

17 February 1921

THE  
LEGISLATIVE ASSEMBLY DEBATES  
(Official Report)

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FIRST SESSION  
OF THE  
LEGISLATIVE ASSEMBLY, 1921



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# LEGISLATIVE ASSEMBLY.

*Thursday, 17th February, 1921.*

The Assembly met in the Assembly Chamber at Eleven of the Clock.  
The Honourable the President in the Chair.

**The Honourable the President :** Members desiring to take their seats will please advance to the table to take the Oath or affirm in the manner prescribed.

## MEMBER SWORN :

Mr. Jayanti Ramayya Pantulu Garu, M. L. A.

## QUESTIONS AND ANSWERS.

### CONDITION OF CATTLE.

**69. Mr. Manmohandas Ramji :** Have the Government received a representation from the Government of Bombay requesting them to appoint a Committee of officials and non-officials to submit a comprehensive report regarding the condition of cattle in the whole of India and the advisability of devising checks on slaughter and export of cattle generally and milch cattle in particular? If so, what action have the Government taken or what action are they prepared to take in the matter?

**Mr. J. Hullah :** The Government have received no such representation from the Government of Bombay.

### TRADE COMMISSIONER FOR EAST AFRICA.

**70. Mr. Manmohandas Ramji :** (a) When are the Government going to appoint a Trade Commissioner for East Africa?

(b) Do they, at the time of making this appointment, propose to bear in mind the recommendation of the Indian Merchants' Chamber and other bodies that the Trade Commissioner should be an Indian?

(c) At what places have the Government of India got their Trade Commissioners or commercial agents at present? How many of these are Indians?

(d) Do the Government propose to appoint Trade Commissioners in the near future in other countries? If so, what are these countries?

**Mr. C. A. Innes :** (a) It is hoped that the appointment of a Trade Commissioner for East Africa will shortly be announced.

(b) Government have carefully considered the recommendation of the Indian Merchants' Chamber and Bureau that an Indian should be appointed; but, at the request of the Indian settlers in East Africa, they have decided that the first appointment should be of a European. It will be considered whether an Indian Assistant should not be associated with him.

(c) At present the only place at which there is an Indian Trade Commissioner is London. The present incumbent is a European. He has an Indian Assistant.

(d) The appointment of Trade Commissioners in other countries is now under consideration. The Honourable Member will understand that it is necessary first to obtain the consent of the Government of the country concerned, and it is not possible at present to make any announcement.

#### LABOUR IN FIJI, BRAZIL, ETC.

71. **Mr. Manmohandas Ramji**: Do the Government propose to appoint a Commission to inquire into the conditions and labour in Fiji, Brazil and other countries, as suggested last year? If so, when is such a Commission to be appointed?

**Mr. C. A. Innes**: As regards Fiji, I invite the attention of the Honourable Member to the reply\* given on the 14th instant by the Honourable Sir George Barnes to a question asked by the Honourable Sir Maneckji Dadabhoy in the Council of State. If he has not seen it, I shall be happy to send him a copy.

2. There is no intention of sending any Commission to Brazil, nor are the Government aware that it was suggested last year.

#### SITUATION IN FIJI.

72. **Mr. Manmohandas Ramji**: (a) With reference to the following passage in the letter from Mr. C. A. Innes to the Honorary Secretary, Imperial Citizenship Association, regarding the Fiji Situation, 'They (the Government) are unable to find even *prima facie* reasons for supposing that it was handled with undue severity,' what was the evidence on which the Government arrived at this conclusion?

(b) Has the attention of the Government been drawn to letters of Mr. C. F. Andrews in the *Bombay Chronicle* regarding the situation in Fiji?

What steps, if any, were taken by the Government to verify the statements in those letters?

**Mr. C. A. Innes**: (a) The letter quoted, though it only appeared in the Press in December last, was sent to the Honorary Secretary, Imperial Citizenship Association, on the 17th September last. As is apparent from the wording of the letter, the evidence on which Government arrived at their conclusion was the Despatches published with Commerce Department's Resolution No. 4085, dated the 13th July 1920.

(b) Government has seen the letters referred to.

We at once wired to the Secretary of State, and also to the Fiji Government direct for information. We are now in correspondence with the Secretary of State on the whole question, and as Sir George Barnes said in the Council of State on the 14th instant, we hope to make a statement at an early date.

#### GOVERNMENT SECURITIES.

73. **Mr. Manmohandas Ramji**: What is the amount of income-tax receipts from the interest paid by 3 and 3½ per cent. Government Securities?

**The Honourable Mr. W. M. Hailey**: In the income-tax returns the amount collected on all Government securities is shown together in one lump sum, and it is therefore not possible to give an accurate answer to the

\* *Vide* page 20 of Volume I, No. 3 of the Council of State Debates of the 14th February 1921.



Honourable Member's question. I can, however, give him a rough idea of the amount of income-tax collected in respect of the securities of these two particular loans. During the year 1918-19 we paid as interest Rs. 416½ lakhs on 3½ per cent. paper, and Rs. 21½ lakhs on 3 per cent. paper. The income-tax on these sums, at the maximum of one anna in the rupee, would be Rs. 26 lakhs and Rs. 1½ lakhs respectively, so it can be said that the income-tax actually payable must in any case have been substantially less than Rs. 27½ lakhs, for some of the holders of 3½ and 3 per cent. paper must be either completely exempt from the payment of income-tax (for example, religious or charitable trusts, local authorities, provident funds, etc.), or else entitled to refunds owing to the tax being leviable on them at a rate lower than one anna. This is also clear from the fact that the total amount of income-tax realised in respect of all Government securities during that year was Rs. 26½ lakhs. On the other hand, it can safely be presumed that the major portion realised from interest on securities is in respect of 3½ and 3 per cent. paper, as most of the loans subsequently floated have been income-tax free. Altogether, I am inclined to think that a round figure of Rs. 20 lakhs would be a fairly near estimate.

#### GOLD EXCHANGE STANDARD.

74. **Rao Bahadur T. Rangachariar:** Will the Government be pleased to make a statement as to the results obtained by the legislative and administrative measures adopted in the year 1920 to ensure a stable gold exchange standard?

**The Honourable Mr. W. M. Hailey:** If the Honourable Member means by his query to ask whether the Government have yet succeeded in stabilising the exchange value of the rupee at the ratio of ten rupees to 113 grains of fine gold as recommended by the Currency Committee, the answer is in the negative.

#### REVERSE COUNCILS BILLS.

75. **Rao Bahadur T. Rangachariar:** (a) Will the Government be pleased to place on the table a statement showing the amount of the monthly sales in India of the bills on London known as the Reverse Council Bills during the year 1920; the rates at which they were sold; the prevailing market rates of exchange at the times of the respective sales for remittances to England; and the total amount of loss, if any, caused by the difference in the rates?

(b) Will the Government be pleased to make a statement explaining the necessity for such sales during the period in question?

**The Honourable Mr. W. M. Hailey:** (a) A statement is laid on the table. The sum received on account of the sales of Reverse Councils during 1920 was approximately Rs. 47 crores. If these bills had been sold at the market rates shown in the statement, then the amount realised would have been approximately Rs. 50½ crores. Any such calculation of the loss must, however, be subject to the following qualifications: (1) It is highly probable that the sale of Reverse Councils at a fixed rate had some appreciable effect upon the actual market rate prevailing at the time; and, similarly, (2) if the Reverse Councils had been sold at the market rates mentioned in the statement, the latter themselves would probably have been affected thereby.

(b) I am afraid it would be necessary for me to detain the House for a long time if I were to give the Honourable Member the explanation he desires. I can only refer him to my speech on March the 10th, 1920, in the Legislative Council on the Honourable Mr. Sarma's Resolution on this subject, in which I gave a full and detailed explanation of the reasons for the sale of Reverse Councils.

*Statement showing the sale of Reverse Council Bills during 1920, the rates at which they were sold and the corresponding Calcutta market rates on the day of the sale of the Bills.*

Date of Sales.	Amount allotted. (In thousands of £.)	RATE NOTIFIED PER RUPEE.		CALCUTTA MARKET RATE ON DATE OF SALE PER RUPEE.			
		Immediate Telegraphic Transfers.	Deferred Telegraphic Transfers.	Telegraphic Transfers.		Demand Bills.	
		s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
2nd January 1920	770	2 3 $\frac{1}{2}$	2 3 $\frac{1}{2}$			2	3 $\frac{1}{2}$
8th " "	990	2 3 $\frac{1}{2}$	2 3 $\frac{1}{2}$	2	3 $\frac{1}{2}$	2	3 $\frac{1}{2}$
15th " "	800	2 3 $\frac{1}{2}$	2 3 $\frac{1}{2}$	2	3 $\frac{1}{2}$	2	4
22nd " "	2,000	2 3 $\frac{1}{2}$	2 3 $\frac{1}{2}$	2	3 $\frac{1}{2}$	2	3 $\frac{1}{2}$
29th " "	1,884	2 3 $\frac{1}{2}$	2 3 $\frac{1}{2}$	2	3 $\frac{1}{2}$	2	3 $\frac{1}{2}$
5th February	2,000	2 8 $\frac{1}{2}$	2 9	2	7 $\frac{1}{2}$	2	7 $\frac{1}{2}$
12th " "	5,000	2 10 $\frac{1}{2}$	2 10 $\frac{1}{2}$	2	9	2	9 $\frac{1}{2}$
19th " "	2,000	2 10 $\frac{1}{2}$	2 10 $\frac{1}{2}$	2	7 $\frac{1}{2}$	2	7 $\frac{1}{2}$
26th " "	2,000	2 10 $\frac{1}{2}$	2 10 $\frac{1}{2}$	2	7 $\frac{1}{2}$	2	7 $\frac{1}{2}$
3rd March	2,000	2 10 $\frac{1}{2}$	2 10 $\frac{1}{2}$	2	7 $\frac{1}{2}$	2	7 $\frac{1}{2}$
11th " "	2,000	2 8 $\frac{1}{2}$	2 8 $\frac{1}{2}$	2	5	2	5 $\frac{1}{2}$
18th " "	2,000	2 7 $\frac{1}{2}$	2 7 $\frac{1}{2}$	2	3 $\frac{1}{2}$	2	3 $\frac{1}{2}$
25th " "	2,000	2 5 $\frac{1}{2}$	2 6 $\frac{1}{2}$	2	5	2	5 $\frac{1}{2}$
31st " "	1,988	2 4 $\frac{1}{2}$	2 4 $\frac{1}{2}$	2	3 $\frac{1}{2}$	2	3 $\frac{1}{2}$
8th April	2,000	2 4 $\frac{1}{2}$	2 4 $\frac{1}{2}$	2	3 $\frac{1}{2}$ to 4	2	3 $\frac{1}{2}$ to 4
15th " "	2,000	2 4 $\frac{1}{2}$	2 4 $\frac{1}{2}$	2	3 $\frac{1}{2}$ to 4	2	3 $\frac{1}{2}$ to 4
22nd " "	2,000	2 4 $\frac{1}{2}$	2 4 $\frac{1}{2}$	2	3 $\frac{1}{2}$	2	3 $\frac{1}{2}$
29th " "	1,000	2 5 $\frac{1}{2}$	2 5 $\frac{1}{2}$	2	3 $\frac{1}{2}$	2	3 $\frac{1}{2}$
6th May	1,000	2 5 $\frac{1}{2}$	2 5 $\frac{1}{2}$	2	2	2	2 $\frac{1}{2}$
13th " "	1,000	2 5 $\frac{1}{2}$	2 5 $\frac{1}{2}$	2	1	2	1 $\frac{1}{2}$
20th " "	1,000	2 5 $\frac{1}{2}$	2 5 $\frac{1}{2}$	2	1 to 2 1 $\frac{1}{2}$	2	1 $\frac{1}{2}$ to 4
26th " "	1,000	2 5 $\frac{1}{2}$	2 5 $\frac{1}{2}$	2	1	2	1 $\frac{1}{2}$
3rd June	1,000	2 5	2 5 $\frac{1}{2}$	2	1	2	1 $\frac{1}{2}$
10th " "	1,000	2 4 $\frac{1}{2}$	2 4 $\frac{1}{2}$	2	1 to 2 1	2	1 $\frac{1}{2}$ to 2 1 $\frac{1}{2}$
15th " "	1,000	2 4 $\frac{1}{2}$	2 4 $\frac{1}{2}$	1	10	1	10 $\frac{1}{2}$
24th " "	1,000	1 11 $\frac{1}{2}$	1 11 $\frac{1}{2}$	1	10 to 1 10 $\frac{1}{2}$	1	10 $\frac{1}{2}$
1st July	1,000	1 11 $\frac{1}{2}$	1 11 $\frac{1}{2}$	1	8 $\frac{1}{2}$	1	8 $\frac{1}{2}$
8th " "	1,000	1 11 $\frac{1}{2}$	1 11 $\frac{1}{2}$	1	10 $\frac{1}{2}$ to 1 10 $\frac{1}{2}$	1	10 $\frac{1}{2}$
15th " "	1,000	1 11 $\frac{1}{2}$	1 11 $\frac{1}{2}$	1	10 to 1 9 $\frac{1}{2}$	1	10 $\frac{1}{2}$
22nd " "	1,000	1 11 $\frac{1}{2}$	1 11 $\frac{1}{2}$	1	10 $\frac{1}{2}$	1	10 $\frac{1}{2}$
29th " "	1,030	1 11 $\frac{1}{2}$	1 11 $\frac{1}{2}$	1	10 $\frac{1}{2}$	1	11
5th August	1,000	1 11 $\frac{1}{2}$	1 11 $\frac{1}{2}$	1	10 $\frac{1}{2}$	1	10 $\frac{1}{2}$
12th " "	1,000	1 11 $\frac{1}{2}$	1 11 $\frac{1}{2}$	1	10 $\frac{1}{2}$	1	10 $\frac{1}{2}$
19th " "	1,000	1 11 $\frac{1}{2}$	1 11 $\frac{1}{2}$	1	10 $\frac{1}{2}$	1	10 $\frac{1}{2}$
26th " "	1,000	1 11 $\frac{1}{2}$	1 11 $\frac{1}{2}$	1	10 $\frac{1}{2}$	1	10 $\frac{1}{2}$
2nd September	1,000	1 11 $\frac{1}{2}$	1 11 $\frac{1}{2}$	1	10	1	10 $\frac{1}{2}$
7th " "	1,000	1 11 $\frac{1}{2}$	1 11 $\frac{1}{2}$	1	9 $\frac{1}{2}$	1	9 $\frac{1}{2}$
13th " "	1,000	1 11 $\frac{1}{2}$	1 11 $\frac{1}{2}$	1	10 $\frac{1}{2}$	1	10 $\frac{1}{2}$
21st " "	1,000	1 11 $\frac{1}{2}$	1 11 $\frac{1}{2}$	1	10 $\frac{1}{2}$	1	10 $\frac{1}{2}$
28th " "	1,000	1 11 $\frac{1}{2}$	1 11 $\frac{1}{2}$	1	10 $\frac{1}{2}$	1	10 $\frac{1}{2}$
Total	55,882	...	...	...	...	...	...

EXCHANGE OF SOVEREIGNS.

76. **Rao Bahadur T. Rangachariar:** (a) Will the Government be pleased to lay on the table a statement for each province showing the number of sovereigns exchanged at the various Government treasuries at Rs. 15 a piece in pursuance of the notifications issued by Government last year?

(b) Will the Government be pleased to state what the lowest and the highest market price of the sovereign was in the months of July to December 1920?

**The Honourable Mr. W. M. Hailey:** Two statements are laid on the table.

STATEMENT A.

*Statement showing the number of sovereigns exchanged at the various Government Treasuries in accordance with Ordinance No. III of 21st June 1920.*

Madras	.	.	.	.	.	.	.	.	.	20,751
Bombay	.	.	.	.	.	.	.	.	.	277,298
Bengal	.	.	.	.	.	.	.	.	.	23,951
United Provinces	.	.	.	.	.	.	.	.	.	287,661
Punjab	.	.	.	.	.	.	.	.	.	223,938
Burma	.	.	.	.	.	.	.	.	.	274
Bihar and Orissa	.	.	.	.	.	.	.	.	.	82,331
Central Provinces	.	.	.	.	.	.	.	.	.	78,064
Assam	.	.	.	.	.	.	.	.	.	1,800
Total										996,068

Besides these, 1,346,337 sovereigns were exchanged at Currency Offices and 174,984 at Government of India Treasuries.

STATEMENT B.

*Statement showing the lowest and the highest market price of sovereigns during July 1920 to December 1920.*

										Highes.	Lowest.
										Rs. As.	Rs. As.
July	1920.	.	.	.	.	.	.	.	.	15 4	14 8
August	"	.	.	.	.	.	.	.	.	14 18	14 6
September	"	.	.	.	.	.	.	.	.	15 6	14 8
October	"	.	.	.	.	.	.	.	.	17 4	15 10
November	"	.	.	.	.	.	.	.	.	17 0	15 10
December	"	.	.	.	.	.	.	.	.	18 8	17 1

EXPORT OF OIL-CAKES.

77. **Rao Bahadur T. Rangachariar:** Do the Government propose to consider the desirability of taking steps for preventing the export of oil-cakes from the country?

**Mr. J. Hullah:** As at present advised, the Government of India are disposed to doubt whether it would be to the advantage of the country as a whole to prohibit the export of oil-cake. The question, however, was debated

at the last meeting of the Board of Agriculture and is being considered in connection with the proceedings of that meeting.

#### GOVERNMENT SECURITIES.

**78. Rao Bahadur T. Rangachariar:** (a) Will the Government be pleased to state whether they contemplate taking any measures to give relief to persons and public bodies holding  $3\frac{1}{2}$  per cent. Government Securities by reason of the great depreciation in value of these securities?

(b) Will the Government be pleased to lay on the table a statement showing the amount of such  $3\frac{1}{2}$  per cent. securities held by public and private trustees and by individuals?

**The Honourable Mr. W. M. Hailey:** (a) The Honourable Member will have seen from the reply given on my behalf to a similar question in the Council of State that it is not possible for us to make any announcement on the subject.

(b) I am informed by the Public Debt Office that it is not possible to compile the statement as asked for. One reason is, that it would be necessary to examine the interest payment registers maintained throughout India, and the statement would take several months to compile. Another reason is, that such a statement would, in any case, not be accurate; most of the securities of the  $3\frac{1}{2}$  per cent. loan are in the form of promissory notes, many of which are held in the names of Banks, and it is not possible to say on whose account the Banks hold the paper; further, it would not be possible to obtain information as to the amount of promissory notes held by private trusts, as trusts are only recognised when the security is in the form of Inscribed Stock.

#### APPEALS UNDER INCOME-TAX ACTS, ETC.

**79. Rao Bahadur T. Rangachariar:** Will the Government be pleased to lay on the table a statement showing the number of appeals and petitions presented to the Chief Revenue Authorities in the various provinces under the Indian Income-tax Acts (Acts II of 1886 and VII of 1918) and under the Excess Profits Duty Act, 1919; the number of appeals and petitions summarily rejected; the number heard on the merits; and the number in which the assessments were revised or modified?

**The Honourable Mr. W. M. Hailey:** The Chief Revenue Authority had no power under Act II of 1886 either to hear appeals or to pass orders of revision. Under Act VII of 1918, no appeals lie to the Chief Revenue Authority. The Chief Revenue Authority is only empowered, under section 23 of Act VII of 1918, of its own motion, to pass orders of revision. If a petition is presented to the Chief Revenue Authority by an assessee asking it to exercise its powers under section 23, the order passed on such a petition need not necessarily be an order modifying an assessment. The portion of the question, so far as it relates to the Indian Income-tax Act, is therefore not understood. The information asked for, regarding petitions and appeals under the Excess Profits Duty Act, is being collected from Provincial Governments, and a statement will be laid on the table as soon as possible.

#### KANNAMBADI DAM IN MYSORE.

**80. Rao Bahadur T. Rangachariar:** Will the Government be pleased to state whether any decision has been reached regarding the question of the

Kannambadi Dam in Mysore and whether the mirasidars of Tanjore and Trichinopoly Districts will be allowed an opportunity for placing their views on the question before Government before any decision is arrived at?

**Sir S. D'A. Crookshank:** The answer to the first portion of the question is in the negative. As regards the second portion, the Government of India understand that the Government of Madras propose to consider any representations which the mirasidars of the Tanjore and Trichinopoly Districts may care to put forward before a final decision is arrived at.

#### ALLEGATIONS AGAINST A RAILWAY GUARD.

**81. Mr. Mohammad Faiyaz Khan:** (a) Has the attention of the Government been drawn to the statement published in the *Daily Paisa Akhbar* (Lahore), dated 30th October 1920, page 2 and column 3, that a Christian Railway Guard violated the chastity of a young Indian woman travelling in the train for Ajmer, and that the Guard, although arrested by the Police, was released through the intervention of the European Circle Inspector?

(b) Is this statement true? If so, will Government be pleased to state what steps have been taken in the matter?

**Colonel W. D. Waghorn:** (a) From inquiry made, it has been ascertained that on a report of the occurrence from the police being received by the Traffic Superintendent, Bombay, Baroda and Central India Railway, Ajmer, the Guard was summarily dismissed.

(b) Careful inquiry is being made as to subsequent events, and I shall be glad to give the Honourable Member the result of this inquiry as soon as it is completed.

#### INDIANS WOUNDED AND MURDERED.

**82. Mr. Mohammad Faiyaz Khan:** Will the Government be pleased to give a statement showing:

(a) the number of Indians alleged to have been wounded or murdered by official or non-official Europeans and Anglo-Indians in India during the last five years,

(b) the names and the positions of the persons punished by the courts for this offence together with the amount of punishment meted out to each?

**Mr. S. P. O'Donnell:** The information asked for is being collected and will be supplied to the Member as soon as possible.

#### CENTRAL KHILAFAT FUND.

**83. Mr. Mohammad Faiyaz Khan:** Has the attention of the Government been drawn to the statement in the *Zamindar* (Lahore) of 11th and 25th December 1920, that the Chief Commissioner of the North-West Frontier Province is responsible for the recall of the sum of Rs. 3,000 contributed to the Central Khilafat fund by the local Khilafat Committee of Mansehra? If the statements referred to above are true, will the Government be pleased to state if the action of the Chief Commissioner is based on the policy of the Government of India?

**Mr. S. P. O'Donnell:** The Honourable Member is referred to the reply given on the 15th to Mir Asad Ali Khan Bahadur in answer to his question on the same subject.

#### NATIONAL WEALTH AND EXPENDITURE.

84. **Mr. B. Venkatapatiraju:** Will the Government be pleased to state (1) the increase of national wealth for the periods 1870-80-90-1900-1910-1920, (2) the increase of public expenditure during the same periods, and (3) whether due proportion was maintained between the increase of national wealth and the increase of expenditure?

**The Honourable Mr. W. M. Hailey:** The Government have made no estimate of the national wealth of India, but the Honourable Member may be interested in the figures contained in the statement which I lay upon the table.

#### A.—Imports of merchandise and private treasure—

Period.	Mean annual value.
	Rs.
1870-80 . . . . .	43,84,44,984
1880-90 . . . . .	69,53,55,907
1890-1900 . . . . .	85,93,44,410
1900-10 . . . . .	1,26,49,79,587
1910-20 . . . . .	1,82,68,00,632

#### B.—Income on which income-tax was levied—

Year.	Income.
	Rs.
1890-91 . . . . .	66,00,00,000
1900-01 . . . . .	81,00,00,000
1910-11 . . . . .	92,00,00,000
1919-20 . . . . .	1,74,00,00,000

#### C.—Deposits in banks—

Year.	Rs.
1870 . . . . .	11,82,66,000
1880 . . . . .	11,40,43,000
1890 . . . . .	18,35,60,000
1900 . . . . .	15,68,80,000
1910 . . . . .	36,58,01,000
1918 . . . . .	59,62,03,000

#### D.—Public Expenditure—

Period.	Mean annual expenditure.
	Rs.
1870-80 . . . . .	75,77,82,870
1880-90 . . . . .	73,96,33,845
1890-1900 . . . . .	80,77,24,340
1900-10 . . . . .	1,01,71,10,760
1910-20 . . . . .	1,43,80,59,345

#### PUBLIC REVENUE AND DEBT.

85. **Mr. B. Venkatapatiraju:** Will the Government be pleased to state (1) the increase of public revenue and net savings after meeting the public expenditure during the periods 1870-80-90-1900-1910-1920, (2) the growth

of the public debt during the same periods and (3) whether there is any margin for a Sinking Fund ?

**The Honourable Mr. W. M. Hailey:** The information, which I understand the Honourable Member to require, is contained in the statement which I lay upon the table. The figures for expenditure in this statement include the payment of interest on debt and payment into Sinking Funds.

Period.	Mean annual revenue.	Mean annual expenditure charged to revenue.	Mean annual net surplus.	Mean permanent debt.
	£	£	£	£
1870-80 . .	50,682,050	50,518,858	143,192	123,088,451
1880-90 . .	40,317,528	49,308,923	8,605	171,470,222
1890-1900 . .	54,985,487	53,843,956	1,136,531	197,508,208
1900-10 . .	69,533,611	67,807,384	1,726,227	226,889,116
1910-20 . .	97,039,972	95,870,623	1,169,349	305,538,040

#### PUBLIC EXPENDITURE.

86. **Mr. B. Venkatapatiraju:** Will the Government be pleased to state what proportion of public expenditure is devoted now for (1) public defence, (2) payment of debt, (3) education, (4) sanitation, and, lastly, (5) for developmental functions ?

**The Honourable Mr. W. M. Hailey:** Out of the present total public expenditure in India, including that of the Provinces, 33½ per cent. is for public defence, 4 per cent. for education, and ¾ per cent. for sanitation. In case the Honourable Member wishes to compare this figure for Public Defence with similar figures published in the proceedings of the Brussels Financial Conference, I should mention that the latter figures were based on estimates of expenditure which included only the net figures in the case of Government commercial departments, whereas, in accordance with the terms of the question, I have taken the total public expenditure, i.e., including that for such commercial undertakings as the Posts and Telegraphs and Railways. As regards payment of interest, any loans maturing are met, not from revenue, but from our general ways and means resources. I can, however, give the Honourable Member the percentage for sinking funds and interest charges, which is 11¾ per cent. of the total expenditure. I am afraid I do not know what the Honourable Member means exactly by 'developmental functions'. Perhaps he will put down another question making his meaning clear.

#### NATIONAL WEALTH OF INDIA.

87. **Mr. B. Venkatapatiraju:** Has the Government any data to estimate the national wealth of India for any period as we find for the United States, United Kingdom and France, etc., and its subsequent growth from decade to decade and, if so, will they make such data available for the public ?

**The Honourable Mr. W. M. Hailey:** No statement of national wealth, as far as I am aware, purports to be anything more than an estimate. There are certainly available in the Financial and Statistical publications of the Government of India certain data on which some sort of estimate could perhaps be framed for India. Government, however, have never attempted such an estimate.

#### RECURRING EXPENDITURE.

**88. Mr. B. Venkatapatiraju:** Will the Government be pleased to state the net increase of recurring expenditure by the increase of salaries in all Departments of the Government, Civil or Military, during the years 1919 and 1920, as far as available?

**The Honourable Mr. W. M. Hailey:** I lay on the table a statement showing by Departments the approximate net increase of annual expenditure incurred by the increase of salaries in services and establishments directly under the Government of India during the years 1919 and 1920. The totals for all Departments, excluding the Army, Railway and Posts and Telegraphs, are 17½ lakhs for 1919 and Rs. 31½ lakhs for 1920. It has not been possible, in the time available, to collect actual figures regarding the effect of the revision of pay in the Railway and Posts and Telegraphs establishments. As regards Army establishments, the services are in a state of reorganisation and practically all establishments are on a provisional basis. As soon as the process of reorganisation is completed, I shall be glad to give the necessary details. At present I can only give the following precise figures:—

	Rs.
Office of the Financial Adviser, Military Finance . . . . .	17,000
Military Accounts Department . . . . .	9,50,000
Royal Indian Marine . . . . .	8,61,000

#### LOSS BY SALE OF REVERSE COUNCILS.

**89. Mr. B. Venkatapatiraju:** Will the Government be pleased to state the amount of actual loss sustained by the Government by the sale of Reverse Councils in the years 1919 and 1920, and the names of persons and firms whose tenders were accepted and the amounts allotted to each?

