the river was 1·7 feet higher than the previously recorded highest flood level and in consequence the free-board at one place was reduced to 0·63 feet. The situation was thus critical and breaches were prevented only with the greatest difficulty. It was therefore essentially necessary to raise and strengthen these bunds and to provide a free-board of 4 feet above the highest recorded flood levels before the abkalani of 1934. Orders to commence the necessary work were accordingly issued in November last. The estimated cost is Rs. 70,578 out of which Rs. 35,000 will be spent during the current financial year and the balance next year.

[Appendix 37—*concld.*]

Name of work.	Amount required.	Explanation.
	Rs.	
Begari Canals Division.		
Raising and strengthening Haibat Loop ..	5,000	The Haibat Loop, the last line of defence in this area, is at present very weak, and is aligned through several reaches of bad soil. The urgency of the work immediately necessary has increased greatly as a result of the developments in the river in this vicinity which occurred at the end of the abkalani of 1933. Heavy erosion started downstream of the Unharwah head and was threatening the safety not only of this canal but also of the front bund, viz. the Ghoraghat Bund. If this erosion continues unabated on a rising river in the current year, it is quite probable that the Ghoraghat Bund will be eroded in a considerable length. In that event, the Haibat Loop would become the one and only line of defence north of Kotri and if this bund is not brought up to standard section, there is a serious danger of it being breached or overtopped by the river floods. A breach in the Haibat Loop would be impossible to control or close as the depth of water passing through the breach would exceed 12 feet, and the consequences to the country at large would be very serious. The direct loss to Government caused by damage to Irrigation works and loss of kharif revenue would not be less than Rs. 8 lakhs in addition to costs involved on account of expenditure on relief measures, takavi, etc., while the loss to the people on account of damage to crops, buildings, etc., might conceivably amount to one crore of rupees. In view of the extreme urgency of the work, orders to commence this item were issued in December 1933. The estimated cost is Rs. 37,003 out of which Rs. 5,000 will be spent during the current financial year and the balance the next year.
Dad Division.		
Raising and strengthening Suhagin Herbert Bund, Herbert Rein Bund and Mikaro Rein Bund ..	8,000	During the abkalani of 1933 great difficulty was experienced in maintaining these bunds as they were under standard section, and in certain lengths the free-board was reduced to 1·6 feet. It was therefore absolutely essential to raise these bunds to standard section before next abkalani, and orders to commence the necessary work were accordingly issued in November 1933. The estimated cost is Rs. 24,717 out of which Rs. 8,000 will be spent during the current financial year and the balance next year.
	48,000	

APPENDIX 38.

BILL No. III OF 1934.

A Bill further to amend the Bombay Primary Education Act, 1923.

(As published in the "Bombay Government Gazette" of the 24th January 1934.)

Bom. IV of 1923.

WHEREAS it is expedient further to amend the Bombay Primary Education Act, 1923, for the purpose hereinafter appearing; It is hereby enacted as follows :—

1. *Short title.*—This Act may be called the Bombay Primary Education (Amendment) Act, 1934.

Bom. IV of 1923.

2. *Amendment of section 3 of Bom. IV of 1923.*—In section 3 of the Bombay Primary Education Act, 1923—

(*i*) in sub-section (*1*), for the words "backward classes, and depressed classes" the words "intermediate classes, and backward classes" shall be substituted; and

(*ii*) in the *Explanation* to the said sub-section (*1*), for the words "Backward and depressed classes" the words "Intermediate and backward classes" shall be substituted.

STATEMENT OF OBJECTS AND REASONS.

The Depressed Classes and Aboriginal Tribes Committee, appointed by Government in 1928 in pursuance of a resolution moved by Dr. P. G. Solanki and passed by the Legislative Council recommended, in paragraphs 8 to 12 of their report published in 1930—

(1) that the term "untouchables" as describing the classes to which it is applied at present is offensive and that they should henceforth be officially designated as "Depressed Classes"—a designation which will be in consonance with the existing practice; and

(2) that, as the term "Depressed Classes" used in Schedule A to the Bombay Primary Education Rules, 1924, made under the Bombay Primary Education Act, 1923, has given rise to confusion of thought inasmuch as it has assumed a much wider meaning than it bears in common parlance, and includes, in addition to the untouchables, the Aboriginal Tribes, the Criminal Tribes and other wandering and backward castes, the nomenclature of the classifications hitherto adopted in the Bombay Primary Education Rules, 1924, should be changed, the classes therein shown as "Backward" and "Depressed" being re-named "Intermediate" and "Backward" respectively. Government have accepted these recommendations of the Committee and have decided that the revised nomenclature should be adopted for all purposes including the grant of educational privileges and representation on public bodies. To implement this decision of Government, it is proposed by this Bill to amend sub-section (*1*) of section 3 of the Bombay Primary Education Act, 1923,

[Appendix 38—*contd.*]

and the "Explanation" subjoined to the sub-section, by substituting the words "intermediate" and "backward" for the words "backward" and "depressed" respectively. The proposed amendment does not deprive any class of the privileges it now possesses.

15th January 1934.

(Signed) S. T. KAMBLI.

APPENDIX 39.

BILL No. IV OF 1934.

A Bill further to amend the City of Bombay Municipal Act, 1888.

(As published in the "Bombay Government Gazette" of the 7th March 1934).

WHEREAS it is expedient further to amend the City of Bombay Municipal Act, 1888, for the purpose hereinafter appearing; It is hereby enacted as follows:— Bom. III of 1888.

1. *Short title.*—This Act may be called the City of Bombay Municipal (Amendment) Act, 1934.

2. *Amendment of section 39 of Bom. III of 1888.*—In sub-section (*1*) of section 39 of the City of Bombay Municipal Act, 1888, and in the Explanation to the said sub-section (*1*), for the word "backward" wherever it occurs the word "intermediate" and for the word "depressed" wherever it occurs the word "backward" shall be substituted. Bom. III of 1888.

STATEMENT OF OBJECTS AND REASONS.

The Depressed Classes and Aboriginal Tribes Committee appointed by Government in 1928 recommended that the term "untouchables" is offensive and that the classes so described should hereafter be designated as "Depressed Classes" and consequently in order to avoid confusion the term "Depressed Classes" used in Schedule A to the Bombay Primary Education Rules, 1924, should be altered to "Backward", and the Backward Classes, therein named, should be renamed "Intermediate Classes". Government having accepted these recommendations decided that the revised nomenclature should be adopted for all purposes including representation on public bodies. Bill No. III of 1934 proposes to amend sub-section (*1*) of section 3 of the Bombay Primary Education Act, 1923, and the Explanation thereto by substituting the words "Intermediate" and "Backward" for the words "Backward" and "Depressed", respectively. Under the Explanation to sub-section (*1*) of section 39 of the City of Bombay Municipal Act, 1888, "backward classes" and "depressed classes" mean the backward classes and depressed classes respectively as defined

[Appendix 39—*contd.*]

for the time being by Government in Rules made under the Bombay Primary Education Act, 1923. After Bill No. III of 1934 is passed into law, the expressions "backward classes" and "depressed classes" will be replaced in the rules made under the Bombay Primary Education Act, 1923, by the expressions "intermediate classes" and "backward classes" respectively. This Bill therefore introduces the revised nomenclature in section 39 of the City of Bombay Municipal Act, 1888.

5th March 1934.

D. B. COOPER.

APPENDIX 40.

AGENDA.

Supplementary Agenda for the First Session of the Bombay Legislative Council which commenced on Monday the 19th February 1934.

[*Vide* Standing Order X, 1 (1) (*d*).]

DISCUSSION OF MATTERS OF GENERAL PUBLIC INTEREST.

Resolution by Dr. P. G. Solanki, M.L.C.

1. "This Council recommends to Government that they should be pleased to create two branches in the Backward Classes Office, one solely for the "Scheduled" or untouchable classes and the other for the aboriginals and criminal tribes and other backward Hindus, which should work independently of each other under respective immediate superiors who will be responsible to and under the control of the Backward Classes Officer."

Resolution by Sardar Rao Bahadur B. R. Naik, M.L.C.

1. "This Council recommends to Government that they should be pleased to grant to the agriculturists of the Surat district remission in the current year's land revenue which will be adequate, taking into consideration the loss sustained by them on account of the serious damage to crops caused by the recent frost and severe cold wave."

Resolution by Khan Bahadur Vali Baksh A. Patel, M.L.C.

1. "This Council recommends to Government that they should be pleased to sanction two sets of standards for the Urdu girls' schools in Gujarat, as in the case of Urdu boys' schools, to enable the Muhammadan girls in villages to have the option of receiving the primary education through their mother-tongue with Urdu as a secondary subject."

[Appendix 40—*contd.*]

Resolution by Mr. G. M. Kalbhor, M.L.C.

1. "This Council recommends to Government that they should be pleased to grant relief to the agriculturists of the Presidency proper by—

(*a*) giving remission of 25 per cent. to holders of land assessed at Rs. 10 and under;

(*b*) giving remission of 12½ per cent. to holders of land assessed at Rs. 50 and under;

(*c*) suspending the recovery of takavi loans in the case of agriculturists holding land assessed at Rs. 50 and under;

(*d*) suspending the recovery of arrears due to co-operative societies in the case of agriculturists holding land assessed at Rs. 50 and under."

Resolutions by Mr. Syed Miran Mahomed Shah, M.L.C.

1. "This Council recommends to Government to issue orders to the Commissioner in Sind to regrant the lands held by zamindars, within non-Barrage areas, on panjsalo (5 years) and yaksalo (one year) tenures which have been recently resumed by Government."

2. "This Council recommends to Government to grant a remission of 25 per cent. in the land assessment to the zamindars in Sind to alleviate their present economic distress."

3. "This Council recommends to Government to allot one-third of the grant reserved for the encouragement of literature under Primary Miscellaneous Education—General, for the purpose of encouraging literature in Sindhi language and grant the same to Professor H. M. Gurbuxani, M.A., Ph.D. (London) for doing research work in connection with Shahjorasalo."

Resolution by Mr. V. N. Jog, M.L.C.

1. "This Council recommends to Government that in the interest of the agriculturists of the Presidency, they should be pleased to take immediate steps to formulate a scheme for the purpose of taking over the liability of the holders and owners of land, on the security of their land, by offering to their creditors in full satisfaction of the loan advanced to them, a sum to be arrived at by negotiation, either in cash or in the form of Government promissory notes or loan bearing interest at 4¼ per cent., payable half yearly, and repayable after 30 years but within 40 years, the landholders remaining indebted to the Government to the extent to which Government undertake to pay their creditors on agreeing to repay the loan within 50 years at a rate of interest not exceeding 6 per cent. by annual instalments."

Resolution by Mr. A. N. Surve, M.L.C.

1. "This Council recommends to Government to appoint a committee of non-official members to inquire into the incidents which have given rise to the controversy between the two communities of Khopoli in the

[Appendix 40—*concld.*]

Kolaba district, and to submit a report to this House on their respective rights to offer worship at the spot in dispute."

Resolution by Mr. P. R. Chikodi, M.L.C.

1. "This Council recommends to Government that they should be pleased to grant immediate relief to the agriculturists of the Presidency by—

(*a*) remitting all the past arrears of land revenue and grazing fees;

(*b*) giving remission to the extent of 40 per cent. in the current year's land revenue and grazing fees;

(*c*) not taking any steps or measures for the relief of the agriculturists which are likely to affect prejudicially the length of the period for which the assessments are now guaranteed, namely, 30 years, under the Land Revenue Code;

(*d*) not holding sales of immoveable property and not adopting coercive measures for the collection of land revenue or the execution of decrees, so long as the present economic depression continues;

(*e*) declaring, by means of legislation, that all debts and loans borrowed by the agriculturists shall have half the value of the amount borrowed or lent; and

(*f*) requiring the landlords, if necessary, by legislation, in the matter of collecting rents from and granting relief to the tenants, to adopt measures and policy similar to those that may be adopted by Government from time to time in the collection of their dues under the Land Revenue Code."

Resolution by Rao Bahadur S. N. Angadi, M.L.C.

