

18th February, 1924

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**THE
LEGISLATIVE ASSEMBLY DEBATES**

(Official Report)

FIRST SESSION

OF THE

SECOND LEGISLATIVE ASSEMBLY, 1924



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LEGISLATIVE ASSEMBLY.

Monday, 18th February, 1924.

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

MEMBERS SWORN :

Mr. Ernest Burdon, C.I.E., M.L.A. (Army Secretary), and Mr. George Pilcher, M.L.A. (Bengal: European).

QUESTIONS AND ANSWERS.

TAXATION COMMITTEE.

316. ***Mr. A. Rangaswami Iyengar**: With reference to the statement of the Honourable the Finance Member in the Council of State last week regarding the proposed appointment of the Committee on Indian taxation, will the Government be pleased to state:

- (a) whether the terms of reference of the said Committee include an examination of the incidence of taxation in the provinces and, if so, whether they involve an examination of the system of provincial finance established by the Meston Award;
- (b) whether the proposed Committee will deal with the means and methods of establishing a scheme of federal finance in India over and above the question of separating Central from Provincial Finance;
- (c) whether the basis and incidence of land revenue comes within the scope of inquiry of the Committee in question. If so, what is the exact extent to which the levy and collection of land revenue in the provinces are intended to be brought within the purview of inquiry of the Committee;
- (d) whether it is proposed to set up subsidiary Committees, provincial or otherwise, in connection with the inquiry?

The Honourable Sir Basil Blakett: The terms of reference of the proposed Committee are:

- (1) To examine the manner in which the burden of taxation is distributed at present between the different classes of the population.
- (2) To consider whether the whole scheme of taxation—Central, Provincial and Local—is equitable and in accordance with economic principles and, if not, in what respects it is defective.

- (3) To report on the suitability of alternative sources of taxation.
- (4) To advise as to the machinery required for the imposition, assessment and collection of taxes, old and new.
- (5) To prepare rough estimates of the financial effects of the proposals.
- (6) To include in the inquiry consideration of the land revenue only so far as is necessary for a comprehensive survey of existing conditions.

With reference to (a) of the Honourable Member's question, the Local Governments have agreed to an inquiry on the lines indicated in the above terms of reference without prejudice to the claims of their respective Governments in regard to the distribution of the total revenue.

With reference to (b), it is expected that the Committee, in the course of their inquiries, will find it necessary to examine systems of federal finance as existing in other countries and to consider their applicability to Indian conditions.

(c) Has already been answered in the terms of reference.

(d) The method of procedure which the Committee will adopt will be a matter for their consideration on appointment. It is not unlikely that they will desire to make arrangements for special assistance whether by way of the appointment of assessors or by some other means for considering the particular conditions in the several Provinces.

Mr. B. Venkatapatiraju: Sir, I would like to know under (b) whether this Committee will be allowed to consider the question of taxation in connection with the possible formation of new provinces such as Orissa and the Andhra province?

Mr. President: That does not arise out of the question.

The Honourable Sir Malcolm Hailey: It certainly was not intended, Sir.

CONFERENCE OF PROVINCIAL FINANCE MEMBERS.

317. ***Mr. A. Rangaswami Iyengar:** Will the Government be pleased to state or lay on the table a statement showing the subjects discussed and the decisions taken by the Conference of Finance Members of Provincial Governments in November last?

The Honourable Sir Basil Blackett: In addition to the inquiry into taxation, the more important matters discussed at the Conference of Finance Members of the Provinces were:

- (a) The question of improving the arrangements for Provincial borrowing and establishing a Provincial Loans Fund.
- (b) The adoption of general principles in regard to excise, so as to avoid conflicts of Provincial interests.
- (c) The method of determining the Provincial Governments' share in revenue from unified stamps and the assignments which will be made to Provincial Governments in respect of recent increases in stamp duty.

The decisions of the Conference, which were unanimous, will require, and have been referred to for, confirmation by the respective Governments.

SEASON POST OFFICE AT MILAM.

318. ***Maulvi Muhammad Yakub:** (a) Is the Government aware that the Superintendent of Post Office, Kumaon Division, on the report of inspection of the Inspector of Post Office, Almora, did not open a season post office at Milam, where the postman has to carry heavy parcels, money orders, and insured articles in large numbers from Mansiari Post Office—on the plea that neither the Deputy Commissioner of that district made any definite promise nor the people held themselves responsible about the maintenance of traffic on the road leading to Milam?

(b) Do the Government propose to open a season Post Office at Milam village Pathi Mala Johar (District Almora) which has a population of 8,000 for four months every year?

Mr. G. B. Clarke: I have no information on the point raised in the first part of the question, but am making inquiries and will consider the request contained in the second part. I may add, Sir, that, if a season post office is found to be required, it will certainly be opened.

POSTAL LETTER BOXES IN THE VILLAGES OF PATHI MALLA JOHAR.

319. ***Maulvi Muhammad Yakub:** Is the Government aware that in spite of the requests of the people no letter box is kept in any villages of Pathi Malla Johar by postal authorities?

Mr. G. B. Clarke: I have no information on the point but am making inquiries.

ASSEMBLY DEBATES.

320. ***Maulvi Muhammad Yakub:** Are the Government prepared to fix at cost price (inclusive of postage) the annual subscription of the reports of the proceedings of the Legislative Assembly so that it may be within the reach of the people of ordinary means?

Sir Henry Moncrieff Smith: The price of the official reports of the Debates of the Legislative Assembly is fixed on the basis of the cost. At the present price, namely, five annas for a day's proceedings, no profit is made and for that reason no reduction is possible. It is not possible to fix an annual subscription as the number of meetings varies from year to year.

INDIAN CADETS AT SANDHURST.

321. ***Maulvi Muhammad Yakub:** Will the Government be pleased to state how many Indian Cadets were turned out from Sandhurst without completing their course of studies, during the last three years; and were such vacancies filled by taking fresh Indian Cadets in their place?

Mr. E. Burdon: The answer to the first part of the question is six. As regards the second part of the question, the vacancies in question have been filled by the nomination of fresh cadets when suitable candidates have been obtainable.

Mr. V. J. Patel: Will the Government be pleased to say why these Indian cadets were turned out?

Mr. E. Burdon: Because they failed to pass their examinations.

POSTING OF INDIAN COMMISSIONED OFFICERS FROM SANDHURST TO INDIAN UNITS.

322. *Maulvi Muhammad Yakub: (a) Will the Government be pleased to state if it is a fact that all the Indian Commissioned Officers, who come out of Sandhurst, after receiving a short training with some English regiment, are invariably attached to the Indian units?

(b) What are the Army orders or regulations in this connection?

Mr. E. Burdon: (a) Yes.

(b) The rules in Army Regulations, India, lay down that officers on the Unattached List will only be appointed to a unit of the Indian Army after they have completed a year's actual duty with a British unit.

INDIAN LAW REPORTS.

323. *Maulvi Muhammad Yakub: (a) Was any action taken by the Government to improve the publication of the Indian Law Reports and prohibiting the citation of unauthorised law publications in the Courts?

(b) If the answer to the first part of the question be in the affirmative, will the Government be pleased to state the action taken, and if the answer be in the negative, will the Government be pleased to state if they propose to take any action in this direction in the near future?

Sir Henry Moncrieff Smith: (a) The answer to the first portion of part (a) is in the affirmative. As regards the second portion, I would invite the Honourable Member's attention to section 3 of the Indian Law Reports Act, 1875 (XVIII of 1875), under which the Courts have full discretion to refuse to hear cited any Law Reports other than authorised Reports.

(b) Provincial Law Reports is a provincial subject under the Devolution Rules, and the question of improving the Indian Law Reports is a matter which rests entirely with the Local Governments. Nevertheless, in 1922, the Government of India, with the approval and consent of the Local Governments of the provinces concerned, appointed a Committee consisting of representatives from those provinces, including 3 members of the Indian Legislature, to discuss the possibility of improving the Indian Law Reports and putting them on a more satisfactory basis. The Committee made certain recommendations which were generally accepted by the Government of India and were forwarded to the Local Governments concerned for their consideration. Many of the recommendations have been accepted by the Local Governments.

Mr. C. Duraiswami Aiyangar: Is the Honourable Member aware that the High Court Judges themselves freely use those unauthorised Reports in their judgments?

Sir Henry Moncrieff Smith: I think the Honourable Member will realise that the real remedy lies in the courts themselves, particularly in the High Courts.

Mr. C. Duraiswami Aiyangar: Will the Honourable Member be pleased to take steps so that High Court Judges may exercise some supervision over the publication of these unauthorised Reports?

Sir Henry Moncrieff Smith: I think the Honourable Member will realise also that it is quite impossible for the Government of India to take any step of the nature suggested by him.

Dr. H. S. Gour: Is the Honourable Member aware that the improvement effected in the publication of the Indian Law Reports has resulted in the cost of the publication being trebled?

Sir Henry Moncrieff Smith: I am not aware that the cost has been trebled, Sir. Possibly the Honourable Member is right. But improvements generally result in an increase of cost.

Dr. H. S. Gour: Is not the Honourable Member aware that the subscription, which was originally Rs. 20 per annum, is now about Rs. 65 per annum?

INTERCEPTION OF POSTAL LETTERS.

†324. ***Maulvi Muhammad Yakub:** Will the Government be pleased to lay on the table a list of the persons whose letters are intercepted, stating in each case the reasons for taking such action?

INTERCEPTION OF POSTAL LETTERS.

325. ***Maulvi Muhammad Yakub:** (a) Will the Government be pleased to state according to what law and under what circumstances district authorities are empowered to intercept and open letters of persons at the Post Office?

(b) Do the Government of India or the Local Governments issue orders to intercept letters of certain persons at the Post Office or is it left to the discretion of the district authorities?

The Honourable Sir Malcolm Hailey: I will answer Questions Nos. 324 and 325 together.

No. 324.—The answer is in the negative.

No. 325.—(a) The Indian Post Office Act, 1898 (Act VI of 1898).

(b) The attention of the Honourable Member is invited to the provisions of this Act which are invariably followed.

Mr. V. J. Patel: Is it in the public interests that the Government refuse to lay on the table the names of the persons? What is it?

The Honourable Sir Malcolm Hailey: Undoubtedly it is in the public interests. Let us assume that a man is importing cocaine and we are searching his correspondence to find out where it is coming from and where it is going to. Is it to the public interest to advise him of the fact?

Mr. V. J. Patel: We merely want to know the names—a list of the persons. We have nothing to do with cocaine or anything of the kind.

The Honourable Sir Malcolm Hailey: And make him aware that we are searching his correspondence? Is that to the public interest?

OLD MOSQUES AT RAISINA.

326. ***Maulvi Muhammad Yakub:** (a) Will the Government be pleased to prepare and lay on the table of the House a list of old mosques still existing at Raisina and the neighbouring area?

(b) Are the Government prepared to issue orders that no old mosques and other religious buildings at Raisina and the neighbouring area should be demolished for the purpose of new buildings or the railway line?

† For answer to this question—see the answer below Question No. 325.

The Honourable Sir Malcolm Hailey: (a) The Honourable Member is referred to the answers† given to similar questions put by Mr. W. M. Hussanally on 24th February, 1923, and by Haji Wajihuddin on 5th March, 1923. It was then explained that the number of mosques in use and of ruins which may possibly at one time or another have been mosques, was very large; and I may add that the use to which many of the ruins now in this area was put is so uncertain, that it would not be possible to undertake to prepare an authoritative list.

(b) The Honourable Member is referred to the statement‡ I made on the subject in answer to a question put by Mr. T. V. Seshagiri Ayyar on 6th February, 1923. The assurance was then given that the local authorities were exercising scrupulous care to preserve all mosques and other religious buildings in and around Raisina from demolition. In the circumstances Government do not think it necessary to issue fresh orders on the subject.

PROSCRIPTION OF MR. RAMSAY MACDONALD'S BOOK, "THE AWAKENING OF INDIA".

327. ***Mr. C. S. Ranga Iyer:** Will the Government be pleased to state:

(a) if the book entitled "The Awakening of India" by Mr. Ramsay Macdonald was proscribed in India? If so, when?

(b) if the said book is still under proscription?

The Honourable Sir Malcolm Hailey: I refer the Honourable Member to the answer I gave to Mr. K. C. Roy on the 4th instant.

PROSCRIPTION OF LALA LAJPAT RAI'S BOOK, "YOUNG INDIA".

328. ***Mr. C. S. Ranga Iyer:** Will the Government be pleased to state:

(a) if the book entitled "Young India" by Lala Lajpat Rai containing a foreword by Colonel Wedgwood was proscribed in India?

(b) if the ban on the said book "Young India" still continues?

The Honourable Sir Malcolm Hailey: Yes.

ARRESTS UNDER REGULATION III OF 1818.

329. ***Mr. T. C. Goswami:** Did the arrests, recently made under Regulation III of 1818, in Bengal, actually take place after two judges had carefully sifted the material placed before them and recommended the arrests, or did the sifting of material take place after the arrests?

The Honourable Sir Malcolm Hailey: The arrests took place before the papers were submitted to the two judges; but after the fullest scrutiny by the Local Government and the Government of India.

Mr. Gaya Prasad Singh: Will Government be pleased to give the names of the two Judges before whom the papers were placed?

The Honourable Sir Malcolm Hailey: I think we have another question on the subject later.

† *Vide* pages 2743 and 2960 of L. A. Debates, Vol. III.

‡ *Vide* pages 1956-1957 of L. A. Debates, Vol. III.

Mr. Goya Prasad Singh: Is this not a supplementary question arising out of the original question?

The Honourable Sir Malcolm Hailey: I thought it would be more to the convenience of the House to give the whole information together.

HIGH COURT JUDGESHIPS.

330. ***Mr. T. C. Goswami:** Do the Government of India propose to recommend, or to take steps to ensure, a larger number of appointments to the post of High Court Judges from the Provincial Judicial Services in the future?

The Honourable Sir Malcolm Hailey: The Government of India are not primarily concerned with these appointments except in so far as the appointments to the Calcutta High Court and the appointments of Additional Judges in other Courts are concerned. Subject to the provisions of sub-section (4) of the section the claims of persons belonging to each of the classes mentioned in sub-section (3) of section 101 of the Government of India Act are taken into consideration before such appointments are made. I also invite the Honourable Member's attention to the answer given by me to Dr. Gour's question No. 169 on the 5th February 1924. The criterion applied when making these appointments is efficiency.

TRAVELLING ALLOWANCES OF MEMBERS OF THE EXECUTIVE COUNCIL AND SECRETARIES.

331. ***Mr. T. C. Goswami:** Will Government be pleased to state:

- (a) what travelling allowances or facilities are given to (i) Members of the Governor General's Executive Council, (ii) Secretaries, and
- (b) what is the total amount spent by Government on the travelling of each of the Members of the Executive Council (i) in 1913-14, (ii) in the past year?

The Honourable Sir Malcolm Hailey: (a) (i) Under the Supplementary Rules a Member of the Governor General's Executive Council is entitled to one standard gauge saloon. Further, when travelling by railway on duty, he is entitled, without payment, to:

- (i) accommodation for personal servants up to a maximum number of ten, and
- (ii) free carriage of all luggage for which he vouches as his personal luggage, including stores required for consumption on tour, whether carried in the luggage van of the train to which his reserved carriage is attached or sent by any other train.

When travelling by road or steamer he may recover his actual travelling expenses by appending to his bill a certificate to the effect that he has actually paid the amount of the bill, which does not include any charge for the freight of any stores or goods other than his personal luggage, or any charge for refreshments, hotels or staging bungalows.

(a) (ii) When travelling by rail, a Secretary is entitled to a reserved first class compartment plus actual travelling expenses up to a maximum of 3/5ths first class fare.

When travelling by sea or steamer, he is entitled to $1\frac{3}{5}$ ths of the fare of the highest class; and to eight annas a mile when travelling by road.

(b) Information regarding the amount spent by Government on the travelling of each Member of the Executive Council is not readily available; but the total amount incurred in connection with the tour expenses of all Members of the Executive Council in 1913-14 and in the past year is Rs. 63,219 in the former case and Rs. 69,501 in the latter.

DISBURSEMENTS MADE ON BEHALF OF THE WAR OFFICE DURING THE WAR.

332. ***Mr. Jamnadas Mehta:** (a) Will Government be pleased to state in rupees the total disbursements they made on behalf of the War Office during the world war?

(b) Will Government be pleased to state whether the whole amount of the said disbursements has been repaid to them; and if not, how much remains still due?

(c) Will Government be pleased to state whether the said repayment was made in rupees or in sterling; what were the charges for exchange and who paid them?

(d) Will Government be pleased to state whether any interest was charged to the War Office on the amounts outstanding from them with respect to the said disbursements? If so, will Government be pleased to state the rate of interest charged?

(e) Will Government be pleased to state whether the rate of interest charged to the War Office was the same as that paid by Government on their loans? If not, was it higher or lower? If lower, will Government be pleased to state why a lower rate was charged?

Mr. E. Burdon: (a) The total disbursements made by the Government of India, on behalf of the War Office, during the great war, to the end of 1920-21, amounted to £342,684,173. The figure cannot appropriately be given in rupees as the expenditure consisted partly of rupee outlay in India and partly of sterling outlay outside India.

(b) The whole of the amount mentioned was repaid by the War Office by the end of 1920-21, with the exception of a sum of £498,278 which was paid back in 1921-22 on receipt of the Government of India's claim.

(c) The repayment was made in sterling, the rupee expenditure being converted into sterling at Rs. 15 to the pound up to October 1917 and thereafter at the rate of exchange current from time to time. The charges for exchange were thus paid by the War Office. I am not in a position to state the amount of these charges.

(d) No interest was charged to the War Office as there was no delay between the acceptance by them of the Government of India's claim and the date of payment. The arrangement was for the War Office to make monthly advances in regard to these claims on the basis of estimates furnished by the Government of India.

(e) This question does not arise.

PAY OF THE INDIAN ARMY SERVICE CORPS CLERKS.

333. ***Sardar Bahadur Captain Hira Singh:** 1. Are the Government aware that the revision of pay of the Indian Army Service Corps clerks, published in Army Instruction (India) No. 863 of 1923, has caused great disappointment to the men concerned, as the increments have been so

arranged that the higher rates of pay, between Rs. 265 and Rs. 375, are likely to prove unattainable by any of the clerks now serving who have less than 20 years' service, and that the prospects even of the senior men, now within 10 years of retirement, have been made less favourable than they were before the revision?

2. Are the Government aware that the number of clerks who 10 or 12 years hence will be drawing as much as Rs. 250 per mensem is almost certain to be smaller than is at present the case?

3. Are the Government prepared to give this matter further consideration, with a view to such amendments being made in the scheme as will ensure that the senior clerks' rates of pay are not less favourable than those granted to them in 1916, reasonable allowance being made for the increase in the cost of living since then?

Mr. E. Burdon: The Government have already received from various Indian Army Service Corps Clerks' Associations representations on the points raised by the Honourable Member. The matter is now receiving careful consideration.

GOVERNMENT PENSIONERS IN BOMBAY.

334. ***Mr. Jamnadas Mehta:** 1. Will Government be pleased to state whether it is true (a) that in the city of Bombay, Government pensioners are required to go down and assemble in an underground cellar for the purpose of receiving their pension; (b) that among these pensioners there are ladies and men who are Justices of the Peace, Honorary Presidency Magistrates, Fellows of the University of Bombay and other distinguished people?

2. Is it a fact that the cellar is insufficiently lighted and badly ventilated and that the staircase is partially dark making it very difficult for persons who are advanced in age to reach the basement?

3. Do Government propose to direct the Auditor General, Government of India, to provide better ventilated and sufficiently lighted accommodation for the Government pensioners on the ground floor or first floor of the aforesaid building?

The Honourable Sir Basil Blackett: I will answer this and Question No. 335 together. Inquiries are being made from the Auditor General and the information will be furnished to the Honourable Member in due course.

ACCOMMODATION OF THE PENSION DEPARTMENT, BOMBAY.

†335. ***Mr. Jamnadas Mehta:** (a) Are Government aware that the Gulistan Building in whose basement the clerk of the Pension Department in Bombay is accommodated is hired from its owner at the high rental of Rs. 10,000 (Ten thousand only) per month?

(b) Do Government contemplate removing the said offices to some other more convenient and less costly building?

PAY OF THE CLERKS OF THE DEAD LETTER OFFICE, BOMBAY.

336. ***Mr. Jamnadas Mehta:** Will Government be pleased to furnish the result of the re-examination into the scales of pay of the clerks of the D. L. O., Bombay, as promised in the reply† to the question by the Honourable Mr. V. G. Kale in the Council of State on the 23rd September 1922?

† For answer to this question—see the answer below question No. 334.

‡ Vide page 402, Council of State Debates, Vol. III.

The Honourable Mr. A. C. Chatterjee: It has been decided to revise the scales of pay for the selection grade appointments in the various Dead Letter Offices with effect from the 1st March 1924 so as to bring them on to a level with those provided for such appointments in post offices. As regards the ordinary time-scales in the Dead Letter Offices, it has been decided that, in view of improved price conditions, no further revision should be sanctioned.

PAY OF THE CLERKS OF THE DEAD LETTER OFFICE, BOMBAY.

337. ***Mr. Jamnadas Mehta:** 1. Has the attention of the Government been drawn to the representation and the telegram from the Honorary Secretary, Bombay Presidency Postal and R. M. S. Association, representing the clerks of the D. L. O., Bombay, on the prevailing discontent among the clerks and praying for equalisation of their scale of pay with that of Bombay G. P. O.?

2. Will Government be pleased to say what extra cost would be incurred to equalise the scale of pay of the clerical staff in the D. L. O., Bombay, with that of the G. P. O.?

The Honourable Mr. A. C. Chatterjee: 1. Yes.

2. The revision of the scales of pay for the selection grade appointments has already been sanctioned. The additional expenditure involved in assimilating the ordinary time-scale of pay for clerks in the Bombay Dead Letter Office to that in force in the Bombay General Post Office would be about Rs. 6,500 a year on the average. The Bombay Dead Letter Office could not, however, be treated exceptionally in this matter, and it is estimated that the revision of the ordinary clerical time-scales in all the Dead Letter Offices so as to bring them up to the level of those provided for the local post offices would cost about Rs. 27,000 a year on an average.

EXPORT OF CATTLE.