**The Honourable Mr. W. M. Hailey:** In the year 1919 £1,835,000 worth of Reverse Councils Bills were sold and in the year 1920, £55,382,000. The proceeds amounted to Rs. 2,44,24,263 and Rs. 46,93,55,857 respectively. As regards the loss occasioned by the sale of Reverse Councils, the answer must depend upon what the Honourable Member has in mind when he speaks of 'loss'. For example, our accounts are now kept on a 2s. basis and it might therefore be said that if we were now selling Reverse Councils at a rate above 2s., there would be a loss; during part of the time that Reverse Councils were being sold, our accounts were, however, on a 1s. 4d. basis, so that any such loss exhibited in those accounts would be proportionately greater. On the other hand, so far as our accounts are concerned, these must show again whenever we sell Reverse Councils below the particular rate at which our accounts are kept. Again, it might be argued that in order to meet the Reverse Councils which were sold in India, the Secretary of State was obliged to realise a large portion of the sterling securities held



in London in the Paper Currency Reserve, and as these had originally been valued at Rs. 15 to the pound, their realisation on a 2s. basis resulted in a loss. It is possible, however, that what the Honourable Member has in mind when he speaks of 'loss' is the difference between the actual market rate and the rate at which Reverse Councils were actually being sold. If the Honourable Member will let me know precisely what he means, I will endeavour to supply him with the information he requires, though I may mention that in any case it will be my duty to give to the Assembly, when I present my Financial Statement on March the 1st, full information regarding all these transactions.

I now lay on the table\* a statement giving the names of persons and firms whose tenders were accepted, and the amounts allotted to each.

#### GOLD IN INDIA.

**90. Mr. B. Venkatapatiraju:** Will the Government be pleased to state the net gain secured by the Government by the prohibition of import of gold and sale of gold in India at a price higher than the prevailing world rate and the names of persons and firms who purchased the same in 1919 and 1920 and quantities allotted to them?

**The Honourable Mr. W. M. Hailey:** Information is not readily available regarding the amount of gain or loss to Government from the prohibition of the import of gold and the sale of gold in India as compared with the prevailing world prices. The accounts were kept on the basis of Rs. 15 = sovereign up to the 1st October 1920, and the gain on the imports of gold representing the difference between the amounts at which the gold was brought to account on the above basis and the number of rupees actually paid for it amounted to Rs. 2,57 lakhs in 1919-20 and Rs. 10 lakhs in 1920-21. On the same parity, the gain on the sales of gold in the two years amounted to Rs. 19 and Rs. 2,11 lakhs respectively. On the other hand, the Secretary of State was purchasing gold for the Government of India at the time the imports and sales took place, and the loss on the above basis on his purchases in 1919-20 alone was Rs. 8,38 lakhs.

The number of persons and firms who secured allotments is very large running into many thousands. The mere clerical labour of preparing the list would be immense, and unless the Honourable Member presses for this as a matter of urgent public interest, I am averse from placing this burden on our office. I may mention, however, that allotment was strictly by tender, subject, of course, to the payment of a deposit. The total allotment for the two years was as follows :—

	1919-20.	1920-21.
Number of fine tolas allotted	90,59,710	1,53,13,725
Number not taken up owing to tenderers having cancelled their tenders	95,090	27,63,800
Number actually sold	89,64,620	1,25,49,925

**Mr. B. Venkatapatiraju:** May I put a Supplementary Question? I wish to know whether the persons who have purchased this gold were only Indian firms, or there were any English firms?

**The Honourable Mr. W. M. Hailey:** I have, from time to time, seen the list, and, to the best of my recollection, I do not remember seeing the name of

\* Will be printed in later Proceedings as an Appendix.

any English firm with the exception, I think, on one occasion, of a Bank. But, if the Member will be kind enough to come round some time later when I shall have been able to get the information from Bombay, I shall tell him the name of any English firm who has purchased gold.

#### SALE OF COUNCIL BILLS AND REVERSE COUNCILS.

91. **Mr. B. Venkatapatiraju:** Will the Government be pleased to state whether the sale of Council Bills in London and Reverse Councils in India in 1919 and 1920 had anything to do with the non-payment in time by the British Treasury of its dues to India?

**The Honourable Mr. W. M. Hailey:** Reverse Councils involve disbursements by the Secretary of State for India in London and cannot in their nature, be the result of the non-payment of sums due from the British Treasury. It is possible, however, that the Honourable Member is referring to the investments made in British Treasury Bills on behalf of the Paper Currency Reserve; these investments were made during the war period, and the amounts were paid off at each maturity and re-invested; the greater part of the holdings was disposed of last year in order to provide funds for the payment of Reverse Bills. I hope that the Honourable Member's question does not convey an insinuation that the British Treasury has been behindhand in payment of its dues to India. Such a suggestion would be entirely without foundation, and I must emphatically repudiate it and, even if it were true, there could be no connection between it and the sale of Reverse Councils for the reason I have already given.

#### POSTAL REMITTANCES.

92. **Mr. B. Venkatapatiraju:** Has the attention of the Government been drawn to the disparity of the rate fixed for postal remittances and the current exchange rate and the 2 shillings per rupee exchange rate fixed by the Government? And will the Government be pleased to enunciate their policy?

**The Honourable Mr. W. M. Hailey:** Government is aware of the disparity referred to, though I must protest against the inaccurate suggestion that an exchange rate of two shillings has been fixed by Government. The Legislative Council proceedings will make it clear that we never attempted to predict the extent to which rupee sterling exchange might fluctuate during the year. If we had maintained the old ratio of 1s. 4d., the Honourable Member would have been entitled to confront us with a similar disparity between the market rate, the postal rate and the legal ratio; and perhaps he might have done so. As for the present attitude of Government and its future policy, I would refer the Honourable Member to our letter addressed to the Bengal Chamber of Commerce in November last which was widely reproduced in the Press at the time.

#### COLONISATION OUTSIDE INDIA.

93. **Mr. B. Venkatapatiraju:** (a) Will the Government be pleased to state whether in answer to the enquiries made by the Government in January 1920, about colonisation outside India, any replies were received from the

Local Governments, and, if so, what action the Government propose to take in the matter?

(b) Will the replies of the Local Governments and the orders of this Government be placed on the table?

(c) Will the Government be pleased to state whether there is any prospect of securing any, and, if so, what portion of the territory lately known as German East Africa for Indian colonisation?

**Mr. C. A. Innes :** Replies have been received from the Local Governments, and Sir Benjamin Robertson, who was deputed, with the consent of the Colonial Office, to visit Tanganyika Territory on his way back from South Africa, has also submitted a report. A Despatch has been sent to the Secretary of State dealing with the whole question, and it is hoped that this Despatch will be published in India at an early date. The Despatch contains a full answer to the Honourable Member's question, and he will, I hope, consent to await its publication.

#### VIZAGAPATAM HARBOUR AND CONNECTED RAILWAYS.

94. **Mr. B. Venkatapatiraju :** Will the Government be pleased to state whether any, and, if so, what amount was spent out of the sum allotted in the Budget for the construction of Vizagapatam Harbour and the continuation of Vizianagram-Parvatipur Railway line up to Komatlapeta, and if no amount was so spent, to state the reason?

**Colonel W. D. Waghorn :** The allotments made in the current year to these two works were as follows :

(1) Vizagapatam Harbour	10 lakhs.
(2) Vizianagram-Parvatipur Railway	7 lakhs.

No detailed information is at present available in regard to the actual expenditure which will be incurred against these allotments, but, in view of the fact that it is improbable that any funds will be provided for these projects in next year, the expenditure in the current year is being limited to preliminaries.

#### MOVEMENT OF PRICES.

95. **Mir Asad Ali Khan Bahadur :** (a) Has Government any recent report regarding the effect of the movement of prices on the economic condition of the people?

(b) Does the Government propose to take steps in the direction of further controlling the export and import trade?

**Mr. J. Hullah :** (a) Except from the Central Provinces, where there has been a considerable failure of crops, Government have received no reports dealing specially with this subject. They are aware that some hardship is being felt owing to the high prices of foodstuffs and other necessities, but the general movement of the prices of food is now downwards; e.g., the price of common rice at Calcutta has fallen from Rs. 7-6 a maund in October last to Rs. 5-6 a maund now, while the price of wheat at Lyallpur which was Rs. 6-1 a maund in January 1920 is now Rs. 5-8 a maund.

(b) Government are already controlling strictly the export abroad of the principal foodgrains and they do not consider it necessary to take any further action in the direction suggested.

#### MINISTERIAL OFFICERS.

96. **Khan Bahadur Saiyid Muhammad Ismail**: Has the Government any information showing that there exists a discontent among ministerial officers of the Provinces owing to their small salaries? Will the Government be pleased to say if they have received recommendations for the increase of salaries of ministerial officers in the Province from any Local Government, and, if so, what do they propose to do in that connection?

**The Honourable Mr. W. M. Hailey**: I invite attention to my answer to a similar question by the Honourable Maharaja Sir Manindra Chandra Nandi in the Indian Legislative Council on the 16th September, 1920. Government are fully aware of the difficulties which have been caused by the great increase in the cost of living. The following Local Governments have submitted schemes for the revision of the pay of their ministerial establishments:—

Bombay,  
Bihar and Orissa,  
United Provinces,  
Punjab,  
Central Provinces,  
Assam, and the  
North-West Frontier Province.

Sanction has been given to the proposals with certain minor modifications, which the Government of India deemed necessary in some cases, while in the case of certain higher paid clerical appointments the sanction of the Secretary of State has been applied for. In Madras, Bengal and Baluchistan, temporary allowances have been given as a measure of *ad interim* relief. Sanction has already been given to these. In the case of Burma, sanction has been given for a revision of pay in some offices while a more general scheme is now under consideration and orders will be issued at an early date.

#### VOTING BY GOVERNMENT OFFICIALS.

97. **Mr. Mohammad Faiyaz Khan**: (a) Has the attention of the Government been drawn to the manifesto published in the *Leader* (Allahabad), dated 20th November 1920, page 6, over the signatures of Masihulmulk Hakim Ajmal Khan and others alleging that some voters were warned by the Delhi Government officials in writing as to the legal liability to which they exposed themselves if they did not vote at the last election?

(b) If this statement is true, and if the Government authorities of Delhi have taken this step against the policy of the Government of India, what step has been taken in the matter against the officials concerned?

**Mr. S. P. O'Donnell**: There is no foundation for the statement published in the *Leader* newspaper of the 20th December 1920 to the effect that written

official orders were issued to voters in Delhi calling upon them to vote at the recent elections, and threatening legal proceedings if they failed to do so.

UTILIZATION OF RIVERS AND DRAINAGE.

98. **Rai J. N. Majumdar Bahadur:** (a) Is it a fact that in 1907 Sir Edward Buck, K.C.S.I., LL.D., submitted a report to the Government of India on 'the control and utilization of rivers and drainage for the fertilization of land and mitigation of malaria'?

(b) If so, has the Government taken any steps for carrying out any of the measures suggested therein, specially by the method known as 'Bonificazione' in Italy?

**Sir S. D'A. Crookshank:** (a) The reply is in the affirmative.

(b) Copies of the report were forwarded to all Local Governments, with whom the question of carrying out measures of this nature primarily rests.

99. **Rai J. N. Majumdar Bahadur:** (a) Has not the price of quinine, both manufactured in India and imported from outside India, gone up very high? Has the Government taken any steps to reduce the price of quinine?

(b) How many cinchona plantations, state and private, are there in India? Is the Government taking any steps for increasing the number of cinchona plantations?

(c) Is malaria considered to be a preventible disease? What steps have the Government taken to educate the masses as to the cause of malaria and its remedies, both curative and preventive?

(d) Has the Government taken any steps for selecting a compact area subject to malaria and making it free from malaria, as an object lesson to other malarious tracts?

**Mr. H. Sharp:** (a) The answer to the first part of the question is in the affirmative. The rise in the price of quinine is due to a world-wide shortage of the drug and as the Government of India have to purchase quinine from abroad at a very high price to meet the increasing internal demand in India, they have not so far been able to reduce the price. But, with a view to bringing it within the reach of the poorer classes, a considerable quantity of the drug is sold every year at reduced prices through the agency of post offices and supplies are also made to hospitals at favoured rates.

(b) There are at present 4 fully established Government cinchona plantations—two in Bengal and two in Madras—which cover about 4,670 acres in all.

In 1917 Lieutenant-Colonel Gage, I.M.S., Director of the Botanical Survey of India, made an extensive tour in India with the object of discovering and selecting areas suitable for the growth of cinchona. As a result of his investigations it was decided to establish a large plantation which, it is expected, will ultimately cover from 40,000 to 60,000 acres, in the Tavoy district of Burma. The stocking of the area selected with young plants was begun about a year ago and the work is progressing well under the direct

supervision of an expert officer specially deputed for the purpose. Information regarding the number of cinchona plantations owned and managed by private agency is not available.

(c) Malaria is a preventible disease; but it should be understood that this does not imply that existing knowledge permits its complete eradication.

As efficient treatment of sufferers is one of the main factors in the prevention of malaria, endeavours have been made by Government to educate the people in the proper use of quinine by (a) the sale and free issue of quinine in the form of treatments, and (b) the treatment by quinine during the malaria season of children with enlarged spleens who attend schools in certain areas.

Among other measures, taken by Government in the different provinces, may be mentioned the establishment of educational health bureaux and the instruction of the people by posters, lantern lectures and demonstrations in schools.

(d) It is impossible under present conditions in India to render any area free from malaria. Freedom of any area from any disease depends not only on communal measures taken by the local authority with the assistance of Government, but on a population each member of which is willing and able to practise the way of health. Government, however, will continue to demonstrate the benefit of communal measures whenever it may be possible. Examples of such measures for the mitigation of malaria at present in operation are the Meenglas and Singaran schemes in Bengal.

#### MARTIAL LAW PRISONERS.

100. **Rai Bahadur Pandit J. L. Bhargava:** (a) Will the Government be pleased to lay on the table a statement showing the names, the offence and the terms of sentence of all the martial law prisoners undergoing sentence?

(b) Do the Government propose to consider the advisability of releasing all martial law prisoners?

**Mr. S. P. O'Donnell:** (a) A statement is laid on the table.

(b) Altogether 1,779 persons were convicted in connection with the disturbances in the Punjab during 1919. Of this total, all except 86 persons have been released. It will be seen from the statement laid on the table that these persons were guilty of offences of the gravest character, and except in 4 cases in which the sentences ranged from 5 to 10 years rigorous imprisonment, were sentenced either to death or to transportation for life. It will also be observed that the sentences have been very substantially reduced by the Government. The Government cannot therefore admit that they have not given full effect to the Royal Proclamation of December 1919. They are anxious to do all in their power to mitigate the bitter memories of the occurrences of 1919, but they have already carried clemency to the farthest limit consistent with their responsibility for the peace and tranquillity of the country; and regret, therefore, that they are unable to accede to the request of the Honourable Member.

*Prisoners sentenced by the Martial Law Commissions, who are still in jail.*

Number and name of case.	Serial No.	Number of accused according to schedule.	Name of accused with father's name.	(1) Offences of which found guilty. (2) Date of decision.	Sentence passed by the Commissions.	Sentence as determined by Government.
5. Kasur Case	1	(1)	Chuni Lal, son of Nathu, Arora.	(1) Section 131, Indian Penal Code. (2) 30th April 1919.	Death and forfeiture	4 years' rigorous imprisonment.
39. Gunaupura Railway Derailment Case.	2	(2)	Lal Singh, son of Lehar Singh, Jat.	(1) Sections 121, 124-A, 147-160, I. P. C. Section 126, Railway Act-1869, I. P. C.	Death and forfeiture	7 years' rigorous imprisonment.
	3	(1)	Lehar Singh, son of Bhagat Singh, Jat.	126, Railway Act (1) Sections 149 I. P. C. 137, Indian Penal Code. (2) 10th May 1919.	Transportation for life and forfeiture.	5 years' rigorous imprisonment.
	4	(3)	Inayat, son of Kaddu, Jat		Ditto	Ditto.
	5	(6)	Wasakhi, son of Khurak Singh, Kumbhar.		Transportation for life.	Ditto.
	6	(3)	Laohman, son of Guranditia, Brahman.		Ditto	Ditto.
60. Hafizabad Case.	7	(1)	Mangal Sain, son of Nihal Chand, Kalal.	(1) Section 121, Indian Penal Code.	Death and forfeiture	7 years' rigorous imprisonment.
	8	(2)	Gujrati Mal, son of Thakur Das, Malhotra.	(1) Ditto (2) 17th May 1919.	Ditto	10 years' rigorous imprisonment.
	9	(3)	Kesar Mal, son of Nanak Chand, Khatri.			

*Prisoners sentenced by the Martial Law Commissions, who are still in jail—contd.*

Number and name of case.	Serial No.	Number of accused according to schedule.	Name of accused with father's name.	(1) Offence of which found guilty. (2) Date of decision.	Sentences passed by the Commissions.	Sentence as determined by Government.
61. Nizamabad	10	(1)	Muhammad Hussain, son of Abdul Manan, Awan.	(1) Section 121, Indian Penal Code.	Death and forfeiture	10 years' rigorous imprisonment.
	11	(3)	Din Muhammad, son of Muhammad Bakhab, Tarkhan.	(2) 15th May 1919.		
	12	(16)	Amar Singh, son of Lachman Das, Arora.			
63. Chuharkana	13	(5)	Mehar Din, son of Arura, Lohar	(1) Section 131, Indian Penal Code.	Death and forfeiture	10 years' rigorous imprisonment.
	14	(10)	Mahna Singh, son of Dhian Singh, Jat.	(2) 23rd May 1919.	Ditto	Ditto.
	15	(11)	Kahan Singh, son of Lal Singh, Jat.			
66. Attempt to murder Mr. Wale.	16	...	Harnam Singh, son of Jiwan Singh, Tarkhan.	(1) Section 307, Indian Penal Code.	Transportation for life.	Transportation for life. To run concurrently with the sentence in case No. 112.
	17	(1)	Girdhari Lal, son of Wali Ram, Khatri.	(2) 26th May 1919.		
68. Gujranwala City Case No. II.	18	(4)	Devi Dial, son of Diwan Chand, Khatri.	(1) Section 121, Indian Penal Code.	Death and forfeiture	Transportation for life.
	19	(5)	Dyal Singh, son of Gian Singh, Khatri.	(2) 30th June 1919.	Ditto	10 years' rigorous imprisonment.
	20	(11)	Muhammad Din, son of Shamas Din, Kashmiri.		Ditto	Ditto.
	21	(15)	Gulam Sep, son of Saptas Din, Kashmiri.		Ditto	Ditto.
					Ditto	Ditto.



72. Gujranwala City Case No. 1.	23	(1)	Amrik Rai, son of Parbat Rai, Khatri.	(1) Section 121, Indian Penal Code. (2) 26th May 1919.	Death and forfeiture	10 years' rigorous im- prisonment.
73. Miss Sherwood's Case.	25	(1)	Sunder Singh, son of Kala Singh, Rangarha.		Transportation for life.	
	24	(2)	Wilayati, son of Daulat Ram, Khatri.	(1) Sections 121, 207, 147, 207— 189, Indian Penal Code.	Death and forfeiture.	Ditto. 4 years' rigorous im- prisonment.
	25	(3)	Mangtu, son of Sant Ram, Brahman.	(2) 21st May 1919.		7 years' rigorous im- prisonment.
	26	(4)	Mela, son of Ganga Ram, Sainse.			4 years' rigorous im- prisonment.
	27	(7)	Ahsad, son of Karim Bakhsh, Rangria.			
75. Amritsar National Bank Murder.	28	(1)	Rattan Chand, son of Sita Ram, Khatri.		Transportation for life.	
	29	(2)	Bugha, son of Paira Mal, Arora			Ditto.
	30	(5)	Asadallah, son of Sultan Bakhsh, Sheikh.			Ditto.
	31	(6)	Karn Chand, son of Faqir Chand, Khatri.	(1) Section 121, Indian Penal Code.	Death and forfeiture.	Ditto.
	33	(7)	Karim Bakhsh, son of Mehr Bakhsh, Kasabmeri.	(2) 22nd June 1919.		7 years' rigorous im- prisonment.
	33	(8)	Moonchar Singh, son of Lehna Singh, Jat.		Transportation for life.	
	34	(9)	Muhammedi, son of Aris, Kasab- meri.			10 years' rigorous im- prisonment.

*Prisoners sentenced by the Martial Law Commissions, who are still in jail—contd.*

Number and name of case.	Serial No.	Number of accused according to schedule.	Name of accused with father's name.	(1) Offence of which found guilty. (3) Date of decision.	Sentence passed by the Commissions.	Sentence as determined by Government.
75. Amritsar National Bank Murder— <del>old</del> .	85	(10)	Jail, son of Muhammed Baksh, Kakral.	(1) Section 121, Indian Penal Code. (3) 23rd June 1919.	Death and forfeiture.	10 years' rigorous imprisonment.
	86	(11)	Nizam, son of Eastam, Kashmeri.			Ditto.
	87	(12)	Feroz, son of Maala Baksh, Nat.			Ditto.
	88	(13)	Chiragh, son of Sedarang, Pernau.			Ditto.
	89	(14)	Sedru, son of Mathan, Pernau.			Ditto.
	40	(15)	Inayat, son of Fair Mal, Pernau.			Ditto.
	41	(17)	Ghulam Rasool, son of Ghulam Haidar, Kakral.			Ditto.
	42	(18)	Harnam Singh, son of Kala Singh, Kambe.			Transportation for life.
	43	(19)	Mahr Sein, son of Mandhoo, Jat.			Ditto.
	44	(20)	Sandhi, son of Hussain Baksh, Neala.			Ditto.
76. Amritsar Alliance Bank Murder.	45	(1)	Nizam Din, son of Kamaal, Kashmiri.			Transportation for life.
	46	(2)	Dina, son of Wasira, Qasab.			Ditto.

47	(3)	Umar, son of Ka'im Bakhsh, Kashgari.	(1) Section 121, Indian Penal Code. (2) 12th June 1919.	Death and forfeiture.	10 years' rigorous imprisonment.
48	(6)	Ganda Singh, son of Bhargar, Jat.			Transportation for life.
49	(9)	Sadiq, son of Ibrahim, Kashmeri.			Ditto.
50	(11)	Kahna, son of Goman, Rajput.			Ditto.
51	(12)	Jalal Din, son of Sawan, Lohar.			Ditto.
52	(1)	Nadar Ali Shah, son of Kaim Ali Shah, Sayyad.	(1) Section 121, Indian Penal Code.	Death and forfeiture.	Transportation for life.
53	(5)	Allah Din, son of Dasoudi, Qasab.	(2) 28th May 1919.	Ditto.	Ditto.
54	(12)	Diwas, son of Krishna, Arora.		Transportation for life and forfeiture.	
55	(15)	Khuda Dad, son of Nadir, Jat.		Death and forfeiture.	
56	(39)	Ali Muhammed, son of Inam Din, Weaver.	(1) Section 121, Indian Penal Code.	Transportation for life and forfeiture.	10 years' rigorous imprisonment.
57	(41)	Tirath Ram, son of Deoki Nath, Brahman.	(2) 28th May 1919.	Death and forfeiture.	
58	(1)	Maheesh, son of Anant, Jhiwar.			
59	(2)	Harnama, son of Dasoudha Singh, Ahluwalia.			
60	(4)	Karim Bakhsh, son of Shahiya, Qasab.	(1) Sections 121, 147, 302-120-B, 496-149, Indian Penal Code.	Death and forfeiture.	5 years' rigorous imprisonment.
61	(12)	Gaman, son of Ghulam Nabi, Sheikh.	(2) 2nd June 1919.		
62	(15)	Muhammed Akram, son of Muhammed Amin, Khatia.			

77. Kaur Supplementary Case.

78. Anriwar (Mrs. Easton's) Case.

*Prisoners sentenced by the Martial Law Commissions, who are still in jail—concd.*

Number and name of case.	Serial No.	Number of accused according to schedule.	Name of accused with father's name.	(1) Offence of which found guilty. (2) Date of decision.	Sentence passed by the Commissions.	Sentence as determined by Government.
89. Amritsar Chartered Bank.	63	(1)	Tarabim, son of Ajmeri, Tell	(1) Section 121, Indian Penal Code. (2) 5th June 1919.	Transportation for life and forfeiture.	4 years' rigorous imprisonment.
	64	(2)	Guman, son of Natha, Dhoobi			Ditto.
	65	(3)	Nabi, son of Kalu, Dhoobi			Ditto.
	66	(7)	Sadhu Singh, son of Sant Singh, Zargar.			7 years' rigorous imprisonment.
90. Guard Robinson's Murder Case.	67	(3)	Kashya, son of Badhu Ram, Khatik.	(1) Section 302, Indian Penal Code. (2) 7th June 1919.	Death and forfeiture.	Transportation for life.
	68	(8)	Gain Singh, son of Dyal Singh, Jat.	(1) Section 121, Indian Penal Code. (2) 11th June 1919.	Death and forfeiture.	10 years' rigorous imprisonment.
103. Amritsar, burning of Girls' Normal School.	69	(1)	Imam Din, son of Ilahi, Kambo.	(1) Section 121, Indian Penal Code. (2) 16th June 1919.	Transportation for life and forfeiture.	4 years' rigorous imprisonment.
	70	(2)	Fasal Din, son of Allah Datta, Kachwari.			5 years' rigorous imprisonment.

108. Malakwal No. IV.				Death and forfeiture	Transportation for life.
71	(1)	Raja Ram, son of Ganga Ram, Zargar.	(1) Section 131, Indian Penal Code.	Ditto	Transportation for life.
72	(5)	Sarwar, son of Muhammad Bathah, Awan.	(2) 17th June 1919.	Ditto	Ditto.
73	(6)	Fajir, son of Muhammad Bathah, Fagir.		Transportation for life and forfeiture.	7 years' rigorous imprisonment.
74	(7)	Nura, son of Meela, Nan		Ditto	Ditto.
75	(8)	Abdul Majid, son of Misalam, Mahir.		Ditto	Ditto.
76	(9)	Mulani, son of Kishan Dyal, Zargar.		Ditto	Ditto.
110. Supplementary Amritsar National Bank Murder.	...	Jai Ram Singh, son of Atma Singh, Arora.	(1) Section 131, Indian Penal Code. (2) 18th June 1919.	Death and forfeiture	Transportation for life.
111. Supplementary Kasur Case.	(1)	Imam Din, son of Jhandu, Mirani	(1) Section 131, Indian Penal Code.	Death and forfeiture	7 years' rigorous imprisonment.
	(2)	Sharfu, son of Modi, Barber	(2) 17th June 1919.		
112. Burning of Moman Railway Station.	(1)	Haram Singh, son of Jiwan, Singh, Tarkhan.	(1) Section 131, Indian Penal Code. (2) 17th June 1919.	Death and forfeiture	7 years' rigorous imprisonment. To run concurrently with the sentence in case No. 66.

*Persons sentenced by the Defence of India Tribunal, who are still in jail.*

Number and name of the case.	Serial No.	Name of accused with father's name.	(1) Offence of which found guilty. (2) Date of decision.	Sentences passed by the Tribunal.	Sentences as determined by Government.
2. Mission Church Burning (Amritsar).	1	Abdulla, Kashmiri . . . .	(1) Section 121, Indian Penal Code. (2) 18th July 1919.	Transportation for life and forfeiture.	7 years' rigorous imprisonment.
	2	Ghulam Muhammad, Sheikh . . . .			
c. Kala Deraillment Case	3	Raja Ram Singh, son of Asa Ram, Lohar.	(1) Sections 147, Indian Penal Code and 186, Ry. Act (2) 18th August 1919.	7 years' rigorous imprisonment. 10 years' rigorous imprisonment. Ditto. 5 years' rigorous imprisonment.	No alteration.
	4	Abdul Malik, son of Muhammad Ali, Lohar.			
	5	Ghulam Muhammad, son of Khuda Baksh, Arain.			
	6	Abdul Hamid alias Hamida, son of Khuda Baksh, Mirasi.			

POLITICAL PRISONERS.

101. **Rai Bahadur Pandit J. L. Bhargava:** (a) Will the Government be pleased to lay on the table a statement showing the names, the offence and the terms of sentence of all the political prisoners undergoing sentence under the ordinary law of land?

(b) Do the Government propose to consider the advisability of releasing all such prisoners as are undergoing their sentence of imprisonment of five years or less and of appointing a Committee consisting of three public men and two officials to consider the case of prisoners undergoing sentence of more than five years to report in regard to each particular prisoner about his immediate release or substantial reduction of sentence as they may think fit.

**Mr. S. P. O'Donnell:** (a) It is assumed that the reference is to persons convicted under sections 121, 121-A, 122, 123, 124, 124-A, 153, Indian Penal Code, and section 108, Criminal Procedure Code. The information is being collected and will be supplied to the Member direct as soon as it is available.

(b) An answer will be given when the information asked for has been collected.

KATARPUR AND ARRAH RIOT PRISONERS.

102. **Rai Bahadur Pandit J. L. Bhargava:** Do the Government propose to consider the question of releasing forthwith all prisoners convicted of such offences as are alleged to have been committed by such prisoners in their capacity of members of a particular religious community against members as such of a community different to their own (e.g., Katarpur and Arrah riot prisoners)?

**Mr. S. P. O'Donnell:** All the prisoners in the Arrah Riot Case have been released. The cases of the prisoners in the Katarpur Riot Case have already been very carefully considered by Government, and in each case in which any possible ground for clemency could be made out, the sentence has been considerably reduced. The persons, who are still in jail, were found guilty of offences of the gravest character, 30 Muhammadans having been murdered, some of whom were burnt alive, and the Government cannot admit that the circumstance that the crimes they committed were inspired by religious intolerance, affords any ground for further clemency. The Government of India have decided, therefore, after consulting and in full agreement with the Local Government, that no further releases can be made. If the Honourable Member will specify any other similar cases which he has in view the Government will be prepared to consider them in consultation with the Local Government concerned.