1. "This Council recommends to Government that they should take immediate steps to give relief to the agriculturists of the Presidency by granting them remission to the extent of at least 25 per cent. in the land revenue for the year 1933-34 and by the revaluation of their indebtedness in terms of the prevailing prices of agricultural produce."

Resolution by Mr. B. P. Wadke, M.L.C.

1. "This Council recommends to Government that they should take strict and early steps to stop further recruitment to all provincial services under their control of persons born and domiciled outside the Bombay Presidency and in Indian States or Portuguese territory."

G. S. RAJADHYAKSHA,

Secretary to the Legislative Council
of the Governor of Bombay.

Bombay, 9th March 1934.

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.

INDEX

A

PAGES

Abdul Latif Haji Hajrat Khan, Khan Bahadur—
Budget, General discussion of 208–11
Demands for Grants—
Civil Works (partly reserved and partly transferred)—Tolls .. 849
Village Improvement Scheme—Expenditure *re :* .. 1051–53, 1055, 1056
Village Panchayats, Grants allotted for 780–81
Supplementary Grants—
Sholapur-Osmanabad Road, Asphalting of 525
Village Improvement Scheme—Expenditure on 557–58

Acts assented to by the Governor General 25–26

Address to Governor re : Reconstitution of Ministry 1360–90

Adjournment Motion regarding—
Government of India's Taxation proposals, effect on Bombay Presidency 659–60, 672–89
Sholapur Mill Strike 441–42

Advani, Mr. P. B.—
Demands for Grants, Industries (Transferred) 1103–1110
Oath of Office 25
Supplementary Grant—Fisheries, Development Scheme, Expenditure *re :* 563

Agenda 1–21, 1730–32

Allahbaksh, Khan Bahadur—
Bills—
Finance Act Amendment Bill 486
Demands for Grants—
Civil Works (partly reserved and partly transferred)—Tolls .. 846
Lloyd Barrage and Canals Construction : Plant Division 601
Supplementary Grant—
Begari Canals—Improvements to 568–69, 570

Angadi, Rao Bahadur S. N.—
Demands for Grants—
Agriculture (Transferred) 1134
Civil Works (Partly reserved and partly transferred)—Tolls .. 836–837
Irrigation Works (except Lloyd Barrage) 717–18, 722
Land Revenue 1231–33
Sind Irrigation Establishment 903–04
Tobacco Establishment 741–43, 773
Village Improvement Scheme—Expenditure *re :* 1057–60
Supplementary Grant—
Sholapur-Osmanabad Road, Asphalting of 525

Appendices 1647–1732

Arbuthnot, Mr. C. W. E.—
Oath of office 1143

Asavale, Rao Bahadur R. S.—
Bills—
City of Bombay Municipal Act Amendment (Cotton Town Duty Abolition) Bill 1467–68
Finance Act Amendment Bill 464–65
Maternity Benefit Act Amendment Bill 1401–02, 1413, 1414
Primary Education Act Amendment Bill 1506
Rent Restriction Bill 392–93, 1306

A—contd.

PAGES

Asavale, Rao Bahadur R. S.—contd.
Demands for Grants—
Bombay Development Scheme (Town Duty on Cotton) 815–16
Civil Works (partly reserved and partly transferred)—Tolls .. 835–36
Labour 964–66, 988–91, 1004, 1013, 1021
Resolution regarding—
Central Board for primary and secondary education .. 1573, 1574, 1596
Recruitment to Government Service .. 1631–32, 1640, 1642, 1643
Vakil, late Sardar Sir Rustom 1562

B

Backward Class Board—
Election of representatives to 1393, 1495, 1510
Nominations for 1495

Bakhale, Mr. R. R.—
Adjournment Motion regarding—
Government of India's Budget proposals, effect on Bombay Presidency 684–85
Sholapur Mill Strike 441
Bills—
Depressed Classes Disabilities Removal Bill 1359
Maternity Benefit Act Amendment Bill .. 1395–99, 1400, 1401, 1408, 1413, 1414, 1415–16
Primary Education Act Amendment Bill 1500–01, 1502
Rent Restriction Bill 356–59, 373–80, 1292, 1296, 1297, 1298, 1300, 1301, 1314, 1315, 1319–26
Budget, General discussion of 214–18, 278
Demands for Grants—
Bombay Development Scheme (Town Duty on Cotton) 827–29, 830
Labour 953–64, 1005, 1013, 1019
Sind Irrigation Establishment 901–02
Questions 56, 517
Resolution regarding—
Central Board for Primary and Secondary education 1573–77

Bell, the Honourable Mr. R. D.—
Adjournment Motion regarding—
Sholapur Mill Strike 441–42
Bills—
Borstal Schools Act Amendment Bill 1473–75
Devadasis Bill 1339–40, 1341, 1347, 1348, 1349, 1350, 1351, 1352, 1354–56
Finance Act Amendment Bill 484–86
Maternity Benefit Act Amendment Bill 1394–95, 1397, 1398, 1402, 1408–11, 1413, 1415, 1416, 1417, 1473
Prevention of Gambling Act Amendment Bill 340, 341
Rent Restriction Bill 358, 1326–34
"Bombay Samachar"—Article against the Prophet of Islam .. 732
Budget, General discussion of 275–79
Demands for Grants—
Administration of Justice 1259
Bombay Development Scheme 589, 808
Bombay Development Scheme (Town Duty on Cotton) .. 812, 828, 829, 832–33
Deccan Irrigation Circle 877–79
"Deduct—Working Expenses" (XIII), "15-Other revenue expenditure financed from ordinary revenues," and "Refunds of revenue" under the heads "XIII" and "XIV" 1259
Education (Reserved) 1259
Irrigation Works (except Lloyd Barrage) 720–22, 723, 724
Irrigation Works (Lloyd Barrage and Canals Construction) 589, 661, 702, 704–09
Lloyd Barrage and Canals Construction: Plant Division .. 592–93, 604–06
Jails and Convict Settlements 1259
Labour 958, 962, 991, 995, 1003, 1008, 1015–24
Medical (reserved) 1259
Miscellaneous Departments (Reserved) 952

B—contd.

PAGES

Bell, the Honourable Mr. R. D.—contd.
Demands for Grants—*contd.*—
Police 1259
Ports and Pilotage 1259
Sind Irrigation Establishment 933–36
Stationery and Printing 794, 796–97, 802–06
Resolution regarding—
Recruitment to Government Service 1628–30, 1634
Sholapur Mill Strike—
"Times of India" Report on 854, 1043
Supplementary Grants—
Begari Canals, Improvements to 568, 569, 570
Irrigation Works, additional expenditure on 1479–80, 1481
Lloyd Barrage and Canals Construction, additional funds required for . 1478, 1479
Mayor's Earthquake Relief Fund Committee, Grant-in-aid to .. 563, 564–65

Bhutto, Sir Shah Nawaz—
Supplementary Grant—
Co-operative Societies—Special Recovery Officers for 534–36

Bills—
Bombay City Municipalities Act Amendment Bill (No. XXXI of 1933) (Bill not moved) 1357
Borstal Schools Act Amendment Bill (No. I of 1934)—
First reading 1473–75
Second reading 1475
Bill read clause by clause 1475
Third reading 1475
Primary Education Act Amendment Bill (No. III of 1934)—
First reading 1499–1507
Second reading 1507
Bill read clause by clause 1507
Third reading 1507
City of Bombay Municipal Act Amendment Bill (No. IV of 1934)—
First reading 1508
Second reading 1508
Bill read clause by clause 1508
Third reading 1509
City of Bombay Municipal Act Amendment (Cotton Town Duty Abolition) Bill (No. V of 1934)— 1447–72
First reading 1472
Second reading 1472
Bill read clause by clause 1472
Third reading 1472
City of Bombay Municipal Act Amendment (Taxation of Government Properties) Bill (No. VI of 1934)— 1476–78
First reading 1478
Bill referred to Select Committee 341
City of Bombay Municipal Act Amendment Bill (No. XXIII of 1932 and No. XXIV of 1932)—(Bill not moved) 1337
City of Bombay Municipal Act Amendment Bill (No. XII of 1933)—(Bill not moved) 1357
City of Bombay Municipal Act Amendment Bill (No. XXX of 1933)— 1359
(Bill not moved) 1359
City of Bombay Police Act Amendment Bill 1356
Depressed Classes Disabilities Removal Bill
District Municipal Act Amendment Bill (No. XXVIII of 1933)—(Bill not moved) 442–477
Finance Act Amendment Bill (No. II of 1934)— 477
First reading 478–95, 518–22
Second reading 522
Bill read clause by clause 1357–58
Third reading 1358, 1359
Hindu Law of Adoption Amendment Bill .. ..
Land Revenue Code Amendment Bill

B—contd.

PAGES.

Bills—contd.
Maternity Benefit Act Amendment Bill (No. XVI of 1933)—
Second reading 1394
Bill read clause by clause 1394–1417
Third reading 1473
Money-lending Business Regulation Bill 1357
Mussalman Charitable and Religious Endowments Regulation and Control Bill—(Bill not moved) 1337
Prevention of Adulteration Act Amendment Bill (No. XXIX of 1933)—(Bill not moved) 1356
Prevention of Dedication of Devadasis Bill (No. XXVII of 1933)—
First reading 1337–56
Bill referred to Select Committee 1356
Prevention of Gambling Act Amendment Bill (No. IX of 1932)—(Postponed) 340–41
Sind Incumbered Estates Act Amendment Bill (No. XXV of 1932)—
First reading 341–55
Rent Restriction Bill (No. X of 1933)—
First reading 356–59, 373–406, 1289–1334

Bole, Rao Bahadur S. K.—
Bills—
City of Bombay Municipal Act Amendment Bill 341
City of Bombay Municipal Act Amendment (Cotton Town Duty Abolition) Bill 1447–48, 1449
Devadasis Bill 1337–39, 1351, 1354, 1356
Maternity Benefit Act Amendment Bill 1407
Rent Restriction Bill 1289–90
Demands for Grants—
Labour 992–93
Land Revenue 1234–35
Questions 27, 57–59, 173, 305, 969, 1266, 1431, 1484–85, 1540–41
Resolution regarding—
Central Board for primary and secondary education 1566–67
Recruitment to Government Service 1621–22, 1646
Vakil, late Sardar Sir Rustom 1562

"Bombay Samachar," Article attacking the Prophet of Islam 732, 1560

Brander, Mr. J. P.—
Demands for Grants—
Tobacco Establishment 753, 767
Oath of office 498

Budget—
Demands for Grants (*See* under "Demands for Grants")—
General Discussion of 113–70, 198–246, 249–302
Presentation of 79–82

Bullocke, Mr. A. Greville—
Budget, General discussion of 239–42

Burns, Dr. W.—
Demands for Grants—
Agriculture 1117, 1122–23
Oath of office 854

Business of the House, course of 26, 82, 1390, 1428

C

Chairmen of Council—Nomination of 25

C—contd.