338. ***Mr. Jamnadas Mehta:** Will Government be pleased to furnish information as to the number of cattle (particularly young cows) exported to foreign countries during the last five years?

The Honourable Sir Charles Innes: The information regarding the number of cattle exported to foreign countries can be obtained from the Annual Statement of the Sea-borne Trade of British India, to which the Honourable Member is invited to refer. Copies of the publications are available in the Library.

No separate figures for the export of young cows are available.

APPOINTMENT OF INDIANS TO THE TRAFFIC INSPECTOR CADRE.

339. ***Sardar Kartar Singh:** Will the Government please state what action has so far been taken to carry into effect the Resolution of the Honourable Rai Bahadur Ramsaran Dass *re* appointment of Indians to the Traffic Inspector cadre duly accepted and reported in Council of State Debates, 28th February 1923, Vol. III, No. 29?

The Honourable Sir Charles Innes: The Resolution was brought to the special notice of Railway Administrations.

TRAFFIC INSPECTORS ON THE NORTH WESTERN RAILWAY.

340. *Sardar Kartar Singh: 1. (a) Will the Government please state as to what is the present grade of Traffic Inspectors and how many posts are provided in the budget and name persons with their educational qualification and duration of service?

(b) How many Indians are working on the N.-W. Railway as Traffic Inspectors at present?

2. (a) Is it a fact that only one Indian is working as a temporary Traffic Inspector and retires in December 1924 and no other Indian is holding that post?

(b) Is it a fact that three European Traffic Inspectors died recently and no Indian was tried in their places?

3. (a) Is it a fact that Traffic Inspectors are given bungalows free of rent; if so, what is the average cost of a bungalow and what rent is chargeable on it? (b) Are any other facilities provided for European Traffic Inspectors?

The Honourable Sir Charles Innes: Government have no information, but will make inquiries.

COMMERCIAL SUPERINTENDENTS ON THE NORTH-WESTERN RAILWAY.

341. *Sardar Kartar Singh: (a) How many posts of Commercial Superintendents are provided on the N.-W. Ry. and by whom are they held? Please name with their educational qualifications and duration of service.

(b) Has any Indian been tried as Commercial Superintendent? If so, with what result? Please name them with their educational qualifications and duration of service, and since when are they holding these posts?

The Honourable Sir Charles Innes: (a) There are seven posts held by 6 Europeans and 1 Indian, all of whom have considerable service. Their educational qualifications are not on record.

(b) Yes. Indians have been employed as Commercial Superintendents with satisfactory results. For example, Khan Sahib Sh. Rahim Baksh, Rai Sahib Bhag Chand, Mr. Mool Chand and the late Pundit Balkishen. All had long service, but their educational qualifications are not known.

COMMERCIAL DEPARTMENT, NORTH-WESTERN RAILWAY.

342. *Sardar Kartar Singh: Is it a fact that the N.-W. Ry. announced that the Commercial Department was separated from Transportation? If so, how many transportation men were brought in to fill higher vacancies?

The Honourable Sir Charles Innes: Government are not aware of any such announcement, in fact no such separation has yet been made. The latter portion of the question does not, therefore, arise.

CLAIMS INSPECTORS ON THE NORTH-WESTERN RAILWAY.

343. *Sardar Kartar Singh: (a) Are there any Claims Inspectors on the N.-W. Ry.? If so, how many are graduates and undergraduates? Have they ever been tried for these Commercial Superintendents' posts; if not why not; and, if so, with what result? (b) Does the Railway contemplate making arrangements for qualified men for these posts?

The Honourable Sir Charles Innes: The Government have no information but will inquire.

GOODS AND COACHING CLERKS ON THE NORTH-WESTERN RAILWAY.

344. *Sardar Kartar Singh: Is it a fact that Goods and Coaching clerks are part of the Commercial branch; if so, is the work inspected quarterly by Inspectors of the Commercial or Transportation branch? And, if it is inspected by the latter, state reasons?

The Honourable Sir Charles Innes: The Honourable Member is referred to the reply just given to his question in connection with the separation of the Commercial Department from the Transportation Department. For the reasons there given this question does not arise.

PROVISION OF FREE QUARTERS FOR COMMERCIAL INSPECTORS.

345. *Sardar Kartar Singh: Is it a fact that free quarters are not supplied to Commercial Inspectors? If so, why is there differential treatment between Traffic Inspectors and Claims Inspectors?

The Honourable Sir Charles Innes: Only those classes of the staff, who are liable to be called upon at any time of the day or night to attend to railway business, are given rent-free quarters. Claims Inspectors do not come under this category and therefore the privilege of free quarters is not extended to them.

SCALES OF PAY FOR CLAIMS INSPECTORS ON STATE RAILWAYS.

346. *Sardar Kartar Singh: Is the Government aware of the vast difference of scales of pay existing in the N.-W. Ry. and other State Railways, and will the Government peruse page 58 of the classified list of State Railways Establishment 1923 and note that in the E. B. Ry. there is a cadre of Claims Inspectors drawing Rs. 300—20—400 and Rs. 200—10—280 and in the O. & R. Ry. Rs. 260—10—290? Do the Government propose to remove these differences?

The Honourable Sir Charles Innes: The scales of pay on the different Railways differ as they are determined with due regard to local circumstances and conditions, affecting the cost of living, the nature of duties, etc. Government do not propose to take action in the direction suggested.

TRAFFIC INSPECTORS (COMMERCIAL) ON THE NORTH-WESTERN RAILWAY.

347. *Sardar Kartar Singh: Is it a fact that there are no Traffic Inspectors (Commercial) at present working on the N.-W. Railway; if so, why not? Will the Government please consider the advisability of appointing tried Claims Inspectors in these posts in the districts?

The Honourable Sir Charles Innes: There are no officials designated as Traffic Inspectors (Commercial) working on the North-Western Railway. It is not considered necessary to create such additional posts because the required commercial work comes within the duties of the Traffic Inspectors.

For the reasons given above it is not proposed to appoint Claims Inspectors as Traffic Inspectors (Commercial).

I. C. GS., STOCK VERIFIERS, ETC.

348. *Sardar Kartar Singh: Is it a fact that I. C. Gs. drawing Rs. 40 and Stock Verifiers drawing Rs. 60 are allowed 2nd class travelling whereas Traffic Convassers drawing Rs. 125 and less are only allowed Inter class. Do the Government propose to remove this distinction?

The Honourable Sir Charles Innes: Inquiry is being made and the result will be communicated to the Honourable Member in due course.

EUROPEAN STATION MASTERS AT CERTAIN STATIONS ON THE N.-W. RAILWAY.

349. *Sardar Kartar Singh: (a) Will the Government please lay on table the names of stations on N.-W. Ry. which have been reduced from European to Special class, Special to C, C to B and B to A class stations, stating reasons for doing so? (b) Will the Government please state the necessity of having a European Station Master at Kundian, Jhelum, Malakwal, Rohri and Khanewal and Ludhiana when Indians have been successfully working at these stations?

The Honourable Sir Charles Innes: (a) There is no such class of stations. A list of the stations that have been reduced in classification is laid on the table. The classification of the posts has been reduced to suit the work and the importance of the stations.

(b). The stations in question are not reserved for Europeans, but are held by Station Masters of the required stamp and seniority, whatever their nationality.

NORTH-WESTERN RAILWAY.

List of stations the sanction of which has been reduced from General to Special.

- | | |
|---------------------------------|------------------|
| 1. Samasata | F-II to Special. |
| 2. Montgomery | E-II to Special. |
| 3. Hump Yard, Karachi | E-I to Special. |

List of stations the sanction of which has been reduced from Special to "C".

- | | |
|-----------------|------------------|
| 1. Multan City. | 4. Kolepur. |
| 2. Sher Shah. | 5. Ahmedwal. |
| 3. Shikarpur. | 6. Jammu (Tawi). |

List of stations the sanction of which has been reduced from "C" to "B".

- | | |
|----------------------|----------------------|
| 1. Dera Nawab. | 11. Laki Marwat. |
| 2. Kot Radha Kishen. | 12. Ghazi Ghat. |
| 3. Rahim Yar Khan. | 13. Chichoki Malian. |
| 4. Beria Road. | 14. Faridkote. |
| 5. Sharigh. | 15. Hoshiarpur. |
| 6. Khanai. | 16. Kapurthala. |
| 7. Pabbi. | 17. Tarn Taran. |
| 8. Taxila. | 18. Patti. |
| 9. Thall. | 19. Jaitu. |
| 10. Durgai. | 20. Khatauli. |
| | 21. Rampura Phu. |

List of stations the sanction of which has been reduced from "B" to "A".

- | | |
|-------------------|----------------------|
| 1. Taps. | 17. Mona. |
| 2. Chabiana. | 18. Hundewali. |
| 3. Goniana. | 19. Buchiana. |
| 4. Gobindgarh. | 20. Shah Jewana. |
| 5. Nur Mahal. | 21. Kanjwani. |
| 6. Attock. | 22. Tamewali. |
| 7. Burhan. | 23. Uchana. |
| 8. Golra. | 24. Rahon. |
| 9. Mankiala. | 25. Kassowal. |
| 10. Kharian. | 26. Udero Lal. |
| 11. Fateh Jang. | 27. Metli. |
| 12. Hangu. | 28. Talhar. |
| 13. Injra. | 29. Manjhand. |
| 14. Dhaban Singh. | 30. Amri. |
| 15. Sukheke. | 31. Bhai Sayyadabad. |
| 16. Janiwala. | 32. Hirok. |

INDIAN GAZETTED OFFICERS IN ORDNANCE FACTORIES.

350. ***Mr. R. K. Shanmukham Chetty**: (a) To state how many Indian officers there are in the rank of the gazetted officers in the Indian Ordnance Factories.

(b) If there are no Indian officers in the rank, whether Government will be pleased to state why it is so, and whether they would consider the question of appointing Indians at the earliest opportunity.

Mr. E. Burdon: (a) None.

(b) As stated on the 16th March 1923, in reply† to question No. 567, there is nothing to prevent an Indian from being appointed to a post carrying gazetted rank, provided he possesses the requisite qualifications.

Mr. R. K. Shanmukham Chetty: Has Government ever tried either by way of advertisement or by any other means to recruit Indians for these appointments?

Mr. E. Burdon: If the Honourable Member says "Has Government ever tried";—I think that is rather a large question and I should like to have notice of it.

Mr. V. J. Patel: Are Government prepared to say that no Indian with the requisite qualifications has so far been available for any such post?

Mr. E. Burdon: That is the answer which I gave.

Mr. Chaman Lal: What facilities do Government offer for the training of Indians for these particular posts?

Mr. E. Burdon: I should like to have notice of that question too.

Mr. R. K. Shanmukham Chetty: Is the Government aware of any instance in which an Indian with the requisite qualifications applied for any of these posts and was not entertained?

Mr. E. Burdon: No.

Mr. Gaya Prasad Singh: What is the minimum qualification required for an officer to be appointed to a post like that?

Mr. E. Burdon: I cannot say that there is any *minimum* qualification. Certain mechanical engineering qualifications are required for appointments in Ordnance Factories.

CLERKS IN ORDNANCE FACTORIES.

351. ***Mr. R. K. Shanmukham Chetty**: (a) Whether it is a fact that no clerk in any of the Ordnance Factories holds gazetted rank although there are grades rising up to Rs. 750 per mensem.

(b) Whether Government will be pleased to consider the question of giving gazetted rank to such of the clerks who draw Rs. 300 and above.

† *Vide* p. 3520 of L. A. Debates, Vol. III.

Mr. E. Burdon: (a) Yes. *

(b) Government do not consider that the duties of the clerks in question warrant the grant to them of gazetted rank.

Mr. V. J. Patel: How many Europeans are there in the rank of clerks?

Mr. E. Burdon: If the Honourable Member will be good enough to put that down on the paper I shall give him the necessary answer, but I am afraid I cannot give an answer offhand.

Mr. A. Rangaswamy Iyengar: Will Government be pleased to state whether clerks who were getting Rs. 300 and below were promoted to the rank of clerks up to a pay of Rs. 750?

Mr. President: I do not think that arises out of the question.

Mr. E. K. Shanmukham Chetty: Is the Honourable Member aware that persons holding similar rank in the civil Departments of the Government of India and doing similar work to these clerks are holding gazetted rank?

Mr. E. Burdon: No, they are not doing similar work.

RE-ORGANIZATION OF THE SUPERIOR SERVICES OF THE ORDNANCE FACTORIES.

352. ***Mr. R. K. Shanmukham Chetty:** (a) Whether Government have submitted to the Secretary of State any definite proposals for the re-organisation of the superior services of the Ordnance factories: if so, whether as a part of the proposed re-organisation a new post of Personal Assistant is proposed to be created in each factory, and the scale of pay proposed.

(b) If the answer to the previous question is in the affirmative, to state whether the requirements of the new post necessitate the appointment of a person with technical qualification; if not whether as a measure of economy Government will consider the question of reserving these appointments for deserving clerks in the Ordnance Factories.

Mr. E. Burdon: (a) The answer to the first two parts of this question is in the affirmative. As regards the third part, the scale of pay that has been proposed is Rs. 800—50—1,000 per mensem.

(b) The duties of the new appointments necessitate the appointment of men with technical (*i.e.*, engineering) qualifications. The second part of the question does not arise.

CHIEF CLERKS IN ORDNANCE FACTORIES.

353. ***Mr. R. K. Shanmukham Chetty:** What action do Government propose to take with reference to the recommendation of the Kenyon Committee for the creation of a chief clerk in each Ordnance Factory?

Mr. E. Burdon: The recommendation has not been accepted by Government.

PAY AND ALLOWANCES OF ALL RANKS⁶ IN A BRITISH REGIMENT.

354. ***Mr. E. K. Shanmukham Chetty:** (a) Will Government be pleased to furnish a statement showing the amount drawn by each of the ranks from Private to General in a British regimental unit as:

- (1) pay;
- (2) staff pay;
- (3) messing allowance;
- (4) ration allowance;
- (5) furniture allowance;
- (6) marriage allowance and children's allowance;
- (7) separation allowance;
- (8) clothing allowance;
- (9) charge allowance;
- (10) any departmental allowance.
- (11) And the money value of any other allowance given in kind.

(b) To furnish a corresponding statement for each of the corresponding Indian ranks.

***Mr. E. Burdon:** (a) (1—10) and (b). The Honourable Member is referred to the publication entitled "Pay and Allowance Regulations of the Army in India", Parts I and II, which can be obtained from the Superintendent, Government Printing India, Calcutta. He will there find all the details he requires in regard to the pay and allowances (with the exception of clothing allowances) admissible to British and Indian officers and British and Indian other ranks regimentally employed. I may explain that "separation allowance" and "children's allowance," formerly admissible to British troops, are no longer in existence, having been merged in the "marriage allowance" which was sanctioned after the war. "Charge allowance" and "departmental allowance" are not admissible to officers or other ranks regimentally employed.

The average annual cost of the "clothing allowance," which is admissible only to British and Indian other ranks, is estimated at Rs. 110 in the case of a British soldier and Rs. 44 in the case of an Indian soldier.

(a) (11) A statement is laid on the table.

Mr. Gaya Prasad Singh: Is the publication referred to by the Honourable Member available in the Library of this Assembly?

Mr. E. Burdon: I do not know.

Mr. Gaya Prasad Singh: Will Government be pleased to make an inquiry and ascertain whether it is available here?

Mr. E. Burdon: Yes, and I shall arrange to have a copy placed in the Library if there is not one already there.

Diwan Bahadur T. Rangachariar: Is there any proportion between the pay and allowances? Is there any maximum limit fixed, that the allowances should not exceed a particular limit?

Mr. E. Burdon: No.

Diwan Bahadur T. Rangachariar: Is it a fact that in some cases these allowances come to 80 or 90 per cent. of the salaries themselves?

Mr. E. Burdon: I do not think so.

Diwan Bahadur T. Rangachariar: If there is no maximum limit fixed, will Government be pleased to fix a limit that these allowances should not exceed a particular proportion of the pay?

Mr. E. Burdon: Is that a request for information?

Mr. E. K. Shanmukham Chetty: Can the Honourable Member assure this House that the amount drawn by a certain officer by way of all these various allowances in no case exceeds the sum that he draws by way of pay?

Mr. E. Burdon: I should be very surprised indeed if it exceeded it.

Statement showing the money value of certain concessions granted in kind to (1) British and Indian other ranks and Indian officers (Viceroy's Commission) and (2) King's Commissioned officers (British and Indian).

(1)	Nature of concession.	APPROXIMATE COST.	
		British soldiers—per annum.	Indian soldiers—per annum.
		Rs.	Rs.
(1)	Free rations	194	118
(2)	Fuel and light	23	23
(3)	Value of free issues of clothing	27	34
(4)	Maintenance of equipment	72	56

British and Indian soldiers and Indian officers (Viceroy's Commission) are given free accommodation, the cost of which is estimated at Rs. 38 per annum for a British soldier and Rs. 28 per annum and Rs. 13 per annum for an Indian Officer and other rank, respectively.

(2) Value of forage for King's Commissioned officers' chargers—Rs. 300 per annum.

NOBEL PEACE PRIZE.

355. ***Mr. E. K. Shanmukham Chetty:** (a) Whether there was any correspondence either directly or through the Secretary of State for India, between Government and the Nobel Prize Committee in Sweden regarding the award of the Nobel Peace Prize.

(b) If so, whether Government will be pleased to lay the correspondence on the table.

The Honourable Sir Malcolm Hailey: A copy of the Resolution carried in the Council of State on February the 5th. was cabled to the Secretary of State with a request that if there was no objection the Resolution might be conveyed to the Norwegian authorities through the British Legation. There has been no further correspondence.

Mr. Devaki Prasad Sinha: Have Government any official information of the fact that the name of Mr. Gandhi was suggested for the award of the Nobel Prize?

The Honourable Sir Malcolm Hailey: By whom?

Mr. Devaki Prasad Sinha: By some members of the Committee.

The Honourable Sir Malcolm Hailey: Of which Committee?

Mr. Devaki Prasad Sinha: Of the Nobel Prize Committee.

The Honourable Sir Malcolm Hailey: I think that we have no information about the Nobel Prize Committee's deliberations.

Mr. M. A. Jinnah: Will Government say what is the object of this communication being made to the Norwegian Government?

The Honourable Sir Malcolm Hailey: If I am correct, the rules provide that the claims put forward must be backed up by some branch of the Legislature of the country to which the person in whose favour the claim is made belongs.

Mr. Harchandrai Vishindas: Will not the Legislative Assembly be more appropriate for this purpose than the Council of State?

The Honourable Sir Malcolm Hailey: That is a matter of opinion: the Resolution was non-official, and the point is one on which, I understand, gentlemen interested in the proposal themselves differed.

Diwan Bahadur T. Rangachariar: Does the Committee recognise a Legislature which has not got full responsible government?

Mr. President: The Honourable Member is trying to make the Honourable the Home Member responsible for something for which he is not responsible.

PROVINCIAL CONTRIBUTIONS.

356. ***Mr. R. K. Shanmukham Chetty:** Whether Government propose to remit any portion of the contributions payable by Provincial Governments for the year 1924-25.

The Honourable Sir Basil Blackett: The Government are not at present in a position to make any declaration on the subject.

RATE OF INTEREST ON INSTALMENTS DRAWN BY THE IMPERIAL BANK.

357. ***Sir Purshotamdas Thakurdas:** (a) With reference to the Bill passed in July last year amending the Indian Paper Currency Act, will Government be pleased to state at what rate interest is charged on the 1st instalment of Rs. 4 crores, which may have been drawn by the Imperial Bank at 6 per cent., when the Bank rate is raised to 7 per cent.?

(b) And similarly, will Government be pleased to state what interest is charged on the first two instalments of Rs. 4 crores each which were taken at 6 per cent. and 7 per cent. respectively, when the Bank rate is raised above 7 per cent.?

The Honourable Sir Basil Blackett: (a) 7 per cent.

(b) At the current Bank rate.

Sir Purshotamdas Thakurdas: Are the Government satisfied that the arrangement ensures to the public the advantages that Government contemplated when they amended the Paper Currency Act?

The Honourable Sir Basil Blackett: At present the Government have no reason to feel dissatisfied but they are watching the matter very carefully with a view to examining after a year's experience how the new Act is working.

COST OF FIRING TIME GUNS.

358. ***Dr. H. S. Gour:** (a) Will the Government be pleased to state the cost of firing time guns in the military stations in India?

(b) Is it a fact that the firing of time guns has been stopped in all military stations in the Punjab?

(c) If so, what would be the saving in cost so effected?

Mr. E. Burdon: (a) The cost of the firing of time-guns at all the military stations in India is estimated at Rs. 70,000 a year.

(b) It has been agreed that time-guns should no longer be fired in the Punjab at the cost of central revenues.

(c) The saving to the Army estimates is calculated at about Rs. 9,000.

COST OF SALUTES TO HIGH GOVERNMENT OFFICIALS.

359. ***Dr. H. S. Gour:** (a) Will the Government be pleased to state who pays for the cost of salutes to high Government officials.—and what is its cost per annum?

(b) Will the Government be pleased to consider the question of effecting economy under this head?

Mr. E. Burdon: (a) The Army estimates bear the cost which is estimated at approximately Rs. 10,000 per annum.

(b) Government have considered the question, but it was decided not to discontinue the existing arrangements.

Mr. Gaya Prasad Singh: Will Government give the reasons for deciding not to discontinue the existing arrangements?

Mr. E. Burdon: Government do not consider it desirable to do so.

Mr. Gaya Prasad Singh: In whose interest, in the public interest?

* **Mr. E. Burdon:** Yes, in the public interest.

ADVISORY COMMITTEE, OUDH AND ROHILKHAND RAILWAY.

360. ***Maulvi Muhammad Yakub:** (a) Do the Government propose to appoint an Advisory Committee with the Oudh and Rohilkhand Railway?

(b) If the reply to the above be in the affirmative, will the Government be pleased to state when they think such Advisory Committee will be appointed?

(c) If the reply be in the negative, will the Government be pleased to state the reasons for the same?

The Honourable Sir Charles Innes: (a) A local Advisory Committee has already been formed at the headquarters of the Oudh and Rohilkhand Railway.

(b) and (c). The questions do not arise.

TRAVELLING TICKET CHECKERS ON THE O. AND R. RAILWAY.