DUTY ON FOREIGN LIQUORS.

103. **Rai Bahadur Pandit J. L. Bhargava:** (a) Will the Government be pleased to state when the import duty on foreign liquors was fixed at its present rate?

(b) Does the Government contemplate to enhance the import duty on foreign liquors in the near future?

**Mr. C. A. Innes:** (a) In March, 1916.

(b) It is not possible at this stage of the session for Government to give any reply, either in the affirmative or in the negative, to any questions regarding taxation.

#### PUNJAB POSTMEN'S GRIEVANCES.

104. **Rai Bahadur Pandit J. L. Bhargava:** Will the Government be pleased to state what steps it proposes to take with a view to enquire into the grievances of the postmen in the Punjab and to end the strikes as soon as possible?

**Mr. C. A. Innes:** As the Honourable Member is no doubt aware, a special Committee was appointed in April last to enquire into the rates of pay and conditions of service in the Post Office. The Committee submitted their report on the case of postmen, inferior servants and runners in July last, and their recommendations were accepted in their entirety at a cost of nearly 30 lakhs a year. The Committee's recommendations as to conditions of work are being examined and all legitimate demands of the staff are being complied with and cases of dissatisfaction, as far as possible, removed.

The strike referred to by the Honourable Member ended on the 13th December 1920, on which date places of all strikers, who did not return to work in response to a notice issued by the Postmaster General, were filled up.

#### PUNJAB NON-GAZETTED ESTABLISHMENTS.

105. **Rai Bahadur Pandit J. L. Bhargava:** (a) Will the Government be pleased to state if proposals for revision of pay of all the non-gazetted establishments in the Province of the Punjab (whose pay was not fixed with reference to war or post-war prices) have been received from the Punjab Government?

(b) If so, have the proposals been sanctioned? If they are not yet sanctioned, by what time are they likely to be sanctioned?

**The Honourable Mr. W. M. Hailey:** (a) The answer is in the affirmative.

(b) The proposals relating to appointments of which the pay or maximum pay after revision will not exceed Rs. 250 a month have been sanctioned with some slight modifications. The remaining proposals have been submitted for the orders of the Secretary of State.

#### HYDERABAD-BADIN BRANCH LINE.

106. **Mr. Wali Mahomed Hussanally:** Will the Government be pleased to state:

(a) When was Hyderabad-Badin branch line of the North-Western Railway dismantled, and why?

(b) Has the Government since then received any representations from Sind to restore this line? If so, how many times?

(c) Has it been decided to restore this line? If so, when?

(d) Has the work been taken in hand? If not, why?

(e) When is it likely to be restored and in working order?

**Colonel W. D. Waghorn:** (a) Dismantlement commenced on 1st November 1917. It was done with the approval of the Bombay Government



in order to supply track and materials for military requirements—the Dalbandin-Mirjawa Extension.

(b) Yes, as many as twelve.

(c) Yes, as soon as the requisite permanent way material becomes available.

(d) Yes, the work has been taken in hand but has been delayed for want of permanent way material.

(e) Government are unable to specify a date by which it is hoped that this line will be restored and in working order, but owing to difficulties in regard to rail and sleeper supply it is regretted that it is likely to be some months before this line is ready for re-opening.

(f) The reply is in the affirmative; whilst Government much regret the inconvenience and loss caused by this delay, it may be pointed out that the shortage of track material for relaying this line is largely due to causes beyond their control.

#### JACOBABAD-KASHMORE LINE.

107. **Mr. Wali Mahomed Hussanally :** Will the Government be pleased to state :

(a) When was the working of the Jacobabad-Kashmore feeder line stopped, and why ?

(b) Is it a fact that Government have all along paid a heavy dividend, out of public funds to the shareholders ? If so, what is the annual amount ?

(c) Is it contemplated to return the locomotive engines borrowed from this Railway ? If so, when ?

**Colonel W. D. Waghorn :** (a) Working on the Jacobabad-Kashmore Railway was closed down on the 6th June 1919 as the military situation necessitated the transfer of the engines and rolling stock to other narrow gauge railways on the frontier.

(b) The only payments made, were of the nature of rebate under the ordinary guarantee terms applicable to branch lines. The payments made were as follows :—

	Ra.
1915-16 . . . . .	26,442
1916-17 . . . . .	30,127
1917-18 . . . . .	60,873
1918-19 . . . . .	24,786
1919-20 . . . . .	1,04,441

(c) The Jacobabad-Kashmore Railway stock will be returned as soon as the military situation on the frontier permits of this being done. The Government regret the inconvenience which has undoubtedly resulted from the closing of the railway, but in the circumstances it was unavoidable.

#### BARRAGE ON THE INDUS AT SUKKUR.

108. **Mr. Wali Mahomed Hussanally :** Will the Government be pleased to state :

(a) When was the project for the Barrage on the Indus at Sukkur and the two canals above it, first started ?

(b) Has that project been finally completed and approved of by Government of India and the Secretary of State?

(c) When is it likely that the work of construction will begin? And what time will it take to complete?

(d) What amount of area of land will the project irrigate? What will be the revenue to be derived therefrom, and the percentage of interest on the capital cost?

(e) Do the Government intend to expedite the matter?

(f) Will the two canals above the proposed Barrage at Sukkur irrigate all the available irrigable land in Sind? If not, is it proposed to command the remainder?

**Colonel Sir S. D'A. Crookshank:** (a) The detailed investigation and survey of the project\* was sanctioned in December 1906.

(b) The Sukkur Barrage and Canals project was forwarded to the Secretary of State for sanction on the 16th December 1920.

(c) Once the project is sanctioned, the commencement of its construction is a matter which rests entirely with the local Government.

It is estimated that it will take 12 years to complete.

(d) On full development of the scheme the area irrigated will be 5,300,000 acres and the ultimate net revenue per annum will amount to Rs. 194 lakhs which represents a return of 10½ per cent. on the capital outlay.

(e) The Honourable Member is referred to the answers to parts (b) and (c) of his Question.

(f) The canals cannot irrigate the whole of the irrigable area in Sind, part of which lies above the Barrage. No other project has up to the present been received from the Local Government.

#### RESERVED ACCOMMODATION.

109. **Mr. Wali Mahomed Hussanally:** Do Government propose to order that there should be no compartments reserved for any class on Indian Railways, except those intended for ladies?

**Colonel W. D. Waghorn:** Government do not at present propose to make the order suggested, as, on the information before them, they have no reason to believe that the practice is opposed by any large number of Indian passengers.

#### INDIAN COMPANIES ACT, 1913.

110. **Mir Asad Ali Khan Bahadur:** (a) Is it a fact that the Indian Companies' Act of 1913 is not in force in Bangalore and Secunderabad?

(b) Have any representations been made by the inhabitants of either station to bring the Act in force in their respective areas?

(c) If so, do Government propose to accede to their request?

**Mr. S. P. O'Donnell:** The Indian Companies' Act of 1913 is in force in the Civil and Military Station of Bangalore, but not in the Secunderabad cantonment.

The Government of India have received no representations in favour of its extension to Secunderabad, but the question is under consideration.

# REVERSE COUNCILS AND REVERSE COUNCIL BILLS.

111. **Mr. Jamnadas Dwarakadas :** (a) Will the Government be pleased to provide accurate information on the following :

(i) What was India's amount in sterling in England before the Reverse Councils were issued ; what was the equivalent in rupees which was paid out of the Indian Treasury ?

(ii) What is the total amount of Reverse Council Bills sold in sterling ? What is the equivalent amount in rupees received by the Government of India ?

(b) Will the Government be pleased to publish a detailed list from the beginning up to date of those who were allotted Reverse Council Bills ?

**The Honourable Mr. W. M. Hailey :** (a) (i) The total amount held in England on the 31st of January 1920, was as follows :

	£
Gold Standard Reserve . . . . .	36,826,916
Paper Currency Reserve . . . . .	57,241,986
Home Treasury Balances . . . . .	8,563,768
Total . . . . .	<u>102,632,670</u>

I am afraid it would not be possible to give an answer to the second part of (a) (i). In the first place, there are certain items of receipt accruing in sterling in England in respect of which there is no corresponding payment from Indian treasuries. Secondly, the accumulation or depletion of Indian sterling assets is the net result of a series of complicated transactions involving ingoings and outgoings over a long series of years, and it is not possible to state when any particular portion of India's sterling holdings accrued in England.

(ii) Reverse Councils have of course been sold for many years. The total amount sold between the 5th of February, the first sale after the proposals of the last Currency Committee had been promulgated, and the 28th of September of last year, was £49,988,000 and the sum received in rupees was 42,29,88,000.

(b) I refer the Honourable Member to the statement which I have already laid upon the table in reply to Mr. Garu's question on the same matter.

# WITHDRAWAL OF STUDENTS AND PLEADERS.

112. **Beohar Raghubir Sinha :** Will the Government be pleased to state, for each province, the number of students who have so far withdrawn themselves from Government and Government-aided colleges and the number of Pleaders who have suspended their practice in pursuance of the Indian National Congress Non-co-operation Resolution ?

**Mr. H. Sharp:** The information is being collected, and will be supplied later.

#### EXPENDITURE BY AGRICULTURAL DEPARTMENT.

**113. Rai Sarat Chandra Sen Bahadur:** Will the Government be pleased to state the amount that was spent by the Agricultural Department in each of the last five financial years, on—

- (a) Establishment and travelling,
- (b) Experiment,
- (c) Distribution of seeds and manure for improvement of agriculture?

**Mr. J. Hullah:** The information is being obtained as far as possible and will be supplied to the Rai Bahadur later.

#### RECRUITMENT OF POLICE IN BIHAR AND ORISSA.

**114. Khan Bahadur Saiyid Mohammad Ismail:** Will the Government be pleased to state how many posts of the Assistant Superintendents of Police in the rank of the Imperial Service have been sanctioned for the Province of Bihar and Orissa, and what is the system of recruitment?

**Mr. S. P. O'Donnell:** The sanctioned number of Assistant Superintendents of Police on the Indian (Imperial) Police cadre of the Province of Bihar and Orissa is 28.

Prior to the outbreak of the war, officers for the Indian (Imperial) Police Service were recruited through three channels:

- (i) By competitive examination in England, for which young men of European British extraction only were eligible;
- (ii) By the nomination of domiciled Europeans in India; and
- (iii) By the promotion of Deputy Superintendents from the Provincial Service.

The great bulk of the Service was recruited in England. The nomination of candidates in India was in practice rarely resorted to, and the number of Deputy Superintendents promoted was confined to 5 per cent. of the cadre.

Under the system of recruitment now sanctioned by the Secretary of State, 67 per cent. of the total number of annual appointments will be made by a competitive examination in England, 22 per cent. by a competitive examination of nominees in India, and 11 per cent. by promotion from the Provincial Police Service.

#### NATIONAL LIBERAL FEDERATION, MADRAS.

**115. Mr. Mohammad Faiyaz Khan:** (a) Will the Government be pleased to state how many of the Ministers and the Members of the Provincial Executive Councils (of the new Reformed Councils) attended the last session of the National Liberal Federation held at Madras in December last?

(b) Was there any understanding previously arrived at between them and the Government that they would not attend the Nagpur Congress?

**Mr. S. P. O'Donnell :** (a) The Government of India have no information. The Honourable Member should address the Local Governments concerned.

(b) Not so far as the Government of India are concerned.

# TYPHUS IN POLAND.

**116. Mr. Jamnadas Dwarkadas :** (a) Was India invited by the Council of the League of Nations to contribute towards expenses of the campaign against Typhus in Poland ?

(b) What is the amount of the contribution, if any, which the Government have decided to give in response to that appeal ?

(c) What is the amount similarly contributed by each of the nations to whom the appeal was made ?

**Mr. H. Sharp :** (a) Yes.

(b) Owing to the existing financial conditions, the Government of India have decided that no contribution can be made from general revenues. But they have recently issued a Press Communiqué inviting private subscriptions.

(c) A statement is laid on the table giving such information as the Government of India have on the subject.

*Statement showing the contributions made by other nations towards typhus epidemic in Poland.*

France (on condition that three other countries subscribe a like amount)	£	50,000
England (as an instalment without prejudice to amount of final contribution)	£	50,000
Canada	Dollars	200,000
Spain (conditional)	£	40,000
Belgium	£	1,000
Greece	£	10,000
Persia	£	2,000
Bulgaria	£	27
Siam	£	1,000
Germany	Paper Marks	1,000,000
Austria	Kronen	100,000
Holland (an initial payment when Great Britain has also contributed her initial payment)	Florins	100,000
Japan	Francs	100,000
Switzerland	„	50,000

# LEAGUE OF NATIONS.

**117. Mr. Jamnadas Dwarkadas :** With reference to the statement in the Journal of the League of Nations on page 141 of its June number, that in fixing the proportions of the expenses to be paid by each country towards the Secretariat of the League, countries must be divided into seven classes, according to their size and population, and that each country, according to its class, is charged with a certain number of units, will the Government state in which class India is placed ; and what is the contribution she has to make ?

**The Honourable Dr. T. B. Sapru :** India is placed in the first class and is liable for 25 units of contribution. As an original Member of

the League of Nations, her share has been £16,234 towards the first budget of the League, *viz.*, during the Organisation period ending 30th June 1920, and £28,786 towards the second budget which covers the period from 1st July 1920 to 31st December 1920.

The subject of classification is under reconsideration.

*Extract from pages 141-142 of the Official Journal of the League of Nations, No. 4, for June 1920.*

(Page 141.)

Having dealt with expenditure, receipts must now be considered.

In determining their amount we must conform to the terms of the last paragraph of Article 6 of the Covenant, which runs as follows :

'The expenses of the Secretariat shall be borne by the Members of the League in accordance with the apportionment of the expenses of the International Bureau of the Universal Postal Union.'

In fixing this proportion, countries must be divided into seven classes, according to their size and population. Each country, according to its class, is charged with a certain number of units. Thus :

1st class	.	.	.	.	.	.	.	.	.	25 units.
2nd class	.	.	.	.	.	.	.	.	.	20 units.
3rd class	.	.	.	.	.	.	.	.	.	15 units.
4th class	.	.	.	.	.	.	.	.	.	10 units.
5th class	.	.	.	.	.	.	.	.	.	5 units.
6th class	.	.	.	.	.	.	.	.	.	3 units.
7th class	.	.	.	.	.	.	.	.	.	1 unit.

These co-efficients are multiplied by the number of countries in each class, and, the total thus obtained gives the number of units by which the total expenses must be divided. The result of this division gives the amount of each unit.

*	*	*	*	*
*	*	*	*	*

(Page 142.)

If the expenses incurred up to the 31st March 1920, and the estimates for the months of April, May, and June be divided amongst the original Members of the League, and the countries invited to accede, in accordance with the proportions laid down above and the memorandum of the Secretariat, the following results are obtained :

	No. of units.	Total.
		£
Original Members	395	256,494
Countries invited to accede to the Covenant	112	72,729
	<u>507</u>	<u>329,223</u>

#### PROVINCIAL MINISTERS.

118. **Khan Bahadur Sarfaraz Hussain Khan** : Will the Government be pleased to state if the number of Ministers appointed in the different

Provinces of India has been fixed on the recommendations of the Local Government?

**Mr. S. P. O'Donnell:** I would refer the Honourable Member to the provisions of section 52 (1) of the Government of India Act from which he will see that the number of ministers to be appointed in each province for the administration of transferred subjects is a matter that rests solely with the Governor of each province.

# ESHER COMMITTEE'S REPORT.

119. **Sir P. S. Sivaswamy Aiyer:** (a) Will the Government be pleased to state whether besides the terms of reference published in the Report of the Esher Committee above the table of contents there were any other, and if so, what questions referred to the Commissioners; and will the Government be pleased to publish with the permission, if necessary, of the Secretary of State, all further or subsequent instructions issued by him to the Committee?

(b) Will the Government be pleased to publish the communication from the Secretary of State to the Esher Committee by which the proposals made by them in Part I of the Report are said to have been in the main approved by him.

(c) (i) Was there any special reason for not printing and publishing Appendix I to the Report containing the recommendations of the Committee with regard to the Indian officers and other ranks in the Indian Army?

(ii) Will the Government be pleased to publish the Appendices to the Report also?

(d) Will the Government be pleased to state whether estimates of the cost of the Committee's proposals in whole or in part have been framed and, if so, will the Government be pleased to publish such estimates?

(e) Will the Government be pleased to state whether it has been decided to give effect to any, and if so, which of the recommendations contained in the Report?

(f) Whether the Government will require that proposals for the organization and administration of the Army should be so framed as to facilitate the increasing association of Indians in every branch of the military organization and administration?

(g) Will the Government be pleased to state the specific points, if any, in which the proposals made by the Committee in Part I for establishing direct and intimate relations between the Commander-in-Chief in India and the Chief of the Imperial General Staff and for making the latter the sole responsible military adviser of the Secretary of State and their proposals for establishing a chain of military responsibility from the Chief of the Imperial General Staff to the Governor General alter the control now exercised by the Government of India over the Army?

(h) To the knowledge of the Government is the Chief of the General Staff in England allowed to exercise a 'considered influence' on the military policy of the Self-Governing Dominions?

(i) Will the Government be pleased to state whether any scheme similar to that of the Committee for establishing closer relations between the British and the Indian Armies and for promoting the fusion of the British officers

cadre of the Indian Army with that of the British Army are in force in any of the Self-Governing Dominions or have been put forward?

(j) Do the proposals for the organization of the auxiliary services of the Army in India conform to the organization of such services in the Self-Governing Dominions?

**Sir Godfrey Fell:** (a) The answer to the first part of the question is in the negative. The rest of the question does not therefore arise.

(b) The Government understand that no written communication was received by the Esher Committee intimating that the proposals made in Part I of their Report had been in the main approved by the Secretary of State for India. Their statement to this effect was based, the Government understand, upon a conversation which the President of the Committee had with the Secretary of State, from which he derived the belief that Mr. Montagu personally accepted the proposals in all essentials, subject to modification in respect of minor points.

(c) (i) The Government of India did not wish to raise expectations in the minds of Indian officers, non-commissioned officers and men, which it might prove difficult to fulfil.

(ii) It is not proposed to publish the Appendices. Such of the recommendations as are contained therein and are accepted by the Government of India will be promulgated in due course.

(d) Approximate estimates have been prepared. It is not proposed to publish them until a decision has been arrived at as to which, if any, of the recommendations should be accepted.

(e) The only recommendations of the Esher Committee to which it has been decided as yet to give effect are those relating to:

- (1) Tightening up of the system of financial control exercised at Army Headquarters and in the Royal Indian Marine.
- (2) Improvements in the system under which the Army and Marine accounts are maintained.
- (3) Re-arrangement of staff duties at Army Headquarters.
- (4) Assimilation of the training system in India to that in force in the United Kingdom, including the introduction of the system of education for Indian soldiers.

(5) Creation of a Territorial Force for India.

(f) The Government of India are in favour of the policy referred to in the Honourable Member's question and propose to give effect to it, to the extent to which Indians show themselves to be qualified.

(g) The Government of India do not propose to accept any departure of policy or procedure such as is indicated in the Honourable Member's question, nor any other departure of the kind which would not be compatible with the effective control by the Government of India of the Army in India and with the approach of India to a Dominion status.

(h) The Government of India have no information on the subject, but they believe that the answer is in the affirmative.

(i) The Government of India have no detailed information on the subject, except that they know that interchange of staff officers as between Dominion troops and the British Army does take place.



(j) The Government of India have no information on the subject. It is understood, however, that the organisation of the military services in India and in the Dominion forces are on entirely different bases.

**Mr. Mahomed Yamin Khan :** May I request, Sir, through you, that Honourable Members of Government, who reply to questions, will speak out a little bit louder so that their voices may be heard on this side of the House ?

# SESSIONS TRIALS.

120. **Mr. Kabeerud-Din Ahmed :** (a) Are the Government aware that at sessions trials before High Courts neither the evidence of the witnesses nor the summing up of the Judge are recorded ?

(b) Are the Government aware that when a case is heard by the Full Bench under clause 26 of the Letters Patent, the Judges have to deal with the case without any record ?

(c) Are the Government aware that the Judges themselves pointed out this defect in the case of King-Emperor *versus* Peary and Lakshi Pesakar reported in 23 Calcutta Weekly Notes at page 428 ?

(d) Do the Government propose to consider the question of amending sections 354 and 356 and the proviso to section 367, sub-section 5, of the Code of Criminal Procedure by extending the provisions thereof to trials before the High Court ?

**The Honourable the President :** Mr. Kabeerud-Din Ahmed. The Government must answer Question No. 120.

**The Honourable Mr. Moncrieff Smith :** Mr. Kabeerud-Din Ahmed is not here, Sir. He has not yet taken the Oath.

# COURT FEES ACT.

121. **Lala Girdhari Lal Agarwala :** (a) Has the attention of the Government of India been drawn to the following passage in the judgment of the Honourable Mr. Justice Tudball, in the case of *Lakhan Singh versus Ram Kishan Das*, reported in Volume 15 of the Allahabad Law Journal, page 886 : " It appears to me that this is perhaps due to an oversight at the time when Act V of 1908 was passed in not adding the words ' or Cross Objection ' to Article 17 of Schedule II of the Court Fees Act."

(b) Do the Government propose to consider the question of introducing a Bill for amendment of the Court Fees Act in regard to this matter ?

**Mr. S. P. O'Donnell :** (a) The Government of India have seen the ruling of the Allahabad High Court referred to.

(b) The Government of India have under consideration the question of the general revision of the Court-fees Act, 1870, and will consider in that connection the point which has been brought to notice.

# INDIAN LAW REPORTS.

122. **Lala Girdhari Lal Agarwala :** (a) Is the Government aware that the rulings reported in the Indian Law Reports are also reported in

several non-official Reports and Journals, generally long before they find their way in the Indian Law Reports, and the non-official Reports publish other rulings also which are never published in the Indian Law Reports ?

(b) If so, do the Government propose to consider the question of stopping the publication of the Indian Law Reports in future and recognising one of the non-official Reports under certain conditions and stopping multiplicity of such publications ?

**The Honourable Dr. T. B. Sapru :** The reply to part (a) of the question is in the affirmative, and to part (b) of question is that the Government of India have no intention of stopping the publication of the Indian Law Reports. They are aware of the multiplicity of unauthorised Law Reports.

It is proposed at an early date to consult Local Governments as to the feasibility of appointing a Committee to enquire into and improve the condition of the Indian Law Reports.

#### LEGISLATION RE: MARRIAGEABLE AGE.

**123. Lala Girdhari Lal Agarwala :** Do the Government intend to undertake Legislation forbidding marriage of girls before the age of 11 and that of boys before the age of 14 ?

**Mr. S. P. O'Donnell :** The answer is in the negative. Government consider that under present conditions, in a matter of this kind which intimately concerns the social customs and religious beliefs of the people, it is preferable that the initiative should be taken by non-officials rather than by the Government.

#### SLAUGHTER OF CATTLE.

**124. Lala Girdhari Lal Agarwala :** In view of the policy of the Government of India declared in answer to question No. 18 put by the Honourable Mr. Khaparde printed in the Gazette of India dated October the 2nd of 1920, at pages 1201-1202 (*viz.*, that they—'The Government of India'—have no intention of associating themselves with any measure that may be deemed to encourage the slaughter of useful cattle, or are likely unnecessarily to wound the religious feelings of the people). Do the Government of India propose to prohibit the purchase and supply of beef as diet for the Military in India ?

**Mr. J. Hullah :** The Government of India cannot undertake to adopt the suggestion contained in this question.

#### MILITARY TRAINING.

**125. Lala Girdhari Lal Agarwala :** Is the Government prepared to give Indian subjects military training as is given to Europeans in self-governing countries ?

**Sir Godfrey Fell :** The answer is in the affirmative.

RAILWAY CONNECTIONS IN UNITED PROVINCES.

126. **Lala Girdhari Lal Agarwala:** (a) How many District Headquarters in the plains are yet unconnected by Railway in the United Provinces and which of them are proposed to be so connected, and when? ■

(b) How many new Railway lines are to be constructed within the next two years and where?

**Colonel W. D. Waghorn:** (a) Of the District Headquarters named at pages (v) and (vi) in the Civil List of the United Provinces, corrected up to 1st October 1920, the only places in the plains yet unconnected by railway in the United Provinces are Etah and Jalaun, neither of which are proposed to be so connected.

(b) It has not been found possible to provide for starting any new lines from programme funds in the year 1921-22. All lines already started are, however, being pushed forward as rapidly as funds permit. It is not yet possible to give any information on this point in respect of the year 1922-23.

RACIAL DISTINCTIONS.

127. **Lala Girdhari Lal Agarwala:** Do the Government of India intend to remove all racial distinctions in law, offices and railway travelling?

**Mr. S. P. O'Donnell:** As regards the removal of racial distinctions in law and railway travelling, the Member is referred to the answer given on the 15th instant to the question put by Mr. Latthe, No. 13, and to the answer given to question No. 109 in the List of Business for to-day. So far as distinctions in offices are concerned, section 96 of the Government of India Act already provides that no subject of His Majesty resident in British India shall, by reason only of his religion, place of birth, descent, colour or any of them, be disabled from holding any office under the Crown in India.

EXPORTS AND IMPORTS.

128. **Beohar Raghurir Sinha:** Will the Government be pleased to state for the last ten years (separately for each year) the quantity of:—

- (a) Wheat produced in India.
- (b) Wheat exported from India.
- (c) Ghee exported from India.
- (d) Cotton exported from India.
- (e) Foreign yarn and cloth imported into India.

**Mr. C. A. Innes:** The Honourable Member will find information regarding exports and imports of the commodities he mentions in the 'Annual Statement of the Sea-Borne Trade of British India with the British Empire and Foreign Countries' published by the Department of Statistics. Statistics of the production of wheat in India are published annually in the 'Estimates of Area and Yield of Principal Crops in India.' These publications are available in the Library.

## CONSTITUTION OF RULE COMMITTEE.

129. **Babu Satish Chander Ghose:** (a) Will the Government be pleased to state if a Rule Committee has been constituted in Calcutta under section 123 of the Code of Civil Procedure? If not, why not?

(b) Is it a fact that the Rules regulating the procedure in the High Court of Judicature in Bengal have been recently altered? If so, have the new Rules received the sanction of this Government?

(c) Were the new Rules, published in the *Calcutta Gazette* of 15th September 1920, previously published as required by section 122 of the Code of Civil Procedure?

(d) Will Government be pleased to lay on the table the correspondence, if any, that has passed between the High Court of Calcutta and this Government, relating to the said new Rules, and to make a statement regarding the reasons underlying the alteration?

(e) Have these new Rules entailed additional expenditure? If so, to what extent?

(f) Have this Government made an additional grant to the Calcutta High Court in order to meet the increased cost? If so, what is the amount?

(g) Is it a fact that under the old Rules of the Calcutta High Court in Paper Books relating to Second Appeals, the judgments of the lower Courts used to be printed at the cost of Government?

(h) Has this practice been abrogated under the new Rules?

**Mr. S. P. O'Donnell:** (a) Yes.

(b) The rules regulating the practice on the Appellate Side of the High Court have been recently revised. The revised rules were forwarded for the information of the Government of India and those contained in Chapters XII, XIII and XV of the revised edition were submitted to Government for approval under section 107 of the Government of India Act, 1915, and section 3(3) of the Destruction of Records Act, 1917 (V of 1917). The rules contained in these Chapters were duly approved by the Government of India.

(c) No. The procedure prescribed in Part X of the Code of Civil Procedure for altering or annulling the rules in the first Schedule of the Code does not apply to the revision of the rules in question.

(d) The revised rules were intended to effect a general improvement in the despatch of business on the Appellate Side of the Court, and to avoid unnecessary delays in the preparation of Appeals for hearing. Government do not propose to lay the correspondence relating to these rules, which deals largely with questions of detail not of general interest, on the table.

(e) It is not anticipated that the new rules will entail any net additional recurring expenditure on the part of Government, save as regards a concession which has been made for a period of six months only in regard to the cost of printing the paper-books at the Government Press. The ordinary press charges on account of supervision have, in fact, been reduced by 50 per cent. whilst the question of the most economical method of doing this work, consistent with efficiency, is being examined.

(f.) The Government of Bengal have provided funds for the initial expenditure for structural alterations to the High Court buildings, furniture,

staff, etc., subject to the condition that the expenditure shall not exceed Rs. 50,000 during the current financial year. The only additional cost to the Government of India will be the cost of the concession referred to in the answer to caluse (e), the amount of this cannot be estimated at present.

(g) This was the practice, but there was no authority for any such practice in the old Appellate Side Rules.

(h) This question does not arise.

#### SANSKRIT AND ARABIC SCHOLARS.

130. **Rai J. N. Majumdar Bahadur:** (a) Will the Government state on what principle the titles of Mahamahopadhyaya and Shams-ul-Ulama are conferred upon Sanskrit and Arabic scholars in India?