PAGES

Chikodi, Mr. P. R.—
Bills—
Primary Education Act Amendment Bill 1506
Budget: General discussion of, ... 279-81, 293
Demands for Grants—
Backward Class Officer's Establishment .. 1025-28, 1029, 1030, 1045-46, 1048, 1049
Civil Works (Partly Reserved and Partly Transferred)—Tolls 845-46, 936-39, 947, 948, 949, 950
Irrigation Works (except Lloyd Barrage) .. 714-15, 721, 722, 723, 729
Land Revenue 1184-88
Lloyd Barrage and Canals Construction: Plant Division 596
Loans and Advances by Provincial Government 576-77, 580
Sind Irrigation Establishment 900
Tobacco Establishment 739-41, 776, 777
Village Panchayats: Grant allotted for, ... 782-83
Resolution regarding—
Central Board for Primary and Secondary Education 1581-82
Recruitment to Government Service 1623-24
Vakil, late Sardar Sir Rustom 1563
Supplementary Grants—
Maharashtra University Conference: Expenditure on, ... 560
Sugar-making process by open pan method 562
Village Improvement Scheme: Expenditure on, ... 546-47

Chitale, Rao Bahadur G. K.—
Address to Governor regarding reconstitution of Ministry 1360-67, 1368, 1383-86, 1387, 1388
Adjournment Motion regarding—
Government of India's Budget proposals: Effect on Bombay Presidency. 688
Bills—
Finance Act Amendment Bill 465-69, 518
Maternity Benefit Act Amendment Bill 1404-05
Rent Restriction Bill 404-05
Budget: General discussion of, ... 153-58
Demands for Grants—
Land Revenue 1159-63
Questions 1610
Resolution regarding—
Central Board for Primary and Secondary Education .. 1584-86, 1593, 1601
Recruitment to Government Service 1615
Supplementary Grants—
Co-operative Societies: Special Recovery Officers for, ... 533-34
Village Improvement Scheme: Expenditure on, ... 547-50

Collaco, Dr. J. A.—
Bills—
City of Bombay Municipal Act Amendment (Taxation of Government Properties) Bill 1476, 1477
City of Bombay Municipal Act Amendment Bill 1357
Devadasis Bill 1353
Finance Act Amendment Bill 463-64
Budget: General discussion of, ... 226-28
Demands for Grants—
Bombay Development Scheme (Town Duty on Cotton) .. 830

Cooper, the Honourable Khan Bahadur D. B.—
Bills—
City of Bombay Municipal Act Amendment (Taxation of Government Properties) Bill 1476, 1477, 1478
City of Bombay Municipal Act Amendment Bill 1507, 1508, 1509
Budget: General discussion of, ... 281-84
Demands for Grants—
Capital Outlay for Civil Works 589
Capital Outlay on Improvements of Public Health 589

C—contd.

PAGES

Cooper, the Honourable Khan Bahadur D. B.—contd.
Demands for Grants—*contd.*
Civil Works (Partly Reserved and Partly Transferred) .. 833, 940, 941, 948–52
Civil Works (Partly Reserved and Partly Transferred)—Tolls 842, 857, 862–66
District Benevolent Society 778, 779
Forest (Transferred) 1258
Forest Capital Outlay (Transferred) 1258
Medical (Transferred) 1260
Miscellaneous (Transferred) 777
Public Health 1260
Village Improvement Scheme: Expenditure on, ..1051, 1063–65, 1066, 1067
Village Panchayats: Grant for, ... 793
Meningitis, Cerebro-Spinal: Statement regarding, ... 911–12, 988
Pandharpur Municipal Election Rules: Motion regarding, ... 1427–28
Supplementary Grants—
Additional Assistant Director of Public Health for Central Registration District: Creation of post of, ... 527
Ahmedabad District Court Buildings: Extension of Pleaders' Chambers in, ... 522
Bombay Presidency Baby and Health Week Association: Cinema outfit for, ... 563
Nasik Municipality: Payment of grant-in-aid for Sinhast arrangements. 538
Panchghani Town Planning Scheme: Expenditure on, ... 560–61
Sholapur-Osmanabad Road: Asphalting of, ... 524
Village Improvement Scheme: Expenditure on, .. 538, 539, 541, 558–59

Cotton Mill Industry—
Enquiry into reduction in wages: Statement regarding, ... 440–41

Covernton, Mr. S. H.—
Budget: General discussion of, ... 207
Demands for Grants—
Agriculture 1129, 1130
Land Revenue 1182–84
Loans and Advances by Provincial Government 579–81
Tobacco Establishment ..738–39, 745, 746, 752, 753, 762, 763, 766, 769–74
Village Improvement Scheme: Expenditure on, ... 1057
Oath of office 25
Supplementary Grants—
Sugar-making process by open pan process 561–62
Village Improvement Scheme: Expenditure on, .. 542–44, 555, 558

D

Dabholkar, Major A. Y.—
Oath of office 911

Davis, Mr. G.—
Bills—
City of Bombay Municipal Act Amendment Bill 1508, 1509
Devadasis Bill 1345, 1352, 1354
Maternity Benefit Act Amendment Bill 1473
Primary Education Act Amendment Bill .. 1500, 1501, 1502, 1506, 1507
Oath of office 1143

Demands for Grants—
Administration of Justice 1259
Agriculture (Transferred) 1115–40
Backward Class Officer's Establishment 1015–40, 1043–49
Bombay Development Scheme 589
Bombay Development Scheme (Town Duty on Cotton) 808–33
Capital Outlay for Civil Works 589
Capital Outlay on Improvements of Public Health 589
Civil Works (Partly Reserved and Partly Transferred) .. 833–51, 854–908, 912–52
Civil Works (Reserved) 952

D—contd.

PAGES

Demands for Grants—contd.
Commutation of pensions financed from ordinary revenue 806–08
Deccan Irrigation Circle 866–79
"Deduct—Working Expenses" (XIII), "15-Other revenue expenditure financed from ordinary revenues" and "Refunds of revenue" under the heads "XIII" and "XIV" 1259
Education (Reserved) 1259
Education (Transferred) 1259
Excise (Transferred) 1258
Expenditure in England 732
Extraordinary Charges—Reserved.... 732
Forest (Transferred) 1258
Forest Capital Outlay (Transferred) 1258
General Administration—Except Heads of Provinces, Ministers .. 1259
General Administration—Heads of Provinces, Ministers 1259
Industries (Transferred) 1069–84, 1087–1115
Interest on ordinary debt 1259
Irrigation Works (except Lloyd Barrage) 709–729
Irrigation Works: Lloyd Barrage and Canals Construction .. 589, 660–71, 691–709
Jails and Convict Settlements 1259
Labour 952–66, 988–1024
Land Revenue 1143–96, 1199–1257
Lloyd Barrage and Canals Construction: Plant Division 589–607
Loans and Advances by Provincial Government 574–89
Medical (Reserved) 1259
Medical (Transferred) 1260
Miscellaneous (47)—Reserved 732–77
Miscellaneous (47)—Transferred 777–88, 791–93
Miscellaneous Departments (37)—Reserved 952–66, 988–1025
Miscellaneous Departments (37)—Transferred 1025
Other Provincial Works not charged to revenue 589
Payments of commuted value of pensions under 60-B 589
Payments to retrenched personnel 589
Police 1259
Ports and Pilotage 1259
Public Health 1260
Registration (Transferred) 1258
Scheduled Taxes (Reserved) 1259
Scientific Departments 1259
Sind Irrigation Establishment 879–908, 912–36
Stamps (Reserved) 1258
Stationery and Printing 793–806
Superannuation Allowances and Pensions 808
Village Panchayats: Grant for, ... 791–93

Desai, Rao Saheb B. G.—
Bills—
Sind Incumbered Estates Act Amendment Bill 347–48

Desai, the late Dewan Bahadur Harilal—
Reference to the Death of, ... 78

Desai, Mr. H. R.—
Bills—
Hindu Law of Adoption Amendment Bill 1357–58
Questions 984–87

Dhalumal Lilaram, Mr.—
Questions 59

Division List (Maternity Benefit Act Amendment Bill): Correction of — .. 1417

Division on—
Bills—
Maternity Benefit Act Amendment Bill 1411–12
Rent Restriction Bill—First reading 1334

D—contd.

PAGES

Division on—contd.
Demands for Grants—
Land Revenue 1257–58
Lloyd Barrage and Canals Construction : Plant Division .. 606–07
Resolution regarding—
Recruitment to Government Service 1646

Dixit, Dr. M. K.—
Bills—
Rent Restriction Bill 1316–19
Budget : General discussion of, ... 249–51
Demands for Grants—
Backward Class Officer's Establishment 1038
Bombay Development Scheme (Town Duty on Cotton) 826–27
District Benevolent Society 777, 779
Labour 952–53, 1012–15, 1024
Land Revenue 1237–38
Sind Irrigation Establishment 900–01
Tobacco Establishment 774–76
Questions 305–06, 409, 498, 1267, 1559
Resolution regarding—
Central Board for Primary and Secondary Education 1571–73

D'Souza, Dr. J. Alban—
Bills—
City of Bombay Municipal Act Amendment (Cotton Town Duty Abolition) Bill 1468–70
Budget : General discussion of, ... 158–62
Demands for Grants—
Agriculture 1131–34
Sind Irrigation Establishment 914–15
Resolution regarding—
Vakil, late Sardar Sir Rustom 1565

E

Ewbank, Mr. R. B.—
Demands for Grants—
Backward Class Officer's Establishment 1026, 1027, 1029–30, 1043–45
Village Panchayats : Grant allotted for, ... 785–86, 787
Meningitis, Cerebro-Spinal : Statement regarding, ... 912
Supplementary Grant—
Regional Committee for the Exhibition of Modern Indian Art in London : Grant to, ... 523–24

F

Finance Committee—
Election of members to, ... 1394, 1511
Nominations for, ... 1498

Freke, Mr. C. G.—
Bills—
Finance Act Amendment Bill 477
Budget : General discussion of, ... 235–39, 254, 280
Demands for Grants—
Irrigation Works : Lloyd Barrage and Canals Construction .. 662
Land Revenue 1218–20, 1240
Village Improvement Scheme : Expenditure regarding, ... 1068
Oath of office 25
Supplementary Grants—
Commuted Value of Pensions charged to Capital 567
Panchgani Town Planning Scheme : Expenditure on, ... 561

G

PAGES

Gangoli, Mr. G. S.—
Bills—
City of Bombay Municipal Act Amendment (Cotton Town Duty Abolition) Bill 1456
Finance Act Amendment Bill 445–50
Primary Education Act Amendment Bill 1504–06
Rent Restriction Bill 391–92
Sind Incumbered Estates Act Amendment Bill 346, 352
Budget: General discussion of, ... 133–38
Demands for Grants—
Agriculture 1115–17, 1118, 1119, 1134–35, 1138, 1140
Backward Class Officer's Establishment 1030
Civil Works (Partly Reserved and Partly Transferred)—Tolls 847–48, 939–42
Commutation of pensions financed from ordinary revenue 806, 807, 808
District Benevolent Society 778–79
Industries (Transferred) 1069–72, 1110–11, 1112, 1113, 1114
Irrigation Works (except Lloyd Barrage) 716, 723–24
Land Revenue 1215–18
Lloyd Barrage and Canals Construction: Plant Division 597
Sind Irrigation Establishment 904–05
Stationery and Printing 797–98, 802, 805
Tobacco Establishment 733–34, 737
Village Improvement Scheme—Expenditure regarding, 1049–51, 1053, 1058, 1060, 1062, 1064, 1065
Village Panchayats: Grant allotted for, ... 786, 787–88
Questions .. 28, 85, 306–13, 411–13, 499, 969, 1268–70, 1431, 1485–86, 1514–19
Resolution regarding—
Vakil, late Sardar Sir Rustom 1562–63
Supplementary Grants—
Commuted Value of Pensions charged to Capital 567
Co-operative Societies: Special Recovery Officers for, ... 527, 528, 529
Fisheries Development Scheme: Expenditure regarding, ... 563
Mayor's Earthquake Relief Fund Committee 565
Sholapur-Osmanabad Road: Asphalting of, ... 524–25
Superannuation allowances and pensions 566
Village Improvement Scheme: Expenditure on, ... 538, 539, 543

Garrett, Mr. J. H.—
Budget: General discussion of, ... 263–66
Demands for Grants—
Land Revenue 1195, 1209–10
Oath of office 25
Supplementary Grants—
Village Improvement Scheme: Expenditure on, ... 544–45

Gazder, Mr. Mahomed Hashim—
Bills—
Rent Restriction Bill 402–04
Sind Incumbered Estates Act Amendment Bill 342, 351
Budget: General discussion of, ... 222–26
Demands for Grants—
Bombay Development Scheme (Town Duty on Cotton) 822
Civil Works (Partly Reserved and Partly Transferred)—Tolls .. 837–38
Irrigation Works: Lloyd Barrage and Canals Construction. 670–71, 692–97, 698
Land Revenue 1220–23, 1256
Lloyd Barrage and Canals Construction: Plant Division .. 589–92, 602–04
Sind Irrigation Establishment 879–93, 894, 908, 929–33
Oath of office 78
Questions 1273
Resolution regarding—
Recruitment to Government Service 1616–20
Supplementary Grants—
Begari Canals: Improvements to, ... 569–70
Co-operative Societies: Special Recovery Officers for, ... 536
Irrigation Works: Additional expenditure on, ... 1480, 1481

G—contd.