361. *Maulvi Muhammad Yukub: (a) Will the Government be pleased to state how many Travelling Ticket Checkers and Inspectors of the Travelling Ticket Checkers are appointed on the Oudh and Rohilkhand Railway?

(b) What is the pay and the ordinary travelling allowance of the Ticket Checkers and the Inspectors mentioned above?

(c) What is the need and justification for the appointment of such a large number of the officials mentioned above?

The Honourable Sir Charles Innes: (a) There are 30 permanent and 20 temporary Travelling Ticket Examiners and two Inspectors.

(b) The permanent men are on the following time-scale of pay:

Travelling Ticket Examiners from Rs. 55 to Rs. 125.

The temporary Travelling Ticket Examiners draw a fixed pay of Rs. 55.

Inspectors draw Rs. 170 to 250.

The Travelling Ticket Examiners draw mileage allowance at the following rates:

On Rs. 100 and above—Rs. 2 per 100 miles.

Below Rs. 100—Rs. 1/4 per 100 miles.

The Inspectors draw a daily allowance of Rs. 2/8 when travelling.

(c) Owing to the large number of classes travelling without tickets, travelling in higher classes, travelling with unbooked luggage, it has been found necessary to maintain this staff. The amounts recovered by them represent several times their pay.

SUPERINTENDENT OF PRINTING AND STATIONERY, O. AND R. RAILWAY.

362. *Maulvi Muhammad Yukub: Is any stationery officer appointed on the Oudh and Rohilkhand Railway? What are his duties, and what is his pay and ordinary travelling allowance?

The Honourable Sir Charles Innes: There is a Superintendent of Printing and Stationery who is in charge of the Railway Press at Lucknow and the supply of stationery to all offices and stations on the line. The pay of the post is Rs. 500—20—700 and the incumbent draws daily allowance at Rs. 5 in addition to a free pass if required to travel on duty.

GRIEVANCES OF POSTAL CLERKS.

363. *Mr. Bhabendra Chandra Roy: (a) Has the attention of Government been drawn to the resolution passed by the All-India Postal and Railway Mail Service Union on the 22nd January as published in the "A. B. Patrika", dated the 29th January, 1924?

(b) Do Government propose to consider the grievances of the Postal clerks?

(c) If not, will the Government be pleased to state the reasons?

The Honourable Mr. A. C. Chatterjee: (a) Yes.

(b) and (c). Government are of opinion that there is no justification for increasing the existing rates of pay for Postal clerks, which were sanctioned at a time when the cost of living was higher than it is at present.

REFRESHMENT ROOMS AT THE DELHI RAILWAY STATION.

364. ***Khan Bahadur Sarfaraz Hussain Khan**: (a) Is it a fact that there are two refreshment rooms at Delhi Railway Station, one owned by Messrs. Kellner and Company and the other by an Indian?

(b) Is it a fact that Messrs. Kellner and Company's furniture is supplied by the Railway Company and in the case of the Indian refreshment room no furniture is supplied?

(c) If so, will the Government be pleased to state the reasons for the differential treatment?

(d) Will the Government be pleased to state whether any rent is charged from Messrs. Kellner and Company, and the Indian restaurant keepers for the respective rooms they occupy at the Delhi Railway Station? If so, what are the amounts paid by each?

The Honourable Sir Charles Innes: (a) There are European and Indian refreshment rooms at Delhi station but these are not owned by Messrs. Kellner and Company and an Indian respectively. These parties are merely lessees of the premises from the Railway Company.

(b) and (c). Both parties supply their own furniture.

(d) Rent is charged from both for the respective rooms they occupy, the amounts paid being matters which they arrange direct with the Railway Company.

PROHIBITION OF THE EXPORT OF GOOD BREEDS OF CATTLE.

365. ***Mr. S. C. Ghose**: Will the Government be pleased to enlighten the Assembly as to what action (if any) has been taken on the Resolution moved by Dr. Nand Lal in March, 1921, regarding the prohibition of the export of good breeds of cattle from British India to foreign countries, which was accepted by Government with certain modifications?

Mr. M. S. D. Butler: The Government of India have prohibited the export of cattle of the Ongole breed from the Madras Presidency.

INDUSTRIAL SCHOLARSHIPS.

366. ***Mr. S. C. Ghose**: Will the Government be pleased to lay on the table a statement showing the action taken on the Resolution regarding "Industrial Scholarships" moved in this House and adopted without a division?

The Honourable Mr. A. C. Chatterjee: The attention of the Honourable Member is invited to the reply given by me on the 11th instant to the starred question No. 274 asked by Mr. Ganganand Sinha.

INDIANS AND EUROPEANS ON STATE AND COMPANY-MANAGED RAILWAYS.

367. ***Mr. S. C. Ghose**: Will the Government lay a comparative detailed statement as to the number of Indians and Europeans holding permanent posts in State and Company-managed Railways with their status and salary?

The Honourable Sir Charles Innes: The Honourable Member is referred to the Classified List of State Railway Establishment and the Distribution Return of Establishment of all Railways, a copy of which is in the Library.

● ADMINISTRATION OF THE INCOME-TAX DEPARTMENT.

368. *Mr. S. C. Ghose: Will the Government be pleased to lay on the table a detailed statement as to the charges involved in the administration of the Income-tax department as re-organized, with the actual receipts, from each Province as compared with those of the old scheme, furnishing also the number of Indians and Europeans with their status and salaries?

The Honourable Sir Basil Blackett: The work of assessment and collection of Income-tax is still in most provinces largely in the hands of the Revenue Department. It is gradually being transferred to the Special Income-tax Department as officers are trained for the latter and its scope is extended. The Special Income-tax Department has taken over the entire work in the United Provinces, the Punjab, the North-West Frontier Province, Bihar and Orissa, and the Central Provinces. Elsewhere the process of transfer has reached various stages. Under the old scheme, no payment was made to Local Governments for the services rendered by their Revenue Establishments in connection with Income-tax work. It is therefore impossible to make comparisons with the cost under the old scheme owing to the change in the system and the introduction of the reforms and consequent separation of Provincial from Central finance. A statement is laid on the table giving the receipts and expenditure of the Income-tax Department for 1922-23.

The information which the Honourable Member requires regarding the number of Indians and Europeans employed in the Department and their status and salaries has been called for and will be furnished to him in due course.

Statement showing the receipts and expenditure of the Income-tax Department for 1922-23.

	1922-23.	
	Collections.	Charges.
	Rs.	Rs.
Madras	1,32,22,921	4,77,082
Bombay	7,88,53,144	8,46,593
Bengal	3,25,95,777	5,21,739
United Provinces	98,82,271	5,81,572
Punjab	75,54,302	4,77,579
Burma	1,55,08,083	2,19,494
Bihar and Orissa	58,82,328	2,20,719
Central Provinces	59,92,833	8,00,938
Assam	9,16,178	13,510
North-West Frontier Province	9,98,036	57,004
Baluchistan	84,582	6,202
India—General	1,00,24,120	1,11,941
Establishment charges payable to Local Governments for income-tax work done by their staff. . . . .	...	5,84,495
Expenditure in England . . . . .	...	61,858
Total	18,13,94,485	44,56,136

INCOME AND EXPENDITURE OF THE POST OFFICE SINCE THE INTRODUCTION OF THE ENHANCED RATES OF POSTAGE.

369. ***Mr. S. C. Ghose**: Will the Government be pleased to enlighten the Assembly as to the amount of increase of income and expenditure since the introduction of the increased rates for postage stamps and post cards?

The Honourable Mr. A. C. Chatterjee: The increased rates took effect from 24th April 1922.

Comparing therefore the actuals of the previous year, i.e., 1921-22, with the Revised Estimates for the current year, receipts show an increase of 68½ lakhs and expenditure a decrease of 105½ lakhs.

THE MAHABUDHA TEMPLE AT BULDDHA GAYA.

370. ***Maung Tok Kyi**: (a) Will the Government be pleased to state if they have received any memorials from the Buddhists of India, Burma and Ceylon for the restoration of the Mahabudha Temple at Buddha Gaya to the Buddhists of the world?

(b) If the answer is in the affirmative, may I beg to inquire if any action has been taken on these memorials?

(c) Will the Government be pleased to state if they have received any representation on the same subject from the Buddhists of other countries than India, Burma and Ceylon?

(d) If they have, will the Government be pleased to lay these representations on the table?

The Honourable Sir Malcolm Hailey: (a) Yes the memorials have been received.

(b) They are under examination,

(c) No.

(d) No such memorials have been received.

Mr. Devaki Prasad Sinha: Have the Government of India during the last one year received any communication from the Government of Bihar and Orissa on the subject of the restoration of the temple to the Buddhists?

The Honourable Sir Malcolm Hailey: I will, inquire, but I think not.

INDIA'S CONTRIBUTION TOWARDS THE EXPENSES OF THE LEAGUE OF NATIONS.

371. ***Haji S. A. K. Jeelani**: Will the Government be pleased to lay on the table a statement showing the total expenditure to the Government of India in connection with India's participation in the League of Nations?

(b) Will the Government be pleased to state if it is a fact that in the matter of financial contribution to the League of Nations Fund India pays slightly less than all the five Empire States put together? If so, will the Government be pleased to state the respective amount of contributions made by each individual State of the Empire and also the reasons that prompted the Government of India (so far as her share is concerned) to accept this arrangement?

(c) Will the Government be pleased to state whether any protest has been made either by the Government of India or by the Legislatures against this disproportionate contribution? If so, with what results?

Sir Henry Moncrieff Smith: (a) A statement is laid on the table.

(b) India's contribution to the League amounts in fact to less than two-fifths of the total contributions of the five remaining Empire States. The second part of the question does not therefore arise.

(c) The attention of the Honourable Member is invited to pages 10—12 and 20—21 respectively of the Reports of the Delegates of India to the third and fourth sessions of the Assembly of the League of Nations which were published in the Gazette of India Extraordinary, dated the 13th March, 1923, and 1st February, 1924. His attention is also invited to Part XV of the Summary of the Proceedings of the Imperial Conference, 1923 (a copy of which is laid on the table) and to the debates held in the Assembly on the 11th March, 1922, and 12th July, 1923.

Statement showing India's contribution towards the expenses of the League of Nations.

1920 Gold Francs.	1921 Gold Francs.	1922 Gold Francs.	1923 Gold Francs.	Total Gold Francs.
817,948	1,041,666	1,011,335	1,767,773	4,638,722

The question of the contribution of India to the expenses of the League of Nations was raised by the representatives of India at the Conference and was referred to a Committee under the Chairmanship of the Secretary of State for the Colonies. It was there explained by Sir Tej Bahadur Sapru that India was assessed far higher than any other part of the Empire, except Great Britain. In 1922, Lord Balfour had stated publicly at a meeting of the Assembly that the various parts of the Empire represented on the League would settle among themselves the exact amount which each would find. India desired to ascertain whether, in view of this statement, some relief could be afforded by the other parts of the Empire.

The members of the Committee representing Great Britain and the Dominions, while expressing sympathy with the difficulties of India, explained that their Governments were not able to agree to any variation from the standard of contributions already laid down by the Assembly for 1923 and 1924.

In the circumstances it was, of course, impossible for the Committee as a whole to make any recommendation. Sir Tej Bahadur Sapru intimated that India must necessarily reserve the right to raise the question of its contribution at the League Assembly of 1924, and the Secretary of State for India, as Head of the Indian Delegation, affirmed this attitude when the matter came up before the Conference.

The Conference took note of the position.

EXPENDITURE ON THE HAULAGE OF MOTOR CARS BELONGING TO MEMBERS OF THE INDIAN LEGISLATURE.

372. ***Haji S. A. K. Jeelani:** (a) Will the Government be pleased to lay on the table a statement showing the expenditure to the Government for the past three years on account of allowing to the Honourable Members of the Legislative Assembly and the Council of State a full haulage of their vehicles from their respective stations to Delhi and connected expenditure?

(b) The amount disbursed to the Honourable Members, other than the owners of vehicles, as conveyance allowance during their stay at Delhi?

Sir Henry Moncrieff Smith: A statement containing the information asked for by the Honourable Member is laid on the table.

Council of State.

	1921.	1922.	1923.
(a) Expenditure on account of haulage of motor car or other vehicle, and connected expenditure, e.g., chauffeur's fare and petrol allowance	13,155	15,983	11,644
(b) Expenditure on account of conveyance allowance paid to Members who did not draw haulage	1,885	1,740	1,055

Legislative Assembly.

	1921.	1922.	1923.
(a) Expenditure on account of haulage of motor car or other vehicle, and connected expenditure, e.g., chauffeur's fare and petrol allowance	19,942	30,215	40,875
(b) Expenditure on account of conveyance allowance paid to Members who did not draw haulage	18,180	18,675	15,436

TRAINING REGULATIONS OF THE AUXILIARY FORCE.

373. ***Mr. E. G. Fleming:** (a) Has the attention of the Government been drawn to the article which appeared in 'The Statesman' of the 3rd February, of this year, relative to the unsatisfactory state of affairs, in regard to the training returns of the Auxiliary Force, which at present exist in Calcutta?

(b) Is the Government aware that similar conditions exist in other large towns in the Provinces?

(c) Will the Government not consider the advisability of amending the training regulations, with a view to making service with the Force more attractive and practicable to Europeans and Anglo-Indians who were on active service during the war, and make it possible for them to continue keeping themselves efficient without the risk of neglecting their civil occupations?

Mr. E. Burdon: (a) Government have seen the article in question.

(b) and (c). Two representations have been received at Army Headquarters drawing attention to difficulties experienced by members of the Force in completing their period of training. The provisions of the Auxiliary Force Act, 1920, and the regulations made under the Act, are however already of an elastic character, designed to provide for such difficulties, and on the information at present before them the Government of India are not satisfied that any further modification of the training system is necessary.

EXCLUSION OF BHAGUR FROM THE DEOLALI CANTONMENT.

374. ***Mr. Jamnadas Mehta:** (a) Will Government be pleased to state whether the decision announced nearly eight months ago to exclude the village of Bhagur from the limits of the Deolali Cantonment has been carried out fully?

(b) If not, will Government be pleased to state the reasons for the delay and the additional time that will be necessary for carrying out the said decision?

Mr. E. Burdon: (a) and (b). A notification excluding Bhagur village from the operation of the Cantonment Act was published in the Gazette of India, dated the 25th January 1924. Cantonment taxes had ceased to be levied in the village from July 1923.

Mr. Jamnadas Mehta: Are Government aware that the notification only refers to the part south of the railway line? Bhagur village extends to the North of the railway line also.

Mr. E. Burdon: No, Sir, I was not aware of that.

Mr. Jamnadas Mehta: The notification is not complete to that extent. Will the Honourable Member inquire and correct it?

Mr. E. Burdon: I will certainly inquire into the matter. The notification was received in draft from the Government of Bombay.

CRIMINAL JURISDICTION IN BHAGUR.

375. ***Mr. Jamnadas Mehta:** (a) Are Government aware that the inhabitants of the Bhagur village are still subject in criminal matters to the jurisdiction of the military authorities?

(b) Do Government propose to take early steps to restore the village to the jurisdiction of the ordinary criminal courts in the Nasik District?

Mr. E. Burdon: (a) The Government of India, in December 1923, were informed by the Government of Bombay that this would cease when the notification to which I have referred in my reply to the Honourable Member's previous question, had been made.

(b) The Local Government will now do this, if it has not been done already.

TAXATION IN BHAGUR.

376. ***Mr. Jamnadas Mehta:** (a) Will Government be pleased to state the total amount of money levied on the people of Bhagur by way of taxes under the Cantonment Act?

(b) Will Government be pleased to state the amount spent on sanitary measures in Bhagur out of the sum referred to in (a)?

(c) Will Government be pleased to state what they propose to do with the balance in their hands if any?

Mr. E. Burdon: (a) and (b). The total approximate receipts for six years amount to Rs. 31,585-7-3. I am unable to say precisely what proportion of this sum was spent on the sanitation of the village since the receipts from and expenditure on Bhagur (including expenditure on sanitation) have not been accounted for separately.

(c) A proposal is under consideration to place the unexpended balance as estimated at the disposal of the local authority that may eventually be established in the area in question.

REDISTRIBUTION OF THE VARIOUS DEPARTMENTS OF THE GOVERNMENT OF INDIA.

377. ***Mr. Kumar Sankar Ray:** Will the Government be pleased to state what effect, if any, has been given to the recommendation of the Inchcape Committee about the redistribution of the various departments of the Government of India?

The Honourable Sir Basil Blackett: I would refer the Honourable Member to the statement which I laid on the table in reply to Question No. 53 by Diwan Bahadur M. Ramachandra Rao in the Legislative Assembly on the 1st February 1924.

RE-ORGANIZATION OF THE DIFFERENT DEPARTMENTS OF THE ADMINISTRATION.

378. ***Mr. Kumar Sankar Ray:** Is it a fact that the Inchcape Committee was precluded from going into the question of re-organizing the different departments of the administration so as to effect a co-ordination of activities of a similar nature, as for example construction of railway lines, roads and canals and preservation of the natural drainage of the country?

The Honourable Sir Basil Blackett: No, but the examination of questions of this kind was naturally outside the scope of the terms of reference to the Committee, except in so far as such a re-organisation might be expected to secure a reduction of expenditure.

ADMINISTRATION OF MINOR PROVINCES.

379. ***Mr. Kumar Sankar Ray:** (a) Will the Government be pleased to state the reasons for keeping the administration of the minor provinces under its direct control and thereby maintaining departments for supervising matters essentially of a provincial nature in respect of a few minor provinces?

(b) Will the Government be pleased to state the cost incurred in maintaining the above departments?

Mr. E. B. Howell: (a) As regards the North-West Frontier Province, the reasons for and against keeping the administration of that province under the Government of India's direct control are discussed in the North-West Frontier Province Inquiry Committee's report. The publication of which has been promised at an early date.

As regards Ajmer-Merwara, the Honourable Member is referred to the answer given by me to Dr. Gour's question on the 5th February 1924, in this House.

As regards Coorg, the Chief Commissioner in Legislative Council has been constituted a local Legislature for the province with effect from the 28th January 1924. The arrangements made in that connection include *inter alia* the separation of the revenues accruing in that province into central and provincial revenues in the same way as in the major provinces of India.

As regards the other minor provinces no proposals for their being placed under any other control have been put forward and existing arrangements are understood to be in accordance with the wishes of the inhabitants themselves.

No departments are specially maintained for supervising matters essentially of a provincial nature in respect of the minor provinces.

(b) Does not arise.

HYDRO-ELECTRIC SURVEY OF INDIA.

380. ***Mr. Kumar Sankar Ray:** Will the Government be pleased to state whether the officials in charge of the hydro-electric survey of India considered the feasibility of utilising the ordinary current of the big rivers of India by harnessing them otherwise than by constructing dams, as, for instance, by the suspension of a chain of conical channels against the current at suitable places?

The Honourable Mr. A. C. Chatterjee: So far as the Government of India are aware the method suggested by the Honourable Member was not investigated by the officials in charge of the hydro-electric survey at the time when that survey was conducted by the Central Government. The survey is now a provincial subject and the Government of India have no information as to what is being done.

INDUSTRY AND AGRICULTURE.

381. ***Mr. Kumar Sankar Ray:** (a) Will the Government be pleased to state what branches, if any, of industry and agriculture have been declared to be Imperial subjects?

(b) Did the Industrial Commission recommend the establishment of an Imperial Department for agricultural and industrial researches? If so, what effect has been given to such recommendation?

The Honourable Mr. A. C. Chatterjee: (a) None. I presume that the Honourable Member is referring to the terms of item 20 of Schedule I, Part I, of the Devolution Rules.

(b) The Commission recommended the establishment of an Imperial Department of Industries and this was constituted in 1921. The Commission did not recommend the establishment of an Imperial Department for Agricultural Research, since an adequate institution already existed.

MANUFACTURE OF PAPER PULP.

382. ***Mr. Kumar Sankar Ray:** Will the Government be pleased to state whether the Industrial Commission considered the feasibility of making paper pulp from jute and sugar cane plants after the extraction of jute and sugar therefrom?

The Honourable Mr. A. C. Chatterjee: Not so far as Government are aware.

CONTRIBUTION TO THE IMPERIAL INSTITUTE, LONDON.

383. ***Mr. Kumar Sankar Ray:** What effect, if any, has been given to the recommendation of the Industrial Commission about the stopping of expenditure of Indian revenues on the Scientific and Technical Department of the Imperial Institute in London?

The Honourable Mr. A. C. Chatterjee: The contribution made by the Government of India to the Imperial Institute was stopped, but proposals have just been received for an entire re-organization of the Institute and have not as yet been fully considered.

TRAINING OF INDIAN FOREMEN.

384. ***Mr. Kumar Sankar Ray:** What effect, if any, has been given to the recommendation of the Industrial Commission about the training of Indian foremen in railway workshops?

The Honourable Sir Charles Innes: I would refer the Honourable Member to paragraph 34, Volume I of the Indian Railway Administration Report for 1921-22 and to the latter portion of the reply given on the 5th February 1924 to a somewhat similar question asked by Sardar V. N. Mutalik.

IMPROVED METHODS OF AGRICULTURE, ETC.

385. ***Mr. Kumar Sankar Ray:** What effect, if any, has been given to the recommendation of the Industrial Commission about the expenditure of money for introducing improved methods of agriculture, cane and oil crushing, etc., with a view to greater creation of wealth?

The Honourable Mr. A. C. Chatterjee: The recommendations made in Chapter V of the Indian Industrial Commission's Report deal with provincial subjects and have not called for any action on the part of the Central Government.

ACTIVITIES OF THE INDIAN TRADE COMMISSIONER IN LONDON.

386. ***Mr. Kumar Sankar Ray:** Will the Government be pleased to state how far and in what respects has the Trade Commissioner in London stimulated the development of the Indian export trade by directing attention to fresh markets and promoting the establishment of new commercial relations likely to be beneficial to India as recommended by the Industrial Commission?

The Honourable Sir Charles Innes: It is not possible to give figures of development of trade due to the efforts of any Commercial Intelligence Office as detailed business transactions rarely pass through such an office. The practical measures taken by the Indian Trade Commissioner to promote the development of the Indian export trade and the establishment of new commercial relations between Indian and foreign firms are, however, described in paragraphs 4 and 8 of the Report of the working of the office of the Indian Trade Commissioner for the period 1st April 1920 to March 31st, 1922. This Report was published in the Supplement to the Gazette of India, dated the 7th October 1922.