(b) Is there an All-India or Provincial Committee of Scholars for advising the Government on the subject?

(c) Do the Government propose to consider whether the present honorarium of Rs. 100 per annum allowed to the recipients of such titles is or is not inconsistent with the dignity of the titles and also too small and inadequate to put them about the ordinary necessities of life and thus give them sufficient leisure for their scholastic studies?

**Mr. H. Sharp:** (a) The principles governing the grant of the titles of Mahamahopadhyaya and Shams-ul-Ulama are :

(1) that the proposed recipient of the honour is a scholar in the one case in Sanskrit, in the other in Arabic or in Avesta and Pahlavi of a profundity and width which entitle him to peculiar respect ;

(2) that the proposed recipient is not merely a man of learning, but that he also makes, or has made, use of his learning either by active participation in educational or research work, by meritorious authorship, or by some similar means ;

(3) that the proposed recipient is a person whose learning has earned for him a position of eminence and reputation in any part of the country ;

(4) that the claims of the proposed recipient are supported by indisputable authority of recognised scholars.

As a general rule, the qualifications described in (1) and (2) are considered essential, those in (3) and (4) being regarded as auxiliary.

(b) There are no such committees. The question of establishing an All-India Committee was raised, but was found to involve serious difficulties. Eminent scholars are, however, consulted privately.

(c) The honorarium is not regarded as insufficient for the purpose which it is intended to serve. The purpose in view is not to put the recipients above the ordinary necessities of life, but to provide them with a perquisite for which there is a precedent in the case of similar distinctions in other countries.

#### COAL TRAFFIC.

131. **Rai J. N. Majumdar Bahadur:** (a) Is coal at present exported out of India? If so, for what purposes and to what extent?

(b) What was the number of wagons available for carrying coal during the war and what is the number available at present?

(c) What steps, if any, are the Government taking to increase their number?

(d) Is there any reason why coal should still be under Government control?

(e) Is it a fact that public bodies such as District Boards and Municipalities have often failed to get supply of coal for executing their civil works as well as State civil works under their control and management, while private dealers or depôt-holders have found much less difficulty in obtaining coal for private purpose?

(f) If so, is the Government prepared to make an inquiry into the matter and to put a stop to this practice and to facilitate supply of coal to local bodies for executing the works under their charge?

15. **Colonel W. D. Waghorn :** (a) Coal is at present being exported in limited quantities to Colombo. After the end of March, these exports will stop altogether except for a small amount for the Ceylon Government Railway.

(b) Since June, the number of wagons available daily for coal transport in the Bengal fields has varied from a minimum of 2,327 to a maximum of 2,850. I have no figures readily available giving the average number of wagons available for coal transport during the war.

(c) The stock of wagons has been increased, and improvement has been effected by the pooling system. I must also remind the Honourable Member that our present difficulties are mainly due, partly to inadequate railway facilities for transport to and from the fields, and partly to lack of coal accentuated by strikes in the fields.

(d), (e) and (f). The Government of India are aware that public bodies are experiencing difficulties in obtaining supplies of coal, and they also understand that a certain amount of coal is being sold in wagon loads at the pit's mouth to the highest bidder. The whole question of the best method of regulating the distribution of coal from the coalfields is one of great difficulty. The Government of India intended to appoint a formal committee to investigate the whole matter, but they have now decided to take advantage of the presence in Delhi of numerous Members of the Council of State and Legislative Assembly who are interested either in the production or consumption of coal, to assemble a small informal committee to subject the question to a preliminary examination. In the meantime, the idea of appointing a more formal committee will be held in abeyance. I take this opportunity of mentioning, for the information of the Assembly, that this informal committee will consist of the following gentlemen :

Chairman :

Mr. C. A. Innes, Secretary, Commerce Department.

Representatives of the Coal Producers :

Mr. N. C. Sircar, M.L.A., Chairman, Indian Mining Federation, Mr. Pattinson, Chairman, Indian Mining Association, and the Honourable Sir Maneckji Dadabhoy.

Representatives of Consumers :

The Honourable Sir A. R. Murray, the Honourable Mr. A. H. Froom, Mr. Rahimtoola Currimbhoy, M.L.A., Chairman, Mill Owners' Association, Bombay.

**Railway Expert :**

Mr. Sheridan, General Traffic Manager, East Indian Railway.

This informal committee will assemble this week.

PERSONS ACCIDENTALLY SHOT OR WOUNDED.

132. **Mr. Mohammad Faiyaz Khan:** Will the Government be pleased to state the number of the men (especially villagers) alleged to have been accidentally shot or wounded by careless (a) Europeans and Anglo-Indians, (b) Indian shikaris, during the last five years in India?

**Mr. S. P. O'Donnell:** The information asked for is being collected and will be supplied to the Honourable Member as soon as possible.

BANDE-MATARAM PUBLICATIONS.

133. **Mr. Mohammad Faiyaz Khan:** Has the attention of the Government been drawn to the news published in the *Bande-Mataram* (Lahore), dated 8th January 1921, page 3, column 2, headed '*Aik fouji Captain Kay Sharmnak kartoot.*' Will the Government be pleased to state if the contents of the news are true and, if true, what steps does the Government contemplate to take?

**Sir Godfrey Fell:** (a) The attention of the Government has been drawn to the article in question.

(b) The allegations contained in the article are false. An Indian officer who made similar allegations against the officer in question was tried by Court Martial and convicted of making false accusations, and was sentenced to be dismissed from service.

It transpired, however, in the course of the Court Martial proceedings that the British officer in question did enter the married quarters of certain men of the regiment while carrying out his official inspection of the lines. His action in doing so has been held to have been injudicious and incorrect, but the Government of India are satisfied that his object was not that falsely attributed to him in the newspaper article referred to.

VICE-CHANCELLORS FOR INDIAN UNIVERSITIES.

134. **Mr. Mohammad Faiyaz Khan:** Will the Government be pleased to give a list of the Vice-Chancellors appointed or selected by the Government for various Government or Chartered Universities in India, together with the educational qualifications of each?

**Mr. H. Sharp:** It is assumed that by 'the Government' is meant 'the Government of India.' The information will be supplied to the Member.

SIR VALENTINE CHIROL.

135. **Mr. Mohammad Faiyaz Khan:** (a) Will the Government be pleased to state if Sir Valentine Chirol, who is at present in India as a special correspondent or representative of the *Times*, has ever, during his present Indian tour, stayed in the Government Houses as a Government guest?

(b) If the answer is in the affirmative, will the Government be pleased to state if his articles on the present situations are in any way authorised as an expression of the opinion of the Government or the officials?

**Mr. S. P. O'Donnell :** (a) Sir Valentine Chirol has stayed at some Government Houses, but not as the guest of Government.

(b) No.

#### EXPORT OF RICE.

136. **Rai J. N. Majumdar Bahadur :** (a) Will the Government state the grounds on which it still continues the prohibition of the export of rice from India to foreign countries?

(b) Is there any prohibition against the export of any other food-grain except rice?

(c) Is the Government aware that Bengal has the monopoly of old hard table rice of the kind which is not consumed in India, and which is consumed only in Cuba?

(d) Is the Government aware that there is a very heavy stock of such table rice in Calcutta and the District of 24-Parganas?

(e) Is the Government aware that such rice is grown by Siam also?

(f) Is there any reason why any distinction should be made between rice and other food grains in connection with export to foreign countries?

(g) Is the Government aware that there is a large Indian population in Ceylon, Arabia, Natal and West Indies, etc., who are habituated to the Indian rice?

(h) Is it not a fact that Java and Mauritius supply India with sugar chiefly in exchange for rice?

**Mr. J. Hullah :** (a) Government consider that it is necessary to retain for the present restrictions on the export of rice in order to conserve stocks required for internal consumption.

(b) Yes, the export of all food-grains is still under control.

(c) Government believe that old hard table rice is produced only in Bengal and that it is consumed principally in Cuba.

(d) Government were informed in October last that there were 10,000 tons of this rice held in Calcutta and they have permitted the export of this quantity. They have no information that there are further stocks of this quality of rice in Calcutta or in the 24-Parganas.

(e) Government have no information on this subject, but if the Honourable Member is correct in his assertion that similar rice is grown in Siam, he would appear to contradict the assertion in part (c) of this question that Bengal has a monopoly of this quality of rice.

(f) No such distinction is made.

(g) Yes.

(h) Java and Mauritius supply India with sugar and normally import rice from India.

#### MEDICAL TRAINING IN INDIA.

137. **Sir P. S. Sivaswamy Aiyer :** Will the Government be pleased to state whether they have any intention of providing facilities in India for



medical training similar to those afforded in the R. A. M. C. College at Mill Bank as recommended by the Verney Lovett Committee and the Escher Committee?

**Sir Godfrey Fell:** The Government of India propose to establish a dépôt and school of instruction in India for the training of newly appointed medical officers on the lines recommended by the Verney Lovett Committee, when funds admit. The scheme is now before the Secretary of State whose orders are awaited.

#### INDIANS AND THE I. M. S.

138. **Sir P. S. Sivaswamy Aiyer:** Will the Government be pleased to state how many medical men were employed as temporary I. M. S. officers during the war, whether any, and if so, how many of these have since been absorbed permanently into the I. M. S. and what is the proportion of Indians to Europeans and Anglo-Indians among those so provided with permanent employment?

**Sir Godfrey Fell:** The number of medical men employed as temporary Indian Medical Service officers during the war was 1,138. 79 have been absorbed permanently into the Indian Medical Service and of this number, 73 are Indians, the remainder being Europeans and Anglo-Indians.

The proportion of Indians to Europeans and Anglo-Indians is, therefore, approximately 12 to 1.

#### NAVAL DEFENCE OF INDIA.

139. **Sir P. S. Sivaswamy Aiyer:** Do the Government propose to move the Secretary of State for the publication in India of the report of Lord Jellicoe regarding the naval defence of India and the rest of the Empire?

**Sir Godfrey Fell:** Lord Jellicoe has made no comprehensive report on the Naval Defence of the Empire, so far as the Government of India are aware, but has made a series of reports to the Dominion Governments and also to the Government of India on the local problems of naval defence. The Government of India are only concerned with the report submitted to them, and are asking the Secretary of State's approval to its publication in India.

#### PASTURE LANDS, ETC.

140. **Lala Girdhari Lal Agarwala:** Will the Government be pleased to declare their policy with regard to free pasture lands and disposal of grass grown on road-sides and other lands belonging to Cantonments?

**Sir Godfrey Fell:** All open pasture lands and grass growing on the road-sides, within Cantonment limits, are the property of the State in the Military Department, and, in every case, have been placed under the management of Cantonment Authorities in usufructuary possession.

Any income derived from these lands or from the sale of grass is credited under the provisions of section 19(c) of the Cantonments Act of 1910 to Cantonment Funds.

#### ANGLO-INDIA STEAM NAVIGATION COMPANY.

141. **Lala Girdhari Lal Agarwala:** (a) Is the Government aware that a petition has been presented for winding up the Anglo-India and Colonial

Steam Navigation Company, Limited, which was started last year with a nominal capital of 10 crores and which had for its object the business in shipbuilding (*vide Leader*, dated 27th of January 1921, page 4, column 3) ?

(b) Do the Government propose to establish in its place a School in Shipbuilding and Navigation for Indians? In the alternative will the Government be pleased to establish a like institution at some other suitable seaport ?

**The Honourable Sir T. H. Holland:** The Government of India have seen the article in the newspaper to which the question refers.

But a school for shipbuilding and navigation is not likely to help the Anglo-Indian and Colonial Steam Navigation Company, and the Member presumably understands that shipbuilding and navigation are wholly distinct professions and not likely to be taught in the same school. With regard to the teaching of navigation, the Honourable Member is reminded that 'Education' is now a Provincial transferred subject, and it will be for the Ministers in the Provinces to decide whether provision should be made for education in the art of navigation and seamanship. So far as the question relates to the provision of facilities for training personnel for the Royal Indian Marine, a subject which is under the direct control of the Central Government, I would invite the Honourable Member's attention to the reply given by His Excellency the Commander-in-Chief to a question on the subject put by the Honourable Mr. Patel in the Indian Legislative Council on the 8th March 1920. The Government of India have asked the Secretary of State for a ship suitable for use as a Royal Indian Marine training ship for Indian ratings, including engineer artificers, on which facilities can also be provided for the training of cadets and special ratings, such as wireless operators and signallers. So far the Government of India have not been able to obtain such a vessel.

With regard to the teaching of shipbuilding, it is necessary first to establish the industry itself before training in the industry can be given. The building of ocean-going ships in this country is dependent on a supply especially of steel-plates being available at low prices. Obviously no business company would undertake the building of steel ships if they had to pay freight for the importation of the chief constituents. It is hoped, however, that when steel works in India are in a position to supply steel-plates in sufficient quantities and of specified quality, private enterprise will develop and expand the ship-building industry. Then will it be possible to consider the question of teaching facilities.

#### BOARD OF REVENUE, UNITED PROVINCES.

**142. Lala Girdhari Lal Agarwala:** Do the Government propose to abolish the Board of Revenue in the United Provinces ?

**Mr. S. P. O'Donnell:** The question of abolishing the Board of Revenue in the United Provinces was considered in connection with the introduction of the Reforms Scheme. It was decided that the Board should be retained for the present at any rate, since any change would involve legislation, and it was not desirable that such legislation should be introduced until experience had been gained of the working of the reformed Government and the new legislative council had had an opportunity of expressing its views.

## PRECEDENCE OF RESOLUTIONS.

**Rai J. N. Majumdar Bahadur :** Mr. President, my Resolution stands sixth on the list, but I have got the permission of the Members preceding me to move my Resolution first, and if the Honourable the President will permit me, I should like to do so.

**The Honourable the President :** Order, order. Will the Honourable Member resume his seat please. The ballot for Bills and Resolutions is designed to give Members precedence for Resolutions in a way which raises no personal questions. The Honourable Member has asked me to permit him to move his Resolution first and, therefore, to take precedence of the others. But under the system which the ballot has established, four Members take precedence of the Honourable Member who wishes to move the Resolution marked sixth on this list. If I were to allow him to take precedence now, I could only do so by asking each Member individually who had gained precedence over him in the ballot whether he is prepared to withdraw the Resolution standing in his name. That is to say, I should first of all call upon Mr. Samarth to move Resolution No. 1 and then invite him to withdraw that Resolution in order that we may proceed down the list until we have reached that in the name of Mr. Majumdar.

I hope it will be understood that the ballot for Bills and Resolutions is designed in the interests of the Assembly as a whole. If Members choose, after having gained their precedence, to dispense with it in favour of others, that is not the business of the Chair : but it is the business of the Chair to warn the other Members that they are depriving themselves of rights legitimately won in the ballot. Therefore it is perfectly open for the Honourable Member to tell me, with the authority of the other Members, that they do not wish to move their Resolutions and are prepared to withdraw them. It is equally, I think, the duty of the Chair to warn the other Members of the danger they are incurring of not getting their Resolutions discussed at all.

**Rai J. N. Majumdar Bahadur :** I withdraw my request, Sir.

**The Honourable the President :** I call upon Mr. Samarth to move Resolution No. 1.

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RESOLUTION *RE* MILITARY EXPENDITURE OF THE  
GOVERNMENT OF INDIA.

**Mr. N. M. Samarth :** Sir, I beg to move the Resolution that stands in my name, namely, that :  
12-10 P. M.

‘ This Assembly recommends to the Governor General in Council that the Local Governments be given collectively a voice in determining the military expenditure of the Government of India.’

As this Assembly is aware, under the new arrangements which have come into force under the Reform Act, the Local Governments collectively contribute 988 lakhs of rupees to the Government of India. The Joint Parliamentary Committee, which finally decided this question after the

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representations of the Government of India and the Local Governments were taken into consideration, laid down, in its second report on the Government of India Act, 1919 (Draft Rules), that the acceptance of the proposals which they embodied in their Report emphasised the intention that the contributions from the Provinces to the Central Government should cease at the earliest possible moment. Now, the question is, is there any likelihood of these contributions being reduced or ceasing at the earliest possible moment if the expenditure of the Government of India, especially on the military side, goes on increasing, as it has been steadily increasing all these years? To my mind, if this expenditure goes on increasing, there is hardly any likelihood of the contributions of the Local Governments being in any way reduced. Therefore, I claim that the Local Governments have an interest, and a vital interest, in seeing to it that the expenditure of the Government of India is brought under vigilant scrutiny if not under effective control. I am not asking by this Resolution for any effective control on the part of the Local Governments. I ask that they be given a *voice*, not an effective voice, in determining the military expenditure of the Government of India. I do not think it necessary, for the purposes of my argument, to develop what has been the complaint for many years past, namely, that the expenditure on the Army side of the Government of India has been enormous and inordinate. I do not question for the moment the propriety or impropriety of that expenditure at the present juncture. Either it is proper or it is improper. If it is proper, nothing is lost by giving to the Local Governments the voice which I suggest in this proposal. The hands of the Government of India would, in that case, be strengthened by the consensus of opinion of the Local Governments, in its favour. If it is improper, surely it is in the public interest that that expenditure should be brought under the vigilant control of the Local Governments. Under the Government of India Act, this Assembly has no power, at the time the Financial Statement is discussed, to vote on the military expenditure. This Assembly has no power even to discuss the question of the military expenditure except by the direction of the Governor General. Consequently, the guarantee which every Dominion Government's popular House has of controlling military expenditure is denied to us. We have no voice. Is it right that there should be nothing like effective control of this expenditure? It will be said that it is being subjected to some sort of control by the Army Secretary. I submit that that is not what I understand by control. That sort of control, in one form or another, has gone on for many years past. Students of Indian finance are aware of the financial muddle in connection with the Afghan War of 1879. I need not go into the details of it. It is enough for me to state the broad facts. In 1880 the Finance Minister, Sir John Strachey, in his Budget laid down 5½ millions as the estimate of expenses for the Afghan war. In May, that estimate was exceeded by 9 millions and within a few months the actual cost came up to 15 millions, and this was done in spite of public criticism when the Budget was out. Well, it created a sensation at the time, both in England and in India and those who are conversant with the facts know well how the London *Times* thundered on this blunder.

It exposed the Secretary of State to adverse criticism and the Government of India to adverse criticism and the excuses of the Government for this

'scandalous blunder'—if I may use the expression which that paper used—were considered to be a scandal.

Now, at the time, the Finance Member came out with this admission. He said :

'We were so completely misled that in spite of the doubts freely expressed on various occasions in public criticisms, we entertained no misgivings as to their soundness . . . The system which we trusted has failed and the Government has been left in ignorance of fact of essential importance.'

I submit that this is likely to happen even to-day and as the military expenditure is not under the control of this Assembly, I suggest this as a *via media*, so that the Local Governments who cannot be expected to take anything but a responsible attitude in this matter, may be enabled to see that the military expenditure incurred by the Government of India is not extravagant but reasonable and adequate. There is another point which I would press in regard to this question.

It would be, I submit, to the advantage of the Government of India to have the support of the Local Governments in its military policy and expenditure.

Those who have been in England and have heard in the House of Commons the debates on questions regarding India, or who have read or studied the Parliamentary proceedings in Hansard, will bear me out when I say that the critics who speak on Indian questions are often times ill-informed and quite ignorant of the real state of affairs in India. In the British Press, the criticism is sometimes even worse, with the result that unfair and undue advantage is taken of the situation and the Secretary of State's hands are forced and, through him, of the Government of India. The latest instance, if I may say so, is that of the Report of the Esher Committee. I do think, therefore, that it would be to the interest and the advantage of the Government of India to have the support of the Local Governments in this matter, so that, backed by the Local Governments, it would be in a better position to make a stand against all this criticism.

There is another aspect of the question. As this Assembly knows, for 10 years more, there is to be no change in the rights or the disabilities of this House. Ten years hence, when the Statutory Commission comes, if we ask for the same sort of control in this House as obtains in the Dominions in regard to military matters, it might well be urged that there is no Indian of any experience in these matters—none of us Indians have any insight into the military situation and consequently nothing can be done to give us the desired control.

I submit, therefore, that Indian Ministers, who are under a vow of secrecy, may be given an opportunity of studying the military facts of the situation and thus gain experience and insight which, 10 years hence, will enable them to occupy responsible official positions on this particular subject.

On these various grounds, I submit that it is but right and proper that the Local Governments be given collectively a voice in determining the military expenditure of the Government of India. It will be asked, how is this to be done? I think that where there is a will there is

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a way and if the Government of India are desirous of giving\* a voice to the Local Governments in this matter, then the procedure may be this: The Military Budget, as soon as it is prepared, should be sent with an explanatory memorandum to all the Local Governments. They will consider the Budget with the financial expert advice which will be available, and it will also be considered from all points of view by the Governor, his Executive Council and Ministers, and then one Member of the Executive Council, and one Minister might be asked to come to Delhi from each Local Government to attend a sort of a round-table conference which could be arranged with the military officers and the Finance Member of the Government of India. There would be many advantages in having such a round-table conference, because in addition to discussions on military policy and expenditure, it could be utilised for the discussion of many other questions of administrative difficulties which might be confronting the Local Governments.

Thus, cumulatively from all these points of view, I hope and trust that the recommendation embodied in my Resolution will commend itself to this Assembly.

**The Honourable the President :** I think it will be to the convenience of this Assembly if I call upon the Member, in whose name the amendment stands, to speak ; unless Government wishes to answer the proposal at once.

**The Honourable Mr. W. M. Hailey :** I think it would be more convenient, Sir, if I were to deal at once with the proposition put forward by Mr. Samarth because I feel that the amendment is to a certain extent quite different in substance from the proposal put forward in the Resolution.

The Proposer of the Resolution has, as I think the Assembly will agree, skated very tenderly over one essential difficulty of his proposition, namely, the machinery that he would create for dealing with the Military Budget. What he proposes is that Local Governments should be given a voice in the matter—no control, but a voice. Now he does not attempt to inform the House how he would assess the weight which is to be given to the opinion of the Local Government of Assam, which will contribute to Central Revenues 16 lakhs, and the Local Governments, shall we say, of the United Provinces and Madras, which will contribute their crores. I would put to him the fact that he would find almost equal difficulty in assessing the value of the opinion of the Local Government of Burma which could certainly not be affected by invasion from the frontier, and the Punjab which would bear the brunt. These are, however, only details and I do not want to take him up on details.

The ingenuity of the officers who have prepared that elaborate scheme of proportional representation, which we had circulated to us this morning, perhaps might get rid even of such difficulties as those. I want to take him up, not merely on the question of representation but on the question of principle.

Now the building up of a Military Budget is not the simple matter that Mr. Samarth's speech might have led the Assembly to suppose. You cannot say to the Army, 'we propose to give you so many crores more, so many crores less'. You cannot adopt a rough and ready procedure of that kind. The cost of your Army depends on the cost of your combatant strength,

and the extent of that strength depends on considerations which may vary from time to time and never stable, regarding the possibility of invasion from across the frontier or of trouble on the frontier itself. The Army, you may take it, costs in these proportions—about 60 per cent. for its combatant strength and 40 per cent. for its accessory services. Having, therefore, decided, after consultation with the Army from time to time what your combatant strength should be, you have further to enquire into the details of the accessory services, and that is a process which is not capable of settlement by a committee but goes on throughout the year.

The Honourable Member quoted to the House the case of the Afghan War of the Eighties. He suggested that our control of military finance is still on a parallel with the control which admitted of that financial breakdown, that financial scandal as it was called at the time, and that such a case may occur again. Let me assure the Honourable gentleman that we have now a far different system. No man, no department, no nation can attempt to control its expenditure in war. You can hardly attempt to estimate it, and certainly you cannot control it effectively. You have to meet the demands for equipment, for extra forces, for a thousand requirements which arise from time to time; and no joint control by the provinces would help to reduce these requirements. But I maintain that we have at present a system which does enable us to estimate and to control peace expenditure on the Army, and it would be distinctly misleading if it were suggested that the miscalculation which occurred in the Afghan War could occur in regard to our peace expenditure on the Army—for, remember that it is only for the peace expenditure of the Army that we budget or can budget. Some words fell from him which also, I think, showed a misunderstanding of the nature of the control exercised. He said: 'I know that some sort of control is exercised by the Army Member.' I wish I could assure the Honourable gentleman that the control could be limited to that. But Honourable Members of this House who happened to sit with me on the Executive Council will know that Army Expenditure has been a subject of discussion between us not once or twice, but continuously throughout the present year. Sub-Committees have been appointed, full meetings of the Council have been held, the matter has been ventilated in every possible way. It is not left to the control of the Army Member as the Honourable Member would seem to suggest.

The main case of the Honourable Member is, however, this: that unless some control by the provinces is exercised over military expenditure, there is very little prospect that the provincial contributions will finally be abolished. That, I take it, is his real case. It is perfectly true that Army expenditure,—as I read out to the House to-day in answer to a question, that is to say, our total defence expenditure—does comprise something like 33 per cent. of our total expenditure, and consequently any considerable reduction of Army expenditure would enable us to reach that day to which we ourselves look forward when we may reduce, and substantially reduce, the provincial contributions. But why does the Honourable Member limit his proposal to Army expenditure? We spend something like 33 crores of rupees on our railway revenue expenditure; we spend 6 crores of rupees on our posts and telegraphs; we spend considerable sums of money on earning our opium revenue. We keep a Geological, an Archæological, a Survey Department. Why, one may very reasonably ask, why should not the provinces have a voice in the expenditure of every department of the Central Government? And that remark, Sir,

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brings me to my main objection to this proposal. Why have we made a clear cut between central and provincial expenditure? Why have we made the provinces practically autonomous in the matter of their finances? We do not seek to control them: we hardly have a voice in the matter. We allow them to spend their balances; we only ask them to give us notice when they are going to do it. No more. We allow them to raise loans: we only ask them not to raise them at the same time that we are raising ours or at rates which will make it impossible for us to get in sufficient money for our railways or for the cancelling of our short term obligations. There are financial rules, it is true,—rules which, I may say, are now being very widely liberalised—which do restrict the provinces in respect of certain appointments. But in regard to the great bulk of their expenditure and in regard to the whole of their transferred expenditure, they are absolutely autonomous. Yet, the Honourable Member proposes that, while we allow them autonomy, they should have a voice in our finances. I think that the Honourable Member has, as a matter of fact, an undue mistrust of the powers of this Assembly. It is true that military expenditure is not voted. It is true for that matter that political expenditure also is not voted. But the Assembly has a complete control in regard to all expenditure of other civil departments. The Assembly has control in the matter of raising of taxation. The Assembly, according to the Honourable Mr. Samarth, cannot even discuss military expenditure. I think we had to-day a proof that they can at all events enter on such discussion, and I think we shall find during the Budget debate that their powers of effectively discussing and criticising military expenditure are by no means limited or insignificant. In fact, I myself have no doubt that the Assembly will find that in a short time, as a result of its direct powers of control over civil grants and of its indirect powers of criticism through Resolutions and of its power of refusing to vote taxation that it will have those large powers of influencing our finances which it was intended by Parliament that it should exercise. If the revised procedure in the new Government of India Act had omitted the clauses which relate to the passing of the Budget, it might very well be said that we were still an Executive Government, restricted perhaps in our powers of legislation and subject to hostile votes on legislation, but free in other executive matters. That cannot now be said. The clauses of the Government of India Act which regulate the procedure on the Budget, which give this Assembly powers in regard to the passing of taxation Bills, which give this Assembly full powers to vote on demands for grants, these factors really transform the situation, and make it no longer possible to say that we are an Executive Government not responsible to the Assembly. I would put it to the House, therefore, that having these powers, instead of calling in assistance from outside, instead of seeking to give other people a voice in our own matters, it should exercise these powers itself. I may say that I in the Finance Department have certainly held the view that the Assembly will exercise such powers, and I may also say on behalf of my colleagues that they have viewed the situation in exactly the same light. I have no doubt that the Honourable Mr. Samarth, mistrusting, as I have said, the powers of this Assembly, the influence and the authority of this Assembly, has drawn to himself a vivid picture of the assistance he might get in controlling military expenditure. I think he sees himself a Member of a strong phalanx, consisting of Members of this Assembly, advancing firmly to resist the dreaded growth of military expenditure, and he hoped to find a light cohort of auxiliaries



from the provinces attacking us on the flank. I say there is no need whatever for the Honourable Member to call in that assistance. I say that you are an Assembly, an all-India Assembly, dealing with all-India subjects and with all-India finances, and that you should neither acknowledge the necessity of control, or, admit the possibility of assistance from outside in putting your own house in order.