PAGES.

Gazder, Mr. Mahomed Hashim—contd.
Supplementary Grants—*contd.*
Lloyd Barrage and Canals Construction : Additional funds required for, ... 1478–79
Sholapur-Osmanabad Road : Asphalting of, ... 525–26

Gharpurey, Lt.-Col. K. G.—
Oath of office 969

Ghulam Hussain, the Honourable Sir—
Address to Governor regarding reconstitution of Ministry .. 1366, 1384, 1386–90
Adjournment Motion regarding—
Government of India's Budget proposals : Effect on Bombay Presidency. 689
Bills—
City of Bombay Municipal Act Amendment (Cotton Town Duty Abolition) Bill 1447, 1448, 1459, 1461, 1462, 1463, 1464, 1465, 1466–67, 1469, 1470–72
Devadasis Bill 1344
Finance Act Amendment Bill 442–43, 445, 446, 450, 451, 461, 462, 475–77, 487–88, 489, 490–91, 493–94, 518–19, 520, 521–22
Rent Restriction Bill 1308, 1319, 1320, 1322
Sind Incumbered Estates Act Amendment Bill 342, 353–55
Budget—
General discussion of, 113, 115, 117, 119, 120, 121, 122, 123, 124, 125, 127, 128, 129, 131, 135, 136, 137, 138, 140, 141, 145, 156, 157, 162, 163, 166, 167, 200, 205, 217 218, 225, 226, 229, 234, 244, 255, 257, 267, 268, 273, 279, 280, 281, 290–302
Presentation of, ... 79–82
Business of the House : Course of, ... 26, 82, 1390, 1428
Cotton Mill Industry : Enquiry into Reduction of Wages : Statement regarding, ... 440–41
Demands for Grants—
Agriculture (Transferred) 1127, 1128
Bombay Development Scheme (Town Duty on Cotton) 817, 819, 822, 823, 827, 828, 830–32
Civil Works (Partly Reserved and Partly Transferred)—Tolls 839–40, 850, 946–48
Civil Works (Reserved) 952
Commutation of pensions financed from ordinary revenue .. 806, 807, 808
Expenditure in England 732
Extraordinary Charges—Reserved 732
General Administration—Except Heads of Provinces, Ministers .. 1259
General Administration—Heads of Provinces, Ministers 1259
Industries (Transferred) 1082, 1083
Interest on ordinary debt 1259
Labour 997
Land Revenue 1143, 1147, 1148, 1149, 1150, 1152, 1153, 1158, 1160, 1161, 1162, 1167, 1169, 1170, 1171, 1172, 1173, 1175, 1176, 1177, 1179, 1180, 1185, 1186, 1187, 1196, 1207, 1208, 1214, 1216, 1220, 1222, 1229, 1239, 1240, 1241, 1242, 1243, 1244–57
Loans and Advances by Provincial Government 574, 575, 576, 581, 582 585, 587–88
Miscellaneous—Reserved 732
Other Provincial Works not charged to revenue 589
Payment of commuted value of pensions under 60-B 589
Payments to retrenched personnel 589
Scheduled Taxes (Reserved) 1259
Sind Irrigation Establishment 882, 893–94, 902–03
Stamps (Reserved) 1258
Superannuation allowances and pensions 808
Tobacco Establishment 733, 734–35, 737, 738, 739, 740, 742, 744, 746, 748, 754–56, 757, 758, 759, 760, 761, 764, 766, 768, 776, 777
Village Panchayats : Grant for, ... 791, 792
Finance Committee : Election of a representative for, : Motion regarding. 1934
Pandharpur Municipal Eleection Rules : Motion regarding, .. 1424–25, 4429

PAGES

Ghulam Hussain, the Honourable Sir—contd.
Railway Advisory Committees, election of representatives for, motion regarding 1393
Resolution regarding—
Central Board for primary and secondary education 1591–92
Recruitment to Government Service 1636–45
Vakil, late Sardar Sir Rustom 1565
Supplementary Grants—
Betting tax for 1932–33, payment to Secretary, Western India Turf Club, for collection of 562
Commutation of pensions financed from ordinary revenue .. 567
Commuted value of pensions charged to Capital 567
Flood Relief—Expenditure on 538
Government House, Ganeshkhind—Electric Installation at—Change-over to Poona Electric Supply Co.'s Mains 571
Mayor's Earthquake Relief Fund Committee—Grant-in-aid to .. 565
Miscellaneous—Provincial (Reserved)—Expenditure under .. 562
Retrenched Personnel—Gratuities to 1478
Do. do. —Leave salaries and travelling allowances of .. 567
Stamp duty, refund of, on a deed of exchange of lands 1478
Superannuation allowances and pensions 565–66

Ghulam Nabi Shah, Khan Bahadur—
Demands for Grants—
Agriculture 1125
Civil Works (partly reserved and partly transferred)—Tolls .. 856–57
Land Revenue 1154–56

Gilder, Dr. M. D.—
Bills—
Rent Restriction Bill 1308–10
Budget, general discussion of 289–90

Gokhale, Mr. L. R.—
Bills—
Finance Act Amendment Bill 450–54
Prevention of Gambling Act Amendment Bill 340, 341
Rent Restriction Bill 1303–08, 1318
Sind Incumbered Estates Act Amendment Bill 344–45
Budget, general discussion of 254–58
Demands for Grants—
Deccan Irrigation Circle 873–76
Labour 996–99
Land Revenue 1176–82
Stationery and Printing 796
Tobacco Establishment 735, 738, 743–48, 753, 755
Village Panchayats, grant allotted for 783–85, 786, 787
Questions 500, 1043
Supplementary Grants—
Co-operative Societies, Special Recovery Officers for 530–32
Panchgani Town Planning Scheme—Expenditure on 561

Governor, His Excellency the—
Address of — to the Council 30–34

Greaves, Mr. J. B.—
Bills—
Finance Act Amendment Bill 483–84
Budget, general discussion of 266–68
Demands for Grants—
Civil Works (partly reserved and partly transferred)—Tolls .. 833–34, 861–62, 866
Oath of office 25

G—concld.

PAGES

Green, the late Mr. S. A. C.—
Reference to the death of 78

Gudi Padwa Holiday 1260–63

H

H. O. H. Fete : Garden Party by Minister on 23rd February 1934, earlier closing of the House for 198

Humphrey, Mr. John—
Bills—
Finance Act Amendment Bill 463, 478–81, 487, 488
Demands for Grants—
Civil Works (partly reserved and partly transferred)—Tolls .. 838–39
Sind Irrigation Establishment 915–17
Questions 29, 35, 88–89, 440

J

Jog, Mr. V. N.—
Bills—
Devadasis Bill 1340–42, 1345, 1351
Budget, general discussion of 271–75
Demands for Grants—
Bombay Development Scheme (Town duty on cotton) 821–22
Civil Works (partly reserved and partly transferred)—Tolls .. 849
Irrigation Works : Lloyd Barrage and Canals Constructon .. 661–62
Land Revenue 1210–13
Loans and Advances by Provincial Government 577–79
Resolution regarding—
Recruitment to Government Service 1618
Supplementary Grants—
Co-operative Societies—Special Recovery Officers for 528–29

Jones, Major W. Ellis—
Bills—
Maternity Benefit Act Amendment Bill 1403–04
Budget, general discussion of 251–54
Demands for Grants—
Bombay Development Scheme (Town duty on cotton) 808–12, 832

K

Kadri, the late Mr. J. S.—
Reply of Brother to reference made in Council 26

Kale, Rao Bahadur R. R.—
Bills—
Devadasis Bill 1348–49, 1353–54, 1355
Finance Act Amendment Bill 473–75, 477
Budget, general discussion of 113–18
Demands for Grants—
Village Improvement Scheme—Expenditure regarding 1057
Questions 173, 1432–38
Resolution regarding—
Central Board for primary and secondary education .. 1566, 1592–97, 1598, 1599, 1600
Vakil, late Sardar Sir Rustom 1563
Supplementary Grants—
Village Improvement Scheme—Expenditure on 540–41

PAGES

Kamat, Mr. B. S.—
Adjournment Motion regarding—
Government of India's taxation proposals, effect on Bombay Presidency 659, 672–79
Bills—
Maternity Benefit Act Amendment Bill 1402–03, 1404
Rent Restriction Bill 1291–1303, 1317
Budget, general discussion of 148–53
Demands for Grants—
Bombay Development Scheme (Town duty on cotton) 823–24
Labour 992
Land Revenue 1230–31
Questions 1273
Resolution regarding—
Central Board for primary and secondary education .. 1579, 1580, 1592, 1594, 1597
Vakil, late Sardar Sir Rustom 1561–62
Supplementary Grants—
Fisheries Development Scheme 563
Sugar-making process by open pan process 561
Village Improvement Scheme—Expenditure on 550–53

Kambli, the Honourable Dewan Bahadur S. T.—
Adjournment Motion regarding—
Government of India's Budget proposals, effect on Bombay Presidency 679
Bills—
Primary Education Act Amendment Bill 1498, 1499, 1504, 1507
Budget, general discussion of 244, 284–89
Demands for Grants—
Agriculture 1115, 1118, 1119, 1121, 1122, 1125, 1130, 1134, 1136–39
Backward Class Officer's Establishment 1046–48, 1049
Education (Transferred) 1259
Excise (Transferred) 1258
Industries (Transferred) 1069, 1070, 1080, 1081, 1112–15
Miscellaneous Departments (Transferred) 1025–40, 1043–69
Registration (Transferred) 1258
Scientific Departments 1259
Village Improvement Scheme—Expenditure regarding .. 1056, 1068–69
Motion regarding—
Backward Class Board, election of representatives for 1393
Resolution regarding—
Central Board for primary and secondary education 1574, 1575, 1576, 1582, 1585, 1586, 1587, 1591, 1596, 1597–1607
Vakil, late Sardar Sir Rustom 1565
Supplementary Grants—
Co-operative Societies—Special Recovery Officers for .. 527, 528, 530, 536–538
Fisheries Development Scheme—Expenditure regarding 562–63
Maharashtra University Conference—Expenditure on 560
Regional Committee for the Exhibition of Modern Indian Art in London 522
Sugar-making process by open pan processs 561, 562

Karbhari, Mr. M. M.—
Bills—
Devadasis Bill 1345
Land Revenue Code Amendment Bill 1359
Sind Incumbered Estates Act Amendment Bill 355
Budget, general discussion of 138–44

K—concld.

PAGES

Karbhari, Mr. M. M.—contd.
Demands for Grants—
Agriculture 1127
Land Revenue 1233–34
Village Improvement Scheme—Expenditure regarding .. 1053–54, 1057, 1060–61, 1067
Questions 36, 60, 89, 313–16, 414, 505, 1277, 1486–90
Resolution regarding—
Central Board for primary and secondary education 1607, 1608
Supplemenatary Grants—
Co-operative Societies—Special Recovery Officers for 532–33
Village Improvement Scheme—Expenditure on 539–40

Kennedy, Mr. T. Sinclair—
Demands for Grants—
Lloyd Barrage and Canals Construction: Plant Division .. 600
Sind Irrigation Establishment 917–18

Khuhro, Khan Bahadur M. A.—
Bills—
City of Bombay Municipal Act Amendment (Cotton Town Duty Abolition) Bill 1458–60
Demands for Grants—
Land Revenue 1163–74

Knight, Mr. H. F.—
Oath of office 1143

Kulkarni, Rao Saheb P.D.—
Bills—
Bombay City Municipalities Act Amendment Bill 1357
District Municipal Act Amendment Bill 1356
Rent Restriction Bill 1319
Demands for Grants—
Deccan Irrigation Circle 866–69, 876–77, 879
Industries (Transferred) 1097–1103
Irrigation Works (except Lloyd Barrage) 709–714, 720
Land Revenue 1223–26
Stationery and Printing 794–96, 797
Pandharpur Municipal Election Rules, Motion regarding .. 1417–21, 1425–27
Questions 38–39, 92–95, 174–77, 316–33, 415–23, 506, 969–972, 1278, 1438–40, 1490–92, 1519–23
Supplementary Grants—
Mayor's Earthquake Relief Fund Committee—Grant-in-aid to .. 563–64
Regional Committee for the Exhibition of Modern Indian Art in London 522–23

L

Lane, Mr. C. M.—
Demands for Grants—
Civil Works (partly reserved and partly transferred)—Tolls .. 842–45
Deccan Irrigation Circle 873
Irrigation Works (except Lloyd Barrage) 727–28
Irrigation Works (Lloyd Barrage and Canals Construction) .. 697–701, 702
Lloyd Barrage and Canals Construction: Plant Division .. 604
Sind Irrigation establishment .. 888, 892, 895–97, 913, 914, 923, 925, 926, 927, 932
Oath of office 1266
Supplementary Grants—
Begari Canals, Improvements to 570
Irrigation Works, additional expenditure on 1480

L—contd.