EMPLOYMENT OF THE ARMY DURING PEACE.

387. ***Mr. Kumar Sankar Ray:** How are the different sections of the standing army employed during peace times? Have the Government considered any scheme of productive employment for them during such time? If so, what?

Mr. E. Burdon: To the first part of the question the answer is that the Army in India is employed during peace on its legitimate duties, which consist of (a) the protection of the frontiers of India; (b) maintaining internal security; and (c) training for war.

To the second part of the question the answer is in the negative, except that certain technical units are employed from time to time on the construction of roads, railways, etc.

ARCHÆOLOGICAL AND HISTORICAL DISCOVERIES AT RAISINA.

388. ***Sir Campbell Rhodes:** Has Government issued instructions to those engaged in the various excavations now being made throughout the New Capital at Raisina to lay aside for expert examination any objects which may appear to be of archæological or historical value?

Mr. M. S. D. Butler: An order to this effect has been in force since September 1913 when excavation work first began in the Raisina area. Any objects discovered, which are found to be of sufficient archæological or historical value, are deposited in the Delhi Museum in the Fort. These consist chiefly of a few old coins. So far nothing of any archæological value has been found in the shape of carving or sculpture. At the Kutab, Hauz Khas and other similar places where the removal of *débris* has revealed ancient work the discoveries are of course left *in situ*.

KENYA IMMIGRATION ORDINANCE.

389. ***Khan Bahadur Sarfaraz Hussain Khan:** (a) Is it a fact that a Colonies Committee has been appointed by the Government of India to place the Indian views regarding the Kenya Immigration Ordinance before the Colonial Secretary?

(b) If so, will the Government be pleased to state the names of the Members proposed for that Committee?

(c) Will the Government be pleased to state whether Indians of all political parties will be sufficiently represented on the Committee?

QUESTIONS RELATING TO KENYA.

390. ***Khan Bahadur Sarfaraz Hussain Khan:** Will the Government be pleased to state whether the Colonial Secretary has agreed not to take any action on the measures proposed by the Kenya Government until the Colonies Committee can place their views before him?

Mr. M. S. D. Butler: With your permission, I will deal with questions 389 and 390 together.

The Government of India expect to be in a position to make a statement with regard to the Colonies Committee in a few days' time. If my Honourable friend will repeat his questions then, I will reply to them.

OFFICE ESTABLISHMENT FOR THE INDIAN LEGISLATURE.

391. ***Khan Bahadur Sarfaraz Hussain Khan:** (a) Will the Government be pleased to state whether they propose to give a separate Secretariat for the Assembly and the Council of State?

(b) If not, will the Government be pleased to state the reasons?

Sir Henry Moncrieff Smith: The attention of the Honourable Member is invited to the reply given to Mr. Neogy's question No. 9 on the 1st February, 1924.

† For answer to this Question—see the Answer below Question No. 390.

EXPENDITURE ON THE CONSTRUCTION OF I, II AND III CLASS RAILWAY CARRIAGES.

392. ***Mr. Bhabendra Chandra Roy:** Will the Government be pleased to state as to how much money has been spent for the construction of III Class carriages and how much for the 1st and 2nd Class coaches during each of the years 1922, 1923?

Mr. A. A. I. Parsons: The information asked for by the Honourable Member is not available, as the cost of different types of carriages supplied during the year varied and many of the units built were composite carriages. I may, however, add that the Railway Board are taking steps to secure that statistics of this nature, though perhaps not in the exact form suggested by the Honourable Member's question, will be available in future.

OVERCROWDING OF III CLASS RAILWAY CARRIAGES.

393. ***Mr. Bhabendra Chandra Roy:** (a) Are the Government aware that there is always overcrowding in the III Class carriages? If so, will the Government be pleased to state the reasons?

(b) Do Government propose to take steps for remedying such overcrowding?

The Honourable Sir Charles Innes: The Honourable Member is referred to my remarks on the subject during the discussion in this Assembly on the 12th February 1924 on Haji Wajihuddin's Resolution regarding the adoption of certain measures for the convenience of Indian passengers.

NUMBER OF III CLASS CARRIAGES ON THE PRINCIPAL RAILWAYS.

394. ***Mr. Bhabendra Chandra Roy:** Will the Government be pleased to state the number of trains carrying III Class carriages in each of the following Railways in 1913 and in 1923:

- (a) E. I. Ry.
- (b) G. I. P. Ry.
- (c) E. B. Ry.
- (d) N.-W. Ry.
- (e) B. and N.-W. Ry.
- (f) O. and R. Ry.
- (g) M. S. M. Rys.

The Honourable Sir Charles Innes: The number of trains carrying third class carriages is not recorded separately, but the Honourable Member is referred to Vol. II of the Administration Report for Indian Railways for 1913-14 and 1922-23 which contain the following information:

	1913-14.	1922-23.
Coaching and Mixed Train miles for all Railways	90,553,000	95,420,000

Mr. Gaya Prasad Singh: With reference to sub-question (c), is Government aware that third-class passengers are also carried in goods' trucks on special occasions?

The Honourable Sir Charles Innes: I am afraid, Sir, we are driven to that practice on some railways at times of *melas* and festivals.

Pandit Shamlal Nehru: Is the Honourable gentleman aware that these third class passengers are sometimes carried in coal wagons without their being cleaned?

The Honourable Sir Charles Innes: No, Sir, I am not aware of that fact.

EXPRESS AND SLOW III CLASS TRAINS.

395. ***Mr. Bhabendra Chandra Roy:** Will the Government be pleased to state whether Government propose to increase the number of express and slow trains carrying III class passengers? If not, will the Government be pleased to state the reasons?

The Honourable Sir Charles Innes: The Honourable Member is referred to the discussion in this Assembly on the 12th February 1924, on Haji Wajihuddin's Resolution regarding the adoption of certain measures for the convenience of Indian passengers.

ADDITIONAL TRAINS FOR INCOMING FOREIGN MAILS.

396. ***Mr. Bhabendra Chandra Roy:** (a) Is it a fact that additional trains are going to be run for incoming foreign Mails?

(b) Will the Government be pleased to state the cost of running each of such trains between Bombay to Delhi and Bombay to Calcutta?

(c) Will they be pleased to state the average approximate earning by way of first and second class fares and luggage freights from each of such trains?

The Honourable Sir Charles Innes: (a) There are two Postal Expresses run in connection with the inward foreign Mails. One runs from Bombay to Calcutta, the other from Bombay to Madras.

(b) and (c). If the former train were not run, it would be necessary to run the Mail train in duplicate and, as Government do not see what useful purpose the information asked for would serve, they do not propose to call for it. The Postal Special from Bombay to Madras does not carry passengers at present. It involves no cost to Indian revenues as it carries the Mail for the Straits Settlements and it is understood that transit fees cover the cost of the train.

III CLASS CARRIAGES ON ENGLISH CONTINENTAL AND INDIAN RAILWAYS.

397. ***Mr. Bhabendra Chandra Roy:** (a) Is it a fact that in English and Continental Railways the difference between the higher class and III class carriages is quite negligible?

(b) If so, will the Government be pleased to state the reasons why the difference between the higher class and III class and Inter class on Indian Railways is so great?

The Honourable Sir Charles Innes: The Honourable Member has perhaps overlooked the fact that the fares for 1st class travelling in England are double the 3rd class fares and in India 1st class fares are approximately six times the third class fares.

III CLASS CARRIAGES ON THE PUNJAB MAIL.

398. ***Mr. Bhabendra Chandra Roy:** (a) Will the Government be pleased to state the reasons why no III class carriages are attached to Punjab Mails even for carrying passengers travelling above 700 miles or some such limit?

(b) Is the Government aware that absence of III class carriages from such trains causes great hardship to passengers travelling over 700 or 800 miles?

(c) If so, will the Government be pleased to state whether they propose to take steps to ameliorate the hardships of the poor Indian III class passengers travelling long distances?

The Honourable Sir Charles Innes: (a) The load of the East Indian Railway Punjab Mails, to which trains it is presumed the Honourable Member's question refers, does not permit of the attaching of additional carriages.

(b) No. For the benefit of long distance third class passengers through Express trains are provided.

(c) In the circumstances Government do not propose to take any action in the matter.

CLOSING DOWN OF HRIDAIPUR STATION.

399. ***Mr. Bhabendra Chandra Roy:** (a) Is it a fact that Hridaipur Station on the E. B. Ry. is going to be closed down? If so, will the Government be pleased to state the reasons for such proposals?

(b) Is it a fact that the Station named is a paying one?

(c) Will the Government be pleased to state the gross receipts including goods and luggage freights received during the year 1923 from that station?

The Honourable Sir Charles Innes: (a) It is not proposed to close Hridaipur Flag Station. A suggestion to stop night booking is under consideration but nothing has yet been decided.

(b) and (c). Gross Receipts for the year 1922-23 were Rs. 11,910.

IMPORTS OF MATCHES.

400. ***Mr. Bhabendra Chandra Roy:** (a) Will the Government be pleased to state the total cost of the imported matches into India in 1920, 1922 and 1923, respectively?

(b) The total cost of the imported splints, veneers and dummy match boxes in those years?

The Honourable Sir Charles Innes: (a) The declared value of matches imported in 1920, 1922 and 1923 was 220 lakhs, 178 lakhs and 169 lakhs, respectively. The quantity of matches imported in 1920 was largely in excess of normal imports.

(b) Separate figures are not available for these years of the imports of splints, veneers and empty boxes.

IMPORTS OF VENEERS, SPLINTS AND DUMMY MATCH BOXES.

401. ***Mr. Bhabendra Chandra Roy:** Is it a fact that foreign manufacturers of matches are reducing the imports of the finished product into India and increasing the imports of veneers, splints and dummy match boxes?

If so, will the Government be pleased to inquire about the reasons?

The Honourable Sir Charles Innes: Imports into India of the articles mentioned became noticeable in quantity towards the close of 1923, but, at the same time, more finished matches were imported in 1923 than in the preceding year.

The Government are watching the variations in this trade.

FOREST COLLEGE AT DEHRA DUN.

402. ***Mr. Bhabendra Chandra Roy:** (a) With reference to Mr. Hullah's speech on the Resolution regarding recruitment to the Indian Forest Service adopted by the Assembly in 1922, will the Government be pleased to state what steps have been taken to establish a first grade forest college at Dehra Dun?

(b) How long will it take to complete the establishment of such a college?

Mr. M. S. D. Butler: (a) and (b). The Honourable Member's attention is invited to the answer given to question No. 245 asked by Mr. V. J. Patel on the 11th February 1924.

PROVINCIAL CONTRIBUTIONS.

403. ***Mr. Bhabendra Chandra Roy:** Will the Government be pleased to state what action, if any, is being taken to reduce the provincial contribution?

The Honourable Sir Basil Blackett: Yes, Sir, but not till the 29th February.

UNSTARRED QUESTIONS AND ANSWERS.

SEPARATION OF EXECUTIVE AND JUDICIAL FUNCTIONS.

120. **Rai Hari Prasad Lal:** Will the Government be pleased to state:

(a) if any progress has been made,

(b) if so, what,

in the direction of separating the Executive and the Judicial functions?

The Honourable Sir Malcolm Hailey: The Honourable Member is referred to the reply given by me to Mr. Gaya Prasad Singh's unstarred questions Nos. 78 to 80 on the 11th February 1924.

RAILWAY CONNECTION BETWEEN GAYA AND SHERGHATI.

121. **Rai Hari Prasad Lal:** (1) Are not the Government of India aware that:

(a) there is a pressing necessity for railway communication between Gaya and Sherghati, with extension to the important Shellac Centre of Raniganj, in the district of Gaya,

(b) there is an exceptionally heavy traffic between Gaya, Sherghati and Raniganj (Gaya), both passenger and goods?

(c) there was a railway project under consideration some time back?

(d) it was temporarily abandoned during the war?

(2) Do the Government propose to consider the project now?

The Honourable Sir Charles Innes: (1) (a) The answer is in the negative.

(b) From the information in the possession of Government it is not apparent that the prospects of the passenger and goods traffic are likely to be exceptionally promising.

(c) and (d). The answer is in the affirmative.

(2) The data in the possession of Government as to the traffic prospects of this branch are not such as to warrant early consideration of the project.

RAJPUTANA UNIVERSITY.

122. **Rai Sahib M. Harbilas Sarda:** Do Government purpose to take early steps for the establishment of a University in Rajputana? Is it a fact that the Allahabad University to which the Colleges in Rajputana are affiliated is going shortly to cut off its connection with them?

Mr. E. B. Howell: The attention of the Honourable Member is invited to the reply given in the Legislative Assembly on the 4th February 1924 to a similar question No. 77, asked by Mr. B. Venkatapatiraju. It is impossible for the Government of India to commit themselves to any expression of intention until the proposals of the Local Administration have been received and considered.

2. In regard to the second part of the Honourable Member's question the Government of India have no definite information. The position is that if the Colleges are to retain their association with the Allahabad University they must, under the terms of the Allahabad University Act, confine themselves after a period of five years from the date of its enactment to the instruction of post-intermediate students.

FINES FUNDS ON STATE RAILWAYS.

123. **Mr. K. G. Lohokare:** (a) Is it a fact that the Fines Fund of the State Railways worked by the State as well as by the Companies is made up of fines recovered from the subordinate staff?

(b) Does the Railway Administration allow the subordinate staff any hand in the working of this fund?

(c) If not, do the Government propose to ask the railway companies to put representatives of the subordinate staff on the management of their funds?

(d) Is it a fact that the sum of Rs. 300 per month each is given to the Manager of the G. I. P. Railway Magazine and the Volunteers Band from the G. I. P. Railway fines fund?

(e) Has any request for help from the Fines Fund been made for the G. I. P. Railway Staff Union Monthly in that paper?

(f) Has the request been complied with?

(g) If the request is not yet granted, will the Government be pleased to ascertain the reasons for such refusal, and lay them on the table for information?

Mr. A. A. L. Parsons: (a) Yes.

(b) and (c). The management of the fund on each railway rests with the Agent and Government do not propose to disturb this arrangement.

(d) to (f). Government have no information.

(g) Government do not propose to interfere, in the manner suggested and in a detail of this kind, with the discretion vested in the Agent to use the fund as seems best for the benefit and general amenities of the subordinate employees of the railway.

G. I. P. RAILWAY INSTITUTES.

124. **Mr. K. G. Lohokare:** (a) Is it a fact that there are two Institutes for the non-Indian staff of the G. I. P. Railway?

(b) Is it a fact that the Indian staff had requested the Company to allow one such for them?

(c) Will the Government ascertain and let the House know when the Company will do this?

The Honourable Sir Charles Innes: (a), (b) and (c). There are institutes, both for non-Indian and Indian staff, at various stations on the Great Indian Peninsula Railway. Unless the Honourable Member indicates the particular station to which he refers, Government are not in a position to give the required information.

PRESCRIPTIONS FOR INDIANS AND NON-INDIANS ON THE G. I. P. RAILWAY.

125. **Mr. K. G. Lohokare:** Is it a fact that on the G. I. P. Railway in the Medical Department, white prescription papers are used for Europeans and Anglo-Indian staff, and brown papers for the Indian staff? If so, why is this done? Does this practice exist on any other Railways? If not, why does the G. I. P. Railway find this necessary? Was this grievance brought to the notice of the Agent by Mr. N. M. Joshi? If so, will the Government please state what action has been taken in the matter?

The Honourable Sir Charles Innes: Government have no information.

GRIEVANCES OF THE INDIAN STAFF ON THE G. I. P. RAILWAY.

126. **Mr. K. G. Lohokare:** Will Government be pleased to call for copies of Memorials sent to the G. I. P. Railway Administration by the Indian Staff regarding their grievances, and place these on the table for the information of this House stating which of the grievances have been remedied and which way? If no steps are yet taken by the Company on the matter, will Government ascertain and let the House know the reasons for not attending to the grievances?

The Honourable Sir Charles Innes: The matter is one of internal administration and within the competence of the Agent to deal with and Government do not therefore propose to call for the information asked for by the Honourable Member.

EDUCATION OF THE CHILDREN OF THE INDIAN STAFF OF THE G. I. P. RAILWAY.

127. **Mr. K. G. Lohokare:** In reply to Mr. Joshi's question regarding education of the Indian staff of the G. I. P. Railway, the Government have stated that the G. I. P. Railway spends Rs. 86,982 for the education

of 2,766 non-Indian staff and Rs. 13,476 for the education of 111,966 Indian staff:

- (a) Will the Government be pleased to state whether any request has been made by the Indian staff in the G. I. P. Railway Union Monthly Paper for providing sufficient education facilities for the Indian children?
- (b) If so, what steps are taken to comply with this request?
- (c) Is it a fact that at several stations there are no facilities for the education of the Indian children?
- (d) Is it a fact that as there are no boarding schools the Indian staff are not able to take advantage of the subsidy given by the Railway Company?
- (e) If so, what steps do Government propose to take to remedy this matter?
- (f) Is it a fact that not less than 13 schools have been provided by the G. I. P. Railway for the education of the children of European and Anglo-Indian staff at the cost of Rs. 1,03,316, whereas there is not a single school provided by the G. I. P. Railway for the education of the children of the Indian staff in spite of persistent demand of and promises to the Indian staff? What action do Government propose to take also in connection with Mr. Cole's Report?

The Honourable Sir Charles Innes: Government have not full information but will make inquiries.

TIME-SCALE OF PAY FOR THE G. I. P. RAILWAY STAFF.

128. **Mr. K. G. Lohokare:** Is it a fact that the time-scale of pay has been introduced for the officers of the G. I. P. Railway? Has any application been received for a time-scale from the subordinate staff? If so, has it been introduced for the staff who applied for it? If not, will Government be pleased to ascertain the reasons and lay them on the table?

The Honourable Sir Charles Innes: Yes, the time scale of pay has been introduced for the officers of the Great Indian Peninsula Railway. Government have no information as to whether application has been received by the Agent for a time scale for the subordinate staff and they do not propose to take any steps in the matter which is entirely a domestic one. Ordinarily railway subordinates receive incremental rates of pay.

SALARIES OF THE G. I. P. RAILWAY STAFF.

129. **Mr. K. G. Lohokare:** Will Government be pleased to ascertain whether the scales of salaries of the G. I. P. Railway staff fixed under the Manmad Agreement have been reduced, and place the information on the table?

The Honourable Sir Charles Innes: The Agent of the Railway is fully competent to deal with the matter and Government do not propose to call for the information asked for by the Honourable Member.

FREE QUARTERS FOR SIGNALLERS ON THE G. I. P. RAILWAY.

130. **Mr. K. G. Lohokare:** (a) Is it a fact that on the G. I. P. Railway signallers are not provided with free quarters nor do they get any allowance in lieu thereof?

(b) Is it a fact that on the other Railways signallers are given this concession?

(c) Will Government please state why the G. I. P. Railway is treating their staff differently?

The Honourable Sir Charles Innes: Government are making inquiry and will let the Honourable Member know the result.

RECRUITMENT OF STAFF FROM ENGLAND FOR THE G. I. P. RAILWAY.

131. **Mr. K. G. Lohokare:** (a) Will Government be pleased to say what staff has been recruited from England for the G. I. P. Railway during the period 1900—1913, 1913—1920 and 1920—1923?

(b) Had Government ascertained beforehand whether any men were available in India to do the work for which such staff was recruited from England? If so, what steps were taken by the Government for this purpose? Will Government please state what class of staff is obtained from outside India and what facilities they propose to provide for training such staff in India?

(c) How long would Government allow this system?

The Honourable Sir Charles Innes: Government have no information.

The G. I. P. Railway is worked by a Company which exercises full powers in regard to the recruitment of its staff.

LEAVE RULES OF WORKSHOP EMPLOYEES ON THE G. I. P. RAILWAY.

132. **Mr. K. G. Lohokare:** Has the attention of the Government been drawn to the Resolution of the Bombay Provincial Trade Union Conference protesting against the reply given by the Government to Mr. Joshi's question in the Assembly meeting that the G. I. P. Railway workshop men get leave on full pay on all public holidays? Are the Government aware that these holidays are given as leave without pay? If so, do Government propose to make the necessary changes in the leave rules so that the workshop men may get holidays on full pay? If not, will the Government be pleased to state the reasons for the Company's inability to do so?

The Honourable Sir Charles Innes: Government have no information but it may be pointed out that the Great Indian Peninsula Railway is worked by a Company which is fully competent to deal with such matters.

EUROPEAN, ANGLO-INDIAN AND INDIAN RAILWAY APPRENTICES.

133. **Mr. K. G. Lohokare:** (a) Will Government please state the number of apprentices, European, Anglo-Indian and Indian, posted to different Railways in the last two years?

(b) Do Government know that there is a difference in the starting pay of European, Anglo-Indian and Indian apprentices having the same qualifications? On what grounds is this difference kept and how long would Government allow such difference without distinction of qualification standard.

The Honourable Sir Charles Innes: (a) I would refer the Honourable Member to the reply given in the Assembly to a somewhat similar question* asked by Rai Bahadur Pandit J. L. Bhargava on the 2nd July 1923. Complete information for 1923 is not yet available; but the figures for the Bombay, Baroda and Central India Railway and the Great Indian Peninsula Railway at the end of 1923 were:

Bombay, Baroda and Central India Railway:—

Europeans and Anglo-Indians	...	...	79
Indians	...	...	129

Great Indian Peninsula Railway:—

Europeans and Anglo-Indians	...	...	108
Indians	...	...	92

(b) The general question of the scales of pay and allowances to European, Anglo-Indian and Indian apprentices has been very carefully considered; but Government do not interfere in detail in matters of this kind. Such pay and allowances are based on the market values of the different classes of apprentices bearing in mind the cost of living in each case.

APPEALS BY G. I. P. RAILWAY EMPLOYEES.

134. **Mr. K. G. Lohokare:** (a) Is it a fact that on the G. I. P. Railway Divisional Transportation Superintendent has issued orders that if a man sends an appeal and on inquiry it is found that he is properly dealt with he will further punish the man for causing unnecessary correspondence? If so, do Government propose to take steps to get the order cancelled?

(b) Is it a fact that on the G. I. P. Railway on the recommendations of Mr. Heseltine, the right of appeal has been limited to one appeal? Is it a fact that in this connection he has stated that it is necessary to reject the appeal in most cases in order to maintain the prestige of the officers? If so, what steps do Government propose to take to allow freedom to the staff to appeal to the highest authority when necessary?