**Munshi Iswar Saran :** Sir, I regret I have to differ from my valued friend, Mr. Samarth. Sir, I agree that there is a universal feeling, 12-34 P.M. very strong in the country, that the military expenditure in India has been rising enormously. There is also a feeling that in spite of protests and criticisms the people are helpless in influencing the policy of the Government in regard to military matters. I agree with my friend, Mr. Samarth, so far. But why I differ from him is this, that the remedy he suggests is not a good remedy. In the first place, I agree with the Honourable gentleman who has last spoken on behalf of Government, that one of the remedies is for this Legislative Assembly to exercise all the powers that it possesses, and I submit that we should work and agitate to obtain greater powers than we possess at the present moment. As regards the Provincial Governments, it would be permissible to ask, what information they possess in regard to military matters and how they are competent to exercise any influence in regard to various questions of policy and detail that come up for consideration before the final Budget is prepared. And, my Honourable friend will kindly bear in mind, that the responsibility will rest according to the Act on the Government of India, and that being so, it is necessary that the credit or the blame of the military policy and expenditure should rest on them and them alone. My Honourable friend says, that at the end of ten years it might be asked : ' what experience have you in military matters that you should get any powers in regard to them ? ' He says that if Local Governments are now given a voice, then we shall be able to say at the end of ten years that our Ministers—about a dozen in number—have had some experience or knowledge of military affairs, and therefore we are entitled to have control or to have a determining voice in military affairs. I submit, Sir, that no argument like this will serve our purpose. At the end of ten years—I must frankly say that I expect it very much earlier than that—we shall be able to claim that right of having not only a voice, but a dominating voice in regard to military affairs by virtue of the inherent right that every nation possesses of controlling all its affairs. We are not going to rely on such flimsy, such weak arguments as my Honourable friend has suggested.

Sir, I submit with great respect, that we should have confidence in the powers we, as a people, possess. Let not the fulfilment of our best and highest aspirations depend on these weak, unsatisfactory, unsound devices. Let us, on the other hand, say, that the military expenditure is growing enormously, and that we will do all that we can to stop it by influencing directly as well as indirectly, and not by giving a voice to Provincial Governments which, I am afraid, in very many cases will be productive of no good. I, therefore, oppose this Resolution, because, the remedy, that is suggested, is unsound in principle, and not commendable even from the point of view of expediency.

**Mr. B. S. Kamat :** Sir, I fully endorse what has fallen from the immediately preceding speaker. I confess, the Honourable Mover of this Resolution has not convinced me about this Resolution. I 12-39 P.M.

[Mr. B. S. Kamat.]

shall not go upon the same grounds as my friend, Munshi Iswar Saran. I only wish to add one or two words to show that the proposition of the Honourable Mover is not a practical one.

The Honourable Mover referred to the question of defence. But, as far as I know, in every constitution, the defence of the country is always a Central Subject, and the Honourable Mover has not shown that even in the Dominions, Provincial Governments have any voice or any control at all in the matter of defence. If, therefore, in the Dominions the Army is a Central Subject, I do not see why it should be a Provincial Subject here.

The Honourable Mover next referred to the incident of the Afghan War of 1879 and to the break-down of military finances. But he failed to prove that if Provincial Governments had been consulted on that occasion, and if their views had been taken, then that muddle about the Afghan War would have been prevented. He has not proved his case by merely pointing his finger at the Afghan War muddle in 1879. It was necessary, before approaching Government, to show that if on that occasion the Provincial Governments had been consulted, they would have shown how the military policy would have broken down and how mistakes could have been avoided.

The Honourable Mover next pointed out the method how collectively Provincial Governments could be brought round here. He suggested a round-table conference.

I fail to see how, even supposing that there was a round-table conference here, the military necessities can be understood in a short time, either by the Executive Councillors or the Ministers who would be deputed by Provincial Governments to attend this round-table conference. The method suggested, as pointed out by the previous speaker, is entirely faulty and is not likely to serve the purpose. What is really wanted by us is a direct voice, as the representatives of the people, as representing an all-India Assembly here, in the control of military expenditure. Defence is a subject which is not open to discussion in this Assembly at the Budget time. That is the real evil, I should say, against which we have to protest, and if the Mover has a very good desire to have a voice in the discussion of the military finance, I think the real remedy should be to have a discussion on military finance, and to give power to this Assembly to see that we have a controlling voice and authority. This is the real remedy, instead of having an indirect voice, as my friend proposes, by transferring this subject either to the Ministers or to the Provincial Governments.

**Dr. Nand Lal :** Mr. President, and Members of this Honourable Assembly, 12-42 P.M. there is no doubt about the fact that the Government of India has been lavishly spending money on the military affairs, and they have not given any convincing response to the criticisms of the people of this country. While agreeing with my friend, the Mover of this Resolution, I am sorry, I have to differ from him as to the remedy proposed by him, and I have to do so on the following grounds. The first is, that his Resolution practically induces us to admit our own weakness as if we are not competent enough, or we ourselves are not sufficiently strong and careful to examine the expenditure under debate now. When we represent the whole of India, we are fully competent, and we shall examine and try to see that military expenditure is reduced. If we allow a voice to the Local Governments, then, I am

afraid, we shall be hampered in the way of our examination of the expenditure. On these two grounds I differ from the Proposer and I oppose the Resolution which has been moved by him.

**Srijut Debi Charan Barna :** Mr. President, I regret to submit that

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I have also to oppose the Resolution moved by my friend, Mr. Samarth. There is no military element in the Local Governments, whereas we, here, have to some extent military elements and military advisers. Besides that, we should be competent enough to handle affairs entrusted to us, and we are here represented by all the different provinces, and the inclusion of Executive Members from the Provinces will not improve the matter in any way whatsoever. Besides that, there will be no room here for the inclusion of those Members. There will be occasions similar to this on which we may have to invite Members of those Assemblies and those Governments, but where is the room? How will the Ministers and Executive Members of those Governments coming into our Legislative Assembly find their way to vote on a certain Resolution or a certain question? I am afraid, there will be no occasion for allowing them to vote on any question and reduce our powers. We may be prepared to reduce our powers, but is there any advantage? So, the inviting of Members of those Governments will be of no use to us. On these grounds, I beg to differ from the Mover.

**Prince Afsar-ul-Mulk Akram Hussain :** May I point out to this

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House that the Resolution which has been moved has not been seconded, and therefore the discussion on the subject seems to me to be out of order. May I take your ruling, Sir?

**The Honourable the President :** It is unnecessary under the rules for a seconder to be had for every motion, though it is a common practice in most Assemblies. Our Rules and Standing Orders do not require it and therefore the motion is in order.

**Mr. E. L. Price :** May I move that the question be now put? The

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opinion of the House seems all one way, and I submit that the subject has been sufficiently discussed.

**The Honourable the President :** Subject to the right of the Mover to reply. I call upon Mr. Samarth to reply.

**Mr. N. M. Samarth :** Sir, I do not, for a moment, wish to take away any

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right which this Assembly has under the Government of India Act. My Resolution does not remove by one iota or reduce by one jot any powers which you have got. But what powers have you got? Some of you seem to be under the impression that we have got powers to control the military expenditure. You have no such powers.

Under section 25 of the Government of India Act, it is laid down that, 'The proposals of the Governor General in Council for the appropriation of revenue or moneys relating to the following heads of expenditure shall not be submitted to the vote of the Legislative Assembly, nor shall they be open to discussion by either Chamber at the time when the annual statement is under consideration, unless the Governor General otherwise directs, and this applies to expenditure classified by the order of the Governor General in Council as among other matters, 'defence'.' It seems to me that some are labouring under a delusion that they have got

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the right to discuss even military expenditure at the time of the Financial Budget. It is no use your discussing it later on, if you cannot reduce the expenditure in the Budget at the time the Budget is discussed. You have no such power. But assuming you have any such powers, I am not going to take them away by this proposal. I only propose an additional safeguard against the extravagance of the Government of India's military expenditure.

Now, I need not answer at length some of the other objections which have been urged against my Resolution. I never said that the Dominions have got no powers like the ones that we have. I said that the Dominion legislation provides that the Popular House shall vote the Military Budget. We have no such powers, and for ten years more, it is impossible for us to get any more powers. My Honourable friend, Mr. Iswar Saran, said, within ten years try to get them. I have heard elsewhere of getting certain powers within nine months. But for ten years there is not going to be any Statutory Commission and no amendment of the Act. Consequently, your powers, such as they are, will remain and will not be enlarged till then.

If you think that you have such powers as you fancy you have, I repeat, I am not going to take them away.

The Honourable the Finance Member raised certain objections to my proposal. He asked: 'How are you going to assess the value of the opinions of the various Governments when their contributions vary?' I am not going, by my proposal, to give them any vote. It would be merely consultation. If the Government of India's expenditure is proper, they will find support from the Local Governments; they are responsible, reasonable men. If your expenditure is improper, it will be to their best interests to see that it is reduced, in order that their contributions may be cut down as early as possible. It has been asked, why do I prefer military expenditure as distinguished from any other expenditure. It will take me a long time if I propose to question the correctness of the percentage which the Honourable the Finance Member has given of the military expenditure as compared with the receipts. Well, I will not go over many years, but take the year 1918-19.

**The Honourable Mr. W. M. Hailey:** May I interrupt the Honourable Member, Sir. I gave the proportion of military expenditure to total expenditure and not the proportion of military expenditure to receipts.

**Mr. N. M. Samarth:** Yes, military expenditure to total expenditure. Well, it does not matter to me. My point is that that is not the correct test. What I say is, take the net total receipts and take the net expenditure on military matters. If that is done, you will probably find, that it is something like 56 per cent. or 46 per cent. of the net receipts. Take the net total receipts on the one hand and the net expenditure on the other, but I do not want to complicate my proposition by going into this matter. I said, whether it was right or whether it was wrong, it would be to the advantage of the Government of India to have the views of the Local Governments in the matter.

Then, it is said, that we have a far different system of control now from what prevailed at the time of the Afghan War to which I referred. Now, the Esher Committee in their Report made the following observations:

'The relations between the India Office and the Government of India are presumably based upon the importance of keeping the control of Parliament as far as possible into

over Indian expenditure. The theory, sound in itself, in view of the Bureaucratic form of government in India, has proved to be illusory in practice. The business of Parliament is too great and too complex to enable any effective control to be exercised over Indian expenditure. In practice, therefore, the control of the India Office has been merely the control of one bureaucracy over another'.

**Mr. B. S. Kamat:** May I ask the Honourable Member from what he is quoting?

**Mr. N. M. Samarth:** The Esher Committee Report. My position is this. Whatever your present control, the Esher Committee says that, that control is illusory in practice. It may be a little different from what probably obtained in the days of the Afghan War. My point is not what the nature of the control is. My point is, that it is bureaucratic control. The people have no voice; this Assembly has no voice; for ten years we are not going to have any voice. Are you going to give a voice to anybody or not? I say, therefore, let the Local Governments have a voice in the matter.

It was said then, 'We do not wish to control the Provinces, why should the Provinces control us?' Well, it is not a question of right that I ask, it is a matter of convention that I ask the Government of India to bring into existence. The Provinces have their revenues now no longer divided; but the Provinces contribute 983 lakhs to the Government of India and the Joint Parliamentary Committee has said that the Government of India should reduce that contribution as early as possible, so that no more contribution may be payable by the Local Governments to the Government of India. I say, it is not possible for that to happen unless the military expenditure is brought under the control of the Local Governments, by giving them not effective control, but a voice in the matter.

I need not repeat the arguments which I urged at the commencement which have not been in any way controverted. I need only say that Members of the House who oppose me have hardly any conception of the limitations under which we labour, the restrictions imposed by the Act, and they seem to be under the impression that we have large powers of control.

One word, Sir, about the argument brought forward by the Honourable the Finance Member about the indirect powers that we have. I know the indirect powers that we have of bringing the Government of India to book, but those powers, even if used, are bound to lead to friction and, in the end, prove ineffective. I do not wish a deadlock to be brought about by legislative proposals not being passed by us. Even if they are not passed by us, under the Act, the Government of India has the power to go over to the Upper House and have them passed, so that our not passing them does not matter at all; and even if they are not passed there, in certain contingencies and emergencies, the Government of India can pass them over our heads. Therefore, those powers—if I may again use the expression of the Esher Committee's Report—are illusory, but assuming that they are effective, I would not like this House to utilise them, as they will bring about friction and lead to a deadlock. Consequently, I have suggested this as a *via media*, and this Assembly ought to see the advisability of adopting it and I trust, after the explanation that I have given, that this House will pass it.

The Resolution was negatived.

## RESOLUTION *RE* LISTED POSTS IN THE INDIAN CIVIL SERVICE.

12-57 P. M.      **Mr. Wali Mahomed Hussanally :** Sir, I beg to propose that :

'This Assembly recommends to the Governor General in Council that the number of Indian Civil Service posts listed as open to members of the Provincial Civil Service in each presidency or province should at once be raised to one-fourth of the superior civil service posts in each presidency or province'.

I have been advised by several friends of mine in this House to drop the alternative proposal in the latter part of my Resolution and, with your permission, I will drop that part.

**The Honourable the President :** The Honourable Member must move the Resolution as it stands and we can omit the second part which he wishes to omit by order of the House. I think he had better move the Resolution of which he has given notice as it stands.

**Mr. Wali Mahomed Hussanally :** Very well, Sir. I also move :

'or, in the alternative, that directly recruited members of the Provincial Civil Service should immediately be merged into the Indian Civil Service before any further steps for the recruitment of Indians to the Indian Civil Service in India are taken'.

Sir, it is with a full sense of responsibility and the immense difficulty of my task that I rise to move the Resolution standing in my name asking this august Assembly to urge on the Governor General in Council to allot one-fourth portion of the high appointments in the Civil Service to members of the Provincial Service. In fact, my Resolution urges the *immediate* redemption of a long standing pledge given by Government, to associate the sons of the soil in the higher ranks of administrative machinery of the country. By far the most important part of the existing political problem relates to the more liberal *immediate* employment of Indians in the higher branches of the service. It is indeed hardly consistent that, while on the one hand, Government should foster and encourage the growth of opportunities for educated Indians for participation in public life, in the municipalities and district boards and in the legislative and executive councils, they should, on the other hand, so jealously guard the entrance of qualified indigenous agency into the higher and better remunerated posts in the State. In the speeches and resolutions in the Viceroy's Legislative Council, the restricted employment of Indians in the higher posts in the service has been the frequent theme of discussion. Since August, 1917, however, this earnest demand for a larger employment of qualified Indian agency in the higher services has received an added force. The unfortunate war, into which the whole Empire was launched, the response that India made to the call of the Empire in its hour of need, and the generous and appreciative terms in which responsible British Statesmen spoke of the loyal support from all classes and communities in India, have raised hopes and aspirations, which, if not substantially satisfied, will result in disappointment and cause an alarming discontent. In the forefront of the announcement of August 20th, 1917, the policy of the increasing association of Indians in every branch of the administration was definitely placed. In the opening speech of His Excellency the Viceroy at the Imperial Legislative Council on the 5th September, 1917, His Excellency was pleased to observe that, one of three ways in which we are to travel on our way to the final attainment of our goal, was the greater admission of our countrymen into the higher and more responsible offices of the State, in various departments. Speaking in a different language, the late Secretary of State for India,

Mr. Chamberlain, said not months before this that Indians could no longer remain content as hewers of wood and drawers of water. Sir, with the growth of national consciousness among my people, there has been greater and greater demand for admission into ranks which for a long time have remained closed to them. Now, let us see what the Government has done up to now towards satisfying the natural aspirations of Indians in the matter of throwing open higher appointments to them. In their recent Resolution on the organization and recruitment for the Indian Civil Service, the Government of India have decided upon the following methods of recruitment :

- (1) Open competitive examination in London ;
- (2) Separate competitive examination in India ;
- (3) Nomination in India ;
- (4) Promotion from the Provincial Civil Service ;
- (5) Appointment from the Bar.

By the terms of this Resolution, the open competitive examination in London will be the main channel of entry to the service. The separate competitive examination in India will be the main source of Indian recruitment, commencing with 33 per cent. of the total recruitment rising by  $1\frac{1}{2}$  per cent. annually for the next ten years. The third source, nomination in India, will be of rare occurrence. Regarding the promotion from the Provincial Civil Service, the Government of India have expressed only a pious intention in the concluding sentence of paragraph 9 of the Resolution which reads thus :

‘It is probable indeed that in some provinces the number of such appointments will actually be increased.’

Now, gentlemen, a little reflection will show you that several years, at least a generation, must elapse before officers recruited at the foot of the cadre by the competitive examination in India, which is the main source of Indian recruitment, can attain to positions of trust and responsibility ; and if more Indians are to be placed in responsible offices in the near future, the extension of the system of promotion from the Provincial Civil Service should, for some years, be a necessary corollary. But the Government of India have dismissed this great question in a single vague sentence which may or may not materialize. The Government should get awakened to the fact that it would no longer be wise to refuse admissions to Indians of proved merit and qualifications to the higher posts. Sir, it is no good to deprive ambitious Indians of the opportunities of life they seek, for, ambition deferred like hope ‘maketh the heart sick.’ The consequent disappointment naturally resolves itself into a grievance of the people and a source of considerable embarrassment to the Government. I would, under the circumstances, very much wish the Government to accept the present motion, for it does not make an impossible demand, or a demand that the Government should be reluctant to accept. As in the case of Executive Councils so also in the higher ranks of Civil Service, considerations both of justice and expediency seem to require immediately a large proportion of Indians. Sir, there is plenty of administrative talent available in this country and it is but fair that an equal chance is given to it and that it should unreservedly be drawn upon. The existing regulations which were framed more than 30 years ago contemplate the admission of Provincial officers to higher appointments in the service up to a maximum of one-sixth of the number of superior posts ; but it is in only one Province, i.e., the Punjab, that this proportion has even been approached. The Government

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should, therefore, in fairness, make amends for the scanty liberality done in the past; and I accordingly suggest that for the present, and so long as Indians admitted to the service itself, are not sufficiently senior to occupy responsible posts, the total number of the appointments filled by promotion from the Provincial Civil Service should be raised to one-fourth. Sir, the question of extensive employment of Indians in the higher branch of services is a very old one. It has loomed large before the Government and the people for nearly a century past. The intention of the Government in this matter has been repeatedly declared to the people of India in Statutes of Parliament, in Proclamations of the Crown made on solemn occasions and other public documents of importance. To these declarations the people of India naturally attach the sanctity of pledges and no apology is, therefore, needed for citing the more important of them, although they may be well known. The Statute of 1833 (13 and 14 Will. IV, cap. 85, s. IXXXVII) lays down that—

‘No native of India or any natural born subject of His Majesty resident therein shall, by reason only of his religion, place of birth, descent, colour, or any of them be disabled from holding any place, office, or employment under the said Company.’

In the despatch of 1834 (No. 44, dated 8th December, 1834), the Court of Directors explained that—

‘Whatever other tests of qualification might be adopted, distinctions of race or religion should not be of the number.’

and in other part (paragraphs 105 and 107) of the same document, after protesting against the presumption on which the authorities in India use to act, namely, that the average amount of native qualifications could only rise to a certain limit, they addressed them in these earnest words—

‘To this rule it will be necessary that you should both in your acts and your language confirm.’

In fact their instructions required the Government of India to admit natives of India to places of trust as freely and extensively as their individual aptitudes justified. Then they proceeded to suggest practical measures by which this policy could be fully carried out :

‘In every view it is important that the indigenous people of India or those among them who by their habits, character, or position may be induced to aspire to office should, as far as possible, be qualified to meet the European competitors. Hence there arises a powerful argument for the promotion of every design tending to the improvement of the natives, whether by conferring on them the advantages of education or by diffusing among them the treasures of science, knowledge, and moral culture.’

When this great and first principle was recognized that the interest of the people of India should be principally consulted in all arrangements for the administration of the country, it was to be hoped that the employment of Indians in the higher services would come about; but not a single Indian was appointed. When, in 1853, a renewal of the Charter of the Company came to be discussed in Parliament, Mr. Bright, Lord Stanley and other gentlemen drew prominent attention to this fact; and it was hoped that some remedy would be forthcoming. It was not, however, until 1854, that the system of competitive examination was introduced for the Civil Service; Indians were still not able to compete. After the mutiny, after the Crown took over direct control of the Government of India, the pledges of 1833 were repeated and re-affirmed by the Proclamation of the Great Queen and in the House of Commons, that Indian subjects of Her Majesty would be entitled to hold any



post if they were qualified. We all know the gracious words of the Proclamation which I need not repeat. It was hoped after the Proclamation that, at any rate, the claims of Indians would not be ignored; but nothing came of it. In 1860, a Committee was appointed by the Secretary of State to suggest the best means for admitting Indians into the service. This report was not even made public until 1876. After that, the Act of 1870 was passed, which empowered the Government of India to frame rules under which a proportion not exceeding  $\frac{1}{4}$ th of the total number of civilians appointed by the Secretary of State, to the Indian Civil Service, in any one year, was to consist of natives of India selected by the Local Governments; and it was further provided that the nominations in the first three years (1879—81) might exceed the said proportion by two.

Then the Public Service Commission was appointed in 1886-87. The present organization of the public service, in most of its important departments in so far as their classification into Imperial and Provincial Services is concerned, was the outcome of the recommendations of this Commission. In those days, as now, the great bulk of the civil posts of higher responsibility and emoluments were filled by recruits from Europe and that Commission was expressly asked to suggest measures which would 'do full justice to the claims of natives of India to higher and more extensive employment in the Public Service.'

It must be noted that in the discussion which preceded the appointment of this Commission, no complaint was ever made that the proportion laid down by the rules of 1879 was an excessive proportion. The discussion was only confined to the point, that the plan of nomination adopted under the rules failed to secure sufficient guarantees of ability and education. Now, if the rules had continued in force and the proportion fixed under them worked out, there would, by the end of 1914, have been about 260 appointments in the higher service made in India in a period of 35 years, and we might have expected to see that number always in the service. Instead, the Aitchison Commission fixed 108 posts. The effect of these recommendations, retrograde as they were, was further limited by the Secretary of State. The 108 were reduced to 93. The junior posts of these 93 have been incorporated in the Provincial Civil Service, the result being that there are, at present, only about 61 specific superior posts to which it is open to make appointments from the members of Provincial Civil Service.

Although the proposals of the Aitchison Commission regarding the number of higher appointments open to the Provincial Civil Service were considered 'to possess the necessary element of finality', the Commission itself recognized 'that the circumstances of the country and the social condition of the population changed with extraordinary rapidity and that absolute finality in any arrangement of this kind is not to be hoped for.' The Commission, therefore, recommended the revision of the schedule of reserved posts, 'as may seem desirable from time to time.' But it seems that the extraordinary progress made by India during the past 35 years failed to impress upon the Government of India the necessity of such a revision at any time. I would request this august Assembly to note that the central point of the recommendations of the Aitchison Commission was that the recruitment of officials in England should be substantially reduced—the exact language used with reference to the Indian Civil Service being that it should be reduced to a '*corps d'elite*' and the higher appointments so set free transferred to a service to be locally recruited in India, called the

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Provincial Civil Service, in contrast to the Imperial Service which was to comprise officers recruited in England. The conditions of appointment with regard to pay, leave and pension of officers belonging to the two services were to be fixed on independent grounds and were not necessarily to have any relation with each other. With respect to Imperial and Provincial Services, they further recommended that the members of these services should be put on a footing of social equality, as far as possible, and when they occupied similar offices they should be graded together in official precedence list. It is abundantly clear that the design underlying the scheme was that officers of both the services—one recruited in England and the other in India—were to be employed in the performance of higher administrative duties. The object in view was, to quote their own words 'that all His Majesty's subjects should receive equal treatment' and 'all invidious distinctions of class and race should be removed.' But the recommendations of the Aitchison Commission have failed in their desired object. So far as appointments made in England are concerned, experience has shown that the chances of Indians have been inconsiderable and the Aitchison Commission itself rightly regarded the London door of admission as a supplementary source. Their most important recommendation that recruitment in England, for the Indian public service, should be substantially reduced as a necessary step towards steadily increasing the scope for Indians has not been carried out. In fact, the reverse has taken place in the more important services. There has been a great increase in the number of officers recruited in England since then. The inevitable result has been a repression of the expansion of the Indian element in the higher administration. On the other hand, that part of the scheme of the Aitchison Commission, which recommended payment to officers appointed in India on a lower scale of salaries, pensions, etc., than those appointed in England, even when both were engaged on the same plane of duties, has been carried out, perhaps, beyond the intentions of the Commission. The differentiation in this respect has undoubtedly become much more marked now than it was before 1886-87. Then the officers appointed in the India, for instance in the Indian Civil Service, called 'Statutory' Civil Servants, received from the commencement of service two-thirds of pay allowed to officers appointed in England. Now, no officers are appointed to the posts of Assistants in the Indian Civil Service; and the Provincial Service officers holding identical posts receive about one-half of the pay of a Civilian Assistant. The departure in the policy as regards the conditions of pay, etc., was recommended with a view to achieving a larger and gradually increasing substitution of recruitment in India for recruitment in England; that object failing, it has only tended to deteriorate the Indian officers' position in the higher ranks of public service. It may be mentioned that three of the Indian members of the Aitchison Commission, in giving their adherence to the recommendations of that body, had it distinctly noted that their approval was given on the assumption that the scheme would be acted on as a whole and that no alterations would be made on any essential point. I shall now point out the inequality of treatment accorded to officers recruited in England and India respectively in the matter of opportunity for attaining the higher appointments. The great bulk of these appointments are reserved for officers appointed in England: the disparity in this respect is especially significant in civil service in which there is a division of appointments into 'superior' and 'inferior' properly so called. In the Civil Service, out of 730 superior posts, 669 are held by officers appointed in England

and 61 by officers appointed in India. The distribution of higher appointments between the two classes of officers was apparently fixed on certain *a priori* assumptions based on the place of recruitment and is carried out by the division into Imperial and Provincial Services. It is based neither on the principle of giving promotion to those who have been found most worthy of it after trial in service, nor on the nature of qualifications required. I have no doubt that this Assembly has realised that the recommendations of the Aitchison Commission were not only inappropriate for the time, but positively of a retrograde character and that the decision taken on them instead of doing full justice to the claims of natives of India to the higher and more extensive employment in the Civil Service, was calculated to put back considerably the employment of Indians in the higher service.

It was not till March, 1911, that Mr. Subharao, an Indian representative of the Presidency of Madras on the Viceroy's Legislative Council, moved for the appointment of a Commission to 'consider the claims of Indians to higher and more extensive employment in the public services connected with the civil administration of the country'; and, in support of this motion, he and other Members of that Council alleged that, 'although from time to time during the greater part of a century', repeated declarations had been made of the intention of the Imperial Government to admit Indians freely to higher offices in the public administration for which they might qualify themselves, their progress in this connection was still hampered by considerable disabilities, mainly imposed by artificial arrangements. They further alleged that, in many important respects, the position of Indians in many higher administrative appointments had actually received a set-back, and that while the division of services into Imperial and Provincial, based on the recommendations of the Aitchison Commission of 1886-87, has been so worked as to depress the status of the Indian officials, full effect was not given to such of their recommendations as would have extended the employment of Indians in a number of public departments. They conveyed in no ambiguous words that in consequence, a sense of unjustified repression of their legitimate ambitions and energies was oppressing the minds of most active, talented and enterprising sections of the Indian community. Therefore, when the Under Secretary of State for India announced in 1912, the appointment of the Islington Commission, he told the House of Commons—

'The problem before us when we have educated Indians is to give them the fullest opportunity in the government of their own country to exercise the advantages which they have acquired by *training* and by education'.

I especially emphasize the word *training*, because I would conclusively prove that in their recommendation the Islington Commission totally failed to award due recognition to *training* and experience. The giving of the fullest opportunity in the government of their own country to Indians to exercise the advantages, which they have acquired by *training*, could only be achieved by more extensively promoting the provincial service officers to superior posts. It was the firm expectation of the Indian Public that the Islington Commission should throw open a larger proportion of higher appointments to Indians, which would not only redress the set-back given by the Aitchison Commission, but will take into account the progress that India has made since 1886. It was, therefore, a matter of surprise that the Islington Commission while admitting on the one hand, that the Provincial Civil Service officers have given satisfaction in the sphere of duties allotted to them and that officers promoted from the Provincial Civil Service to hold listed posts have done

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efficient work, has, on the other hand, not only failed to recognise their claims to a larger number of superior posts, but actually cut down those which were allotted to them as a result of the recommendations of the Aitchison Commission. Sir, the Islington Commission has ignored the just claims of the Provincial Civil Service on very slender grounds which are worth examining. Even a cursory examination of the arguments advanced by the Commissioners in their report against extensive promotion of Provincial Civil Service officers to superior appointments will convince this Assembly of their unsoundness. These arguments briefly summarised are—

- (1) That Provincial Civil Service men can rise to listed posts only at the end of their career and at an advanced age and hence they will be unfit to discharge their duties efficiently.
- (2) That those, rising to listed posts, will necessarily be men who have served for years in a subordinate position, with the natural result that they will find it difficult to adapt their outlook to their new position of responsibility.
- (3) That the selection for listed posts will be a source of discontent in the whole service.

As regards objections 1 and 2, I would urge that the Executive Branch of the Provincial Civil Service is recruited in two ways:—

- (a) Promotion of selected officers from subordinate service, and
- (b) Direct nomination of young men of 18—25 of high educational attainments.