PAGES

Lely, Mr. W. G.—
Adjournment motion regarding—
Government of India's taxation proposals, effect on Bombay Presidency 659, 660, 680–81
Bills—
City of Bombay Municipal Act Amendment (Cotton Town Duty Abolition) Bill 1456–58
Budget: General discussion of— 198–203
Demands for grants—
Bombay Development Scheme (Town Duty on Cotton) 830

M

Mackie, Mr. A. W. W.—
Budget: General discussion of— 207–08
Oath of office 25

Madan, Mr. J. A.—
Oath of office 1513

Maxwell, Mr. R. M.—
Oath of office 1266

Mayor's Garden Party to His Excellency the Governor—Earlier closing of the House for— 113, 197–98

Mehta, Mr. M. H.—
Budget: General discussion of— 232–35
Demands for grants—
Civil Works (partly reserved and partly transferred)—Tolls .. 857–58
Questions 61, 96, 177–80, 1542–45

Meningitis, Cerebro-spinal—Statement regarding— 911–12, 988

Ministry, reconstitution of, Address to His Excellency the Governor *re* .. 1360–90

Mitha, Mr. Mahomed Suleman Cassum—
Bills—
City of Bombay Municipal Act Amendment (Cotton Town Duty Abolition) Bill 1449–52
Finance Act Amendment Bill 482–83
Rent Restriction Bill 398–99, 406
Budget: General discussion of— 258–60
Demands for grants: Bombay Development Scheme (Town Duty on Cotton) 816–18, 820

Modak, Rev. R. S.—
Bills—
Maternity Benefit Act Amendment Bill 1407
Rent Restriction Bill 1310
Resolution regarding Recruitment to Government service .. 1624–26

More, Mr. J. G.—
Bills—
Primary Education Act Amendment Bill 1502
Demands for grants—
Land Revenue 1213–15
Tobacco establishment 733, 734, 735, 737, 738, 739
Village Improvement Scheme—Expenditure regarding, .. 1054–57
Pandharpur Municipal Election Rules—Motion regarding, .. 1419, 1422–24
Questions 98, 333–36, 423, 987–88

N

PAGES

Naik, Sardar Rao Bahadur B. R.—
Bills—
City of Bombay Municipal Act Amendment (Cotton Town Duty Abolition) Bill 1452–53
Finance Act Amendment Bill 469–73
Budget : General discussion of— 118–24
Demands for grants—
Agriculture 1127–31
Backward Class Officer's establishment 1038, 1039
Bombay Development Scheme (Town Duty on Cotton) 818–21
Civil Works (partly reserved and partly transferred)—Tolls .. 841–42, 846
Civil Works (partly reserved and partly transferred) 943–46, 952
Irrigation Works (except Lloyd Barrage) 718–19
Irrigation Works (Lloyd Barrage and Canals Construction) 660–61, 662–64, 704
Land Revenue 1143–54, 1159, 1189, 1190, 1238–44, 1252
Loans and Advances by Provincial Government .. 574–76, 584–87
Sind Irrigation establishment 912–14
Village Improvement Scheme—Expenditure regarding 1065
Village panchayats—Grant for— 779–80, 791–93
Resolution regarding—
Central board for primary and secondary education 1586–91
Vakil, late Sirdar Sir Rustom 1564
Supplementary grants—
Co-operative societies : Special recovery officers for, ... 527–28
Sholapur–Osmanabad Road : Asphalting of, ... 526
Village Improvement Scheme : Expenditure on, ... 555–57

Navle, Rao Bahadur N. E.—
Budget : General discussion of— 242–46
Demands for grants—
Deccan Irrigation Circle 869–71
Village Improvement Scheme : Expenditure regarding— 1061–63
Questions 63, 1546
Resolution regarding—
Central board for primary and secondary education 1577–79
Vakil, late Sirdar Sir Rustom 1563
Supplementary grants—
Co-operative societies : Special recovery officers for, ... 529, 534

O

Owen, Mr. A. C.—
Resolution regarding—
Vakil, late Sirdar Sir Rustom 1563

P

Pandharpur Municipal Election Rules—Statutory motion regarding, .. 1417–28

Panjabi, Mr. K. L.—
Oath of office 969

Parulekar, Rao Bahadur L. V.—
Bills—
Land Revenue Code Amendment Bill 1358
Demands for grants—
Agriculture 1119–22, 1135, 1139
Industries (Transferred) 1077–82
Questions 1546–50

Patel, Khan Bahadur A. E.—
Bills—
Sind Incumbered Estates Act Amendment Bill 347
Demands for grants—
Tobacco establishment 756, 757, 758
Questions 63–64, 1550

P—contd.

PAGES

Patel, Mr. Bhailal Sarabhai—
Bills—
Sind Incumbered Estates Act Amendment Bill 347
Budget : General discussion of— 144–48
Demands for grants—
Civil Works (Partly reserved and partly transferred)—Tolls .. 848–49
Land Revenue 1235–37
Tobacco Establishment 776–77
Oath of office 25

Patel, Mr. C. N.—
Address to Governor regarding reconstitution of Ministry 1373–75
Adjournment motion regarding—
Government of India's budget proposals, effect on Bombay Presidency 688–89
Bills—
Finance Act Amendment Bill 443–45, 493, 494–95, 518
Budget : General discussion of— 124–28, 266
Demands for grants—
Land Revenue .. .. 1192–95, 1199—1200
Tobacco Establishment 748–54, 755

Patel, Khan Bahadur Vali Baksh A.—
Oath of office 25
Questions 65, 1550–53

Patil, Dewan Bahadur D. R.—
Address to Governor regarding reconstitution of Ministry 1368–69
Budget : General discussion of— 203–08
Demands for grants—Loans and Advances by Provincial Government 579, 580, 581

Patil, Mr. N. N.—
Bills—
Rent Restriction Bill 1290–91
Demands for grants—Loans and Advances by Provincial Government 583–84
Questions 66, 181–82, 1553–54

"Pearson's Magazine"—Article in — 1560–61

Petit, Mr. J. B.—
Address to Governor regarding reconstitution of Ministry .. 1360, 1362, 1375–83
Adjournment motion regarding—
Government of India's budget proposals, effect on Bombay Presidency. 682–84
Bills—
City of Bombay Municipal Act Amendment (Cotton Town Duty Abolition) Bill 1453–54
Finance Act Amendment Bill 454–62
Maternity Benefit Act Amendment Bill .. 1399–1401, 1414–15, 1416
Rent Restriction Bill 380–87, 1308–1309, 1315
Budget : General discussion of— 128–33
Demands for grants—
Bombay Development Scheme (Town Duty on Cotton) 812–15
Civil Works (partly reserved and partly transferred)—Tolls .. 834–35
Industries (Transferred) 1075–77
Labour 1003–08, 1014
Sind Irrigation Establishment 889, 893, 895, 897–900, 906, 907
Questions 42, 182–83, 425, 507, 972–78
Resolution regarding—
Central Board for primary and secondary education 1582–84
Vakil, late Sirdar Sir Rustom 1363

Petition from Thar Parkar Zamindars—Presentation of— 658

P—contd.

PAGES

Pradhan, Rao Bahadur G. V.—
Bills—
Devadasis Bill 1347
Maternity Benefit Act Amendment Bill 1402
Sind Incumbered Estates Act Amendment Bill 349–51
Demands for grants—
Land Revenue 1205–08
Sind Irrigation Establishment 907
Tobacco Establishment 735–37, 758–64
Questions 507, 1278

Prater, Mr. S. H.—
Bills—
Rent Restriction Bill 394–95
Demands for grants—
Industries (Transferred) 1072–75

President, the Honourable the—
Rulings of—
Adjournment Motion—
Procedure—
An adjournment motion can continue from 4 o'clock to 6 o'clock and not one minute after that. No additional motion can be made for the adjournment of the House or of the debate before the adjournment motion under discussion is disposed of . 660
Bills Generally—
Amendments to Bills—
An amendment seeking to introduce a totally different classification, based on a principle different from the one on which the bill is based, is not within the scope of the bill and is, therefore, out of order 1506–07
Discussion of Bills—
When a taxation bill is before the House, it is in order to refer to certain grievances which should be remedied before such taxation is asked for, but a matter of a general nature such as land revenue policy or its administration and the manner how it works in the various branches, is not a matter which is relevant when the taxation bill under consideration does not specifically refer to land revenue 447
When a taxation bill amending a Finance Act is before the House, reference to such matter as the general financial condition may be relevant. But it would not be relevant to refer to a grievance about non-supply of documents or orders issued by Government 448
Power of Council regarding Bills—
When a taxation bill amending a Finance Act which affects or deals with various Acts is before the House for amendment, only those portions of such Acts which are included in the Finance Act are before the House 449
Bills—
Notice—
If a bill is published late, say a week before discussion, and there is hardly any margin of time left for members to table amendments, objection on the score of time or want of sufficient notice can be waived at the discretion of the President 1465
Leave to introduce and introduction—
Only a brief statement, not a lengthy speech, should be made when introducing a bill 1358
First reading—
What are amendments of principle :
If an amendment affects the principle of the bill and considerably extends its scope, it should be considered at the first reading as affecting the principle of the bill .. 1340

PAGES

President, the Honourable the—contd.
Rulings of—*contd.*
Bills—*contd.*
Translations of Bills and Select Committees' Reports—
Copies of translations are only sent to those members who ask for them and it should not be assumed that because a translation is made it will be sent to members without their asking for it 1412
Budget—
Presentation of Budget—
Rules as regards presenting the budget explained 1067-68
Demands for grants and Cut Motions—
Cut Motions:
Motions for cuts cannot suggest an increase in the demand that is being made, nor can a member suggest any alteration in the destination of an item of demand. Therefore, the criticism must only be confined to the omission of a demand for a grant for the next year 782
A motion for a cut may also include non-votable items, but it will not operate so as to reduce the amount of such items 882
Rules as regards motions for cuts explained 892-93
Rules regulating discussion on Demands for Grants—
General principles:
Members may, as a special case only, speak on a whole demand when it is finally put to the House, although no cut motion was tabled 558, 728-29
Debate procedure:
When a particular item is under discussion, it is not in order to go over the whole of the main estimates of which that particular item forms a part 592
A member has a right to speak when a cut motion which is in his name comes up for discussion. He should be prompt in exercising that right and should take up the opportunity of speaking then. If he misses that opportunity, he cannot speak on that motion except by way of a reply 594
Supplementary Estimates—
General:
All supplementary grants should first be placed before the Finance Committee before they are placed before the House 565
New Service:
Where an item is already in the budget, the question of a new service does not arise 1068
Debate procedure:
Debate procedure explained 542, 547, 557, 559, 560

Committees—
After the ballot boxes containing the voting papers are removed out of the House for being scrutinised, no more voting papers can be issued 1509

Council Etiquette—
Members or Ministers should stand in their places while answering questions 86

Debate Procedure—
Right of speech—
A member has a right to speak when a cut motion which is in his name comes up for discussion. He should be prompt in exercising that right and should take up the opportunity of speaking then. If he misses that opportunity, he cannot speak on that motion except by way of a reply 594
Technically and constitutionally, members are entitled to speak after a Government Member has spoken if that Government Member has done so merely by way of intervening in the debate and not by way of reply 594, 595

P—contd.