The Honourable Sir Charles Innes: (a) The Government have no information but will inquire.

(b) The Government have no information. The matter is essentially one for the Agent. But the Honourable Member should remember that railways are commercial undertakings.

G. I. P. RAILWAY LEAVE RULES.

135. **Mr. K. G. Lohokare:** Is it a fact that the G. I. P. Railway Company several years ago promised to the Indian staff that they will be given the State Railway leave rules from 1st September 1919? Is it a fact that afterwards it was stated that the Indian staff will be given full benefit of the Fundamental Leave Rules? Is it a fact that these have not yet been given? Is it a fact that in the meanwhile rules for Europeans and Anglo-Indians only have been revised? Will Government please state when the new leave rules will be brought into force? Will Government introduce them with retrospective effect from September 1919 when they were promised? If not, will Government pay compensation to those who have lost this advantage? If not, why not?

*Vide page 4182 of L. A. Debates; Vol. III.

The Honourable Sir Charles Innes: The attention of the Honourable Member is invited to the replies given by Mr. G. G. Sim to questions* 8, 11 and 13 at the meeting of the Legislative Assembly on the 2nd July 1923. Leave cannot be claimed as of right and there is no question of introducing new rules with retrospective effect.

The whole question of Railway Leave Rules is still under consideration.

FREE PASSES FOR CHAPLAINS ON THE G. I. P. RAILWAY.

136. **Mr. K. G. Lohokare:** Is it a fact that the G. I. P. Railway grant free passes to chaplains to look after the spiritual needs of the Christian staff? Is it a fact that the request was made to the Agent for a free pass for a Hindu priest to attend to the spiritual needs of the Bhusawal Hindu staff? Is it a fact that this request was refused? If so, what were the reasons which led the Company to refuse it?

The Honourable Sir Charles Innes: Inquiry is being made and the result will be communicated to the Honourable Member in due course.

GRIEVANCES OF THE G. I. P. RAILWAY STAFF.

137. **Mr. K. G. Lohokare:** (a) Is it a fact that several cases of injustice done to the G. I. P. Railway staff by the G. I. P. officers have been brought to the notice of the Agent by the G. I. P. Railway Staff Union either by letters or through their paper?

(b) Are there instances wherein the Agent has given no reply nor even an acknowledgment thereto?

(c) Will the Government be pleased to ask the Railway Company to deal with such cases in a proper way?

(d) Will Government please say why Councils similar to Whitley Councils promised to the staff two years ago by the G. I. P. Ry. Administration are not yet introduced?

The Honourable Sir Charles Innes: (a), (b) and (c). Government have no information and do not propose to interfere in matters of internal administration which the Agent is fully competent to deal with.

(d) It is understood that the matter is under the consideration of the Railway Administration.

TRANSPORTATION AND COMMERCIAL DEPARTMENTS, G. I. P. RAILWAY.

138. **Mr. K. G. Lohokare:** Is it a fact that the Dhond Branch of the G. I. P. Railway Staff Union has pointed out to the Agent that on account of the reorganisation of the Transportation and Commercial Departments, the clerical staff is overworked and relievers are necessary? If so, will Government please state what steps are taken by the Agent to remedy this grievance?

The Honourable Sir Charles Innes: Government have no information. The matter is one which the Agent of the Railway is fully competent to deal with.

* Vide pages 4145, 4146 and 4147 of L. A. Debates, Vol. III.

SHORTAGE OF COAL ON THE G. I. P. RAILWAY.

139. **Mr. K. G. Lohokare:** Is it a fact that there was a shortage last year of 13,000 tons of coal on the G. I. P. Railway which could not be accounted for? If so, have Government made inquiries, and with what results?

The Honourable Sir Charles Innes: The answer is in the negative

REPRESENTATIVE OF THE LABOUR UNIONS AT THE INTERNATIONAL LABOUR CONFERENCE.

140. **Mr. K. G. Lohokare:** (a) Is it a fact that the several Labour Unions of India have protested against the nomination of Mr. Chowdhury, as their representative for the International Labour Conference?

(b) If so, will Government please state what consideration led to his nomination in spite of such protests?

(c) Do Government propose to consult the different Labour Organizations before making nominations in the future to avoid such instances?

The Honourable Mr. A. C. Chatterjee: (a) A few Unions have protested.

(b) The Government of India, in accordance with their usual practice, invited suggestions from representative labour associations. A large number of names were put forward, and from these the Government selected Mr. Roy Chowdhury as best fulfilling the requirements laid down for the selection of such delegates in Article 389 of the Treaty of Versailles.

(c) As already stated, the practice followed in the past has been to invite suggestions from representative labour associations before making nominations. No change is contemplated in this procedure.

RAILWAYS AND TRADE UNIONS.

141. **Mr. K. G. Lohokare:** (a) Is it a fact that in spite of the Resolution of the Government of India regarding the formation of Trade Unions, two employees of the B. B. & C. I. Railway, namely, Messrs. Mohanlal and Chotubhai, have been discharged from the Company's service, one for holding a Union meeting of the railway staff on railway premises and the other for having attended such a meeting held on railway premises?

(b) Will Government please state whether they have issued any rules or justified any rules made by the Railway Companies prohibiting any railway servants from holding Union meetings on railway premises?

(c) Is it a fact that Mr. Mohanlal whose services were dispensed with was a member of the B. B. & C. I. Ry. Staff Council?

(d) Are Government aware that he has published a note that the B. B. & C. I.'s Staff Council's work is not honestly carried out?

(e) Do the Government propose to ask the Railway Company to reconsider this decision in this case of the two employees?

The Honourable Sir Charles Innes: (a), (c) and (d). Government have no information but will make inquiries.

(b) The reply is in the negative.

INDIANIZATION OF THE HIGHER GRADES OF THE RAILWAY SERVICES.

142. **Mr. K. G. Lohokare:** (a) With regard to the Honourable Mr. Kale's Resolution regarding Indianization of the higher grades of the Railway services, is it a fact that the Government have written to the Railway Administrations to Indianize only superior posts?

(b) Will Government give a statement showing how many posts of subordinate service carrying salaries of Rs. 250 and over there are on all Indian Railways, and how many of them are held by Europeans, Anglo-Indians and Indians respectively?

(c) Will Government be pleased to communicate to the Railway management that Mr. Kale's Resolution included Indianization of these posts as well?

(d) Has the attention of the Government been drawn to the fact that on the G. I. P. Railway Indian Station Masters of approved efficiency are given Rs. 80 or 100, whereas the European and Anglo-Indian Station Masters working on the same stations are given Rs. 385?

(e) If so, will Government please explain the reasons for this difference and say how long this distinction without difference in qualifications will continue?

The Honourable Sir Charles Innes: (a) and (c). Government have impressed on Railway Administrations the need for the employment of Indians in all grades of Railway service.

(b) The information asked for is not available for all Indian Railways. The figures for the 13 most important State and Companies lines are as follows:

	Rs.
Total subordinate staff on 1st November 1923 on Rs. 250 per mensem and over, or on scales of pay rising to Rs. 250 per mensem and over	7,497
Comprising Europeans	2,977
Anglo-Indians	2,818
Indians	1,702

(d) Government have no information, but will inquire.

MEDICAL CERTIFICATES OF RAILWAY EMPLOYEES.

143. **Mr. K. G. Lohokare:** Will Government please say:

(a) Whether medical certificates given to Railway employees by registered practitioners are accepted by State Railways worked by the State or Company?

(b) Whether there are any rules for periodical medical examination of railway employees on these railways? If so, will Government please supply the rules in force on different railways?

The Honourable Sir Charles Innes: (a) Medical certificates of temporary unfitness given by any medical man possessing a Diploma from a British College or University are accepted by State-managed Railways with certain reservations in regard to limit of pay drawn by an employee. The Company-managed lines have their own rules governing the grant of medical certificates to their staff.

(b) A railway administration can require an employee to be re-examined in regard to physical fitness whenever this may be considered necessary.

GRIEVANCES OF RAILWAY MEN.

144. **Mr. K. G. Lohokare:** Has the attention of the Government been drawn to the Resolutions passed by the 2nd All-India Railwaymen's Conference? If so, will Government please state what steps they have taken in connection with the grievances mentioned therein?

The Honourable Sir Charles Innes: Government have read the Resolutions passed by the Conference, but have not taken any special action upon them.

" SQUANDERMANIA " ON THE G. I. P. RAILWAY.

145. **Mr. K. G. Lohokare:** Has the attention of the Government been drawn to an article on Squandermania published on page 294 of the G. I. P. Railway Union Monthly? Is it a fact, as mentioned therein, that the salaries of the officers have been increased and those of subordinates reduced on the G. I. P. Railway? If so, will Government please give reasons for adopting such a policy?

The Honourable Sir Charles Innes: No. Government have not seen the article in question and are not aware of any such policy as that suggested.

FREE PASSES FOR MEMBERS OF RAILWAY UNIONS.

146. **Mr. K. G. Lohokare:** Will Government please state whether leave or free passes are granted on any railway in India for members of the Railway Unions to organize the Unions and attend the meetings of the Unions? If so, which Railways grant them and under what conditions? Is it a fact that an application was made by the G. I. P. Railway Staff Union in this connection? If so, what action has been taken by the Agent thereon?

The Honourable Sir Charles Innes: Certain Railways do grant such concessions, it is believed, but it is left to Railways generally to give delegates privilege Ticket Orders to enable them to attend meetings.

As regards any application from the Great Indian Peninsula Railway Staff Union, Government have no information.

INDIAN RAILWAY DRIVERS.

147. **Mr. K. G. Lohokare:** Is it a fact that on some railways Indian drivers are running mail and passenger trains? Is it a fact that in the Loco. Workshops, Indians are not given the same facilities for training which are given to non-Indians? If so, will Government please state what steps they propose to take to train Indians to work as drivers on different Railways?

The Honourable Sir Charles Innes: The reply to the first part of this question is in the affirmative, though it should be added that such drivers are mostly Parsees. The reply to the second part is in the negative, and, as regards the last part, measures already exist for training Indians to work as drivers on all important Railways.

RELIEVING STAFF ON THE G. I. P. RAILWAY.

148. **Mr. K. G. Lohokare:** Will Government please state what facilities are provided for relieving station masters on the State Railways managed by the State or Company? Has the attention of the Government been drawn to complaints published in the G. I. P. Union Monthly regarding the inconvenience to which the relieving staff are put on the G. I. P. Railway, and what steps Government propose to take to remove the grievance?

The Honourable Sir Charles Innes: Government have no information but see no reason to doubt that all necessary facilities are generally provided by the Railway Administrations for relieving their staff.

PAY OF SUPERINTENDENTS OF POST OFFICES.

149. **Mr. Gaya Prasad Singh:** (a) Are Government aware that keen discontent prevails amongst the Superintendents of Post Offices on account of the inadequacy of the scale of pay sanctioned for them?

(b) Is it a fact that the Superintendents draw a higher annual increment in the first two years of service, and later on the increment rate is reduced? Do Government propose to revise the rate of increment?

(c) Will Government be pleased to state the grounds on which they consider the pay of Superintendents of Post Offices adequate, when the Director General of Posts and Telegraphs, giving his full reasons, recommended Rs. 300—850 as the minimum scale of pay for them?

(d) Is it a fact that the powers and responsibilities of the Superintendents of Post Offices have greatly increased since?

(e) Is it a fact that the minimum pay of certain postmasters directly subordinate to the Superintendents of Post Offices, is the same as that of the Superintendents? And is it not a fact that in several cases a Superintendent of Post Offices draws less than his subordinate postmaster? Do Government propose to remove this anomaly?

(f) Have Government seen the evidence given by the Postal Officers' Association before the Lee Commission in Calcutta; and do they propose to reconsider the question of revising the existing scale of pay of Superintendents of Post Offices after the report of the Commission is published?

The Honourable Mr. A. C. Chatterjee: (a) Government have received petitions from Superintendents of Post Offices to the effect that they are not satisfied with their pay.

(b) Yes. The revised scale of pay is Rs. 250—25—300—20—700. The higher rate of increment in the earlier years of service was fixed in order that new entrants might more quickly reach the Rs. 300 stage. Government do not propose to revise the rate of increment.

(c) After considering the demands made by the Superintendents in their various memorials as well as the scales suggested by the Director General, Posts and Telegraphs, and the Postal Officers' Association, the Government of India were satisfied that the above revised scale sanctioned with effect from the 1st December 1919 is suitable.

(d) The reply is in the negative. Their duties and powers have merely been revised consequent on the changes in pay and departmental procedure brought about as the result of the recommendations of the Postal Committee, 1920, but this revision has not added appreciably either to their powers or responsibilities.

(e) Yes. The non-gazetted Postmasters in the selection grade of Rs. 250—20—350 are subordinate to the Divisional Superintendents. The actual pay of any such Postmaster may at times be, but seldom is, more than the actual pay of the Divisional Superintendent who, however, holds the superior status of a first class gazetted officer. Government do not propose to take any action.

(f) Government have seen the evidence given by the Postal Officer's Association. If any recommendation with respect to the pay of Superintendents is actually made in the Report of the Royal Commission, it will be duly considered.

CASE OF BABU HAR BHAGAWAN DAS.

150. **Mr. Bipin Chandra Pal:** (a) Will the Government be pleased to state if Babu Har Bhagawan Das, Registration Clerk, Ambala Post Office, was prosecuted in connection with the loss of an insured letter and was he honourably acquitted?

(b) After his acquittal was he departmentally punished with a fine of Rs. 1,500 and directed to pay the whole amount in one instalment?

(c) Has he been dismissed owing to his failure to pay the whole amount in one instalment although he agreed to pay it in instalments?

(d) Do the Government propose to reconsider the case of Babu Har Bhagwan Das?

Mr. G. R. Clarke: (a) Yes.

(b) Yes.

(c) Yes.

(d) He has been re-instated on appeal.

LOSS OF A MAIL BAG AT PESHAWAR.

*151. **Mr. Bipin Chandra Pal:** (a) Will the Government be pleased to state if a mail-bag was lost on the 12th January, 1923, when being carried in the mail contractor's carriage between the railway station and the Peshawar Post Office.

(b) Was not Dayal Ram, Clerk, Peshawar Post Office, who was accompanying the mail-bag, fined Rs. 1,015 on account of the loss sustained by Government and the whole amount was ordered to be recovered in one instalment?

THEFT OF MAIL BAGS AT MULTAN.

*152. **Mr. Bipin Chandra Pal:** (a) Will the Government be pleased to state whether on the 22nd February 1922, the padlock of the Multan Cantonment R. M. S. room was broken and two mail-bags containing insured letters to the value of Rs. 519-3-0 were stolen from the room?

(b) Was not Lachman Das, sorter of the R. M. S. with the porters attending the train due to arrive at 4-30 hours when the theft took place?

(c) Has Rs. 519-3-0 been recovered as fine from sorter Lachman Das to make good the loss to Government due to the theft?

* For Answer to this question—see answer below Question No. 155.

RECOVERIES FROM R. M. S. OFFICIALS FOR LOSS OF INSURED ARTICLES.

*153. **Mr. Bipin Chandra Pal:** (a) Will the Government be pleased to state whether the following recoveries were made from R. M. S. officials to make good the loss arising from the loss of insured articles:

Name of Official.	Amount of Recovery, Rs.
1. Labha Mall, head sorter, L. Division	10)
2. Issar Das, sorter, L. Division	100
3. Gunwanth Lall, mail-agent, L. Division	590
4. Peary Lal, sorter, L. Division	50
5. Remal Das, sorter, K. Division	250
6. Har Bhagwan Dass, sorter, K. Division	500
7. Peary Lal, sorter, K. Division	200
8. Mulchand, sorter, K. Division	200
9. Mohammad Fazil, sorter, K. Division	100

FINE IMPOSED ON RAM AMUGRAPA TEWARI, POSTMAN OF CALCUTTA.

*154. **Mr. Bipin Chandra Pal:** (a) Has not Rs. 1,000 been directed to be recovered from Ram Amugrapa Tewari, post-man of Calcutta G. P. O., out of which Rs. 700 has already been paid by him, in connection with the delivery of an insured parcel to Pannalal Maxmull?

(b) Was not the intimation for the insured parcel delivered by the post-man after obtaining the receipt's signature in the book of intimations delivered?

(c) Was not the receipt's signature in the book of intimations delivered, examined by the Marwari hand-writing expert of the Allahabad Bank, and did he not express his opinion that the signature in the intimation book was the signature of the addressee of the insured article?

(d) Was not the signature sent to Bombay for examination by a hand-writing expert of Bombay?

(e) What is the name of the hand-writing expert who examined the said signature?

(f) Was there no Government hand-writing expert in Calcutta who could examine the signature?

(g) Are the Government prepared to consider the question of remitting the fine of Rs. 1,000?

FINES IMPOSED ON POSTAL EMPLOYEES.

155. **Mr. Bipin Chandra Pal:** (a) Will the Government be pleased to state why such heavy fines in the shape of recoveries of the amounts payable as compensation by Government for insured articles lost or tampered with, are imposed on clerks, sorters and postmen, and why the same are not paid out of the revenue derived from insurance fees?

* For Answer to this question—see the answer below Question No. 155.

(b) Will the Government be pleased to state if such heavy fines are imposed on the members of the subordinate staff of any Department except the Post Office for occasional mistakes? If not, why the Post Office officials should form an exception?

Mr. G. R. Clarke: The information asked for is not readily available from the records of the Director General's Office and the questions involve references to the Heads of Circles concerned. It will be furnished to the Honourable Member in due course.

GRIEVANCES OF INDIAN SEAMEN.

156. **Mr. Bipin Chandra Pal:** Has the attention of the Government been drawn to a pamphlet on "Indian Seamen and their Principal Grievances" by Shaikh Sameer, President, the Indian Seamen's Association? Do the Government propose to consider what steps they may take either officially or by correspondence with the shipping companies to help to remove the grievances of a very large number of Indian seamen discussed in this pamphlet?

The Honourable Sir Charles Innes: The Government have seen the pamphlet referred to. Proposals arising out of the report of the Indian Seamen's Recruitment Committee are now under the consideration of Government.

THE INDIAN COINAGE (AMENDMENT) BILL.

The Honourable Sir Basil Blackett (Finance Member): Sir, I have the honour to present the report of the Select Committee on the Bill further to amend the Indian Coinage Act.

THE CENTRAL BOARD OF REVENUE BILL.

The Honourable Sir Basil Blackett (Finance Member): Sir, I have the honour to present the report of the Select Committee on the Bill to provide for the constitution of a Central Board of Revenue and to amend certain enactments for the purpose of conferring powers and imposing duties on the said Board.

MESSAGE FROM THE COUNCIL OF STATE.

Secretary of the Assembly: The following Message has been received from the Secretary, Council of State:

"I am directed to inform you that the Council of State have at their meeting of the 14th February 1924 agreed without any amendments to the Bill to consolidate and amend the law relating to the administration of cantonments, which was passed by the Legislative Assembly on the 24th July 1923."

DEATH OF SIR FRANK MCCARTHY.

Diwan Bahadur T. Rangachariar (Madras City: Non-Muhammadan Urban): Sir, may I, with your permission, give expression to the feelings of regret and sorrow with which we heard the news, after dispersing on Thursday last, of the death of Sir Frank McCarthy, who was once, Sir,

[Diwan Bahadur T. Rangachariar.] . a

a distinguished Member of this Assembly. Sir, he was one of those Englishmen who endeared himself to Indians by his frankness, by his amiable character and by his readiness to recognise Indian claims and aspirations and to sympathise with them. Sir, I had the privilege of sitting with him on the Racial Distinctions Committee—a very troublesome Committee,—where his influence was brought to bear upon the more troublesome elements of the European population there and we were able to come to conclusions which were satisfactory in a way. Sir, although he was a silent Member of the Assembly we often met him in Committees and he distinguished himself as one of the members who sat on the Committee to revise the Standing Orders of this House. Sir, early in his career you chose him to serve on the Panel of Chairmen and he presided with grace over the deliberations of this Assembly now and then. Sir, in his loss we miss a very good friend. To Burma he was a great asset. It was my peculiar privilege to meet him only last month—early last month—and we had a heart to heart talk. He made anxious inquiries about the way in which the work of this House was going on. There were signs of the illness to which he succumbed when he came to Simla to attend to his duties as a Member of this Assembly, and I found him in Rangoon looking much better than when I saw him in Simla and he gave me encouraging accounts of himself. Therefore, it was with very great surprise that I heard of his death. Sir, it is but meet that this Assembly should send its sympathy to the bereaved widow.

Mr. E. G. Fleming (Burma: European): As a friend and a successor, in this Assembly, of the late Sir Frank McCarthy, I wish, on behalf of all my European colleagues in this House, to express our desire to associate ourselves with the expressions of sympathy to Lady McCarthy and the Province of Burma, which have fallen from the last speaker. It was only a month ago that Sir Frank wished me all success in my venture into politics and it is hard to think that he has been taken away from us. He was a very lovable man and a true friend of India.

Lieut.-Colonel F. C. Owens (Burma: Nominated Official): Sir, as the official representative of the province in which the late Sir Frank McCarthy passed the greater portion of his life, I desire to associate the Government of Burma and myself with the expressions of sympathy and tributes of respect we have heard this morning.

The Honourable Sir Malcolm Hailey (Home Member): It is perhaps unnecessary for me to add—though I know you will allow me
12 Noon. to do so—an expression of deep regret on our part for the loss which we have suffered in the death of Sir Frank McCarthy. We knew him well in this Assembly, we knew him well as a lovable and as a sympathetic character, and it adds to our sense of his loss that there is reason to believe that his sense of devotion to his public duties prevented him seeking a recuperation of health which could only have been secured by leaving his duties at a time when they claimed his special attention. That is an additional cause for our regret. It is sad indeed to see the death of one of that band of Europeans who have devoted their time and their sympathy to the cause of the people of this country.

Mr. President: I shall make it my duty to convey to Lady McCarthy the unanimous sense of this House in offering her sympathy in her bereavement. Perhaps more than any other Member of this House, I have reason for deep regret that Sir Frank McCarthy is no longer here. He was a

personal friend of my own; he was an invaluable member of that Reforms Committee out of whose work sprang the Legislative Chamber over which Sir Frank McCarthy was eventually called to preside. I have the best reason to know that Mr. Rangachariar, in the statement he has made of the services of Sir Frank McCarthy to his own province of Burma and to India as a whole, was in no way exaggerating. The cause of conciliation between all the races in the Indian Commonwealth has lost a courageous, candid and conciliatory advocate by the death of Sir Frank McCarthy.