The Commissioners undoubtedly erred in applying wholesale the first two objections to both these classes of recruits. While their objections hold good in the case of men of advanced age promoted from the lower ranks, they can, by no stretch of imagination, apply to men directly recruited for the Provincial Civil Service. If the direct recruits are afforded the same opportunities as their Indian Civil Service compeers to rise to the headship of districts after about 15 years of approved service, they will rise to these appointments at ages varying from 35 to 38 years. Furthermore, the direct recruits for the Provincial Civil Service are men of good social status, and high educational attainments, and receive the same training and perform the same administrative and magisterial functions as their Indian Civil Service compeers. If the same training equips the members of the Indian Civil Service for promotion to major appointments, it must necessarily equip members of the Provincial Civil Service for the same positions of responsibility.

The third objection is similarly untenable. The principle of selection has already been recognised by Government in making high appointments such as Commissionerships of Divisions, memberships of Boards of Revenue and Provincial and Imperial Executive Councils. It is, therefore, not understood how the same principle will work mischievously only in the case of the Provincial Civil Service, specially when the Commission itself has enunciated the principle of creating a 'selection grade' in each provincial service.

Sir, no finding of the Commission has given greater dissatisfaction and caused deeper resentment than this. It is politically dangerous to shut out the children of the soil, to restrict the employment of the children of the soil from the highest appointments, which the recommendation of the Commission

involves, not on the ground that they are unfit, but on the ground that they are not recruited in England.

Not very long after the report of the Commission was published, His Majesty's Government made a declaration that responsible Self-Government is the aim of British policy in India. It was, therefore, hoped that the recommendations of the Public Service Commission would be treated as obsolete and brushed aside and new proposals formulated, proposals which will seek to give full effect to the policy announced by His Majesty's Secretary of State and by His Excellency the Viceroy, that it is the desire, the earnest desire of the Government to admit Indians to a greater share in the higher administration of the country. But what has Government done to satisfy this pledge? The Reform Scheme and the recent resolution of the Government of India do not concede much. So far as concerns administration they provide for the gradual substitution of Indians for Englishmen in the ranks of the Civil Service up to a proportion of about one-half: a substitution which, however, would apparently take a generation to effect, and it will be after this generation is over, that the new recruits now obtained will rise to higher positions of responsibility. The phenomena of practically all the higher offices of the State being monopolised by the English will still loom large in our view for a generation. It does not appear to have been recognised by Government, that it is possible now, at the present time, to take steps of far-reaching importance in regard to the promotion of the present members of the Provincial Civil Service to higher posts. The object of the Reform Scheme was to see Indians come forward to take up positions of importance and responsibility in the public eye, and thus gratify national self-respect and pride. The Reform Scheme seems to be concentrated on providing power and prestige for politicians. It does not condescend to notice those loyal servants of Government in the Provincial Civil Service, without the recognition of whose claims, the scheme fails in one of its prominent objects; and I venture to suggest that the recognition of their claims would be an asset to Government in the critical periods that are undoubtedly ahead of the country. The too limited employment of Indians in the higher service is one of the main causes of the present discontent and unrest. How can the Government of India ever hope that there would be contentment when 2,572 Provincial Civil Servants occupying positions equal to Assistant Collectors can look forward to only 2 per cent. of the higher appointments while 681 Assistant Collectors can look forward to 669 superior posts or 98 per cent? Can we ever hope for continued loyalty in the service once political feeling is roused? Again, Sir, if Self-Government is really to be our goal, let us look at the problem from a new point of view. If the legislature is to be supreme, would not that be tantamount to absolute confidence in the people, and if we have confidence in the people, where is the danger in giving forthwith a chance to the best Indian intellect and the best Indian nerve? I hope that Government will bear in mind that they have to satisfy Indian aspirations in such a way that all feelings of acerbity, all feelings of harshness, in considering the position of the existing Provincial Service Officers in the civil service of the country should be obliterated. They should feel that they have as good, as reasonable, as fair an opportunity of rising to higher ranks of the service as their English fellow-subjects. The question, therefore, of the proportions in which indigenous agency is to be utilised in the immediate future in the higher service of the State is of vital importance. The proportion must be such as to create the feeling that we Indians are in a substantial degree

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carrying on the government of the country. At present, the Indians are far and few; but it is no fault of theirs. They have been denied opportunities. The most talented and brilliant members of the Provincial Civil Service, for lack of opportunity, labour under a feeling of helplessness. To dispel this feeling, there must, in the higher service, be admitted a large number of Indians so that they may feel that the responsibility for a strong and wise government of the people rests in some measure on them as well . . . .

**The Honourable the President:** Order, order. The Honourable Member has now exceeded the time allotted to him under the rules.

**Mr. Wali Mahomed Hussanally:** I have only one page more to read, and if you will permit me, I will finish it.

**The Honourable the President:** That is one page too many.

I have received notice of an amendment to be proposed by Bhai Man Singh. Is he present now?

1-29 P.M.      **Bhai Man Singh:** Yes, Sir.

**The Honourable the President:** The amendment reads:

'That after the words 'Provincial Civil Service' in line 2 of the Resolution, the words 'the members of the Bar and direct nominations' be added.'

These words seem to me to be such as require notice, and, therefore, I cannot allow the Honourable Member to move this clause of the amendment, he not having given the required notice.

The second clause of his amendment is to substitute the words '33 per cent.' in place of the words 'one-fourth' in line 3 of the Resolution. This portion of the amendment appears to me to be in order and does not raise any substantial question of principle and, therefore, I will allow him to move it.

**Mr. S. P. O'Donnell:** Sir, the question raised in this Resolution is one which, as the Honourable Member who moved it has pointed out, was discussed by the Public Services Commission. The Commission was opposed to any extension of the system under which officers of the Provincial Services are promoted to listed posts, that is, posts ordinarily held by members of the Indian Civil Service. In fact, if their recommendations had been carried out, there would have been some decrease in the number of posts listed as open for Provincial Services. Local Governments, who were consulted regarding the Commission's proposals, were not in favour of any reduction in the number of listed posts. They were indeed prepared to agree to some increase in the number of such posts, but they were definitely averse to making promotion from the Provincial Services, one of the main sources of recruitment for the Indian Civil Service.

The Government of India themselves came to a similar conclusion. They thought that it would not be fair to reduce the chances of promotion now open to the Provincial Services, and in fact, under the terms of the Resolution recently issued, there will be some increase in the number of such posts. But they definitely rejected the idea of making promotions from the Provincial Civil Service, one of the main avenues of entrance to the Indian Civil Service. Now, the reasons which led them to that decision have nothing whatever to do with the question of the Indianisation of the Indian Civil Service. I want to make that point perfectly clear: I hope there will be no misunderstanding

or misconception on the subject. The objections to promoting a large number of officers of the Provincial Civil Service to the Indian Civil Service would be equally valid if the Indian Civil Service were Indianised to-morrow from top to bottom, because those objections are based on the different character of the work for which the two Services are recruited. The Provincial Service is recruited to fill the minor charges in the civil administration. It is perfectly true that members of the Indian Civil Service are, during the earlier years of their service, employed in appointments of a similar character; but they are so employed only for a limited time and for purposes of training. On the other hand, the officers of the Provincial Civil Service are recruited definitely for the minor posts in the Administration. Now, I should be the last to say a word in depreciation of Provincial Services. I know what their work is, and I have nothing but admiration for the zeal with which it is carried out, and the devotion to duty which officers of these Services have always shown. At the same time, I think, it will be admitted that their work cannot be said to be on the same level of difficulty and responsibility as the work of the Imperial Civil Service. And it follows from that, that only a limited number of officers in the Provincial Service can be expected to be qualified for promotion to the Indian Civil Service. Further, as the Public Services Commission pointed out, it is inevitable that the officers so selected for promotion should be selected at a relatively late stage in their career, which, of course, make it impossible for them to be appointed to the higher administrative posts. If I understood him rightly, the Honourable Member who moved this Resolution disputed that point. But I think anyone who has had experience of a system of selection will know how extremely difficult it is to select officers at a very early stage of their career and promote them over the heads of their seniors. I think that anyone who has had any practical experience will know that any attempt to do that on any large scale must inevitably produce great heart-burning amongst the officers in the Service. It is for these reasons that the Public Services Commission recommended that the increase in the Indian element of the Indian Civil Service which they recommended should be made by direct recruitment and not by increasing the number of appointments listed as open to the Provincial Civil Service; and I should like to point out that Sir Abdur Rahim came to practically the same conclusion, although by a different line of reasoning. As Honourable Members are doubtless aware, Sir Abdur Rahim differed from the members of the Commission on many points; but, on this point, his conclusion was practically the same. He did recommend some increase in the number of posts in the Judicial branch of the Civil Service to which officers of the Civil Service might be promoted; but he recommended no increase in the posts on the Executive side. What he was in favour of was direct recruitment, and as far as possible, by competitive examination. And that is also the conclusion at which the Government of India arrived. As Honourable Members are aware, the principle of increasing the Indian element in the Indian Civil Service has been accepted. I entirely disclaim any suggestion that effect has not been given to the pronouncement of August 1917 on that subject. A large number of Indian officers have been recruited for the Indian Civil Service. The percentage of recruitment is at present 33 per cent. and that percentage is to be increased year by year. The point in issue to-day has nothing whatever, therefore, to do with the question of the Indianisation of the Indian Civil Service. It is perfectly possible to hold that the percentage of Indian recruitment, which has been fixed, is inadequate and should be increased. But that is not the point which we have now to consider.

[Mr. S. P. O'Donnell.]

The issue which has been raised by this Resolution is between direct recruitment and recruitment by promotion from the Provincial Service, and all the authorities who have discussed this question are in favour of direct recruitment : and that, I think, for very obvious reasons. Surely it stands to reason that it is by direct recruitment that we are likely to get the best recruits. If a man enters the Provincial Service, he can have no guarantee that he will be one of the persons selected for promotion to the Indian Civil Service. Therefore, naturally, the very best candidates are not likely to be forthcoming. I hope that point will be fully understood and that the issue will not be confused, as it was confused, if I may say so, in the course of the speech of the Honourable Member who moved this Resolution. The issue is simply whether the system of promotion from the Provincial Service is suitable as a main avenue for promotion to the Indian Civil Service. And the conclusion of all the authorities, as I have said,—of the Public Services Commission, of Sir Abdur Rahim, of the Local Governments and of the Government of India—is in favour of direct recruitment, by as far as possible, competitive examination, that is by the method which is employed for recruiting the European element.

1-37 P.M.

The Assembly adjourned for Lunch till 2-40 P.M.

The Assembly re-assembled after Lunch at Twenty Minutes to Three of the Clock. The Honourable the President in the Chair.

**Bhai Man Singh:** Sir, I rise to support the Resolution as it stands now and in supporting the Resolution I perfectly see the spirit in which the Resolution has been proposed. My Honourable friend, who spoke on behalf of the Government, laid much stress on the point that the question is not one of Indianising the Indian Civil Service, but one of apportioning it in different ways. What I submit is that it is not only a question of apportioning it, but it is a question of Indianising it directly or indirectly. There are different ways of recruitment for increasing Indian element in this service. There is the direct recruitment and by competitive examinations in India and another, by recruitment from the Provincial Services and the Bar. Now I respectfully submit, that, as a matter of fact, recruitment through competition in India will necessitate some years before the competitioners will be able to attain to the superior ranks of the Indian Civil Service by seniority along with the London competitioners. It means that the 33 per cent. which has been given to Indians will be postponed for years to come. According to the Montagu-Chelmsford scheme, it is definitely laid down that 33 per cent. of the superior appointments should be given to Indians at once and then increased by  $1\frac{1}{4}$  per cent. every year so that it will go up to 48 per cent. in ten years. If we are to make this 33 per cent. of appointments at once, we can not fill all of them by direct recruitment. I am sanguine of the fact that appointments can be made from amongst the members of the Bar and I am sure, not many, by immediate direct recruitment. The 33 per cent. of these appointments is not our demand, but a claim overdue to us, and I respectfully press that this proportion should be made up at once because it is our right.

I need hardly dwell upon the fact that Indians—whatever responsible positions they occupy—have always acquitted themselves with great success,



and perhaps better in some respects especially from the point of view that they understand the nature of the Indian people much better. If you look to the service that has been rendered by Indian members of the Provincial Civil Service, you will see that the majority of them who have risen to the higher ranks have always done full justice to their selection. I respectfully submit, therefore, that taking all this into consideration, the long experience gained by Indians in the Provincial Civil Service, would be of great benefit to Government if they were given their chance and appointed to the higher appointments of the Indian Civil Service.

Out of this 33 per cent., I personally would leave the percentage of selection to the Governor in Council of each Province, as to how many of the Provincial Civil Service men and how many of the members of the Bar should be appointed to the higher Indian Civil Service posts, because, I think, the different interests could be better represented in that way. We, Sikhs, have been the greatest sufferers in the past in this matter. You would be astonished to know, gentlemen, that there has been no Sikh appointed as a District and Sessions Judge in the Punjab—which is their home—except of Sardar Gurdial Singh Man, some decades of years ago. And it is for such reasons that I want to leave the question of selection to the Governors in Council who can better see that all interests are properly represented; with these few words, Sir, I support the Resolution.

**Rai Bahadur Pandit J. L. Bhargava :** Sir, I desire to say a few words in support of this Resolution.

2-47 P.M.

It is the undoubted right of the sons of the soil to participate and hold all important posts in the administration of the country. However, in a country under foreign rule, this principle cannot receive proper recognition in incipient stages on account of the exigencies of political subservience. In India, the Government has always in theory been maintaining the equality of all the subjects of the empire, and though this principle was declared in unmistakeable terms in the famous Proclamation of 1858, yet, for some time, it was not translated into practice. With the advance of times, however, it was recognized that expediency required that Indians should be increasingly associated in the administration of the country and a few high posts should be thrown open to them. It is needless to refer in detail to the various stages through which this process developed. The great war, however, among other causes, contributed materially to the radical change of the principle of associating the Indians in the administration to a larger degree. With the authoritative declaration of August 1917, that responsible Government was the goal of British Rule in India, the previous ideals gave place to the principle of substitution rather than association of the Indian element in the higher services. In this connection the report of the Public Services Commission recommending that for one-fourth of the posts of the Indian Civil Service recruitment should be made in India was received with great disappointment by the general public. This recommendation did not find favour in the report on Indian Constitutional Reforms of the Right Honourable Mr. Montagu and His Excellency Lord Chelmsford which recommended a further increase raising the proportion to 33 per cent. with an annual increment of  $1\frac{1}{2}$  per cent. up to the appointment of the periodical commission. It is apparent that it will take long time before arrangements for recruitment of Indians to the Indian Civil Service in India

[ Pandit J. L. Bhargava.]

are made. It is equally apparent that any delay in the matter of increasing the Indian element will give rise to misgivings and is likely to be construed as a breach of promise. It becomes, therefore, imperative that immediate steps should be taken to redeem the promise held out and a beginning ought to be made by raising the number of posts listed as open to the members of the Provincial Civil Service to one-fourth of the superior Civil Service posts. The Provincial Civil Service has special claims to the consideration of the Government. Its members have got the requisite experience and local knowledge. They have always filled with distinction the offices in the higher posts when opportunities have afforded a lift to them. They have given proof of all those qualities, the exercise of which is needed in discharging the functions of posts allotted to the Indian Civil Service. Whenever occasion was offered, they have shown capacity to judge, to decide and to act, and to handle difficult problems of administration with tact.

The directly recruited members of the Provincial Civil Service represent some of the best mind and brain of the country, and amalgamation of some of its rank with those of the Indian Civil Service would hardly strike a discordant note. Until further steps are taken for the recruitment of Indians to the Indian Civil Service in India, the proposal contained in the Resolution will furnish a proper working basis. With these words, I heartily support the Resolution.

**Rai G. C. Nag Bahadur :** Although I find myself unable to give my entire support to the Resolution in its present form, I cannot avoid making a few remarks with regard to the matter before this House.

The Government of India has, in its Home Department Resolution No. 2559 of 1st December 1920, declared a certain number of posts as superior posts of which 33 per cent. is to be recruited for in India at once.

Paragraph 12 of the Resolution runs thus :

‘ After full consideration and with the approval of the Secretary of State, the Government of India have decided to adopt the proportion suggested in paragraph 317 of the Joint Report on Indian Constitutional Reforms. The proportion of 33 per cent. rising by 1½ per cent. annually for ten years to a maximum of 48 per cent. will be taken as an all-round figure to cover total Indian recruitment from all sources including promotion from the Provincial Service and appointment from the Bar. The number of Indians to be recruited in India by examination and nomination will be fixed each year after taking into account the number of Indians recruited in other ways including the open competition in London.’

I quote the number of superior posts declared in the major provinces in Appendix I of the Resolution mentioned above and the number of them shown as open to members of the Provincial Service in the latest copies of the Civil Lists available in the office here. I have also collected figures showing the number of Indians belonging to the Indian Civil Service who occupied superior posts in the different provinces on the dates of the publication of the Civil Lists concerned.

The figures are :

N.B.—Bengal Civil List corrected up to October 1920.  
 Bihar " " 1st January 1921.  
 United Provinces Civil List corrected up to 1st January 1921.  
 Punjab " " 1st October 1921.  
 Bombay " " July 1920.  
 Madras " " 1st October 1920.

Name of Province.	Number of superior posts.	Number shown in the Civil List as open to members of the Provincial Service.	Number of substantive posts actually held by members of the Provincial Service.	Number of Indians of the Indian Civil Service actually holding superior posts.
Bengal . . . .	101	12	12	13
Bihar and Orissa . . . .	61	6	5	5
United Provinces . . . .	114	10	9	7
Punjab . . . . .	78	10	10	4
Bombay . . . . .	74	5	4	7
Madras . . . . .	90	8	8	8

It will be seen that the Provinces which are most niggardly in opening the superior posts to the members of their Provincial Services (*viz.*, Bombay, United Provinces and Bihar) have not even filled up that small number of posts from the Provincial Service. The total number of superior posts held by Indians in the different provinces, are: Bengal 25 out of 101, Bihar 10 out of 61, United Provinces 16 out of 114, Punjab 14 out of 78, Bombay 11 out of 74, Madras 16 out of 90.

I now state how the percentage of Indians holding superior posts stands in the different provinces :

Province.	Number of superior posts.	Percentage of superior posts held by members of the Provincial Service.	Percentage of superior posts held altogether by Indians including officers of the I. C. S.
1. Bengal . . . . .	101	11·8	24·7
2. Bihar and Orissa . . . . .	61	8·1	16·4
3. United Provinces . . . . .	114	7·8	14
4. Punjab . . . . .	78	12·8	17·9
5. Bombay . . . . .	74	5·4	14·8
6. Madras . . . . .	90	8·8	17·7

It will be seen that while in the Punjab nearly 13 per cent of the superior posts have been filled by the officers of the Provincial Service, in Bombay the percentage is as low as 5·4. The total number of Indians holding superior posts is considerably below 33 per cent. in every province. The difference ought to be made up immediately by appointment of qualified officers from the Provincial Service of which there is no paucity. Madras has no less than 17 officers of the Provincial Service on its officiating list. In Bengal, the number of such officers is about 15, and in the Punjab the number of such officers is 16. While the number of superior posts open to men of the Provincial Service remains fixed at their present point, these officiating officers cannot aspire to occupy them permanently in excess of the fixed number.

[ Rai G. C. Nag Bahadur.]

The young men now being selected for the Indian Civil Service will take at least 8 years to become eligible for superior posts, and, by the time they become so eligible, the percentage of Indians in the superior posts should, according to the calculation given in paragraph 317 of the joint report (Montagu-Chelmsford Report) and accepted in the Resolution quoted above, be at least 45.

There seems to be a confusion of ideas in the use of the word 'recruitment' for higher posts in paragraph 12 of the Resolution. It speaks of 'total Indian recruitment from all sources,' i.e., from the Provincial Service, from the Bar, as well as by open competition. The fact is that officers recruited from the first named two sources become at once entitled to hold superior posts while young men taken in by competition will not be eligible for holding such posts within 8 or 10 years of their appointment. The Royal Commission on the Public Services calculated that officers of the Indian Civil Service might be expected to hold responsible posts after about 8 years' service (page 166 of the Report).

Referring to recruitment for higher posts from the Provincial Service in paragraph 9 of the Resolution I have referred to, the Government of India expressed the opinion 'It is probable, indeed, that in some provinces the number of such appointments will actually be increased.'

Considering the fact that the total number of Indians belonging to all services at present holding superior posts is considerably short of the 33 per cent. laid down as the starting point, I hope the Government will consider the present Resolution of the Honourable Member sympathetically.

Another point on which I would invite the attention of the Government and of the House, is the relative preference to be given to the claims of officers in the Imperial and Provincial Services in filling up temporary vacancies. Officers of recognized merit belonging to the Provincial Service with more than 25 years' service have often to revert in order to give place to men of the Indian Civil Service with less than 8 years' service. I would request Government to lay down authoritatively a reasonable and relative proportion of the length of services of the two classes of officers according to which preference should be given in filling up temporary vacancies in the superior posts.

**Mr. Mohammed Yamin Khan :** Is it to be understood that the Debate is going on on the Resolution as moved or has the Honourable gentleman who moved the Resolution withdrawn the latter portion and has been allowed to do so.

**The Honourable the President :** The latter portion of the Resolution has not been withdrawn. The Honourable Member, in moving it, said, it was his desire only to move the first part. To put the matter in order, the second half of the Resolution will have to be omitted by a vote of the House.

**The Honourable Dr. T. B. Sapru :** Sir, so far as the position of the Government is concerned, I think it has been very fully explained by Mr. O'Donnell this morning. I do not, therefore, wish to detain the House much longer, but I would beg leave to make just a few remarks by way of further explanation.

I believe that the essence of the Resolution moved by the Honourable Mover is that there should be a larger Indian element in the higher services of the country. So far as that is concerned, the position of the Government

is perfectly plain, and it is a position of absolute sympathy. But I think there is some misapprehension with regard to the rate of the speed. I would only point out, that during the last three years, we have been recruiting at a very much higher rate, and I believe that we have been recruiting at the rate of about 28 per cent. The men who are entering the Indian Civil Service will take, it is quite obvious, some time before they can rise to be Collectors and District Judges. The mere fact that a larger number of Indians are entering the Indian Civil Service, cannot justify any one in hoping that the men who are entering the Service will, within 48 hours, become Collectors or District Judges. They must serve their term of years before they can rise to those positions. Meanwhile, it is obvious that the men who are already in service have a prior claim, and that they must first rise to those positions, and then only men who are entering now can aspire to those positions. That is the ordinary rule of service. I would also point out here, in this connection, that probably it will be within the recollection of Honourable Members that a Communique was issued only recently stating that the Indian Civil Service examination for Indians would be held some time next year, that is to say, 1922. That is also a circumstance which has got to be borne in mind. It opens a further avenue. I am not raising any technical question, but I wish only to point out that the rate of progress during the last three years has been something like 28 per cent. and that there will be a further chance for the increase of the Indian element when the new system of examination in India is brought into existence from next year. I would not take the time of the House any further.

**Khan Bahadur Chaudhuri Wajid Hussain:** Sir, for many reasons I should have preferred to hear what others have to say than to  
 3-3 P.M. speak what I have to say about the service which I have the honour to represent on this Assembly. In the first place, I did not quite approve of the form of the Resolution. In the second place, I cannot possibly associate myself with some of the ideas which have been expressed by the Honourable Mover. I do not think that the Provincial Civil Service feels that it is a racial question at all. They certainly feel that it is a question of old and tried servants getting what is their due. There are one or two points which have been omitted by the Honourable Mover which I would like to bring to the notice of Government: there are also one or two points in connection with what Mr. O'Donnell has said, which I would also like to bring to the notice of Government. I am very grateful to him, by the way, for the complimentary tone in which he has referred to the work of the Provincial Civil Service. Mr. O'Donnell has expressed a hope that the men taken direct into the Civil Service will probably be better men than the men we already have. I do not know what the experience of the future will be, but judging by the experience of last year, in my own province, I should like to bring it to the notice of the Government of India, that out of six candidates who were taken for the Indian Civil Service, four were men of the type of Deputy Collectors, two were actually Deputy Collectors on duty, one had been approved for a Deputy Collectorship, and another had applied for a Deputy Collectorship but had failed to get it. I quite recognise that it is very unfortunate that the Public Services Commission should have arrived at the conclusion to which they have arrived.

They have condemned our service with a stroke of the pen. But the final decision rests with the representatives of the Service with which the Provincial Service have worked together and pulled together, and we are fully justified in hoping that our claims will receive full consideration.

- [Khan Bahadur Chaudhuri Wajid Hussain.]

One of the important points which I should like to bring to the notice of the authorities, is that by merely accepting the previous figure as it stood in 1886, full justice will not have been done to our case, because there has been an enormous increase in the cadres of the Provincial Services in the various Provinces. In certain cases, it has been doubled. So that, if you accept the figure as it stood in 1886, it would amount to an actual relative decrease in the number of listed appointments open to the Provincial Civil Service, and you will thereby be reducing the chances that the Provincial Civil Service have of rising to higher appointments. That is one point which I would like to bring to the notice of the authorities, and I hope it will receive serious consideration.

Another point about which there is a strong feeling amongst the members of the Service, which I represent, is that Provincial Civil Service men should have equal status and equal pay with the Civil Service. The Resolution of June 1920 has hit several members of the Provincial Service who are holding listed appointments very hard indeed, especially the senior men. It has hit them so hard that the pay of some senior officers of the Service would actually be reduced if it was regulated by the order of June 1920.

There is a general feeling amongst the Provincial Service men that the Public Services Commission did not fully recognise the importance of the Provincial Services. I need hardly remind the Members of this House that the Provincial Services were organised with the object of enlisting the best talents of the country whose superior knowledge of local conditions, customs and manners was likely to be useful in the administration of the country. I must admit that a very large proportion of the superior type of Indian element has, in recent years, been drawn to other spheres of action and to more lucrative fields of employment. But the rapid strides made by intellectual progress has enabled the Provincial Services not only to retain, but also to increase that superior type of Indian element which it was intended to contain.

For these reasons, I trust, that the Government of India will give a careful consideration to our claims before arriving at a final decision on the recommendations of the Public Services Commission. I am sure, many Members of the Bar, who are here, will bear me out in saying that the Judicial Branch of the Provincial Services is inferior to no Service in the world in its attainments, its qualifications, and its character. In fact, the ability and the exalted standard held by the Judicial Service has received the highest praise from the highest authorities not only in this country, but in England.

It was, I believe, one of the Lord Chancellors of England, probably the Earl of Selborne, who remarked that Indian Judges, who are recruited mostly from the Provincial Service, were as good as English Judges. Such, Sir, is the Judicial Service to which the Public Services Commission has done scanty justice by proposing that if any more listed appointments on the judicial side have to be given away, they should be given away to rank outsiders and not to men who have been found by experience to be useful and able, men who have given the best of themselves to the service of the Crown, men who have sometimes died prematurely on account of their devotion to duty.

The executive branch of the Provincial Service has not had the same opportunities of showing what it can do, but it stands to reason that, if the Judicial Services have been found, as the Lord Chancellor of England described them,

if the Judicial Services have been found to be fit to sit in judgment on and to criticise the work of the Indian Civil Service, it stands to reason, that the members of the executive branch would not be found wanting if they were given similar opportunities. They are, after all, men of the same flesh and blood as the Judicial Service, men of practically the same education and surroundings, men who have inherited the same traditions and are actuated by the same traditions, of justice and honour. I cannot quote authorities in support of the claims of the executive service as I have quoted in the case of the Judicial Service, but there is one thing which I claim for the Provincial Executive Service, and it is this, that they have been associated very closely with the difficult task of administering this country. If the Indian Civil Service can claim to have constructed the foundations for the superstructure of a modern state in this country, the Provincial Executive Service can claim to have shared with them the burden and the heat in building up that foundation. They have had to face many difficult situations; they have often been accused of being over-zealous, but they have never been accused of not having given the best of themselves to the service of the Crown and the country. The administrative system, as it stands to-day, has been founded not merely on the services, on the devotions and on the sacrifices of the Indian Civil Service, but also on the services, on the devotions and on the sacrifices of the Provincial Civil Service, without whom the Indian Civil Service could not have achieved the magnificent work which they have done.

In the speech which has been made by the Honourable Mover in support of the Resolution, he has referred to the indictment of the Public Services Commission on our work. The sum and substance of that indictment is that the Provincial Services are wanting in adaptability—that they are nervous, in other words. I do not admit that charge, at least so far as my own provinces are concerned. Small as have been our opportunities, on the executive side we have produced men of the ability of Kuar Maharaj Singh, who is at present holding the position of a Deputy Secretary in the Government of India; and of whom it might be said that he has touched nothing which he has not adorned. I do not admit the charge of want of adaptability. I repudiate it. But granting that the charge was true, how are you to help the Provincial Service in removing that nervousness and inadaptability. Are you going to make them mount the treadmill of unchanging prospects, or are you going to enable them to ascend the ladder of new and higher prospects? Is it by an actual decrease in the number of listed appointments, as has been proposed by the Public Services Commission, that you hope to make the Provincial Service fit for greater opportunities, or is it by giving them greater opportunities for the exercise of those very qualities in which they are said to be wanting. If a child is afraid of the tub, will you make him any bolder by not letting him go near the tub, or will you shake off his nervousness by just throwing him into the tub? In the same way, with a groom in charge of a jumping horse: would you make a groom in charge of a jumping horse a good rider by not allowing him to put his leg across a horse? Would you make a good soldier by not letting a soldier smell powder or see the clash of the cannon-ball? In the same way, you can only make the Provincial Services fit for higher duties by throwing open greater opportunities to them. Mr. Gladstone used to say that it was liberty alone which fitted men for liberty; and it is only familiarity with higher responsibilities that will help the growing and fostering of a stronger sense of responsibility and self-reliance—qualities in which the Provincial Services are said to be lacking.