PAGES

President, the Honourable the—contd.
Rulings of—*contd.*
Debate Procedure—*contd.*
Second speech—
After a Government member gives a reply to points raised in a discussion, ordinarily he has no right of a second speech, but if any technical points are raised thereafter by members speaking after him, he may be given a chance of speaking again in order to reply to those technical points 1124-25
Finance Bill Debate—
When a taxation bill is before the House, it is in order to refer to certain grievances which should be remedied before such taxation is asked for, but a matter of a general nature such as land revenue policy or its administration and the manner how it works in the various branches, is not a matter which is relevant when the taxation bill under consideration does not specifically refer to land revenue 447
When a taxation bill amending a Finance Act is before the House, reference to such matter as the general financial condition may be relevant. But it would not be relevant to refer to a grievance about non-supply of documents or orders issued by Government 448
When a taxation bill amending a Finance Act which affects or deals with various Acts is before the House for amendment, only those portions of such Acts which are included in the Finance Act are before the House 449
Adjourned Debate—
If a resolution is moved at one session and adjourned to the next session, the mover of the resolution (if he has already spoken at some length in moving it) cannot make a second speech at such next session, except for replying to the debate 1566
General—
If any matter such as a wage cut is pending adjudication between millowners and labourers, it would not be proper for the Council to discuss it although it is not actually *sub judice* in a court of law .. .. 1013 (*See* p. 992 also.)
Debate Etiquette—
The rule that when a member makes certain points in his speech, he should be present in the House to hear replies that may be made to them by members on the opposite side, applies both to official as well as non-official members 1139
Documents and Correspondence: References to—
The practice regarding the supply of the copies of Acts to members is that when there are any particular Acts before the House for amendment, copies of those Acts are made available to members in the House. Other Acts which are not specifically under consideration by the House are not kept in the House, but can be had by the members from the Council Library 426
President—
As the Chair has to regulate the debate, the speeches should be made loud enough to be properly heard by the Chair as well as by the rest of the House 1362
Questions—
Subject Matter—
No question should be asked in regard to a matter about which information can be had from sources available to a member .. 106
If an individual has a grievance, such individual may approach Government in an ordinary manner. The procedure by way of interpellation is not a proper procedure 500
Replies—
The replies to questions must be accepted as they are given. It is immaterial if, according to the member's point of view, they are not satisfactory 56
General—
Members or Ministers should stand in their places while answering questions 86

P—concld.

PAGES

President, the Honourable the—concld.
Rulings of—*concld.*
Questions—*contd.*
General—*contd.*
The publication of questions (in the Press, etc.) without their replies is not a fair and proper practice, and should not be followed, as far as possible .. ..
Although a question is admitted by the President and sent to the department of Government concerned, it is open to the department to point out to the President subsequently that the question appears inadmissible for reasons which may not be known to the President when it was admitted, e.g. that the matter was *sub judice*, and, if the President agrees with the department, the question has to be disallowed, although it was admitted in the first instance. The publication of questions without their answers, is, in those circumstances, a very awkward and undesirable practice. It is, therefore, best to establish a convention (as in the House of Commons) that until the questions are answered in the House, they should await publicity in the Press 1534–36, 1537, 1538
Resolutions—
Adjourned Debate—
If a resolution is moved at one session and adjourned to the next session, the mover of the resolution (if he has already spoken at some length in moving it) cannot make a second speech at such next session, except for replying to the debate .. 1566
Speeches—
As the Chair has to regulate the debate, the speeches should be made loud enough to be properly heard by the Chair as well as by the rest of the House 1362
Unparliamentary words and Expressions—
"False", e.g., "false observation", "false statement" .. 534, 1208
Miscellaneous—
The practice regarding the supply of the copies of Acts to members is that when there are any particular Acts before the House for amendment, copies of those Acts are made available to members in the House. Other Acts which are not specifically under consideration by the House are not kept in the House, but can be had by the members from the Council Library 426

Prorogation of the Council 1646

Q

Question regarding—
Aborigines and wild tribes in Thana District—
Agricultural training for, ... 37
Concession to, by Forest Department 313–16
Education of, ... 505
Water supply and medical relief for, ... 89
Agricultural—
College—
Admission of intermediate and backward class students .. 1485
Appointment of Assistant Professor of Chemistry in, ... 330–33
Department—
Provincial service appointments, names, castes, etc., of, .. 637–40
Recruitment from backward classes 1494
Schools—
Inspector of, retention of post of, ... 969–70
Ahmedabad—
Municipality and revenue authorities: arrangement regarding building permission 100
Sholapur, Bombay and, textile mills in: Dining and bathing places. .. 305
Ahmednagar: Plague 1546
Ambegaon Peta, Mahalkari of, action against 63
American cotton futures, gambling in, ... 978–80

Q—contd.

PAGES

Question regarding—contd.
American futures and Goa lotteries 367–69
Amod (Broach District) village panchayat : Election, ... 1550
Aravli, election of depressed class members on local board school committee of, ... 1431
Assistant Inspector of Schools, Northern Division, reasons for creation of post of, ... 175
Audit service for local bodies, co-operative societies, jails, etc. .. 1432
Backward classes—
Recruitment to the Agricultural and Co-operative Departments, .. 1494
Students of—
Admission to Government High Schools and Colleges 1484
Admission to Veterinary and Agricultural Colleges, ... 1485
Bankot harbour : Silting of, ... 1546
Belgaum—arrests of Messrs. Kulkarni, Udmale and Kale 517
Bhils in Panch Mahals, relief of distress owing to failure of crops in 1933 .. .. 177–80, 185–87
Bombay—
Ahmedabad, Sholapur and, textile mills in : Dining and bathing places 305
Board of Film Censors, rules regarding 56
City—
Anti-venereal clinics 48
Beggars in, ... 1284
Conveyances, horse drawn and motor, public and private, number of, ... 190
Cotton duty in, ... 425
Exemption from riot tax in, ... 1440
Farriers, trained, lack of, ... 193
Hawker nuisance in, Government action for abatement of, .. 191
Pimps in, number of, convicted and deported in 1931-32 & 1932-33 189
Taxi and victoria fares in 1284
Medical Service, castes of temporary officers in, ... 1446–47
Municipality, measures taken by, for dealing with unlicensed hawkers, etc. 193–96
Northbrook Gardens, use of, ... 54
Police Courts, delay in disposal of cases 42
Police Courts, touts in, ... 1440–41
Public Conveyances Act, 1920, licensing of horses for hack victorias .. 191
Rajputana Road, probable date of completion of, ... 649
Small Cause Court—
Commissions to examine witnesses : distribution among relatives of judges 181
Decisions, provision for appeals to High Court from, ... 182
Judges, off days 41
Judges and Presidency Magistrates : late attendance in courts .. 181
New sources of revenue in, ... 40
University Act, amendment of, ... 975–78
"Bombay Samachar", action taken against, for publishing an article attacking the Prophet of Islam 1560
Boundary marks, construction of 78
Broach—
District—
Audit fees in, ... 64
Delay by magistrates in releasing accused on bail 1551
Kavi and Broach stations, accommodation in trains between, .. 652
Narbada river, old railway bridge, opening of, for public, .. 649
Budget, publication of figures by the "Times of India" before they were made public 1521
Butter, adulteration of, measures to remedy the evil of, ... 980
C.I.D., expenditure on, ... 306–09
Central Division—
Co-operative Societies, objects of, ... 517
Primary schools receiving special treatment re : grants, number of, .. 614–16
Chitnises and Head Clerks to Collectors, community of, ... 1286
Civil disobedience movement (*See* under "Political Prisoners") .. ....
Civil Resisters, withdrawal of mass civil disobedience .. 516

Q—contd.

Question regarding—contd. PAGES
Communications, Central Board of, Government's attitude towards the 89
Communications, co-ordination of means of, ... 88
Competitions in Bombay Newspapers 414
Compounders in Government aided dispensaries, grievances of, .. 1490
Compulsory Primary Education Act, Bill to amend the, ... 39
Co-operative—
Department : Recruitment from backward classes 1494
Movement, Sir Lalubhai Samaldas's article in the "Times of India" 1285
Societies—
Central Division—
Objects of, ... 517
Recovery of dues 104
Cottage beam warping and sizing machines of the Industries Department, number sold 187
Cottage industries, scheme to assist marketing of products of, .. 978
Cotton, gambling in, in Bombay City 362–64
Council questions, article in a newspaper regarding Government replies 320–22
Country liquor shops, number of, in 1933-34 507
Court-fee stamp on petitions by suspected persons against whom parade orders are passed 499
Courts, District, audit of accounts of, ... 1538
Courts in Sind : Alleged granting of gratifications 1523
Courts of Wards in Gujarat : Employment of Government pensioners 1551
Criminal Law Amendment Act, 1932, cases under 620–24
Dacoit Abdul Rahman—
Escape from police custody in Sind 112
Suspicion regarding harbouring of 365–66
Dadu. cow slaughter in, ... 365
"Daily Gazette" of Karachi and "whipping to Mr. Gandhi" .. 366–67
Dandekar, Gopal Shankar, prisoner in Yeravda Jail : Hunger strike of, 1143
Deccan—
Canals area, irrigation dues, recovery of, ... 513
College Library, disposal of, ... 1273
Dharwar District, opening of new liquor shops in, ... 984–87
Dhulia Municipality, extension of term of office of councillors .. 423
District Courts, audit of accounts 1538
District Forest Advisory Committees 1445–46
District Judges for Kanara 1485
Dohad and Jhalod Mahals, recoveries of land revenue in the, .. 96
Education, spread of, amongst Maratha community 1539
Educational—
Department, clerks in, transferred to local authorities 624–29
Service, Maratha graduates in, ... 981
Elections to Legislative Council : Participation of Mr. Imamkhan Chhotekhan, Manager of Thanor Estate 1552
Electrical installation in factories, fees for inspection of, ... 972–75
Electricity duty, statistics of amounts collected in all cities from October 1932 to March 1933 652–54
European schools in the presidency, number and location of, .. 333–35
Excise Department—
Depressed classes, recruitment from, ... 102
Muslim representation in, ... 63
Recruitment of backward classes to, ... 107
Factories—
Closure of, ... 439
Electrical installation in, fees for inspection of, ... 972–75
Farrow, Mr., Excise Superintendent, change in birth date of, .. 1545
Gandhi, Mr., "whipping of" and "Daily Gazette" of Karachi .. 366–67
Gangoli, Mr. G. S., Address of, to His Excellency the Governor re : the holding of Council sessions 42
Ghar Canal, closing of, ... 434
Ghode and Ambegaon Koli boardings, superintendents' posts .. 48
Goa lotteries and American futures 367–69

Q—contd.