THE CRIMINAL LAW AMENDMENT BILL.

The Honourable Sir Malcolm Hailey (Home Member): Sir, I move:

"That the Bill further to amend the Indian Penal Code and the Code of Criminal Procedure, 1898, for the purpose of affording greater protection to persons under the age of eighteen years, be referred to a Select Committee consisting of Colonel Sir Henry Stanyon, Pandit Madan Mohan Malaviya, Sir P. S. Sivaswamy Aiyer, Mr. L. S. S. O'Malley, Sardar Gulab Singh, Khan Sahib Ghulam Bari, Maulvi Abul Kasem, Mr. B. C. Pal, Mr. Gaya Prasad Singh, Dr. S. K. Datta, Sardar V. N. Mutalik, Mr. K. Rama Aiyangar, Haji S. A. K. Jeelani, and myself, with instructions to report on or before 10th March, 1924."

I need not, I think, commend this motion to the Assembly by any formal speech. The Bill deals with matters which have been the subject of controversy in the past, though I hope they will be less the subject of controversy now. But it contains also many details which require careful examination, and the reference to Select Committee will in addition give the public an opportunity of considering the Bill at greater leisure than would be possible if we proceeded to take up its consideration across the floor of this House.

Dr. H. S. Gour (Central Provinces Hindi Divisions: Non-Muhamadan): Sir, while I welcome this Bill and its committal to Select Committee, I should like the Select Committee to consider one or two questions which I shall raise on this occasion. Honourable Members will see from the Preamble to the Bill that this Bill is drawn to afford greater protection to persons under the age of 18 years. This is a welcome improvement; but there are one or two points in connection with this Bill which call for examination. The first is in connection with *Explanation II* to clause 3. Honourable Members will find that this Explanation runs as follows:

"For the purposes of this section 'illicit intercourse' means sexual intercourse between persons not united by marriage or by any union or tie, which, though not amounting to marriage, is recognised by the personal law or custom of the community or communities, as the case may be, to which they belong as constituting between them a quasi-marital relation."

Now, I beg to submit that the introduction of a new phrase "quasi-marital relation" is not quite intelligible to me. I should like the Honourable Member in charge of the Bill to explain to this House what he means by a quasi-marital relation created by the personal law or custom of any community. As I understand the law, Sir, I only know that there is such a thing as marriage or no marriage; but an intermediate stage which is neither marriage nor no marriage is not known, so far as I am aware, to the civil law of this country, nor as my friend, Mr. Jinnah, rightly ejaculates, to the criminal law of this country. I really do not know what the exact meaning of this phrase is. In the Statement of Objects and Reasons appended to this Bill no explanation is set out as to any personal law or custom of a community which recognises such a relationship, and,

[Dr. H. S. Gour.]

as I have said, and my friend, Mr. Jinnah, concurs with me, such a relationship is not known either to the civil or criminal law. I therefore venture to submit that by the introduction of this term a new jural relationship is created which is likely to endanger the very object and purpose we have in enacting this measure. For section 372 which the present Bill is intended to amend would be rendered in certain cases nugatory if this *Explanation II* is allowed to stand. I would remind Honourable Members what section 372 is intended to provide against. That section, briefly speaking, is intended to provide against the selling of minors for purposes of prostitution. Now, Sir, if this exception in the form of *Explanation II* is enacted into law, the result will be that the accused in many cases will defend himself by setting up a plea that the minor, who is the subject of protection under this clause, was not married by him, nor indeed was she kept as his concubine under *Explanation II* as a quasi-married woman. What right does it confer upon the woman under the civil law? None. What right, I submit, does it confer upon the person who keeps such a woman, the right to retain her without any corresponding right on her part to maintenance or inheritance? For, as Honourable Members here are aware, the right of maintenance provided for in section 488 of the Criminal Procedure Code is a right of maintenance of wives and children. Persons who are allied by this cryptic term quasi-marriage are not entitled to the protection which that law confers upon wives and children. What is, then, likely to be the result? In a very large number of cases the accused will escape through this wide loophole of law by pleading that the relationship he had contracted with the girl was that of a quasi-marital character. It might be said, Sir, that this is a phrase which has been inserted in clause 2, which is a penal clause, and it is not likely that this expression will find place in the civil law of the country. But I venture to submit that once an ambiguous expression finds place in any part of the statutory laws of this country it is apt to find place in other statutory enactments. And, confining for the moment our consideration to section 372, I submit that the purpose we have in enlarging the scope of section 372 is likely to be defeated if *Explanation II* is enacted into law, in the form in which it is drafted. I would, therefore, suggest for the consideration of the Select Committee a change something to the following effect:

“For the purpose of this section illicit intercourse means sexual intercourse between persons not united by marriage or by any union or tie which amounts to a marriage.”

I submit, Sir, that is the only exception which the accused is entitled to plead in his defence, and I would therefore delete the remainder of *Explanation II*.

I have another objection, Sir, to this draft measure, and I shall briefly state it. Honourable Members will find that in the Preamble the intention of the Legislature is stated to be greater protection to persons under the age of 18 years, and yet we find, if we turn to clause 5, that the Legislature intend merely to substitute the age of 16 for 14 in that clause. Honourable Members will remember that section 552 of the Code of Criminal Procedure deals with certain magisterial powers for the protection of minors and restoring them to custody, and so on, when they are below a certain age. That is a salutary supplementary provision which exists in the Code of Criminal Procedure. Now I wish the Honourable the Home Member to consider whether it would not be in consonance with

the declared policy of Government and in consonance with the express terms of the Preamble that the word 'eighteen' should be substituted for the word 'sixteen', which will have the effect of protecting not only minors below the age of sixteen, but also minors below the age of eighteen when they attain the age of expression according to the statutory law. I do not see, Sir, why this halting and hesitating measure which is proposed to be enacted in clause 5 should not go the full length, which it should, and which it is the object of the Legislature that it should, by protecting all minors during their minority before they have completed the age of 18 years. These are the two observations that I wish to make on the subject and I wish to fortify myself by informing this House that in framing this measure we are not going in advance of the times, but are far behind the English statutory law which protects girls in similar circumstances when they are below the age of 21 years. Under the Criminal Law Amendment Act of 1885, clause 2, procurement of girls below the age of 21 is a punishable offence, and the provisions of the present enactment should be assimilated, as far as possible, to the English Statute enacted as far back as 1885. I submit, Sir, while we all welcome this measure, I would ask the Select Committee to closely and carefully examine these two points which I have submitted for the consideration of this House and which, if not carefully dealt with, are likely to nullify the effect of the proposed legislation.

Mr. Mahmood Schamnad Sahib Bahadur (West Coast and Nilguries: Muhammadan): Sir, I beg to differ from the last speaker when he condemns the phrase 'quasi-marriage' in the Bill. Because in Malabar there is a system of marriage, known as 'Sambandam', among Hindus, by which a man and woman live as husband and wife for as long a time as he or she likes, and afterwards they separate as they like. Now, Sir, that is not a regular marriage, but it is a system recognised as a *quasi-marriage*. I therefore think, Sir, that the phrase used in the Bill is quite necessary.

The Honourable Sir Malcolm Hailey: Dr. Gour has referred to two points which are less of principle than of detail. The first point is admittedly a difficult one, namely, the definition in *Explanation II*, for it had caused much discussion in the Select Committee of 1914. I have no doubt that the Honourable Pandit Madan Mohan Malaviya will well remember the case as he was a Member of the Select Committee. The definition adopted there provides for the case of persons who had entered into a relation which is not strictly matrimonial relation but nevertheless is recognised by the common custom of the country as one which is neither illicit nor immoral. The definition adopted in 1914 was as follows:

"Intercourse between persons not united in marriage or bound by any union or tie which, though not amounting to marriage, is recognised as lawful by their personal law."

That definition was objected to in the course of circulation by certain Local Governments who said that the term "personal law" in itself was not sufficiently explanatory. Our Legislative Department have done their best to meet the case. No doubt the legal acumen available to us on the Select Committee will duly perpend the possibility of a more satisfactory definition and place it before the House.

As regards the second point, I would remind Dr. Gour that section 552 merely refers to the powers given to a District Magistrate to enable the immediate restoration to her liberty of a woman or to her legal guardians of a female child under 14 years who has been abducted or unlawfully detained.

[Sir Malcolm Hailey.]

The age of 14 years was apparently fixed as that which was reasonable for the restoration to a parent or guardian or other person having legal charge. They only question is whether it is wise in these restricted circumstances to raise the age to 16 or to 18 years. There are many complicated questions arising out of the age at which guardianship ceases, as we learned when we came to discuss the Bill which we placed before the House the other day. I do not myself regard this as matter of principle, to which the House is committed merely because it sends this Bill to Select Committee. It is one which can be well discussed in the Select Committee itself.

Mr. President: The question is:

“That the Bill further to amend the Indian Penal Code and the Code of Criminal Procedure, 1898, for the purpose of affording greater protection to persons under the age of eighteen years, be referred to a Select Committee consisting of Colonel Sir Henry Stanyon, Pandit Madan Mohan Malaviya, Sir P. S. Sivaswamy Aiyer, Mr. L. S. S. O'Malley, Sardar Gulab Singh, Khan Sahib Ghulam Bari, Maulvi Abul Kasem, Mr. B. C. Pal, Mr. Gaya Prasad Singh, Dr. S. K. Datta, Sardar V. N. Mutalik, Mr. K. Rama Aiyangar, Haji S. A. K. Jeelani, and the Mover, with instructions to report on or before 10th March, 1924.

The motion was adopted.

THE INDIAN TARIFF (AMENDMENT) BILL.

Mr. N. M. Dumasia (Bombay City: Non-Muhammadan Urban): Sir I beg to move:

“That the Select Committee, to which the Bill further to amend the Indian Tariff Act, 1894, for certain purposes has been referred, do consist of the following members, namely:—The Honourable Sir Charles Innes, Diwan Bahadur T. Rangachariar, Sir Campbell Rhodes, Mr. Shanmukham Chetty, Sir Purshotamdas Thakurdas, Sardar V. N. Mutalik, Mr. K. C. Roy, Mr. A. R. L. Tottenham, Mr. B. Venkatapatiraju, and myself, with instructions to report on or before 4th March, 1924.”

It is necessary to expedite the Report because last year Government lost 12 lakhs of rupees in revenue only through matches being imported through the Siamese frontier. I have no further remarks to make except that the Select Committee will consider other interests also, namely, the interests and rights of Indian States.

Mr. K. C. Roy (Bengal: Nominated Non-Official): Sir, I propose that the name of Mr. Jinnah be added to the Select Committee. He has agreed to serve.

The motion was adopted.

Mr. S. C. Ghose (Bengal: Landholders): Sir, I move that the name of Mr. Bhubananda Das be added to the Select Committee. I have his authority.

The motion was adopted.

Mr. President: The question is:

“That the Select Committee, to which the Bill further to amend the Indian Tariff Act, 1894, for certain purposes has been referred, do consist of the following members, namely:—The Honourable Sir Charles Innes, Diwan Bahadur T. Rangachariar, Sir Campbell Rhodes, Mr. Shanmukham Chetty, Sir Purshotamdas Thakurdas, Sardar V. N. Mutalik, Mr. K. C. Roy, Mr. A. R. L. Tottenham, Mr. B. Venkatapatiraju, Mr. M. A. Jinnah, Mr. Bhubananda Das, and the Mover, with instructions to report on or before 4th March, 1924.”

The motion was adopted.

ELECTION OF PANEL FOR THE STANDING COMMITTEE FOR THE DEPARTMENT OF EDUCATION, HEALTH AND LANDS.

Mr. M. S. D. Butler (Secretary, Department of Education, Health and Lands): Sir, I beg to move:

"That this Assembly do proceed to elect in the manner described in the Department of Education, Health and Lands Notification No. 114, dated the 7th February, 1924, a panel of 16 members from which the members of the Standing Committee, to advise on questions relating to Emigration in the Department of Education, Health and Lands, will be nominated."

Previously, Sir, there was an Emigration Committee, but it was entirely nominated by the Government. It is felt that now this Committee should be set up in the same way as the ordinary Standing Committees of this House. We therefore come to the House to ask them to elect a panel from which the actual members will be nominated in the customary manner.

The motion was adopted.

Mr. President: As the result of the decision just made by the House, I have to announce that nominations for this Committee will be received by the Secretary of the Legislative Assembly up to 3 o'clock on the afternoon of Wednesday, the 20th February, and that the election will be held in this Chamber on Monday, the 25th.

RESOLUTION RE THE GRANT OF FULL SELF-GOVERNING DOMINION STATUS TO INDIA.

Mr. President: The Assembly will now resume the debate on the Resolution moved by Diwan Bahadur T. Rangachariar in the following terms:

"That this Assembly recommends to the Governor General in Council that he be pleased to take at a very early date the necessary steps (including if necessary procuring the appointment of a Royal Commission) for revising the Government of India Act so as to secure for India full self-governing Dominion status within the British Empire and Provincial autonomy in the Provinces."

Since which an amendment has been moved:

"That the following be substituted for the original Resolution:

'This Assembly recommends to the Governor General in Council to take steps to have the Government of India Act revised with a view to establish full responsible Government in India and for the said purpose:

- (a) to summon at an early date a representative Round Table Conference to recommend, with due regard to the protection of the rights and interests of important minorities, the scheme of a constitution for India; and
- (b) after dissolving the Central Legislature, to place the said scheme for approval before a newly elected Indian Legislature for its approval and submit the same to the British Parliament to be embodied in a Statute'".

Mr. Bipin Chandra Pal (Calcutta: Non-Muhammadan Urban): Sir, in rising to move the amendment that stands in my name on the agenda paper, namely:

"That all the words after the words 'he be pleased' be deleted and the following be substituted therefor:

'to forthwith appoint a Committee consisting of two-thirds members to be elected by the elected Members of this House, to (i) examine the possibilities of the expansion of responsibility in the provinces to the utmost limits permissible under the present Government of India Act, and advise the Government to take the necessary steps to secure such expansion by Regulations framed under this Act, within the year 1924; and (ii) to

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prepare the outlines of a Bill to amend the present Government of India Act with a view to secure the establishment of full responsible Government in India, under the terms of Parliamentary Announcement of August 20, 1917, within the life time of the present Indian Legislature, by the transference of all departments at present administered by the Governor General in Council, to the control of the Indian Legislature, except Foreign Affairs, pending the constitutional reconstruction of the Empire, including relations with the ruling princes and chiefs of India, and for the next ten years only, the Army, the Navy, and the Air-Force'".

I find myself in a rather difficult and awkward position. I feel like the man rushing to the ring where two powerful protagonists, armed with iron knuckles, are spoiling to come to close grips with one another, and, for all the pains that I may take to intervene between them and throw a bridge between the two so that they may come to some agreement in regard to the matter in dispute, I quite expect, Sir, that I shall get the hardest knocks from both sides. My friend, Pandit Motilal Nehru, has moved an amendment, a very simple amendment it is. He says it is very simple. We must admit that, on the face of it, it is very simple. But the simplest solutions are not in politics and state-craft always the most effective. On the other hand, the Honourable the Home Member has tried to impress upon us the extreme complexity of the problem with which this Resolution and this amendment deals. While I was listening to his admirable speech, and I hope he will allow me to say it that it has not been my lot to listen to or read a more powerful exposition of the policy of Government than what I had the privilege of hearing from the Leader of this House on the Bench opposite, it seemed to me—I hope he will pardon me for saying it—that, while he was thinking like a capable and experienced administrator, and while he was speaking with all the cunning of the clever advocate, he missed one thing that is wanted for the solution of this problem, and that thing—I hope he will kindly excuse me for saying it—is far-sighted statesmanship. What we want here is not mere administrative ability or experience; what we want here is not merely the special pleading of the clever advocate. What we want here is the vision of the statesman, who will be able to see things that are coming long long before they come and so shape present policy and action that the evil possibilities of the future may be reduced to the utmost minimum and the good possibilities may be augmented to the fullest measure. I must confess that I have missed this far-sightedness, this quality of constructive statesmanship, in the statement of the Honourable Leader of the House. He has reminded us of the complexities of the present situation. He has called our attention to all the things which have been urged upon us for the last 50 years and more, asking us to be cautious in our demand, asking us to slacken our pace, holding up to us the hope that "if we are faithful in a few things, we shall be made ruler over many other things." But have we not been faithful to the few things that have been granted to us from the year 1861, when the first Legislative Council was organised in India, if not from earlier? We have been faithful to the few things that you, Sir, and your predecessors have given us. But what is our reward? "Wait more. The time is not yet." When will that time come? Will the time come when the issue has passed entirely out of our hands, out of the hands of the intellectual classes of the country, out of the hands of those who are out not to destroy but to construct, out of the hands of those who want not to break the British connection but to keep it, if it can be kept honourably, and consistently with the self-respect of the Indian people? When will it come? That is the question that I want to put before this House.

The Honourable the Home Member asks us to remember the Indian Princes. Yes, we remember them. We know how they feel under the present state of things. They may not speak. They cannot speak. Their lips are sealed. They are not free to speak. In their own house they are not masters of themselves. But, we know how they feel. We know that they would welcome—the good Princes,—those who are administering their State according to the most advanced ideals of modern civilisation and modern statecraft—we know that these good Princes would welcome the establishment of full responsibility in India so that the movement of freedom in India may be able to react upon their own administration and improve their own administration and help them to move onward, towards the goal which India, as a whole, has already set before herself. But I will not take my stand upon these things. I take my stand, Sir, upon my own amendment. Sir Malcolm Hailey has asked us to remember the Indian Princes. “Will they agree to deal with an Indian Executive, controlled by an Indian Legislature?” asks Sir Malcolm. So far as my amendment goes, Sir Malcolm Hailey will see that I had anticipated his objection. I say distinctly that, pending the constitutional re-construction of the Empire, foreign relations at present under the control of the Governor General in Council shall continue to be in his control, including relations with the Indian Princes. There, I think, is our answer. If you accept this amendment, I think Sir Malcolm Hailey’s argument drawn from the position of the Indian Princes, will fall automatically to the ground, because we leave the Indian Princes to his tender mercies. The Viceroy may deal with them just as he likes. We are not concerned just now with the Indian Princes. We are not concerned with foreign relations. We shall demand our right of controlling foreign affairs including affairs relating to the Indian Princes, when the Empire is properly reconstituted, just as it wants to be reconstituted. This question of the constitutional reconstitution of the Empire was among the questions that stood on the agenda of the Imperial Conference during the war; but it was put off on the distinct understanding that at some later date it would come up and be settled once for all. Then—when this question is settled—we shall have a Council of the Empire, and in that Council India will have her own place, her rightful place, as an equal partner in the British Commonwealth of Nations. India will then control her foreign policy including the relations with the Indian Princes and the foreign policy of the Empire as a whole, through the Council of the Empire on which England and the Colonies will sit. We leave all these things to you for the present.

Reference was made, Sir, to the Army and the Navy and the defensive forces of the Empire. If you look at my amendment, you will see that we are prepared to leave these also to your tender mercies for the next ten years; not perpetually, not till the reconstruction of the Empire, but we want ten years’ time to prepare ourselves to take over from your hands the administration of the defensive forces of the Empire. Give us ten years’ time. Help us during these ten years to be able to defend ourselves, and then, at the end of ten years, we shall be able to take up the responsibilities which you shoulder now. We shall give you relief, after ten years, of military administration and we shall get relief ourselves after ten years of military expenditure also. That is our position.

Then we are referred to the commercial interests—foreign commercial interests, and foreign capital employed in this country. Now, what is the Nationalist policy with regard to these? You ask us to trust you. We ask you to trust us. We are also sensible men. We have also a sense of responsibility. We accept the obligations which you, as the Government

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of India, have incurred during the last 150 years. You have encouraged foreign capital to come to this country and all the obligations that rest on you owing to the presence of this foreign capital in India shall be taken over by us when we have full responsible government. But you simply tell us of the conflicts, but why not give us a formula, a principle? Why not show us a way to the reconciliation of these conflicts? The mere enumeration of conflicts does not remove them. We want a principle. If the Honourable the Home Member could give us a principle of reconciliation between India's demand for full responsible government and the legitimate rights of the vested interests of British capital in India,—if he could give us a formula, a rule, some principle of compromise, we would have thankfully accepted it. But he has done nothing of the kind. He simply says, "here are the foreign capitalists, the obligations of the British Government to foreign capital which has been encouraged to come to this country by the presence of this British Government. That is no solution. The solution would be this. You may, if you want, have a provision in the new Government of India Act which we want,—you may have a provision that the Indian Legislature responsible for the Government of India to the constituencies in India shall not legislate differentially and prejudicially—mark the two words, "differentially and prejudicially"—concerning any matters affecting existing foreign capital in this country. I use these two words "differentially and prejudicially" advisedly. If it be necessary for purposes of revenue or otherwise, or for purposes for which my Honourable friend, Mr. Joshi, stands in this House for improving the condition of labour, if it be necessary to restrict capitalist exploitation in India, for these necessary and legitimate interests to tax capitalist interests, the Indian Legislature must be free to do it, provided no differential and prejudicial legislation, differential treatment prejudicial only to foreign capital is enacted, if nothing is done to hurt foreign capital as against native capital. If we can do that—have some such provision in the revised Government of India Act establishing full responsible Government in India—I think that will be a solution of the problem. We shall not treat British capital or foreign capital prejudicially to and differentially from Indian capital—that is all that anybody can ask of us.