**Mr. R. A. Spence :** Mr. President, I move that the question be now put.

The motion was agreed to.

**The Honourable the President :** I now put the question in the form suggested by the Honourable Mover, that all words after the word 'province' \* down to the end of the Resolution be omitted.

The question is that the words proposed to be omitted stand part.

The motion was negatived.

The question is that the Resolution, as amended by the omission of the words 'or in the alternative' to the end of the Resolution, be adopted.

The Assembly divided as follows :

#### AYES—68.

Aiyer, Sir Sivaswamy.	Mukherjee, Babu J. N.
Azad-ul-lah, Maulvi Miyan.	Majumdar, Mr. J. N.
Ayyangar, Mr. M. G. Mukundaraja.	Mahadeo Prasad, Mr.
Asad Ali, Khan Bahadur, Mir.	Mitter, Mr. N. C.
Afsar-ul-Mulk Mirza Muhammad, Prince.	Mitter, Mr. D. K.
Abdulla, Mr. S. M.	Man Singh, Bhai.
Agarwala, Lala G. L.	Nayar, Mr. Kavalappa M.
Amjad Ali, Mr.	Neogy, Babu K. C.
Ayyar, Mr. T. V. Seshagiri.	Nabi Hadi, Mr.
Bagde, Mr. K. G.	Nand Lal, Dr.
Bishambhar Nath, Mr.	Nag, Mr. Girish Chandra.
Bhargava, Mr. J. L.	Pyari Lal Misra, Mr.
Baidyanath Singh, Mr.	Quadir, Maulvi Abdul.
Barua, Sriji Debi Charan.	Rangachariar, Mr. T.
Chaudhuri, Mr. J.	Ramayya Pantulu, Mr.
Cotelingam, Mr. J. P.	Reddi, Mr. M. K.
Dalal, Sardar B. A.	Rama Varma Valia Raja, Mr.
Girdhardas, Mr. N.	Ramji, Mr. M.
Ghose, Babu S. C.	Raghubir Sinha, Beohar.
Gulab Singh, Sardar.	Srinivasa Rao, Mr. P. V.
Ginwala, Mr. P. P.	Subrahmanayam, Mr. C. S.
Hussain, Mr. T. M.	Sambanda Mudaliar, Mr.
Hussanally, Mr. W. M.	Sircar, Mr. N. C.
Hussain, Mr. Wajid.	Saran, Mr. Iswar
Habibulla, Nawab Khwaja.	Subzposh, Mr. S. M. Zahid Ali.
Ikramulla Khan, Mr. Mirza Md.	Sohan Lal, Mr.
Ibrahim Ali Khan, Nawab Md.	Shahab-ud-Din, Chaudhuri.
Jatkar, Mr. B. H. R.	Sarwar Khan, Mr. Ch. Ghulam.
Joshi, Mr. N. M.	Sen, Mr. Nishikanta.
Krisnaswami Rao, Mr. C. K.	Samarth, Mr. N. M.
Kabraji, Mr. J. K. N.	Ujagar Singh Bedi, Baba.
Latthe, Mr. A. B.	Venkatapatiraju, Mr. B.
Mahmood Schamnad, Mr.	Vishindas, Mr. H.
Mahomed Hussain, Mr. A. B.	Yamin Khan, Mr. Muhammad.

\*Where it occurs for the second time.



## NOES—34.

Burdon, Mr. E.  
 Bryant, Mr. J. F.  
 Currimbhoy, Mr. R.  
 Carter, Sir Frank.  
 Crookshank, Sir Sydney.  
 Das, Babu Braja Sundar.  
 Dentith, Mr. A. W.  
 Fell, Sir Godfrey.  
 Gidney, Lieutenant-Colonel H. A. J.  
 Hailey, The Honourable Mr. W. M.  
 Herbert, Lieutenant-Colonel D.  
 Holland, The Honourable Sir Thomas.  
 Hullah, Mr. J.  
 Hutchinson, Mr. H. N.  
 Innes, Mr. C. A.  
 Jannadas Dwarkadas, Mr.  
 Jamsetjee Jejeebhoy, Sir.

Keith, Mr. W. J.  
 Lindsay, Mr. Darcy.  
 McCarthy, Mr. Frank.  
 Maw, Mr. W. N.  
 Mahomed Ismail, Mr. S.  
 O'Donnell, Mr. S. P.  
 Percival, Mr. P. E.  
 Price, Mr. E. L.  
 Renouf, Mr. W. C.  
 Sapru, The Honourable Dr. T. B.  
 Sharp, Mr. H.  
 Sen, Mr. Sarat Chandra.  
 Sarfaraz Hussain Khan, Mr.  
 Spence, Mr. R. A.  
 Watson, Sir Logie.  
 Waghorn, Colonel W. D.  
 Wild, Mr. C. E.

The motion was adopted.

RESOLUTION *RE* THIRD CLASS PASSENGERS.

**Rao Bahadur T. Rangachariar:** Sir, I rise to move the Resolution standing in my name which runs as follows :  
 3-38 P.M.

'This Assembly recommends to the Governor General in Council to issue instructions to the Managers of the different Railways to employ responsible Passenger Superintendents at junction stations and also Travelling Passenger Superintendents for all trains whose sole duty should be to look after the comfort and convenience of third class passengers.'

Sir, this is not the first occasion on which the third class passenger has been introduced in this Chamber, although it is the 'first time on which he has been introduced to this Assembly.

I find, looking over the proceedings of the Legislative Council for the last three years, that the cause of the third class passenger was rightly brought into that Council by various Honourable Members of it. I was also glad to see that instructions were issued by the Railway Board and the Government of India to the various Managers of the various Railways to look after the comfort and convenience of third class passengers. All the same, Sir, those who travel on the railway will know that conditions continue to be the same now as in 1918 when the subject was first brought before the Council.

The third class passengers form a very large number of people who travel by rail. It is the third class passenger who contributes most of the funds with which railways are worked at a profit. I take the figures of the last official year and I find that out of a total of 520 million passengers who travelled by rail, 460 millions were third class passengers, and for my Province we find that the Madras and Southern Mahratta Railway carried 44 million passengers, out of which 42 million were 3rd class, and for the South Indian Railway which has obtained an unenviable notoriety, out of 50 million passengers, 48 millions were third class. If we compare the earnings, out of a total of Rs. 33 crores,

[ Rao Bahadur T. Rangachariar.]

the third class passengers contributed over 27½ crores, and, therefore, I submit, that third class passengers form a very large and important body of the travelling public: but it is not an influential body. Influence counts for much of the comfort in this world, and those of us who are assembled here to-day perhaps cannot understand the grievance of the third class passenger. We have often seen them pushed about on railway platforms by railway servants and others who push themselves forward to attend to our comfort and neglect the third class passengers. We have merely to press a button in a corridor train and up comes an attendant, but the lot of the third class passenger is pitiable.

He pays a large amount and yet his comforts are not attended to. You, Sir, the distinguished President of this Assembly, may not be familiar with his lot, as you are new to this country, but every one of us here who belongs to this country, and those who have come here and settled here, know his lot and, therefore, it will be unnecessary for me to enumerate the various difficulties to which he is subjected. The Government of India have also rightly in their Despatch which they issued in January 1918, and again in August 1918, to various Railway Companies, enumerated the difficulties of the third class passengers and drawn pointed attention to these difficulties. But these managements are incorrigible. Unless greater pressure is put by the Government upon the Management Boards, it is hardly likely that any good results will be achieved and I wish, Sir, in the last Administration Report more space has been devoted than the small paragraph in which they refer to these lower class passengers. I find in Chapter 3, there is a sentence—a solitary sentence about the lot and the condition of the lower classes:

‘The improvement of the conditions of the lower class passengers has during the war not been lost sight of by the Railways of India, but owing to the unfavourable financial position and material difficulties due to the dislocation of industries and commerce caused by the war, progress in this direction has not been all that could be desired.’

But there are difficulties which may be removed as the Government of India themselves pointed out in one of their circulars by employing more people to look after the comfort and convenience of these third class passengers. Neither dislocation of commerce or industries, nor war conditions would prevent the railway management from employing more responsible people to look after the comfort and convenience of third class passengers. I have suggested in my Resolution two classes of Superintendents to look after their comfort and convenience. I suggest that Passenger Superintendents should be employed in important junction stations. I suggest that Passenger Superintendents should be made to travel in the important trains. In the case of the stations, the difficulties begin when they go there to buy their tickets. The ticket windows, which are often very small where you can only insert your palm, are not opened till a short time before the train arrives and then these ignorant people who form the mass of the third class passengers, often illiterate, not knowing the language in which the tickets are issued, not knowing to read, are often forced to part with more than they need pay. And, again, they are not able to get their tickets in time and they are crowded together in what is called waiting sheds, iron cages—locked in until the train arrives. It is only after the train arrives on the platform that the doors are opened for these poor people while we are allowed to strut about the platform. And, then, they are made to rush in and find their accommodation as best they can. You know how sheepish they are. There is nobody to guide

them to a vacant compartment. If anyone of them is clever enough to open a door, they all rush into it. And compartments, which are provided for seating only a few, are crowded with 20 to 30 people. And often times you find our human selfish nature asserting itself mostly in railways. Those who are able-bodied, stand in front of the door and are able to prevent people from coming in where there is room and these poor people have nobody to guide them and control them. And, again, often times mother and child are separated. Father and the rest of the family are separated. Sometimes they are left in stations—in important junctions—to sleep the nights when they are not able to get accommodation in the trains. These difficulties are felt very greatly in our part of the country. I have not travelled much in these parts, and, therefore, I leave it to my brethren from these provinces to say whether the same difficulties exist in this part of the country also. But, speaking, Sir, for South India, which is famous for its temples, famous for its festivals, famous for holy rivers for baths, we find that the passenger traffic is often congested. Almost every month you have got fairs and festivals, and the employment of Passenger Superintendents on the South Indian Railway is urgently called for. I have suggested, Sir, in my Resolution that the employment of Passenger Superintendents is desirable. It is not any one and every one who should be employed as Passenger Superintendents. I say 'responsible Passenger Superintendents'. The word 'responsible' implies that the man should be a gentleman, that he should be of good stock, and should know the language of the people with whom he has to deal, and he should not be employed merely because he has had some employment in the Army. In some of the Railways some discharged soldiers and sepoys are employed to take charge of these passengers. I have heard of complaints from people living in those parts where such Passenger Superintendents are employed that they had better not be employed at all. I have, therefore, suggested the word 'responsible' as a qualification for the Superintendents to be employed, and if such people are employed, some of the grievances will be minimised. I do not say human nature is going to be improved by merely employing such Superintendents. Probably the third class passengers may be put to similar inconveniences, but the inconveniences and discomforts, which they are put to, indeed, will be minimised. I do not say that this will be the end of the third class passengers' grievances. I am afraid that until more drastic steps are taken, until more attention is paid to their grievances by responsible people, their grievances will remain. At the same time, Sir, I have suggested a very mild measure indeed. It is one of the measures which may be adopted. It is one of the measures which have already been approved of by the Government of India, and I, therefore, suggest that this measure should be adopted for the present, so that the grievances which these people have patiently borne for all these years might at least be minimised. And I do not think that on a subject like this, which is non-controversial I hope, I need say any more to commend my suggestion for your acceptance. Of course, I can paint this picture perhaps much more graphically and there are others who may follow me up. So, I do not think that it is necessary that I should say any more words to commend this Resolution, and I, therefore, move this Resolution, Sir, for the acceptance of this House.

**Mr. E. L. Price:** Sir, I should like to support this Resolution. I have travelled a good deal over India, and in my own experience there is no doubt about it that third class travellers do suffer a

[Mr. E. L. Price.]

good deal of unnecessary inconvenience, and I can recall one case of absolute callousness which I myself tried to take up on their behalf. Some years ago, I was travelling between two big cities about five hundred miles apart, and after we reached a junction, we ran over a portion of the line which was flooded and where a bridge had come down. We spent a long night without food or drink in the train, then we were taken back to the junction, and there the Station Master insisted that all the passengers immediately proceeding on their journey must go a long way round and pay the extra fare. There were a number of third class passengers in that train, including women and children, who had practically nothing with them but a few annas and a little food. They could not pay the extra fare. The Station Master absolutely refused to move in any way on their behalf. And finally, some of the better class passengers, including a rich Parsi gentleman who happened to be on the train, made up together a considerable collection, which came to several hundreds of rupees, in order to pay the fares of these poor people and enable them to get to their destination before their resources were exhausted. I took up the matter with the Agent of the Railway and I did recover on equitable grounds the extra fare I paid for myself and my servant, which was over a hundred rupees. But the money that we had collected and distributed in order to enable these poor women and children to get to their destination before their resources were exhausted was not recovered.

And I do think that it is a shameful thing that the Station Master should simply wash his hands of the whole business and say, 'if you want to get up to your destination, pay extra money; if not, you can stop here'. I am not quite sure that the Government is in a position to compel all Railways to accept the principle and I do think that if there are Passenger Superintendents it is not going to ameliorate all the bad conditions, because they largely arise from too few trains, too few stations, and too few carriages. But the appointment of Superintendents to look after the third class passengers who really are not the sort of people who can very well look after themselves, will be a move in the right direction to begin with.

**Colonel W. D. Waghorn :** On behalf of Government I welcome the intention of this Resolution, the object of which has been so fully represented by my friend, Rao Bahadur Trivenkata Rangachariar. I would like to mention, however, for the information of this Assembly, one or two points that are not perhaps fully recognised.

Speaking on behalf of the various Railway Administrations, I can assure the Honourable Member that it is fully recognised by all Railway officers that one of the first duties of a Railway servant is to attend to the comfort and convenience of the passengers. That there are failures to achieve all that is desirable in this respect is admitted, but the intention and the endeavour exist nevertheless.

As I interpret the Resolution, it is intended to impress the importance of this subject on the Railway Administrations, and I cordially accept it as such.

I would point out that at many important junctions, staff already exist whose special duty it is to look after the comfort and convenience of passengers. Such staff are not necessarily known as Passenger Superintendents—on certain lines they are known as Passenger Inspectors or Passenger Guides. Whilst fully recognising the value of such officials it must be borne in mind that they can but represent a very small portion of the Railway staff whose

duty it is to attend, in their various capacities, to the comfort and convenience of the passengers, and recognising this, Railway Administrations accept it as an axiom that one of the first duties of all Railway officials is to attend to the comfort and convenience of the passengers whether waiting for their trains or actually travelling in the train.

Practically all important passenger trains now carry two Guards, the Head Guard and a Second Guard or Brakesman; and whilst accepting the fact that the first duty of these officials is to attend to the work of obtaining line clear for their trains and to the packages in or for their brake vans, it is still recognised that one of the most important duties of both is to attend to the berthing of the passengers.

In addition, this is also recognised as one of the first duties of the station staff, be he Station Master, Ticket Collector or Porter. So long as trains are of the non-corridor type, a travelling Passenger Superintendent or Guard can be of little service to the passengers whilst the train is in motion: it is only in the matter of giving assistance in procuring accommodation in crowded trains at stations that he can be of material assistance, and it is considered by many administrations that these duties are most suitably carried out by the station staff. There is a very great deal to be said for this point of view, and I feel that this is a matter which may with advantage be left to the various railway administrations to decide for themselves.

As I have already mentioned, Passenger Superintendents are employed on many railways at important junctions and big stations, whether under the terms of Passenger Superintendents, Passenger Inspectors, or Passenger Guides. On the three State railways and certain of the more important companies' lines, it has been the custom for many years past to employ retired Indian officers in this capacity, and whilst recognising the great use they have proved themselves to be, it is thought that they might render greater assistance if more trouble and care were taken in training them in their duties, and it is rather in this direction that I am hopeful that improvement may be made.

These officers are gentlemen, who understand discipline and understand the ways of the people.

As regards the remarks which were made by Mr. Price, I am not aware that that directly affects the question which we are considering, as I do not think that the question of a Passenger Superintendent or a Passenger Guard would have assisted the passengers. That was an unfortunate mishap which must have taken place through the ignorance of the Station Master concerned. I do not know the case personally.

I wish to deal now only with the question dealt with in this Resolution as to the provision of responsible Passenger Superintendents at junction stations.

With these remarks, I would accept, on behalf of the Government, the Honourable Member's Resolution on the condition that he would accept a slight modification in the wording, which would then run as follows:

'This Assembly recommends to the Governor General in Council the desirability of employing responsible Passenger Superintendents at junction stations and also Travelling Passenger Superintendents for important passenger trains, whose sole duty should be to look after the comfort and convenience of passengers, especially the third class.'

**Rao Bahadur T. Rangachariar:** I accept that.

**Sir Frank Carter:** Sir, may I ask what these Travelling Passenger

Superintendents are to get?

8-57 P.M.

**The Honourable the President:** I think the Member of the Government in charge may reasonably ask for notice of that question.

The Resolution as amended below was adopted.

'This Assembly recommends to the Governor General in Council the desirability of employing responsible Passenger Superintendents at junction stations and also Travelling Passenger Superintendents for important passenger trains, whose sole duty should be to look after the comfort and convenience of passengers, especially the third class.'

## RESOLUTION *RE* ARMY IN INDIA.

**Sir P. S. Sivaswamy Aiyer:** Sir, I rise to move the Resolution which 3-59 P.M. stands against my name and which runs as follows:

'This Assembly recommends to the Governor General in Council that he do represent to the Home Government that the proposals of the Esher Committee contained in Parts I and II of their Report should not be acted upon and that on the other hand the Army in India should be entirely under the control, real as well as nominal, of the Government of India and should be free from any domination or interference by the War Office on matters of military policy, organization or administration and that such co-ordination as may be desirable between the military policies or organizations of different parts of the Empire should be secured by discussion and agreement at Conferences at which India is adequately represented.'

The subject of Army administration and organisation in India is one of very grave importance to the people in its military, political and financial bearings. Members of this House are aware of the great interest which has been excited by the Report of the Army in India Committee, more shortly known as the Esher Committee, and of the very grave apprehensions to which it has given rise not merely in this country but also in well-informed circles, even in England, apprehensions not merely as to the exact import and significance of these proposals but also as to their consequences, and the military and financial burdens which they will involve.

The object of my Resolution is to clear up these misapprehensions to ascertain how far it is possible for the Government to see eye to eye with us, and to secure the assent of the Government to the principles which, we believe, should be borne in mind in any proposals for the administration or organisation of the Army.

Now, before going further, I may just say a word as to the procedure which has been followed by the Esher Committee. It is unfortunate that this Committee should have decided not to take any formal evidence whatever upon which to base their conclusions. Had they taken formal evidence, that evidence would have been printed and published and made available to the public and we should have been in a position to know how far their proposals were supported by the evidence of witnesses. The reasons given by the Committee for the procedure adopted are not very satisfactory. They say:

'At the outset of our enquiry it was necessary to decide whether formal evidence should be taken. After consideration, we determined that it was undesirable to add to the mass of documentary evidence already arrayed. We consequently decided to take counsel with high officers, military and civil, and certain independent persons whose views and experience would simplify our task, but not to record their evidence formally. We have thus obtained expressions of opinion given with complete freedom, and coupled with the experience of the members of the Committee, they were of great value in forming our conclusions.'

But they have deprived the public of the help they would have derived had such evidence been placed before the public.

Now, Sir, the administration of the Army in India has two important aspects from which it should be considered. One is the aspect of India's home needs, both internal and external, if I may say so; and secondly, the aspect of Imperial needs. The impression that one derives from a perusal of the whole of this Report is, that the Committee have been dominated throughout by the Imperial aspect of the question of Army administration. It does not appear that they have paid sufficient attention to the question from the point of view of India's own needs, internal and external. Now, the instructions which were issued to the Committee, included, among others, the instruction to keep in view the approach of India towards a Dominion status. These instructions are referred to in the report of the Committee, but evidently they have had very little attention given to them. The instructions are simply referred to for the purpose of being passed over. It does not appear that any specific proposal or recommendation of the Committee is based upon the necessity for keeping these instructions in view. The Committee have said that the bases of control of Imperial Defence have not yet been laid down, and that they, therefore, proceeded upon the existing statutes and usage governing the question of Army administration. How far the Committee have done so, how far they have conformed to the existing statute and usage, I will examine shortly.

There are three principles mentioned by the Committee in their Report as the principles which have governed the decision of the Committee in these matters. They are laid down on page 4 of the report. They say, the plans proposed must be consistent with (1) the control by the Government of India of Indian military affairs, (2) giving to the Government of India a voice, in questions of Imperial Defence, and (3) allowing the Imperial General Staff through its Chief to exercise a *considered influence* on the military policy of the Government of India. It seems to me, Sir, with all the deference due to the expert body that constituted the committee, that while the first two principles are all right, the third is one to which we cannot subscribe. But even with regard to the first two principles enunciated, namely, that the Government of India should have the control of Indian military affairs and that the Government of India must be given a voice in questions of Imperial Defence, it seems to be more a question of lip-homage than of actual observance of those principles in the recommendations made. First of all, with regard to the second principle, *viz.*, giving to the Government of India a voice in questions of Imperial Defence I see hardly any trace of that principle in this report. With regard to the first principle, *viz.*, the control by the Government of India of Indian military affairs, it seems to me that the control that will vest in the Government of India under these proposals is of a very shadowy character, and that it is far from real.

Part I of the Committee's report deals with the question of the relations of the Governor General in Council with the India Office and with the War Office and with the question of the high Command. Section II which deals with the question of Defence Committees is not of very much consequence. It is a consultative body, and there are no proposals of any importance in that section. Before examining the Committee's proposals, I should like to draw the attention of the House to the provisions of the existing statutes in conformity to which the Committee say they have made their proposals. There are only four sections in the Government of India Act bearing

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upon this point. There is a clause in section 2 of the Government of India Act which vests the control, direction and superintendence of Indian affairs in His Majesty's Secretary of State. Section 33 of the Act vests the Government of India in the Governor General in Council, but he has to obey the orders of the Secretary of State. So we may take it that the Government of India is vested in the Governor General in Council subject to the orders of the Secretary of State. There are only two other sections, and no more, which have any bearing upon these questions of military organization. Section 21 relates to the control of the Secretary of State over the expenditure of revenues, and section 22 relates to the application of the revenues of India to military operations beyond the external frontiers. These are all the sections that have any bearing upon the question of military organization. So far as section 22 is concerned, I may perhaps be permitted in passing to draw attention to what I conceive to be a defect in the provision, namely, that while it prohibits the application of Indian revenues to military operations beyond the external frontiers of India, it does not prohibit a draft upon our man-power. The Imperial Government would be entitled through its Secretary of State to ask us to send an expedition outside India, provided only that it does not call upon us to pay for the expenses. In the Self-governing Dominions the Imperial Government has no power to move a single soldier without the consent of the Dominions.

Now, there is one other matter to which I should like to refer before I pass on from the statute. It is one of the essential principles of the Indian Constitution and one which can be easily gathered from the spirit of the Act and has been emphasised by the Joint Parliamentary Committee in their proposals is that the control which is vested in the Secretary of State as the mouth piece of Parliament can be relaxed only *pari passu* with the recognition of popular control. The Esher Committee have in many of their proposals, as I will show later on, felt the existing control of the Secretary of State to be embarrassing, and they have asked for more latitude. But what that latitude means is simply a devolution of power to the Government of India free from interference by the Secretary of State. That devolution would be a departure from the spirit of the statute, a departure from the essential constitutional principle that it is only in so far as we recognise popular control that the control over the Government of India's power to expend revenues can at all be relaxed by the Secretary of State.

Now, Sir, I will refer briefly to the recommendations of the Committee in Part I of their Report. The first thing they say, after referring to a passage already quoted in the course of this day's discussion, is that 'the control exercised by Parliament has been illusory.'

They further say :

'The working of this system,' that is the control of the Secretary of State, 'unduly causes delay in dealing with military questions that frequently require rapid settlement both in the interests of efficiency and the contentment of the army in India. We, therefore, recommend that greater latitude should be allowed to the Governor General in Council in deciding questions of a military character, provided they do not influence by reflex action on the administration of the British Army at Home.'

This is practically their first recommendation in Part I. Now, there may be a certain amount of delay involved in this procedure of reference to the Secretary of State. Delays are unavoidable in any system of bureaucracy,



and for the matter of that, I doubt whether they would be avoidable even under democracies. But while delays are dangerous during war, questions relating to the army, such as pay, allowances, pensions, annuities and so on, though they may have been under consideration for some time,—are not questions that will not brook delay. It may, I well understand, be irritating to the officers concerned, but on the other hand, look at the safeguard provided for securing due deliberation, for not allowing the Government of India to suddenly plunge into a scheme requiring a large amount of expenditure at the dictation or the importunity of the military authorities. Now the latitude that the Committee wants is really not latitude to the Government of India to carry out their own determination or conviction, but, as I shall show later on, a latitude to be led by the War Office. After all, this complaint of delay in settlement of questions is not a matter of very serious consequence, as I submitted, in times of peace, and, on the other hand, there are advantages which out-weigh the disadvantage.

The second proposal made by the Committee is that there should be a chain of military responsibility established from the Chief of the Imperial General Staff in England downward to the Governor General and the Commander-in-Chief in India, and this chain of military responsibility is attempted to be accomplished by certain methods. The Committee have sought to achieve this object both in England and in India. In India what they propose is, that the Commander-in-Chief himself is to be appointed on the recommendation of the Chief of the Imperial General Staff. He would, therefore, be bound by ties of gratitude to the authority to whom he owes his appointment. And not merely the Commander-in-Chief, but the Chief of the General Staff in India is to be appointed on the recommendation of the Chief of the Imperial General Staff.

Now, it may be asked what is there wrong with this proposal? Is it not right that in making such high appointments, appointments to high commands, we should consult the very best expert authorities in England? Is there anything wrong in consulting them? I would answer that first with this question; what is the present system; what has there been wrong with it and what is the object with which you propose this change? It has not been proved that our Commanders-in-Chief in India have been military failures. On the contrary, I believe, we have been fortunate enough to secure a succession of distinguished heads of the Army in India. The object with which this is proposed is to see that the officers who are Commanders-in-Chief and Chiefs of the General Staff here are persons bound by intimate ties to the Chief of the Imperial General Staff. It is all for the purpose of producing what they call a close and intimate touch between the Commander-in-Chief in India with the Chief of the Imperial General Staff that this is proposed. They say that the Commander-in-Chief should be at liberty to communicate freely with the Chief of the Imperial General Staff. At present, evidently he does not enjoy the privilege of writing to the head of the Imperial General Staff behind the back of the Government of India and behind the back of the Secretary of State. It may be said that they provide against any possible inconvenience by their suggestion that he should furnish them with copies. The Commander-in-Chief writes straight off to the Chief of the Imperial General Staff, but he sends copies to the Government of India and the Secretary of State and keeps them informed.

The real object, however, with which you bring forward these proposals is disclosed later on in your own report, and that is, to bring a larger and larger

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influence and control to be exercised on the military authorities in India directly by the Chief of the Imperial General Staff.

This is what they do in India. At the other end, in England, they think that the Secretary of State should no longer have a military colleague in this Council. The Military Member of Council has to go, and, in place of the Military Member of Council in the India Office, the Secretary of State should only have a Secretary in the Military Department.

And who is the Secretary? He is a Deputy Chief of the Imperial General Staff, so that the Chief of the Imperial General Staff has got not only the support of the Commander-in-Chief in India, but also that of the Deputy Chief of the Imperial General Staff. They say that the Secretary of State should be distinctly given to understand that he should not look for advice to anybody except the Chief of the Imperial General Staff who is the sole military adviser. The Secretary in the Military Department is the *liaison* officer between the Secretary of State, and the Chief of the Imperial General Staff is affected by this power, and will be his conscience-keeper in the India Office and will communicate to the former the instructions, directions or advice of the Chief of the Imperial General Staff. It may be asked, 'What is there wrong in asking for advice? Is there anything wrong in one expert asking another for advice, or, in a layman referring to experts for advice?' The position is very different from that of mere consultation. It is clear from the Report that the state of relations which the Committee wished to bring about is not of a mere advisory character which even the Dominions have recourse to, but of a directory character. I may refer you at once to the passage so that you may see that my observation is justified. They say :

'We are in agreement with the General Staff view that the Commander-in-Chief in India should be more directly in touch with the Chief of the Imperial General Staff, with a view to obtaining increased efficiency as regards the organisation, equipment and training of the Army in India, so as to develop the military resources of India in a manner suited to Imperial necessities. We have already stated that in our view, the Commander-in-Chief in India should have the established right to communicate in peace with the Chief of the Imperial General Staff in London with regard to strategical plans, war organisation, training and the selection for commands and senior Staff appointments.'