PAGES

Question regarding—contd.
Godhra—
Appointment of honorary assistant Government Pleader 1550
District and Sessions Court : public grievances 1544
Taluka : Recovery of rents from tenants of inam villages .. 1542
Gold thread machine invented by Director of Industries : number sold 188
Government high schools, Persian teachers in, ... 50
Government high schools and colleges : admission of intermediate and backward class students 1484
Government servants, collections of subscriptions by, for activities in which they are interested 369
Grant Medical College : Admission of intermediate and backward class students 610
Grazing, free, grant of, ... 642
Gujarat—
Railway passengers, grievances of, ... 65
Sub-inspectors of Police, transfers of, ... 65
Gulabchand Doshi of Pandharpur, parole order against 1285
Handloom weavers, unemployment among, ... 369-70
Haris in Sind : Training in agriculture 644
Harrison, Sir Charlton, calculations of, regarding the working of the Barrage 72
Head Clerks and Chitnises to Collectors, community of, ... 1286
High Court Funds 507
Honavar-Kumta road 1517
Housing Societies, loans to, ... 107
Hubli private hospital, Government grant to, ... 983
Hyderabad—
Conveyance drivers, grievances of, ... 59
Government High School, proposed transfer to Moslem Educational Society 430
Sessions Court—
Criminal cases in, engagement of civil practitioners 1531
Crown *vs.* Lakhano : Engagement of pleaders for pauper accused .. 1532
Distribution of Crown cases 1531
Distribution of pauper sessions cases 1528
Postponement of cases by Sessions Judge 1530
Tulsibai's abduction case : Fees to Public Prosecutors .. 1531
I.C.S. Week, ... 1273
Imam Khan Chhotekhan, manager of Thanor Estate : Participation in elections to the Legislative Council 1552
Inam and other tenures, Manual of, ... 39
Inam villages—
Holders of, right to vote for Council elections 629-35
Godhra taluka, recovery of rents from tenants 1542
Local fund cess, collection from, cancellation of Government Resolution, General Department, No. L.C. 2274 of 24th June 1926 .. 173
Indian I. C. S. Officers in the Presidency, number of, ... 105
Industries Department, abolition of, ... 515
Inferior village officers, register of warnings and punishments .. 95
Intermediate class students' admission to—
Government high schools and colleges 1484
Veterinary and Agricultural Colleges 1485
Irrigation, revenue derived in Nasik district from, ... 1538
Jambusar and Kavi, railway passengers from, inconvenience due to non-stoppage of trains at Kantharia 651
Japanese system of education, Indian I.E.S. Officer's study of, and report on, ... 173, 980-81
Joshi, Mr. G. V., Huzur Deputy Collector, Ahmednagar, reasons for continuing in one district for over ten years 610
Judges in Sind, prohibition to try certain cases 1527
Judicial Commissioner's Court in Sind—
Complaints against Mr. Rupchand Bilaram, Additional Judicial Commissioner 1524
Irregularities in procedure 1527

Q—contd.

Question regarding—contd. PAGES
Judicial Department, recruitment to, from backward classes .. 51
Juvenile Smoking Bill for Bombay Presidency 104
Kanara—
Bridging of ferries in, ... 969
Civil Surgeons, frequent transfers of, ... 413
Damage due to heavy rains in 311–13
Damage to crops and destruction of cattle by wild animals .. 1514
District—
Cases under the Special (Emergency) Powers Act 611–14
Judges 1485
Siddapur taluka, land revenue, forfeitures and sales of property for recovery of, ... 1270
Spice gardeners, depopulation of 1268
Forest coupes in, contracts for 85
Forest Department roads 1431
Land revenue assessment 1516
Public Works Department roads 1516
Roads and bridges, state of, ... 1518
Karachi—
Bus traffic in, ... 1441–43
Civil Hospital, Dr. Bhatt's refusal to admit a dying patient .. 66
Municipal Bill, select committee's place of meeting 102
Panjrapole, grant of lands to, ... 336–39
Kavi and Broach stations, accommodation in trains between .. 652
Kavi and Jambusar, railway passengers from, inconvenience from non-stoppage of trains at Kantharia 651
Keamari Indian village, new houses and latrines in, ... 68
Keshudas Tulsidas, supervising tapedar, Upper Sind Frontier—
Newspaper articles on 655
Punishment for avoiding to mention in the returns all landed properties acquired by him 1555
Khaddar and Khadi caps in Kanara, use of, ... 28
Khopoli Talav, Hindu idols, removal of, ... 500
Kharepatan, port of, rest house etc., at, ... 94
Khoti inam villages, name of, to which Khoti Act of 1880 has been applied 316–17
Kolaba District: Relief to agriculturists 1553
Kolaba and Thana districts, assessment for rice lands 66
Koli villages having no schools in Poona district 364–65
Kumta-Honavar road 1517
Kumta Municipality, house-tax, reduction by 611
Land Records Department, Central Division: employment of non-Brahmins 1540
Land revenue assessment in Kanara 1516
Listed posts, appointment of members of Bombay Civil Service to .. 305–06
Lloyd Barrage Audit Office, Muslim interests in, ... 71
Local authorities and school boards, difference of opinion 438
Local fund cess, collection from inam villages, Government Resolution, General Department, No. L.C. 2274 of 24th June 1926, cancellation of, ... 173
Lower Sind, water scarcity in, construction of barrage or weir for, .. 655
M. L. Cs.—
Appointment as public prosecutors 1439–40
Grant of titles to, ... 1491
Grant of honorary magistrateships 1492
Nomination on local boards 1551
Magistrates—
Broach District, delay in releasing accused on bail 1527
Sind, prohibition to try certain cases 616
Mahableshwar, potato crop, deterioration of, Government action regarding, ... 981
Malwan City Survey 1539
Maratha graduates in Educational Service 1539
Marathas, spread of education amongst 1539

Q—contd.

PAGES

Question regarding—contd.
Marathi primary schools, syllabus of arithmetic in 322–24
Massage Institutes in Bombay City 105
Medical relief to villages 983
Meningitis, Cerebro-spinal, prevalence of, in Ahmedabad 1559
Mirpurkhas : Government high school building, construction of .. 644
Motor accidents, compensation 1443
Motor registration and driving licenses, revenue from 336
Nandgaon taluka (Nasik District)—
Grazing fees, reduction in 641
Grazing fees, increase in, representation regarding 640
Narbada river at Broach, old railway bridge over, opening for public .. 649
Nasik—
City, water supply scheme for, Government action regarding .. 190
Collector's Office, appointments in 1445
District—
Appointments in courts in 1443–44
Irrigation dues received in 1538
Local Board—
Attitude of neglect of Urdu schools on the part of .. 93
Special grants for water supply to 1446
Teachers and mistresses 109
Urdu schools, 4th standard certificates : malpractices .. 92
Vesting of tanks, wells and roads in 106
School Board—
Claim of members residing outside district to travelling allowance 635
Hiring of bungalows from members of school board .. 176
Number of clerks with caste, qualifications, etc. in .. 370–72
Water rates in, remissions of 109
Non-Brahmins : employment of, in Land Records Department, Central Division 1540
Official Assignee, Bombay, delay in distribution of insolvents' moneys .. 1283
Official publications, supply of, to M. L. Cs. 970–71, 987–88
Oriental Translator to Government—
Abolition of post of 656
Qualifications, duties, etc. of 656
Panch Mahals District, inam villages in, recovery of amounts allowed as *Kadim Haks* 61
Pandharpur, Agricultural Exhibition at 420
Parmanand, Mr., as Acting Public Prosecutor for Sind 1532
"Pearson's Magazine": Confiscation of copies containing article attacking the Prophet of Islam 1560
Persian teachers in Government high schools 50, 73
Peshwa Dafter—
Handbook of 423
Permission to history students for inspection of original manuscripts of 971–72
Petrol tax, income from 60
Plague in Ahmednagar 1546
Police—
Courts, Bombay, touts in 1440–41
Department : clothing of peons 1494
Political prisoners, number, classification and terms of imprisonment of. 1492
Poona—
Cantonment, special honorary magistrates in, claims of Mahomedans for appointment 647
District—
Koli villages having no schools 364–65
Local Board—
Address to His Excellency the Governor of Bombay .. 176
Primary education scheme, refusal of sanction 506
Talatis and Patels, admonition to 38
Talatis and Patels, punished in 317–20
Untrained primary teachers in 103
Electricity Company's application for revision of rates of license as regards amount and levy of electricity charges 1043

Q—contd.

PAGES

Question regarding—contd.
Prathamopacharaks, scheme for training and distribution of school-masters as 1444–45
Presidency Magistrates, and Small Cause Court Judges, Bombay: Late attendance 181
Primary teachers, classification according to caste of 981–83
Prostitution in Bombay City and Presidency 1277
Provincial Services, constitution of committee for recruitment .. 108
Provincial Services in the transferred departments, rules regarding .. 52
Public Works Department—
Depressed classes, recruitment to 44
Roads in Kanara 1516
Publication of questions in newspapers before Government's replies are given in the Council 1533–38
Purandare, Mr. B. G., Mahalkari of Ambegaon Petha, action against .. 63
Race-course, Bombay, second enclosure, proposed abolition of .. 515
Race-course tickets supplied to Council Members, collection of Entertainments Tax on 106
Railway Companies, land granted for residential purposes to, non-agricultural assessment on 60
Ratnagiri—
District—
Court, clerical establishment 59
Court, transfer of Shirastedar 59
Creeks and ports 1547
Local Board, publication of seniority list of teachers by .. 365
Primary schools, opening of 511
Primary teachers in, leave on full pay 415
Primary teachers' grievances in 428
Relief to agriculturists 1548
School Board, teachers' complaints 429
Sub-judge's courts, sheristedars and clerks, castes of 643
Record of Rights, court-fee stamps on applications for copies of .. 94
Reorganization Committee (*See* under "Thomas Committee").
Reviews of Administration: Cost 1519
Rice producers: Relief from unfair competition 1486
Riot tax in Bombay City, exemption from 1440
Road—
Board Committee, members on 969
Development Scheme 29
Grants to district local boards, reductions in 648
Transport taxes, conversion into provincial tax .. 440
Rohri Canal—
Breaches on 74
Chanesar Regulator, mishap to 74
Division, remission of land revenue to zamindars 1556
Rupchand Bilaram, Mr., Additional Judicial Commissioner in Sind, complaints against 1524
Secondary schools, dual control of 1266
Secretariat, depressed classes, recruitment from 46
Sen, Mr. K. C., Sessions Judge, Hyderabad—
Criminal cases, entrusting of, to a civil practitioner 1531
Crown cases, entrusting of, to junior pleaders 1531
Pauper cases, distribution of 1528
Postponement of a Sessions case 1530
Tulsibai's abduction case: recommendation of maximum fees to Public Prosecutors 1531
Shikarpur, kidnapping of Hindu women in 111
Sholapur—
Bombay, Ahmedabad and, textile mills in: Dining and bathing places. 305
Dhanrajgirji Hospital at 1278
District, chapter proceedings in, Instructions of district police officers. 98
Sind—
Abduction of Hindu women in 174
Abolition of "Anki" in 70
Agriculture in, propaganda work re: inadequacy of staff for .. 644

PAGES

Question regarding—contd.

Sind—*contd.*

Courts, alleged granting of gratifications 1523
Dacoities by Abdul Rahman in Larkana and Upper Sind Frontier Districts 111
Government servants, Prohibition of acceptance of parties .. 1533–38
Judicial Commissioner's Court—
Complaints against Mr. Rupchand Bilaram, Additional Judicial Commissioner 1524
Irregularities in procedure 1527
Judicial Officers, Prohibition of acceptance of parties 1533–38
Lower, water scarcity, conference on 1279
Magistrates' attitude towards public and police prosecutors and private counsel 76
Magistrates and Judges, prohibition to try certain cases .. 1527
Mahomedan education in, Government policy regarding .. 44
Mahomedan schools, Sehwani's Sindhi readers and religious instruction 72
Medical Department, clerical appointments, recruitment of non-Sindhis 68
Moro taluka zamindari association, complaints re: transfer of agricultural land above Moro regulator 71
Police diaries in, record of statements to Police 77
Police force in, rifles for 75
Police negligence re: charge sheet under section 173 of Criminal Procedure Code 75
Primary education, expenditure on, during 1925-26, 1929-30 to 1931-32 and 1933-34 183

Small Cause Court, Bombay—
Appointment of head bailiff's son as bailiff 1555
Appointment of Mahomedans 1554
Menagerie maintained by head bailiff in court premises .. 1554

Special (Emergency) Powers Act—
Arrests in Sirsi, Kanara District 411
Cases under 620–24
Maintenance allowance to persons ordered to reside in strange areas under section 4 of 1432–34
Sub-registrar's posts: recruitment from various castes and classes .. 1493
Sugarcane research works at Padegaon, restrictions on visitors to .. 636

Surat—
District—
Police force: Reduction in 498
West Khandesh district and, illicit distillation in 53
Municipality, primary teachers' pay, reduction in 409
Suvali-Ichapur Road (Surat District): Transfer of control of .. 189
Tapedars in Sind, landed property return of 645
Teachers in Thana district 47
Technical schools—inspection by Director of Industries, expenditure for 187
Temples, list by Mr. Sakhopant Pethkare 38
Textile mills in Bombay, Ahmedabad and Sholapur: Dining and bathing places 305
Thakare's "Khara Brahmin" 27

Thana District—
Aborigines and wild tribes—
Agricultural training of 37
Concession to, by Forest Department 313–16
Education of 505
Water supply and medical relief for 89
Kolaba district and, assessment for rice lands 66
Road from Kudus to Kanchad, construction of 110
Teachers in 47
Thomas Committee's recommendations, Government action on .. 182
Titles to M. L. Cs., grant of 1439–40
Tobacco trade, effect of Bombay Act II of 1933 on 309–11

Q—concld.