I come next to the services. Now, we have accepted the obligations of these services. No responsible Indian statesman has ever said that your covenants with the members of the Indian Civil Service shall be disregarded by us when we come to occupy your Benches. We have never said that. We accept your obligations. All that we say is that in the future you shall not enter into those obligations except by our wishes and in accordance with our requirements. That is all we want. We accept every obligation that you have entered into. Now, all these are practical principles of reconciliation. If you want the whole hog, if you will not be satisfied with your legitimate share in the administration of this country, if you will not be satisfied with the terms of your bond, but if you want to perpetuate our bondage, if you want to carry on these obligations in perpetuity from generation to generation till the end of time, then we have our quarrel with you. We accept all obligations that you have entered into, and so on and so forth. Sir, in regard to all the objections which the Leader of the House brought forward against our demand—that demand is a unanimous demand. Mr. Rangachariar's Resolution is in the main accepted by every Member on this side of the House. There is not a single Member on this

side of the House who is not determined to try his best to secure early establishment of responsible government in India. We are every one pledged to it. Our election manifestoes are a proof of the pledge which we gave to our constituencies in regard to this matter. We shall strive for the early establishment of responsible government in India. But we are told by the Honourable the Home Member: "You must work upon the basis of the present Act." What, Sir, is the basis of the present Act? The first basis is this that we must accept the Act. Now, we do accept the Act. My Honourable friend, the great Leader of the Swarajists, nods his head like Jupiter. Now, do we not accept this Act? (*Cries of "No."*) Then we are not working at cross purposes but using this word "accept" at cross purposes. The moment you went to your constituencies you accepted this Act, because it is this Act which created those constituencies. In coming to this Assembly you accept (*Cries of "Not at all."*) this Act because you are obeying the rules and regulations framed under this Act in your deliberations here (*Cries of "No, No."*) I quite agree that this Act is not satisfactory to us. When I say I accept an arrangement I do not say I accept it for good.

Mr. Amar Nath Dutt: (Burdwan Division: Non-Muhammadian Rural): We are coerced into acceptance.

Mr. Bipin Chandra Pal: We were not coerced three years ago into acceptance. You might keep yourself out, no one would coerce you then. But in coming to the Assembly you are not coerced, but you agreed to accept this law. But that is a matter which I will not labour. Now, here is the Act. This Act is inadequate, this Act is unsatisfactory, this Act is disappointing, but, unless, you are out to attain your Swaraj by physical revolt or revolution, what other means is left open to you except to attain this Swaraj* by an amendment of the present Act? And the moment you ask for an amendment of the present Act you accept this Act. You cannot ask for amendment of a Resolution if you absolutely deny the whole Resolution. You accept the principle of the Resolution, but you do not accept the details of it. That is what is meant by amending. Therefore, let us be clear on this point. We do accept this Act. But what is this Act? This Act declares that responsible government is the goal of British policy in India. That is what is said in the Preamble. Now, we accept that. The second point in the Preamble of this Act is progressive realisation of responsible government in India as an integral part of the British Empire and we accepted this also—we all accept it. But the Preamble also says that the time and measure of each advance shall be determined not by the people of India but by the Government of India in Delhi and Simla and by His Majesty's Government in London. We never accepted this after-thought of the announcement of Mr. Montagu. "I may add", he said "I may add" represents an after-thought. It was not, so far as I could understand it, an integral part of the announcement of 1917, and this interpretation was possible. So the Joint Committee put this in the Preamble of the Act. But I simply treated it with absolute neglect when I considered the Announcement of August 20th and I said it was an after-thought of the Secretary of State for India. But we know some thing of the ways of politicians. We know some thing how they leave loopholes to enable them to get out of an awkward situation if circumstances do not force them to accept that situation. During the War there was a difficult situation. During the War something had to be done to satisfy Indian aspirations. During the War the situation in India was grave. Lord Hardinge said it. Lord Chelmsford cabled it. I speak on the authority of Lord Islington

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who spoke in the House of Lords on the 24th October in the same blessed year of 1917, just a couple of months after the Announcement was made. He said that the gravity of the Indian situation compelled the Government in England and the Government in India to enter into this complex question of constitutional reform in this country. The situation was very grave and something had to be done to meet this gravity. That was the situation. But while doing that something, they left a trap door open. If the situation should cease to be grave, they might press the button and get out of it and that trap door is the after-thought "And I may add. . ."

But we admit even that. In our amendment we have practically accepted even that limitation. We do not say that we are going like so many Indian Cromwells, backed by our Ironsides, to the Houses of Parliament to purge it of undesirable Members. We ask Parliament itself, we ask the Government of India itself, we ask the Government in England itself, to recognise that the time has come when a more definite, a more unmistakable and a very large step in advance should be made towards the goal which they set before them. We are not legislating. We are not deciding as to what is to be done. Are we not perfectly within our rights, Sir? Are we not perfectly within the terms of this law which says that the time and measure of each advance shall be determined by the Government of India and the British Government, in asking these Governments to revise this Act how and immediately? Does the law say that the Government of India and the British Government will determine the time and measure of our advance in the light of their subliminal consciousness? Does it say that we are not to tell the British Government and the Government here how the situation is and what the situation demands? And this is exactly what Mr. Rangachariar's Resolution wants and this is what my amendment proposes.

Then the Honourable the Home Member referred to progressive realisation. Now that is also a very very convenient phrase. But why is it taken for granted that we started upon this progressive realisation from the 20th August 1917? Why is it taken for granted that before Mr. Montagu came to this country and had conferences with the Viceroy and interviewed all and sundry, we had not already started upon the goal which they at long last publicly set before us? What was the Act of 1861? Was it not a step towards the goal which we want to reach to-day? Before 1861 you had no Legislative Council. The Executive did all legislative work. After 1861 we come to 1892. Lord Cross' Act. What was it? Was it not an advance upon the Act of 1861? Before 1861 we had practically no voice in the legislation or administration of the country. In 1892 Lord Cross' Act did not give us an effective voice, it is true. But it gave us a place in the machinery of government, only a place but neither influence nor power. It gave us no power, but it gave us some little influence, not much, but just some little influence, just as much influence as we could exert on the Government by casting our little shadows before the fiery steeds of Lord Dufferin's chariot of the sun on which, he said, we wanted to ride. We had influence, but no power. The Act of 1909 gave us more influence, but still no power. The Act of 1919 has given us power but no responsibility, and power without responsibility is a dangerous thing, whether in statecraft or in a household and it is this which I want the Honourable the Home Member to remember and to seriously ponder over. We have got power. I do not say we will use that power but we have got that power (A Voice: "Have you!") You

have, Sir, and you are making your power felt here and elsewhere very inconveniently to the authorities. So look at yourself. You have got power but not responsibility and I say power without responsibility makes for revolution. Power without responsibility makes for wrecking. Power without responsibility creates deadlocks and, if you are not prepared to drive the legislators not only here but outside in the country also, in the provinces, to adopt this policy of deadlocks and wrecking, for goodness' sake, for your sake, for the sake of the Empire, for our sake, for the peaceful evolution of Swaraj in this country, give us responsibility, full responsibility. That is what we want. Considerable intelligence and learning and rhetoric have been spent upon the word "immediate". We want immediate Swaraj. Well, it is five minutes to one, now. Do we want, just as the clock strikes one, that our friends opposite should pack up bag and baggage and that my friend Pandit Motilal should take their places and control this House? We do not want that. We do not say so. There must be some time. You have a complicated and complex machinery of administration and this machinery will have to be re-adjusted to meet the requirements of responsible government in India. This re-adjustment will take some time. Not at once, Sir. We use the word 'at once' really as rhetoric. When we say immediately, what is the meaning of 'immediate' (*A Voice*: "Forthwith.") No. It means without anything mediating between now and the future. That is immediate. I want the existing government, the machinery of this government, to gradually adjust itself, to gradually adapt itself, to gradually reconstruct itself, to gradually reform itself, to make room for that full responsibility which is our birthright. Now, the word 'immediate' is not used in the sense of 'at once' here. All that we want is that there shall be no intermediate period either of military autocracy in India or of anarchism among us or any other condition or state before we go from the present government to the full Swaraj government in India. That is what we mean by immediate establishment of responsible government in India.

Now, I will not take up any more of your time. I will just invite your attention to my amendment. What is the difference between my amendment and that of Pandit Motilal? I am not going to fight him. I am too poor to fight, too weak. He has got all his phalanx behind him and I am not going to try to fight him. I will not challenge him, but I will ask him this question. Does he not give to the Government far more than I am prepared to give them? (*A Voice*: "No.") I know clever lawyers can argue anything. They can make day into night and night into day. But I do contend, Sir, if words have any meaning, Pandit Motilal's amendment asks the Government to summon at an early date a representative round table conference. Who are to be the members of that representative round table conference? The Government will pick and choose our representative men. I attribute no motive, but it is at least within the range of our oriental imagination to figure a round table conference convened by my Honourable friend opposite which may not be sufficiently round for the purposes of my friend Pandit Motilal Nehru. He has already given us a hint on that matter. There are these interests and those interests and he may put in as many representatives of these and those interests into this round table conference as will suit his purpose or advance his policy. And the result of it will be that after we have worked and talked and wrangled round this round table for full three months, we shall never come to a conclusion. There will be people who will, like our friend, Maulvi Abul-

[Mr. Bipin Chandra Pal.]

Kasem, want a big slice of the pig, or as big a slice of the animal as possible. I am sorry, Sir, I referred to the slice of the pig, I meant no offence. But I was remembering an anecdote, which I will not quote here, of the late Sir Wilfred Lawson. But that is neither here nor there. He will want to know how he and his co-religionists stand in the Swaraj constitution of India. My friends, the Indian Christians, will ask what is to happen to them. My friend, and one of my electors, Colonel Gidney, will like to have a big slice of whatever animal may be placed on the table. He will want to have a

1 P.M. very big slice for his own community. Then, there is Sir Henry Stanyon and all the representatives of British capital in this country, and British intellect and British prestige and British character; they too will want to have a finger in the pie, and, when all these people have been gathered round Pandit Motilal's round table, I do not know what will happen. I cannot say what will happen. I do not trust the Government; I do not trust the Government with this duty. I do not want them to form the convention. I want the convention to be formed by this House. I want the Committee to be elected by this House; two-thirds of the members to be elected by the elected Members of this House. That is my proposition. For one-third there is the Government. Here there are different interests represented among the elected Members, and I am confident that none of these different interests will have any reason to complain of their position in the Committee when we are asked to appoint this Committee. I daresay Pandit Motilal is so reasonable that he will put in Sir Henry Stanyon on this Committee. He will not vote against him because he is out, not to destroy Sir Henry Stanyon, but to destroy the present British Government, to mend it or end it. So Sir Henry Stanyon will be left with his practice and his purse; and Mr. Willson also, he will have him also, and he will have our Muhammadan friends and others also in this Committee. So we need not fear about the composition of this Committee. Two-thirds to be elected by the elected Members of this Assembly and one-third to be appointed by the Honourable Member opposite. That ought to satisfy both sides. And then, what are the objects, what will be the duties, what is to be the reference to this Committee? I say first of all this Committee is to explore the possibilities of the present Government of India Act so far as Provincial responsibilities are concerned. We are all reasonable men, and we who are not probably considered reasonable outside, I think will be accepted as reasonable here. We are all reasonable men, we cannot expect the Government to work out an amendment of the Government of India Act in the course of three weeks only, before the Budget comes on. We cannot expect it. They can show us a gesture; they can show us a little bit of their heart, as Pandit Motilal would say. My friend Pandit Malaviva is hankering for the heart of Sir Charles Innes, but, Sir, I frankly say that that would rather embarrass me. I do not want the heart of the gentlemen opposite, I want their heads—not on a charger. I want their heads, I want their intelligence. I know, as Members of the Government, as parts of a machine they have no heart, have no business to have a heart. As individuals, when they stand outside the machine of which they are parts, they have hearts, as soft as ours. But machines have no heart. Those who have the privilege of keeping automobiles, I wonder, if they will find their cars run more quickly if they kiss them once in the morning and once at night when they go to bed. What the car requires is not kisses, but adjustment; what the car requires is a little oiling. And this bureaucratic machine also requires a little oiling,

a good deal of oiling sometimes, and it requires a little care to the moving gear. I do not want their heart. But I take it that Sir Malcolm Hailey may well take care of the minorities and other interests for which he pleaded before us, and he will see that these are represented. Then I want Provincial autonomy to be attained within this year. We cannot expect the Government of India Act to be amended in the course of one year; we are not so unreasonable. I remember, Sir, when the South African constitution was being passed through Parliament. That constitution was framed in South Africa, and it was brought to England by General Smuts, by Stein, by Fischer and others. I had the privilege of meeting this South African deputation in London in the house of my late lamented friend, Mr. W. T. Stead, and I saw what happened there. They were there—these delegates from South Africa—and Mr. Stead said: “You know, gentlemen, how our people fought you and conquered you: and now what has happened? You have come to this country, not as vanquished enemies, but really as our conquerors,” and Mr. Stead took up a piece of paper, rolled it up in his hand like this, and said: “You have come with this constitution. There are many things in this constitution with which we do not agree; there are many things in this constitution which outrage our liberal sentiments; but you push it down our throats, and we have to gulp it down.” Now if we had the power, as Stein and Fischer, Smuts and others had, if the conditions, precedent to the passing of the South African Constitution were present in India, I would accept Pandit Motilal’s amendment. I would say, go on right ahead and have your constitution if you can force it down the throats even of our old friend Mr. MacDonald and his Labour colleagues. You cannot do it. Even the most friendly Labour-Ministers cannot do it. They have to consider the Liberals and their own British constituencies. No Government in the world, least of all any democratic Government, is all-powerful. Autocracies are more powerful than democracies, and the representative of British democracy in England is not all-powerful, and cannot do all that the Members of any Government may want to do. They have to take note of their position. Therefore we must give them time. We must give them time, and my amendment gives them time for the amendment of the bigger Act, the Government of India Act. I shall be satisfied if the Government of India Act is amended during the life time of this House, and I shall be satisfied in the meantime, and I hope my friend Pandit Motilal also will be satisfied with the friendly gesture which the Honourable the Home Member will make, if he accepts my amendment, and assures us that before the end of 1924, something very substantial will be done by regulations to establish Provincial autonomy, introduce Provincial responsibility to the farthest possible limits permissible under the Act, within this year. That is my amendment. I do not know. They say it is useless to preach to the converted. I think it is worse than useless, Sir, to preach to those who are determined not to be converted: but I have had my say, and I leave it to the country outside to judge of the work that we are doing here.

With these words I move my amendment, Sir.

Sardar Bahadur Captain Hira Singh (Punjab: Nominated Non-Official): Sir, I am here as a representative of a class which in India of the past played a very considerable part in the making and breaking of Governments in this country. In the advanced times in which we live now another and no doubt more competent class of constitution makers has come into existence. But I think it is admitted by everybody that in the end, whatever the Government may be, it must rest upon the solid foundation of its capa-

[Captain Hira Singh.]

city for defence against foreign invasion and internal disorders. In other words, Sir, a nation's capacity for self-government depends in the ultimate resort on its Army and Navy. I have no doubt that the supporters of this Resolution have duly considered that point. But the speeches of some of my Honourable friends have made me doubt whether they fully realise the composition, organisation and function of the Army. Sir, the Indian Army to-day is a very highly organised and most efficient force for offence and defence, and I think that most of my Honourable friends know well that it is not due only to the labour and valour of the rank and file, but to the genius, devotion and example of the long list of brave and honourable men whose life work it has been to improve and perfect the Indian Army and bring it to its present high standard of efficiency.

I do not wish to enter here, Sir, into the reasons why we have not trained ourselves sufficiently to be able to undertake the organisation of our Army without assistance. I have heard it said that we have not been given the opportunity to do so. But I would reply—Have we in the past been really anxious to take service in the Army and to send our sons to the Army?

Pandit Madan Mohan Malaviya (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Yes.

Sardar Bahadur Captain Hira Singh: No, Sir. Were we not content for a very long time to send the uneducated classes to the Army and ourselves to aim only at civil careers? However that may be, it is a fact that we have in India to-day nobody ready to take the place of the highly trained British military organisation. In civilian life, Sir, I have no doubt (as I see in this House) India can produce a large number of administrators and a still larger number of learned lawyers, merchants and great zamindars, who would doubtless be quite willing to devote their spare time to the art of civil Government. But in the military sphere we have yet to fashion a higher command and leadership trained in the art of modern warfare. Without that trained high command, Sir, I am afraid the most devoted army which took us two generations (if not more) to build up, would be in war only fodder for the enemy's guns; while in peace time there would be a danger of its being employed in support of internal factions. For, Sir, there is still a saying current in my part of the country—

“ Jis ki lathi us ki bhains, ”

which means whoever has the stronger party, the Army will follow them.

Therefore, Sir, in all earnestness I must say that before we aspire to political power we must possess an efficient instrument of our own for controlling our military forces. Since 1919 we have got about 70 Indian King's commissioned officers. These include a few from the Indian land forces, others were commissioned through the Indore Cadet College and 34 who have completed their proper military training at Sandhurst. Most of these officers are junior young subalterns commanding platoons but the time will come when they will rise to field officer's rank and they will be trusted to command and lead their troops in the field. And it is sincerely hoped that His Excellency the Commander-in-Chief will afford them opportunities and facilities for fast training in several branches of the Army so as to make them fit for staff duty in a short time. Sir, I take this opportunity of respectfully requesting His Excellency the Commander-in-Chief to note that the number of 10 Indian gentleman cadets sent to Sandhurst annually is too small for our big country, and I have every hope that

His Excellency the Commander-in-Chief at no distant date will arrange to double the number at least, and grant more Commissions to those qualified Indian officers who hold Viceroy's Commissions. But, Sir, no modern Army can exist without a highly trained General Staff, and a General Staff cannot be made in a day even from the ranks of a professional soldiery. I may quote, Sir, Sir Sivaswami Iyer's own words in the "Nineteenth Century Review":

"No sane Indian politician advocates the filling up of the higher ranks of the Army with Indians without training or experience."

What would be their fate if the controlling influence of the British officers was removed and replaced by incompetent command over the 138,719 Indian troops composed of 101 different classes. *e.g.*, Pathans, Gurkhas, Dogras, Sikhs, Rajputs, Mahrattas, Madrassis, Muzbis, Punjab Muhammadans and several other classes? The result can better be imagined by the House than described.

Then, Sir, let me turn very briefly to the question of naval defence. I am not an authority on this question but I think full Dominion status, even within the British Empire, implies some kind of ability on our part to protect the 4,000 miles of coast which India possesses. I believe, Sir, that an Indian Navy has been or is about to be framed. I see most eminent personages of high rank and position sitting in this House but to-day when we shall have our own Admiral-in-Chief sitting amongst us is still at a distance. In the meantime I suppose the increased cost of naval defence has been considered. We pay at present only a small fraction of what it costs the British Government to patrol Indian waters.

Sir, the class which I have the honour to represent are not fond of debate. They are men who have played a large part in the destinies of their land and will do so in the future if handled properly. They are men who have borne and will bear the burden of defence. They are the men who in the last great war by their devoted sacrifice have shed that lustre on the Indian name, the credit for which is so proudly claimed by all of us to-day in this House and outside. To that class I belong.

Sir, the road of development and progress in India has been long and weary, but we are now within sight of the goal which we are sure to reach. It is only a matter of time and a little patience. But at this critical juncture there are some who would open wide the throttle lever of the car of State, regardless of the danger of its getting out of control and dashing headlong on the road to destruction. Some of us are impatient even of the warning hands of the guardians of the road. That way, Sir, lies danger and disaster. For immediate self-government implies full-fledged power, an army to uphold it and wise and experienced military administrators, and those, as I have said, are not made in a day. Time and patience are needed in the fashioning of them and woe betide the country and the army cursed with an incompetent higher command. I speak on this, Sir, with knowledge and experience, not from a desire to talk, but with a profound sense of responsibility. Therefore, in my humble opinion we must first seek to make that instrument perfect before entering the first stage of Swaraj, otherwise this defect may cause further disappointment and going back and delay in attaining the goal which has been fully promised to us by the British Government; and after all it is not so long that we have to wait; the goal is well in sight; the ultimate boon has already been conceded to us. Our work is the work of preparation and consolidation for the great adventure. Let us bind our energies to that task; for there is yet much to do; show patience rather than hasten

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to grasp the reins of power before our skill is equal to the task of steering the coach of State and the Indian Army.

Sardar B. A. Dalal (Bombay: Nominated Non-Official): Sir, I have followed the debate on this Resolution with very keen interest and, though I had come here ready to be convinced by the supporters of the demand for immediate full responsible Government, I regret to say that after hearing them I am still of opinion that the time is not yet when my country could be safely entrusted with these wide powers.

We have been reminded in this House of India's past greatness. No one can deny that fact but may I draw the attention of this Honourable House to the very pertinent observations on this point made by His Highness the Maharaja Gaekwar in his Convocation Address to the Benares University. These are His Highness' words:

"While we boast of our glorious past, let us remember that there must have been in it the seeds of our decline to our present inglorious position".

Has any thought been given to these words of wisdom? Then, Sir, my Honourable friend Mr. Chaman Lal drew a very dark picture of the Indian nation under British administration. There was not one white spot in that picture. Sir, I used to believe that one of the biggest virtues an Indian possesses is gratitude. I will say no more.

The Honourable Pandit Madan Mohan Malaviya during his very interesting speech offered to give numerous guarantees, one such being that my countrymen would settle the Hindu-Muhammadan differences immediately responsible Government was granted. Now Sir, in appraising the true value of a guarantee, is not one to take into account the past record? What does that show? That in the Punjab, in spite of most strenuous efforts, Messrs. Das and Company failed most convincingly to bring about an understanding. What happened last week in Delhi when the Honourable Pandit himself made efforts on behalf of the untouchables? Shall we, who have undertaken to discharge our duties faithfully, attach no importance to that? Has my Honourable friend, Mr. Kasem, not told us about the telegram from one who has been hailed as a staunch Congressman, a telegram which shall remain a disgraceful blot on the pages of Congress history? Has not this House heard the grievance of the North-West Frontier people as echoed by my Honourable friend, Sir Abdul Qaiyum? Will this House not consider the very diplomatic hint the Honourable Member gave at the conclusion of his speech.

Now, Sir, as my Honourable friend, Sir Abdul Qaiyum, has observed, this Act has not had a fair trial. A very important—I refuse to call it a very representative—section had remained aloof in spite of their Resolution passed in the Congress held at Amritsar, where they were pledged to give the Act a fair trial, and I maintain that they cannot now justifiably describe it as a sham without gaining personal experience through it, particularly in view of the fact that it is now acknowledged that most useful and substantial progress was achieved during the last three years through this Act. Let the claimants for immediate Swaraj then work this Act for at least one more term and show their mettle. Three years is by no means a long period in the life of a nation. Let them during this term bring forward the proposals for the regeneration of this country in this House which is the only recognised constitutional method and they will convince much sooner the present Prime Minister of their capacity to assume the full burden of the

Government of this country. When I say this, Sir, I assume that the Swarajists have a programme ready to put into practice almost immediately.