Then they say, with very engaging modesty,—'But we are not prepared to dogmatise as to whether the Government of India or the Imperial Government at Whitehall is to be responsible for the military safety of India.'—I presume, they refer to the question of financial liability. They go on :

'It is obvious that, if the gradual approach of India to a Dominion status is to be taken as an axiom, this question can be resolved only by the exercise of judgment, tact, and the principle of 'give and take.' We, however, are strongly of opinion that, while unity of administration is for the present out of the question, unity of conception on broad lines of military policy, such as those for which an Imperial General Staff should be responsible, is essential in the interests of India herself and of the Empire as a whole.'

I am not oblivious of the necessity for co-ordination in matters of Imperial policy and it is certainly desirable that there should be co-ordination and that there should be harmony of conception in such matters. But the proper way to secure it is by very different methods, not by making the War Office in England close its tentacles over the Army and the Military Department in India.

Let me refer to one other passage which shows that I am justified in

describing it as a proposal for tightening the grip of the War Office over the military administration here, and it is this :

'We recommend in section 8 that the Commander-in-Chief in India shall be appointed with the concurrence of the Chief of the Imperial General Staff and that the Commander-in-Chief shall be the sole military adviser of the Government of India. If this system can be established, the chain of military responsibility over questions of an Imperial character will be complete. On the one hand, the Commander-in-Chief will look to the Chief of the Imperial General Staff not for advice, but for *supreme direction* in all questions of Imperial military policy in which India is concerned, and, on the other hand, the Governor General will look to the Commander-in-Chief for military advice upon questions in which India only is concerned and also upon questions of a wider military character, so that the Commander-in-Chief will be in a position to express upon the latter the considered views of the Chief of the Imperial General Staff.'

And then they say :

'We believe that under the plan, as proposed, the Government of India will retain its statutory control over the Army in India (yes, a paper control), that the Governor General will be assured of undivided counsel upon military questions, that unanimity of military policy will at last be established between Great Britain and India.'

Now, whether there is any alternative scheme to these proposals for co-ordination and so on, is a matter which can be examined later on. One such method is, what I propose, namely, discussions at general conferences like the Imperial War Conference at which India will have a voice just like other countries. I may mention, in passing, that in the Self-governing Dominions also they have got a General Staff but the General Staff is perfectly autonomous. If they want the advice of the Home authorities, they secure it by arranging for inspection by proper officers, by interchange of officers, not proposals for the wholesale fusion of cadres, and by securing facilities for training. These are the methods which the Dominions employ for the purpose of securing co-ordination and unity of conception. This is the proper method, and not the invocation of the influence of the War Office to such an extent that the Government of India cannot act, except in accordance with the advice of the Commander-in-Chief who is to be guided by the advice of the Chief of the Imperial General Staff.

**The Honourable the President:** I must remind the Honourable Member of the rule regarding time limit.

**Sir Sivaswamy Aiyer:** I am quite willing to sit down, Sir.

**The Honourable the President:** If the Honourable Member wishes to close his argument, I am willing to give him a few minutes more.

**Sir Sivaswamy Aiyer:** In view of the late hour, Sir, perhaps I had better sit down.

**Sir Godfrey Fell:** Sir, I think I shall be voicing the general opinion of this Assembly if I congratulate my Honourable friend upon the extremely lucid exposition which he has given of Parts I and II of the Esher Committee's Report and upon the great ability with which he has stated his case. I should like to say at once that, on behalf of Government, I am prepared to accept his Resolution, provided that he will agree to modify it. The modification, which I venture to suggest, is that he should omit the words beginning with 'he do' in the first line, down to the words 'on the other hand' in the third line. The Resolution would then read thus :

'This Assembly recommends to the Governor General in Council that the Army in India should be entirely under the control, etc.'

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If the Honourable Mover of the Resolution is prepared to agree to this amendment, I do not think it will be necessary for me to deal in any great detail with the arguments he has put forward to-day. But I should like to take this opportunity of explaining the Government of India's point of view on the main issue which he discussed. The point of view of the Government of India is this. They hold that certain phrases, certain sentences, certain paragraphs in the Esher Committee's Report are misleading and might give rise to the impression that War Office influence could be exerted on the Army in India. They hold, however, that no such intention was in the minds of the Members of the Esher Committee, nor would the Government of India acquiesce for one moment in any such interference. May I for one moment, speaking as a late Member of the Esher Committee, add that there is not one of the Members representing India on that Committee who would not rather have had his right hand cut off than sign a report which would place the Army in India under the control of the War Office. The Assembly may rest assured that the Government of India are fully alive to the paramount necessity of securing that all matters of Indian military policy shall be retained in the hands of the Government of India. On the other hand, they accept the view of the Esher Committee that there are many questions which it is desirable to discuss with the Chief of the Imperial General Staff at Home and to obtain his advice upon. These are the wider questions of Imperial policy, in which both India and the rest of the Empire are concerned. I am not sure whether a reply has yet been given to a question on this subject or whether it has only been drafted, but I take this opportunity of assuring this Assembly that the Government of India have undertaken that no action shall be taken on Parts I and II of the Esher Committee's Report until this Assembly, and the Council of State, if they so desire, have had an opportunity of expressing their opinions on them. It is also the intention of the Government of India to communicate the views of this Assembly and of the Council of State to the Secretary of State in order to enable him and the Cabinet to arrive at a final conclusion on these debated points.

I cannot, however, pass over in silence some of the criticisms which my Honourable friend has made upon the Esher Committee's Report.

I hope that this Assembly will feel some sympathy with me. I stand here as the sole member present of that much abused body, the Esher Committee. I wish I could secure the services of my Honourable friend, Mr. Eardley Norton, or some Advocate of equal ability to defend me. I find myself in the position of the one accused out of seven or eight, who has been arrested and placed on his trial. Speaking, then, as a member of the Committee, and not on behalf of the Government of India, may I point out that the Mover is somewhat under a misapprehension in a good deal that he has said.

One matter, to which I take particular exception, is his suggestion that a Commander-in-Chief who has been appointed on the recommendation of the Chief of the Imperial General Staff would be so bound to the latter officer by ties of gratitude, that he could not possibly do his duty as a servant and a member of the Government of India. I deny that most emphatically.

The great men in our public life are not so lost to all sense of decency as to give their blind support in all questions, right or wrong, to the men to whom they owe their appointment. Let me put the matter in another way. We have an army in India, one of the largest armies in the world, an army of which we are all justly proud. Do we, or do we not want the best soldier that

the Empire can give us to command it? I take it that this Assembly will agree with me that we do. If we want the best soldier that the Empire can give, is it not natural that we should turn to the greatest military authority in the Empire for advice in selecting a Commander-in-Chief? That is all that it comes to. The appointment is made by His Majesty the King on the advice of the Cabinet, and the Cabinet naturally turns to the Chief of the Imperial General Staff, the highest military authority in the Empire, for advice. I do not think that any one in this Assembly can really take exception to this procedure. Ever since there has been a Chief of the Imperial General Staff, that has been the practice that has obtained.

There is another point. The Mover reproved the Esher Committee for saying that there was no necessity for the Secretary of State to have a military colleague on his Council. I do not know whether he was under the impression that the military member on the Secretary of State's Council has any statutory right to be his military adviser. I rather gathered from the argument used by the Mover that that was his impression. If I am wrong, he will perhaps correct me. Now, in the India Office, as many Members of the Assembly know, there is no system of portfolios. The Members there are not in charge of portfolios as Members of the Government of India are; and the one senior Military Officer who, in practice, is appointed as a rule to the Secretary of State's Council has no more right to tender military advice to him than the Member who looks after Finance or the Members who look after the Public Department or the Judicial Department. Unfortunately, there have been occasions in the past when a soldier Member of the Secretary of State's Council has considered it his duty, and has been permitted, to tender military advice to him. I am not at liberty to explain to the Assembly one particular instance which I have in view. I will merely say that one of the greatest tragedies in the late War has been held by many to have been due, directly due, to the fact that the Secretary of State for India listened to advice, military advice, from a quarter from which he had no right to demand it, from an authority who had no special right to offer it.

I want the Assembly to realise the essential necessity for unity of military policy. We are one Empire, and the first duty of the various parts of the Empire is that any one of them should be prepared, in case of need, to go to the aid of another part when that other part is attacked. This Assembly knows that the whole of our scheme of defence in India against external aggression is based upon the assumption that we should maintain an army sufficient to hold our own against certain potential enemies until help can come from the United Kingdom. I should like with your permission, Sir, to read a few lines on this subject from a very able article in a periodical named the 'Army Quarterly.'

It says:

'The Self-governing Dominions and India cannot stand aloof in matters of defence. On the contrary, with the growth of their power, they should assume their responsibilities in the Imperial Council and accept their proportionate burdens and liabilities. Their defence representatives must be consulted in all plans and projects of co-operation and co-ordination are to be truly Imperial and if the Empire is to be consolidated in the most effective and economic manner.'

Now, the Honourable Member picked out many phrases in the Esher Committee's Report and read them out with telling effect. I have already stated the opinion of the Government of India that some of the expressions used were misleading. The accusation against us in this respect amounts, there-

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fore, to one of lack of literary skill, one, if you like, of illiteracy ; but I frankly admit, speaking as I said before, as a Member of that Committee and not on behalf of the Government of India, that I stand here unrepentant and unashamed regarding the main lines of the Esher Committee's Report. I believe that we must play our part as partners in the Empire, and on this point I should like to read you another passage from the article which I quoted just now. Before doing so, I should like to point out that the Honourable Mover, no doubt unconsciously, rather slurred over a certain phrase in the Report, anyway he did not give it the significance which the writers intended should be attached to it, and that was this :

'On the one hand, the Commander-in-Chief will look to the Chief of the Imperial General Staff for supreme direction in all questions of Imperial military policy in which India is concerned.'

Now, the really important word there is 'Imperial'—'Imperial military policy.' That means military policy which affects more than one part of the Empire, not India alone. No one wants the Chief of the Imperial General Staff, much less the War Office, to interfere in anything to do with our military policy in India ; but the Assembly can very well imagine situations arising in the future as they have arisen in the past, as, indeed, they exist to-day, in which India, if she is perhaps not so much concerned as some other parts of the Empire, is at least concerned to some extent. It is a very important principle of military science that the power which holds the ultimate reserves must have an effective voice in the decision of policy. The ultimate military reserves of the Empire are held in the United Kingdom, and the adviser of His Majesty's Government on their employment is and must be the Chief of the Imperial General Staff.

The passage, which I wanted to read to you on this subject, is this :

'The fact of the matter is that the expression 'military policy,' used in the Committee's Report, has created misunderstanding and roused hostility to its recommendations. 'Military policy,' as used here, does not imply policy in regard to initiating or undertaking military operations, but merely in regard to securing military efficiency in the means available and in the preparation and study of plans. The term is unfortunate, for, in any event, policy must be dictated by the Government and Imperial policy by an Imperial Council, assisted by an effective and efficient Committee of Imperial Defence. But the respective portions of the Empire can no longer work in compartments ; they must co-ordinate their efforts if those efforts are to be effective and economical, and in this respect India is no exception to this rule.'

That is the underlying principle of Part I of the Esher Committee's Report.

Again, the Honourable Mover painted a doleful picture of the Government of India, tied hand and foot to the Imperial General Staff. I am very glad that he did not go quite so far, as a certain influential newspaper at Home, whose remarks on the subject, I should like to read to you :

'We do not hesitate to say that these extraordinary proposals are, in the highest degree, unconstitutional. They reduce the Viceroy, who is, by statute, the head of the Army in India'

(the Governor General in Council, by the way, is the head of the Army in India, not the Viceroy) ;

'to a nonentity, and they wipe the Government of India off the slate altogether. They convert the Commander-in-Chief into a gramophone. This is the negation of constitutional government, and it is entirely destructive of the fundamental British principle that in military matters the Civil power should be supreme.'

Surely that is the language of hyperbole. Against it I should like to refer the Assembly to a few passages on the other side in Part I of the Esher Committee's Report. We recommended that greater latitude should be allowed to the Governor General in Council in deciding questions of a military character. We called attention to the fact that the Government of India must retain its statutory control over the Army in India. In the letter with which we presented Part I to the Secretary of State, we laid down the fundamental principle that the plans we proposed must be consistent with the control by the Government of India of Indian military affairs.

Now, the Honourable Mover, in drawing his pathetic picture of the powerless Government of India, tied hand and foot to the chariot of a triumphant Chief of the Imperial General Staff, instanced the position which the Esher Committee proposed to assign to the Military Secretary at the India Office. There has always been a Military Secretary at the India Office, whose time is mostly taken up in attending to the affairs of officers who are at Home on leave and such like matters. We wanted to secure much closer *liaison* in military affairs between the India Office and the War Office; for the experience of the War showed the extreme dangers which attend any attempt to run the defence of this Empire, or military operations, in water-tight compartments. I think I need only refer to the early phases of the Mesopotamian campaign in support of my argument. For this reason, and as we knew that there was no effective *liaison* at present, we recommended that the Military Secretary at the India Office, while continuing to be Military Secretary at the India Office, should have a recognised status and position on the General Staff, by being made a Deputy Chief of the Imperial General Staff. This does not render him directly subject to the Chief of the Imperial General Staff. Perhaps I might be allowed to read to the Assembly a few lines which indicate more clearly what was our intention:—

'The Secretary in the Military Department at the India Office should have the status of a Deputy Chief of the Imperial General Staff, with the right of attending the meetings of the Army Council. He would thus be in a position to ascertain the views of the Imperial General Staff in matters which are not of sufficient importance to necessitate the personal intervention of the Chief of the Imperial General Staff, to keep the Secretary of State for India, and through him the Government of India, in touch with the trend of the Army Council's discussions, and at the same time to represent and press the views of the Government of India as communicated to the Secretary of State from time to time.'

I do not think that this Assembly will really take exception to the proposal to secure, in this perfectly constitutional manner, closer *liaison* between the India Office on its military side and the War Office.

There is just one other point which I should like to comment upon in the Honourable Mover's speech. I may have misunderstood him, but I think he said, when referring to the Government of India Act, that the Secretary of State had the power to make the Government of India send troops out of India. That, I think, is not the case. The position is exactly the reverse. The position is that the Government of India, who are masters in their own house, cannot send their troops for service outside India, at the expense of Indian revenues, without a Resolution of both Houses of Parliament.

I turn now to the last part of the Resolution, which deals with the co-ordination between the military policies or organizations of different parts of the Empire. On this point, I think, all that I need say, is that the machinery already exists in the Imperial Defence Committee at Home. That Imperial

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Defence Committee, as this Assembly is probably aware, is a body presided over by the Prime Minister. He can appoint to it any one he chooses. I believe that there is a certain nucleus of more or less permanent members, but the Prime Minister can call in to his assistance any one he likes; and, in any matter in which India is closely concerned, he would have the power, and he would certainly decide, to seek the advice of the Secretary of State for India, and very likely of the Military Secretary at the India Office as well. I think that in this way the object of the Honourable Mover's Resolution on this point is fully met.

I do not wish to detain the Assembly any longer to-night and I would only beg my Honourable friend, the Mover, to agree to the omission which I mentioned earlier in my speech. In that case, Government will be very happy to accept the remainder of his Resolution.

**Chaudhuri Shahab-ud-Din:** There is one question, Sir, which I would like to put to the Honourable Member through the Chair. It has been said that the Government of India propose to ascertain the opinion of the Legislative Assembly as well as of the Council of State to communicate it to the British Cabinet. How does the Honourable Member suggest that that opinion should be gathered? If we are told that, our task would be very much shortened. In the next place, he suggested an amendment, which, if accepted, would mean the omission of all mention of the Esher Report. How does he propose to meet that objection?

**Sir Godfrey Fell:** I am afraid I do not quite understand the Honourable Member's question.

**Chaudhuri Shahab-ud-Din:** The first is this: the Honourable Member has just declared before the House that the Government of India propose to ascertain the views of both Houses and to communicate them to the British Cabinet. How is that proposed to be done? Will there be any separate committee of each House, or a joint committee of both Houses? How is that opinion to be ascertained? That is the question in a nut-shell.

The second question is this: the Honourable Member proposed that the words 'do represent to the Home Government . . . acted upon and that on the other hand' be omitted. Now, if the words 'Esher Committee,' etc., are altogether deleted, the Resolution might perhaps be complete, but it will lose its whole force. How is that proposed to be met?

**The Honourable the President:** Perhaps it would be well if the Honourable Mover of the Resolution could say how far his mind is altered by the offer made on behalf of the Government. Until then, I do not think it is reasonable to ask the Military Secretary in what manner the opinion of this House or of the Council of State shall be taken on a subject of this kind. I would ask the Honourable Mover whether he has anything to say by way of comment on the offer made by the Government.

**Sir P. S. Sivaswamy Aiyer:** Quite so. In doing so, Sir, may I have the liberty of making a few remarks in reply to some of the observations which have fallen? I presume I have the right of reply as Mover of the Resolution.

4-55 P.M.



**The Honourable the President :** If I allow the Honourable Member to exercise his right of reply now, I think, under the usual procedure, that will be taken as closing the debate. I do not know whether that meets the convenience of the House or not.

What I suggested to the Honourable Member was that he might give an indication of the attitude he takes towards the proposal made by Government.

**Sir P. S. Sivaswamy Aiyer :** Oh, yes. I am quite prepared to indicate my attitude at once. Only my misgiving was that it might deprive me of the right of making my reply later. Of course, I am going to accept what Sir Godfrey Fell has suggested. I am thankful to the Government for their willingness to accept my proposition in the form in which it has been put forward. I do so on the principle that half a loaf is better than none. Though it does not secure the acceptance of the Government in respect of my proposal that certain recommendations of the committee should not be accepted. I am thankful to the Government for having agreed to accept the principle which I have put forward in the later part of my Resolution.

**Mr. Harchandrai Vishindas :** May I rise to a point of order, Sir?  
4-57 P.M. My point of order is this. The House might not accept the modification suggested by Sir Godfrey Fell though the Mover himself may be agreeable to it. Therefore, this difficulty will arise that if the suggested modification is not acceptable to the House, then the Members of the House would like to say something more. That again will be inconsistent with the Mover's right of reply before the close of the debate.

**The Honourable the President :** So far, I have not given that ruling because of the offer made by the Government. We do not want to enforce the rules rigidly, and the Honourable Mover has stated that he is prepared to accept the modification proposed by Government. The Assembly is well aware that the acceptance by the Mover of a Resolution of any change in his Resolution is not valid until endorsed by the whole House. I propose to seek that endorsement now by putting this proposition to the vote.

The question is . . . .

**Sir P. S. Sivaswamy Aiyer :** That does not preclude discussion . . .

**The Honourable the President :** No, that does not preclude discussion on the main question. The question is that the words from and including 'he do represent' in the first line of the Resolution, down to and including the words 'on the other hand' in line 3 of the Resolution do stand part of the Resolution.

**Rao Bahadur T. Rangachariar :** May I know, Sir, whether the Government have any objection to add as introductory words :  
4-59 P.M.

'With reference to the proposals of the Esher Committee the Army in India should be entirely under the control, etc., etc.'

because there must be some reference made to the Esher Committee, otherwise what is the object of this Resolution? We should indicate the occasion for this Resolution . . . .

**The Honourable Mr. W. M. Hailey :** We are quite willing, Sir, to put in some form of words connecting this Resolution with the Esher Committee's Report. We are quite prepared, for instance, to accept the following form of words :

'Notwithstanding anything that has been said in Parts I and II of the Esher Committee's Report.'

**The Honourable the President :** I put the question to the House, first :

'That those words, *viz.*, 'he do represent' in the first line of the Resolution, down to and including the words 'on the other hand' in line 3 of the Resolution, do stand part of the Resolution.'

The motion was negatived.

The words proposed to be inserted are :

'Notwithstanding anything contained in Parts I and II of the Report of the Esher Committee.'

The motion was adopted.

**The Honourable the President :** The main question is that the Resolution, as amended, be adopted.

**Chaudhuri Shahab-ud-Din :** Sir, there is one word which I should like to say, with your permission. If I understood the Honourable Mr. Hailey rightly, he wanted to put in the words 'the whole of the Esher Committee's Report' and not only 'Parts I and II.' I think it would not make any departure from the principle, if the words 'Parts I and II' were deleted, and the words 'the whole of the Esher Committee's Report' retained.

**The Honourable the President :** My Honourable friend is one of the Panel of Chairmen and must know that we have already decided the question.

If there are no further speeches on the main question, I shall call upon the Mover of the original Resolution to exercise his right of reply.

**Munshi Iswar Saran :** Sir, at the Bar, an Advocate, who argues  
5-1 P.M. a bad case with grace, tact, skill and ability, is always considered to be superior to an Advocate who can argue a good case well. Having regard to that, Sir, I may be permitted to offer my tribute of admiration to the Honourable Member who has represented the Government on the present occasion (Sir Godfrey Fell).

Sir, I do not wish to conceal from this Assembly the strong feeling that was created in India, I am happy to say, not only amongst Indians, but also amongst thoughtful Englishmen, that the Report of the Esher Committee was a danger and had to be fought against. With your permission, Sir, I shall quote to this Assembly the opinion of a gentleman who, I venture to think, enjoys the confidence not only of the people but also of the Government; I mean His Highness the

**Aga Khan.** This is what His Highness says in a pamphlet which he wrote in the year 1920 on British policy in the East :

'Yet, if the principles underlying the Esher Committee's Report are put into practice, the military affairs of India will not even be under the control of the Government of India. The War Office and the Imperial General Staff will have the last word not only as to organization, but also as to utilization. 'This means' I beg the House to mark these words—that India will remain a dependency for ever.'

He proceeds, Sir, and I make no apology for quoting at length :

'I know we are told that the organization suggested by the Esher Committee will be common to all the Dominions including India'.

The words that follow are pretty strong, but coming, as they do, from a gentleman who, as I said before, enjoys the confidence of the people as well as of the Government, should be carefully considered. He says :

'That statement is an insult to Indian intelligence, for, we are well aware of the jealous manner in which the other great Dominions insist on retaining control of their own affairs'.

If there is real need for centralising in London the control of the Empire's military forces, why should not Canada and Australia be invited to lead the way in accepting this new principle? We know they will never do so. Is it surprising that British sincerity is doubted by India? I submit, Sir, and I submit with great respect, that the Government will do well in carefully considering the situation and in forming a correct estimate.

**Mr. Harchandrai Vishindas :** Sir, I move that the question be now put.

5-6 P.M. Under section 57, page 20, of the Manual, this can be done at any time.

**The Honourable the President :** I have already told the Assembly that the Mover has the right of reply. I cannot now accept the motion unless it safeguards the Honourable Mover's reply.

**Mr. Harchandrai Vishindas :** I allow that : I meant to say, subject to the right of replying.

**Rao Bahadur T. Rangachariar :** I do not know whether any Member has a right to put such a motion when another Honourable Member is on his feet. I always understood that such a motion can only be put after a Member takes his seat.

**The Honourable the President :** The motion is in order at any time whether a Member be speaking or not. It is in the discretion of the Chair, interpreting the will of the House, to say whether the time has come to accept a motion to close the debate. If the Member who proposed the motion will say : 'at the end of Mr. Saran's speech and after the Mover has exercised his right of reply' I will then accept the motion.

The motion was adopted.

**Munshi Iswar Saran :** Sir, I was saying when I was most agreeably interrupted by my Honourable colleague over there, that having regard to the nature of the Report made by the Esher Committee as well as having regard to the forces that we find in existence in India to-day, and also to the fact that India has now a different outlook and a different point of view from which it approaches this question, it will be well if the Government of India will inform the Secretary of State and the British Cabinet that the Esher Committee Report has roused most strong feelings in this country. There are only one or two observations which I shall, with your permission, make, and they are these: When the Honourable Mover criticised the system of appointing the Commander-in-Chief at the recommendation of the Chief of the General Staff in England, he took an exception to the principle. He has been met by the argument that there are sufficient men, who, in spite of these recommendations, will be able, in case of conflict, to look after the interests of India. I cordially accept that explanation. The Honourable Member who represents the Army in this Assembly has stated that up till now the practice has been that the Chief of the General Staff has been consulted as regards the appointment of the Commander-in-Chief. If that be so, then I ask in all seriousness, where is the necessity of putting it in black and white and of making it a condition? I submit with great respect: consult him—consult not only him, but consult all those from whom you expect to receive valuable help and advice, but do not do it in a form which will give the appearance as if the dominating voice was to be the voice of the Chief of the General Staff.

Sir, I must say with your permission, that the Honourable Member who represents the Government was perfectly right when he reminded us of the Imperial responsibility. No Indian, Sir, who claims and who aspires for Swaraj only, thinks of rights. He is ready to bear his legitimate share of the Imperial responsibility. He does not expect that India will have a position in the Empire, and, at the same time, not have her share of the burden of the Imperial responsibilities put upon her shoulder. But we do claim, and we claim most emphatically, that you should treat us as you treat the other Dominions. Why talk of our responsibilities alone? We do not forget them. I pray you to think of our rights as well. In the words of an article which appeared, not in an Indian paper, but in an Anglo-Indian paper—I mean the *Times of India*, which, I believe, has a reputation for sobriety, for thoughtfulness and for soundness of judgment, there is a unanimity of opinion among the thinking men all over the country, be they Indians or be they Englishmen, in regard to the report of the Esher Committee. I wish, with your permission, to conclude my remarks by quoting a few words from the same article:

'The cardinal feature in the military policy of India should be that the Indian army must be maintained in India, for India and by India'.

**Sir P. S. Sivaswamy Aiyer :** Sir, I have only a very few observations to make by way of reply to those which have fallen from Sir Godfrey Fell. He observed that there was a remark in my speech which might perhaps sound like a reflection upon the holder of the office of Commander-in-Chief, that I perhaps meant that he could not be expected to arrive at an independent judgment for himself as to what should be done under particular circumstances. I would only observe that the circumstances under which the Commander-in-Chief in India would be appointed under the

5-14 P.M.

recommendations of the Committee's Report have been considered even by distinguished military men to be such as to be likely to interfere with the free exercise of that judgment.

I would only quote one sentence from a paper contributed by Major-General Younghusband to the *Asiatic Review* :

'The Commander-in-Chief is not only, however, to owe his appointment to the Chief of the Imperial General Staff, but he is in all Imperial military questions under his orders.'

That is the view which he evidently took of the effect of these recommendations.

To pass on from that, it was observed by Sir Godfrey Fell that the main line which the Esher Committee took in their Report was in regard to the necessity for consulting Imperial needs and requirements. I have only one or two observations to offer with reference to that remark. The primary function of the Army in India is two-fold,—to repel external aggression and to maintain internal security. That has always been recognised to be the primary duty of the Army. I quite recognise that there is another duty which may be cast upon the Army in India, as it may be cast upon the Armies of other parts of the Empire, and that is, the need for going to the rescue of the Empire whenever it may be threatened. I fully recognise that obligation. But, in meeting that obligation, we should be placed on the same level as the other portions of the Empire. We should not wish to incur any greater responsibility than the Self-governing Dominions in that matter. I am anxious that any remarks which we may utter here should not lead any hostile nations or powers to suppose that India will ever desert Great Britain in the hour of trial or in the hour of danger. But, if you analyse this Report, you will see that the framers of the Report have been throughout obsessed by this consideration, that the centre of gravity of international politics has shifted to the Near East. If it has shifted, it is not due to India's conduct. If new problems have been created, they are not of our seeking. They are the result of European Diplomacy and of European politics, of new schemes of treaties which you may have entered into for purposes of your own. Whenever there is any danger threatening the Empire, we should be satisfied that those dangers have not been of your seeking, and that it is forced upon us by other Powers without any provocation. If the United Kingdom wants to play high games of international politics, to dictate the fates of Powers in Europe, to parcel out kingdoms everywhere in the world, or to create or solve problems in the Near or Middle East, to play the rôle of saviours of oppressed nationalities or creeds, or to peg out new spheres of influence or to spread the benefits of western civilisation, then we shall not encourage you by any promise of support with our man power.

**The Honourable the President :** The question is, that the following Resolution, as amended, be adopted :

'This Assembly recommends to the Governor-General in Council that notwithstanding anything contained in Parts I and II of the Report of the Esher Committee, the Army in India should be entirely under the control, real as well as nominal, of the Government of India, and should be free from any domination or interference by the War Office on matters of military policy, organization or administration and that such co-ordination, as may be desirable between the military policies or organizations of different parts of the Empire, should be secured by discussion and agreement, at Conferences at which India is adequately represented.'

The motion was carried.

**The Honourable the President:** I would remind Members that a  
6-20 P.M. ballot for Bills and Resolutions for days set down in March  
will be held at noon in this Chamber to-morrow and will be  
presided over by Sir Jamsetjee Jeejeebhoy.

The Assembly then adjourned till Saturday, the 19th February 1921.