PAGES

Question regarding—concld.
Tolls—
Abolition of, on roads, Government's intention regarding .. 183
Imposition of 35–36
Reimposed, right to collect, income derived from sale of .. 43
Reimposition of 52
University Act, Bombay, amendment of 975–78
Upper Sind Districts, dacoities in, particulars regarding 657
Vegetables and fruits from foreign countries, import of, statistics for years 1920–30 617–20
Veterinary College, admission of intermediate and backward class students to 1485
Village Panchayats—
Grants-in-aid to 324–30
Manner of utilizing amount of Rs. 25,000 for 1434–38
Ville Parle, buffalo stables in 1288
Vinzol (Godhra taluka), inamdars of, rent suits by 650
Visapur Jail—
Condition of 421
Prisoners in 437
Water supply for prisoners, unfitness for consumption 646
Watandar Kulkarni families: Appointments as talatis 1438
Wharfage fund 1547
Weights and Measures Act, application of 984
Yeravda—
Jail—
Hunger strike of Political prisoners 1610
Hunger strike of prisoner Gopal Shankar Dandekar 1143
Mental Hospital, Superintendent's post, reservation of .. 1267

R

Rahimtoola, Mr. Hoosenally M.—
Adjournment motion regarding—
Government of India's Budget proposals, effect on Bombay Presidency 687–88
Bills—
Finance Act Amendment Bill 490, 491
Rent Restriction Bill 399–400
Questions 42–43, 196, 336

Railway Advisory Committees—
Elections of representatives to 1510
Nominations for 1496–97

Resaldar, Mr. A. K.—
"Bombay Samachar", article against the Prophet of Islam .. 732
"Pearson's Magazine", do. do. .. 1560–61
Questions 100, 1554–55

Resolution regarding—
Central Board for primary and secondary education 1566–1608
Recruitment to Government Service 1611–46
Vakil, late Sirdar Sir Rustom 1561–66

Roose, Mr. F. O. J.—
Oath of office 25, 854

S

Serval, Mr. A. E.—
Bills—
Rent Restriction Bill 390–91
Demands for grants—
District Benevolent Society 777–78
Oath of office 25

S—contd.

PAGES

Shaikh Abdul Aziz, Mr.—
Bills—
Rent Restriction Bill 405–06
Demands for grants—
Civil Works (partly reserved and partly transferred)—Tolls .. 840
Civil Works (partly reserved and partly transferred) 942–43
Industries (Transferred) 1088–92
Labour 1008–09
Stationery and Printing 799
Supplementary grants—
Co-operative societies, special recovery officers for .. 529–30, 536, 537

Shaikh Abdul Majid, Mr.—
Bills—
Sind Incumbered Estates Act Amendment Bill 348–49
"Bombay Samachar", article against the Prophet of Islam .. 732
Budget, general discussion of 211–14
Demands for grants—
Civil Works (partly reserved and partly transferred)—Tolls .. 854–56
Irrigation Works (Lloyd Barrage and Canals Construction) .. 664–70
Land Revenue 1200–05, 1256
Lloyd Barrage and Canals Construction: Plant Division 593–94
Loans and Advances by Provincial Government 584
Sind Irrigation Establishment 892, 906, 908, 927–29
Questions 44, 66–72, 183, 336–39, 369, 1279, 1523–37
Resolution regarding—
Recruitment to Government service .. 1630–31, 1637–38, 1639, 1642
Vakil, late Sirdar Sir Rustom 1563

Shankarrao Jayaramrao Zunzarrao, Mr.—
Questions 73, 110

Sholapur Mill Disturbances, "Times of India," report on 854, 1043

Sindha, Mr. Madhavsang Jorbhai—
Questions 60

Smart, Mr. W. W.—
Demands for grants—
Deccan Irrigation Circle 871–73, 874
Land Revenue 1188–92, 1206
Oath of office 1513
Supplementary grants—
Village Improvement Scheme, expenditure on 553–54

Solanki, Dr. P. G.—
Bills—
City of Bombay Municipal Act Amendment Bill 1508
Devadasis Bill 1339, 1342–46, 1347, 1348, 1349, 1351, 1352
Primary Education Act Amendment Bill 1499–1500, 1501, 1504
Rent Restriction Bill 395–98
Budget, general discussion of 167–70
Demands for grants—
Backward Class Officer's establishment 1027–40
Bombay Development Scheme (Town Duty on Cotton) 822–23
Labour 1009–12
Stationery and Printing 799–802, 803, 804, 805, 806
Questions 44–46, 102
Resolution regarding—
Central Board for primary and secondary education .. 1567–71, 1572, 1573
Recruitment to Government service 1611–16, 1633–36, 1638, 1639, 1640, 1641, 1643, 1645, 1646
Vakil, late Sirdar Sir Rustom 1564–65

Statutory motion regarding—
Pandharpur Municipal Election Rules 1417–28

S—contd.

PAGES

Supplementary Agenda 1730–32

Supplementary grants—

Additional Assistant Director of Public Health for Central Registration District, creation of 527
Ahmedabad District Court Building, extension of pleaders' chambers .. 522
Begari Canals, improvements to 568–70
Betting tax in 1932–33, payment to Secretary, Western India Turf Club, for collection of 562
Bombay Presidency Baby and Health Week Association, cinema outfit for 563
Commutations of pensions financed from ordinary revenue 567
Commuted value of pensions charged to capital 567
Co-operative societies, special recovery officers for 527–38
Fisheries Development Scheme, expenditure regarding 562–63
Flood relief, expenditure on 538
Government House, Ganeshkhind, electric installation at, change over to Poona Electric Supply Company's mains 571
Irrigation works, additional expenditure on 1479–81
Lloyd Barrage and Canals Construction, additional funds required for .. 1478–79
Maharashtra University Conference, expenditure on 560
Mayor's Earthquake Relief Fund Committee, grant-in-aid to .. 563–65
Miscellaneous—Provincial (Reserved)—Expenditure under .. 562
Nasik Municipality, payment of grant-in-aid for Sinhast arrangements .. 538
Panchgani Town Planning Scheme, expenditure on 560–61
Regional committee for the exhibition of modern Indian art in London, grant to 522–24
Retrenched personnel, gratuities to 1478
Retrenched personnel, leave salaries and travelling allowances to .. 567
Sholapur-Osmanabad Road, asphalting of 524–27
Stamp duty, refund of, on deed of exchange of lands 1478
Sugar-making by open pan process 561–62
Superannuation allowances and pensions 565–66
Village Improvement Scheme, expenditure on 538–60
Western India Turf Club, payment to Secretary of, for collection of betting tax in 1932–33 562

Surve, Mr. A. N.—

Address to Governor regarding reconstitution of Ministry 1369–73

Bills—
City of Bombay Municipal Act Amendment (Cotton Town Duty abolition) Bill 1460–66
City of Bombay Police Act Amendment Bill 1359
Finance Act Amendment Bill 488–89, 490, 491–93, 518, 519–21
Maternity Benefit Act Amendment Bill 1405–06
Prevention of Adulteration Act Amendment Bill 1356
Rent Restriction Bill 387–90
Sind Incumbered Estates Act Amendment Bill 345–46
Budget, general discussion of 228–32

Demands for grants—
Bombay Development Scheme (Town Duty on Cotton) 824–26
Industries (transferred) 1092–96
Irrigation Works (except Lloyd Barrage) 719–20
Labour 993–96
Land Revenue 1228–30
Loans and Advances by Provincial Government 581–83
Tobacco Establishment 764–67
Questions 47–48, 102–03, 185–87, 362–65, 428–29, 511–13, 1143

Surve, Mr. V. A.—

Bills—
Maternity Benefit Act Amendment Bill 1406–07
Primary Education Act Amendment Bill 1502–04
Rent Restriction Bill 393–94

S—concld.

PAGES

Surve, Mr. V. A.—contd.

Budget, general discussion of 261–63

Demands for grants—
Agriculture 1126–27
Industries (Transferred) 1082–84, 1087–88
Irrigation Works (except Lloyd Barrage) 716–17
Land Revenue 1156–59
Tobacco Establishment 767–68
Questions 187–89, 369–70, 515
Resolution regarding—
Recruitment to Government service 1620–21

Syed Miran Mahomed Shah—

Bills—
Sind Incumbered Estates Act Amendment Bill 342–43

Budget, general discussion of 268–71

Demands for grants—
Civil Works (partly reserved and partly transferred)—Tolls .. 849–51
Irrigation Works (except Lloyd Barrage) 724–27
Irrigation Works (Lloyd Barrage and Canals Construction) .. 701–04
Land Revenue 1226–28
Lloyd Barrage and Canals Construction: Plant Division 598–600
Sind Irrigation Establishment 918–27
Village panchayats, grant allotted for 781–82
Petition from Thar Parkar zamindars, presentation of 658
Questions 74, 1555–59

Syed Munawar, Mr.—

Bills—
City of Bombay Municipal Act Amendment Bill 1337
Money-lending Business Regulation Bill 1357
Mussalman Charitable and Religious Endowments Regulation and Control Bill 1337
Rent Restriction Bill 400–02

Demands for grants—
Labour 999–1002, 1006
Questions 48–50, 104–05, 189, 515, 978, 1283–85, 1440–41

T

Talpur, Mir Bandeh Ali Khan—

Bills—
Sind Incumbered Estates Act Amendment Bill 343–44

Demands for grants—
Land Revenue 1174–76

Thakor of Kerwada (Sardar Bhasaheb Raisinhji)—

Bills—
City of Bombay Municipal Act Amendment (Cotton Town Duty abolition) Bill 1454–55
Sind Incumbered Estates Act Amendment Bill 346

Resolution regarding—
Central Board for primary and secondary education 1580
Recruitment to Government service 1626–28

Tolani, Mr. S. S.—

Bills—
Sind Incumbered Estates Act Amendment Bill .. 341–42, 351–53, 355

Demands for grants—
Agriculture 1123–24
Questions 75–77, 110–12, 365–67, 429–34, 1441–43

T—contd.

PAGES

Turner, Mr. C. W. A.—
Bills—
Maternity Benefit Act Amendment Bill .. 1394, 1395, 1407–08, 1412, 1417

V

Valshampayan, Dr. V. G.—
Budget, general discussion of 162–67
Demands for grants—
Labour 991–92
Lloyd Barrage and Canals Construction : Plant Division 595–96
Questions .. 105, 437, 516, 978–80, 1285, 1443, 1492–93
Sholapur Mill disturbances, "Times of India" report on 854, 1043
Supplementary grants—
Begari canals, improvements to 568, 569
Sholapur-Osmanabad Road, asphalting of 526–27

Vakil, Mr. Pestanshah N.—
Adjournment motion regarding—
Government of India's budget proposals, effect on Bombay Presidency. 685–87
Bills—
Finance Act Amendment Bill 481–82
Rent Restriction Bill 1312–16
Demands for grants—
Lloyd Barrage and Canals Construction : Plant Division 596–97
Sind Irrigation Establishment 905–08

Vandekar, Rao Bahadur R. V.—
Bills—
City of Bombay Municipal Act Amendment (Cotton Town Duty abolition) Bill 1455
Budget, general discussion of 218–21
Questions .. 51–53, 78, 106–09, 191–93, 370–72, 438–39, 517, 980–84, 1286, 1443–47, 1493–95, 1538–40

W

Wadke, Mr. B. P.—
Bills—
Rent Restriction Bill 1311–12
Questions 54, 193–96, 367–69, 1288
Resolution regarding—
Recruitment to Government service 1645

BOMBAY : PRINTED AT THE GOVERNMENT CENTRAL PRESS.