Sir, if my memory serves me right, the Honourable Mr. Patel during the debate on the Rowlatt Bill spoke of "coming events casting their shadows before." The apprehension I have in my mind is that the happenings at Chauri Chaura, in Malabar and in the Bombay Presidency may be the shadows of coming events. I ask, is there unity in the country? The two Honourable Members from the Muhammadan community who have spoken before have replied. Is there tolerance? Is there liberty of opinion? Most assuredly not. Are not our most patriotic countrymen, to whose sustained efforts we owe our present advancement, insulted and abused, even ill-treated by men holding contrary views?

Is it any wonder then that I, who come from a community of practical people, a community which gave the country a Dadabhai Naoroji, a Pherozeshah Mehta, a Jamshedji Tata, a Dinshaw Wacha, am compelled to utter a word of caution?

Sir, to my mind the proposal of the Honourable the Leader of this House is most statesmanlike and I give it my unstinted support. While these Governmental inquiries will proceed, it will give time to my friends here to do some constructive work and I earnestly pray that wiser counsels may yet prevail and that they may join us in carrying on the good, and great work that lies ahead. I assure this House that, so far as my community is concerned, they will, as in the past, loyally co-operate with Government and their Indian brethren in their endeavours to march this country as expeditiously as possible along the road to Swaraj. With these words I oppose both the Resolution and the amendment.

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

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. President in the Chair.

Sir P. S. Sivaswamy Aiyer (Madras: Nominated Non-Official): Sir, having listened to the speeches which have been made on this occasion, I rise to support the proposition which has been moved by my Honourable friend Diwan Bahadur Rangachariar. Briefly, my reasons are two-fold. In the first place, there is a reference in it to a Royal Commission which I consider a more suitable means of investigating the question. In the second place, it leaves the matter more or less in the hands of Government and allows them to take such steps as they may consider necessary and to adopt such measures as they may consider best for the purpose of advancing the wishes and interests of the country. Now, in supporting this motion, I desire to avoid controversial grounds as far as possible. Admittedly, the goal of all parties is the same; the objective is responsible government. The differences between the parties relate to the methods and to the procedure and perhaps also to the extent of the advance to be made. The Honourable the Home Member dwelt upon the difficulties presented by the Reform Act, and also upon the difficulties created by our internal conditions. I am not in the habit of brushing aside the arguments of our critics, and I shall therefore refer briefly to some of the arguments which have been addressed to the House by the Honourable the Home Member.

[Sir P. S. Sivaswamy Aiyer.]

Sir, the Honourable the Home Member somewhat meticulously criticised the terms of the Resolution of my Honourable friend Diwan Bahadur Rangachariar. He pointed out the distinction between responsible Government and full Dominion self-Government. I do not believe that that subtle distinction between full Dominion self-Government and responsible Government is necessary for the present purpose. I consider it unnecessary for various reasons. In the first place, I am not aware that full Dominion self-Government is a term of art. I know that self-Government and responsible Government are terms which are frequently used, and the term which is used in the Act is responsible Government and not full Dominion self-Government. Now, I wonder whether the framers of the Act ever contemplated any distinction between responsible Government—the words used in the Act—and the words full Dominion self-Government. Having regard to the fact that full Dominion self-Government is not, so far as we are aware, a term of art and having regard to the improbability of the framers of the Act having contemplated a distinction between the two, this criticism of the language of the Resolution was hardly called for. But I have another reason also for my view that that criticism was uncalled for. Though the language of the Resolution read by itself may be open to criticism, if it is read in the light of the Honourable Mr. Rangachariar's speech, there can be no doubt that what he aims at is not full Dominion self-Government in the sense defined by the Honourable Sir Malcolm Hailey, but something less. In the speech of my Honourable friend Mr. Rangachariar he made several important, though temporary, reservations. He wished to exclude the subjects of defence and foreign and political affairs from the immediate scope of his Resolution. Seeing, therefore, that he did not intend to ask for full responsible government in regard to these matters, and that he intended to make exceptions and reservations in his request for self-Government, it seems to me that his request can hardly be described as a request for immediate full Dominion self-Government.

Now, Sir, I pass on from this criticism of the Honourable the Home Member's first point to the next point which he made, and that was that the principle underlying the scheme of the Reform Act was realisation of responsible government by successive stages. I will assume for the sake of argument that we are bound by that principle as embodied in the Reform Act. But the Reform Act has nowhere stated what is to be the number of the successive stages, whether it should be two, three, four or five. Now, we have already passed one stage and the stage which is now asked for by my Honourable friend and which admittedly according to the Home Member falls short of full Dominion self-Government, may well be regarded and described as an intermediate stage. He does not ask for responsible government in all affairs. He asks for responsible government immediately with certain important reservations. I see no reason, therefore, why the request of my Honourable friend cannot be regarded as an intermediate stage and as a sufficient compliance with the policy of the Reform Act as embodied in the Preamble.

Then, Sir, the Honourable the Home Member finds difficulty in understanding the attitude of those who did not repudiate the assumption that responsible government was to be realised by successive stages. He finds no difficulty in understanding the attitude of those who repudiated the Act from the very beginning, but only as regards those other persons who

were willing to accept the Act as a fair instalment of Reform and were willing to work it. They nowhere committed themselves to the position that responsible government was to be realised in any specific number of stages. What was the attitude of the Liberal Party? We were willing to work the Reforms as a fair instalment of progress and we were anxious to demonstrate our capacity for working them. But I am not aware that we have committed ourselves anywhere to any particular period of time or to any particular number of stages. The Liberal Party from the very beginning asked for a substantial measure of responsibility in the Central Government. More or less their demand has been practically the same as that which is now put forward. The Honourable the Home Member has referred to the demands which have been successively put forward by leading public men from time to time and has endeavoured to show that the demand that is now put forward is very much in excess of what they asked for. Now, if there is one thing which the history of political agitation shows, it is this that, if you do not grant demands at the time they are made, there is a tendency to raise successive demands which are made. Now, it is all very well to say that the demands which were made from time to time are less than those now asked for. But were these demands at any time conceded by the Government? If the demands made at any particular time had been conceded by the Government, I could understand the contention that there was something like a pact and that we were precluded from setting aside that pact or ignoring it and putting forward fresh demands in violation of the agreement which had been entered into. I cannot understand an argument that, while we are debarred from going beyond the demand made at any particular date, the Government, which did not grant the demands so put forward, are entitled to say that we are entitled to go so far only and no further.

Sir, the next point that was made by the Honourable the Leader of the House was that the first stage of the reforms has not been adequately tested yet, and that before it has been adequately tested, it would be unwise to build a superstructure upon it. Now, we have had an experience of three years in working the reforms. I grant that it is experience for a short period but what is the result of that experience? It is not necessary to do more than refer to the pronouncements of His Excellency the Viceroy and of the Honourable the Home Member himself. The Assembly has a record of creditable achievement behind it. I think we have shown a fair amount of capacity for working the reforms, to put it at the lowest. The difficulty that is pointed out by the Honourable the Home Member is that, though the first Assembly did work the reforms, a large section of the population held aloof from the Councils and did not show any disposition to work the Councils or work the reforms in co-operation with the Government. Now, that indicates rather an unwillingness on the part of those sections of the population to work the reforms than a want of capacity. The ground on which they have refused to work the reforms was that they did not go far enough in their opinion. But, if a genuine attempt is now made to make such an advance as is desired by public opinion or may be found to be really necessary, there is reason to hope that those sections of the population which have held aloof from the Councils will also come forward. Their non-co-operation implies not a defect of capacity but rather an inability to understand the extent to which the reforms could be worked as they are, and the extent to which they can be made use of for further advance. But, if their ground of objection is removed by a further advance, the chances are that they will

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come forward to co-operate with the Government and take their proper place in the Councils. Now, Sir, my experience of the Government during the last three years has been, unlike what my friend Mr. Rangachariar stated, quite satisfactory. I have found evidence of a genuine desire to advance the cause of the reforms, a genuine desire to rely upon the support of the representatives of the people, a genuine sympathy with us and every solicitude to advance the interests of the country. Our trouble really has been not with the Government of India here but with the authorities of the Home Government, who interfere in season and out of season to turn down the policies which have been accepted by the Government of India themselves. I need only give one instance of the way in which the Home Government have turned down proposals emanating from this Government. Three years ago, we passed a series of Resolutions dealing with the subject of Army organisation. That the proposals were reasonable in themselves is a matter which hardly needs any elaborate argument to convince the House. The best proof of their reasonableness was that the Government of India were themselves willing to accept our Resolutions and they were all carried with the concurrence of the Government of India. And yet, when they went up to the Imperial Government, most of them were turned down, and we have had very unsatisfactory proposals put forward instead, such as the scheme for the Indianisation of 8 units. We have found no inclination on the part of the Home Government to give effect to the policy of Indianisation accepted by the Government of India and to give proof of the sincerity of the intentions of the British Government. If anything has contributed towards the profound distrust of the intentions of Government which prevails in this country, it is, I think, their policy with regard to the organisation of the Army.

Now, Sir, my Honourable friend Sir Malcolm Hailey in referring to Mr. Rangachariar's speech and the observations he made with regard to the working of the reforms said :

"I first thought when he spoke of the work that we had done together, that he was going to explain his demand in a manner entirely flattering to us; that we had progressed so far together in the last three years on the path of reform that we had now proved that immediate Dominion self-status was feasible and could safely be granted. But, as he proceeded, I realized that that assumption was too flattering."

I am going to make that assumption, not merely for the sake of argument. I state it in all sincerity that the co-operation of the Government has been so far quite sincere. We have got on together so well that I make the request which he was expecting on the strength of that assumption.

Now, Sir, I will only refer to one or two other matters which were dealt with by the Honourable the Home Member. He referred to four problems. I am not going to deal with all these four problems for the simple reason that he himself admitted that they were not insoluble or insurmountable. I do not propose to deal with the problem of the Indian States nor do I propose to deal with the problem of the social backwardness of the people here. But with regard to the problem of the Army, I have only to observe this, that so far as my reading of Colonial history goes, none of the Colonies was in a position to assume its defence at the time when a self-governing status was granted to it. For many years, the Colonies were not even able to pay for their defence. It was the Home Government that had to contribute towards the military expenditure of the Colonies. We, on the other hand, have from the beginning paid for

our Army. We have not merely paid for our Army, but we have raised our troops. We have raised and maintained our Indian troops and we have also maintained the British troops and paid for them. We have gone further than the Colonies have done in the matter of undertaking our defence. No doubt, Sir Malcolm Hailey is right in saying that full Dominion self-government implies the capacity to undertake the defence, not merely by paying for it but also by undertaking its officering and administration. But that was not a condition which was insisted upon in the case of any of the Colonies. So far as defence against internal disturbances was concerned, that no doubt was a condition which was pointed out to the Colonies as essential some years after they were granted their self-governing status. But so far as defence against external aggression was concerned, I am not aware that the duty has been laid upon them even now. As regards naval defence, the obligation has not been laid upon them. As a matter of fact, in Australia they have raised a fleet of their own for purposes of defence, and, God willing, if the Government is prepared to pursue a liberal policy towards India, we shall also be quite willing to shoulder our burdens in this matter. I am sure that we shall also be prepared to make a start in our own humble way towards the defence of India by water. We are prepared not merely to shoulder our own defence but we shall also be prepared to go to the help of the Imperial Government in case of necessity in such measure as our humble resources and capacity may permit.

Then, Sir, with regard to the problem of minorities, I must confess that it is by far the most formidable obstacle in our way and that it is a very serious problem. I do not believe that we gain anything by ignoring that problem or by pretending that it does not exist. Let us frankly confess that it does exist and that our efforts must be directed to removing the discords which now divide one community from another and which must considerably interfere with our full national development. It is for that purpose that I consider it necessary that there should be some suitable machinery, not merely for ascertaining the wishes of those who are present here, but for ascertaining the wishes of all sections of the community and of arriving at some solution which may be acceptable to all sections of the community. If we are able to arrive at some understanding between ourselves before the investigating machinery comes into existence here, so much the better. But it is an obstacle and a problem which has to be faced and cannot possibly be ignored.

It is not necessary for me, Sir, to refer to the other points which were taken by the Honourable Sir Malcolm Hailey. I should only like to address a few observations on grounds of policy. Representative government has always been recognised as a stepping stone to responsible government—as a transitional stage in constitutional evolution. Whether responsible government is going to be reached to-morrow or a few years hence, it is all the same inevitable. Now, if it is inevitable, why prolong the

3 P.M. agony of travail? Why should we not put an end to all the bitterness of spirit that has now been created in the land? Why should we not put an end to the feeling of profound distrust which I say has been created in the minds of the people, no matter by whom, no matter whether it is justified or not? There is the fact. I have no doubt of the existence of this feeling of profound and universal distrust. Wherever you may go, whatever you may say in defence of the actions of Government and the rectitude of their motives and of the genuineness of their desire for the advancement of this country, nobody is willing to

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accept your statements or your arguments. Here, day by day, the moral foundation upon which all Government must rest are being sapped, sapped I think not by the acts of Government but by other causes. Whether those other influences are proper or improper, it is not necessary for us to inquire into now. But what I do say is that it is a most unwholesome state of things that there should be this feeling of distrust abroad, that there should be no desire on the part of the people to support the authority of the Government. That is a state of things which bodes no good, and, if anything could be done to put an end to that state of things, so much the better for all concerned. Let me add one more observation. Now, Sir, the feeling of bitterness of spirit to which I have referred, the animosity against Government has unfortunately a tendency to spread not merely to the Government but also to the English race and to English institutions. I am not sure whether the feeling of hostility even to English hospitals, inculcated by some non-co-operators, is not to a large extent due to political considerations and feelings. If there is one thing which I value more than anything else as an important factor for the regeneration of this country, it is the British connection. I value the co-operation of English people. I value their collaboration with us in the political sphere, in the economic sphere. I value the experience, the skill, the administrative knowledge, and the business knowledge, of Englishmen, and if our country is to be properly developed in the economic sphere it will certainly require the aid of British capital. I value not merely these things, but I value also the English institutions, political, judicial and administrative. I value English culture. There is a great danger of a feeling of antipathy being created by some irrational process of association of ideas not merely to the Government which has been described in terms to which I need not now refer, but which are well known, but to all the other institutions, to the western culture to which we are ourselves so much indebted and to the presence and co-operation of Englishmen. This I regard as the most serious danger arising out of the present situation. I would, therefore, entreat Government to convey the wishes of the Assembly for a further advance to the Imperial Government and take whatever steps may be necessary for the purpose of securing the end we all have in view.

Now, let me turn to my friends on the other side. The question now is, what is the best method of achieving the end in view? Is it a Royal Commission, is it a Committee, or is it a round table conference? I am afraid that a round table conference will not be able to solve all these questions and also that the result of its deliberations is not likely to prove acceptable to the British Parliament. There are only two ways in which we can achieve self-government. One is by persuasion of the British nation and the other is by co-ercion. We are all agreed that violent revolution is absolutely out of the question. But I have no doubt that many of my friends believe that without going to the verge of a violent revolution there is this process of obstruction which is no doubt constitutional under particular conditions but with regard to the constitutionality of which I do not wish to say anything at present. Many of you believe that this process of obstruction is likely to achieve our end. Now, I do not believe that this process of obstruction, or paralysis of Government will at all help us towards the object we have in view. Now, let us foreshadow what is to happen. We shall obstruct legislation and administration, and cut off supplies and His Excellency the Governor General

will be obliged to carry on the Administration by certification or restoration. Then the agitators will go abroad and sow the wind. If obstruction is lawful and constitutional, certification and restoration are equally lawful and equally constitutional. Under certain conditions, where you have responsible government, obstruction is perfectly proper as a part of the game, but where we have still to get our full responsible government, where we have to recognise the fact that the matter is in the hands of the British nation, any policy of obstruction can only lead to one result and will give a tremendous set-back to our progress. The result of any such policy will be to completely alienate our friends in England. Some of you have no doubt spoken in very pessimistic terms about our friends in England. The British nation has been described as a will o' the wisp. I grant that it is not an easy thing to reach the British nation. But at the same time I have sufficient faith in the British nation and its sturdy sense of justice. It may take a little time to reach the heart of the British nation, but I for one believe that, if you only succeed in appealing to the British nation, you are sure to obtain justice and reach the goal you want. You will find a thrill of sympathy, you will find a responsive echo, in the breasts of all liberty-loving Englishmen. It may be that there are vested interests which may prevent particular Englishmen taking as liberal a view as they ought to. But I do not believe that any such sectional interests, any such vested interests, will influence the British nation in coming to a decision in our favour. Let me just refer to the message which was published in the papers a short time ago from the present Premier. If there is one party in England which is in sympathy with Indian aspirations more than any other, I believe it is the Labour Party. It is far more so than the Liberal Party and yet what is the advice given by the present Premier—to believe in constitutional methods only and not to resort to active force or passive force or anything else, by whatever name you may call it, which will have the effect of bringing the machinery of the Government to a standstill. Now by adopting a policy of obstruction or by adopting a policy of distrust in the English Government, we should be simply alienating our friends in England and I appeal to you all not to alienate our friends and well-wishers, but to put your trust in the Labour Party, to give them the opportunity of showing their good-will to us. Let us not make ourselves the despair and the enigma of our friends. It is only by appealing to the good sense of the British nation, by appealing to the love of justice and to the sympathy of the parties in England, that we shall be able to gain the day. The Labour Party itself has had to undergo a tremendous struggle to attain its present position. Twenty-five years ago the Labour Party was practically non-existent and yet we find that the Labour Party has risen to a position of influence and is in office in England. Now, is it unreasonable to expect of a party which has struggled with the most unfavourable conditions, a party which has been so long in the political wilderness not in the sense in which members here may understand it but in another sense, that it will sympathise with the aspirations of this country? I think it will be the greatest mistake that we can commit that, so soon after the Labour Party has come into power, we should try to hustle them immediately into a declaration. The only possible reply that they can give must be the more or less stereotyped official reply, namely, that they have not had time to make up their minds or adhere to what has been laid down by their predecessors. We must give them plenty of time if the Labour Party have to make up their minds. They have not hitherto had the responsibility of coming to a decision. A few days ago I saw an account in one of the papers of how after Lord

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Morley came into power an attempt was made to undo the partition of Bengal and, though the partition of Bengal was eventually cancelled in an indirect manner, the only result of a premature attempt to hustle the Government into a declaration of its policy was a pronouncement that it was a settled fact. Of course we know that there are no settled facts in politics. People may talk of settled facts but all the same we know that settled facts have soon a way of getting unsettled.

The only other point to which I wish to advert is this. What is the most suitable machinery for achieving the end we have in view? Is it a round table conference or a Committee as proposed by Mr. Bipin Chandra Pal or a Royal Commission? Parliament has committed itself to the position in the Statute which was passed with the concurrence of all parties that it would be the judge of the successive stages by which responsible government was to be reached and of the measure of responsible government which was to be granted, and that the whole decision should be in its hands. We may or may not accept that declaration as binding. I do not say that we should. I think we are justified in putting forward a demand for an advance at the present stage but considering the fact that the Statute has been passed with the concurrence of all parties in Parliament, is it not desirable that you should provide some machinery which would prove acceptable to them, not offensive to their *amour propre*? If you propose a Royal Commission, it is something in the nature of the machinery which they themselves contemplate for the purpose of investigating the facts and as a preliminary to a further advance. You must provide a dignified passage to a graceful concession. If you propose a Royal Commission, it will take evidence on all sides, ascertain the wishes of the people and make its recommendations with regard to the solution of the problems. The recommendations, you may be sure, will be sympathetically examined by the Government. I know the objections which are entertained to the proposal of a Royal Commission. It is said that the proceedings of a Royal Commission will be dilatory, that it may be composed of die-hards in England, reactionaries both in England and in this country, and that the conclusions may not be altogether favourable to us. - But if there are reactionaries, if there are interests which consider themselves in danger, there is no use in ignoring the existence of those interests. We can have nothing to hide from the Royal Commission. Whatever agreement we may reach by preliminary understandings, whatever agreement may be regarded as binding upon the different communities, we shall be in a position to put forward before the Royal Commission something like the Lucknow pact which was put forward before the Montagu-Chelmsford deputation and was accepted by them as a reasonable basis for their proposals. If there are these divergent interests which have to be reconciled, it is much better that all these interests should be given an opportunity of representing their case. If we really believe that we have got a strong case, and that we are fairly unanimous and united in our wish for a further advance, there is nothing to be afraid of. If, on the other hand, there are flaws in our case, if there are holes which we cannot patch up or cover, then there may be cause for apprehension; but, if that is so, how can we expect to make any advance? I think that the machinery of a Royal Commission with its power to take evidence from all quarters will be the one which will be most acceptable to Parliament, and, when I make this observation, let me not be understood as saying anything in derogation of that principle of self-determination which we all accept. You may abide by the principle of self-determination and I do not wish to say anything against it. It is a

sacred principle and I grant that every nation has a right to determine for itself the form of government best suited to it. But it does not follow from that that we can dispense with the necessity of proving our case or that we can dispense with the necessity of a resort to such machinery as alone is likely to be acceptable to the British nation and Parliament. I submit it will be a far easier method of reaching the goal than anything else. You may think that the other course offers prospects of a short cut but my experience has been that the short cuts are often the hardest cuts. Therefore let us not discard the machinery of a Royal Commission, or such other method as the Government, in their superior knowledge of the needs of the situation and of the methods available for solving this question, may prefer. Personally I should express my preference for a Royal Commission. (*A Voice*: "A departmental inquiry?"). I do not believe a departmental inquiry will afford any satisfaction. The Committee suggested by my friend, Mr. Bipin Chandra Pal, may perhaps offer some solution. But I do not know whether a Committee appointed in the manner suggested will have the opportunity of taking the evidence of all parties and ascertaining what it is that they really want, and whether it would inspire that feeling of mutual trust and confidence which it is essential to secure for national unity and advance. I think, Sir, that of the various courses which have been suggested, the course which was put forward in the Honourable Mr. Rangachariar's proposition is the most expedient. But of course it is for the House to make up its mind, if it has not already made up its mind, in favour of any particular course. Let me only say a word more. I will ask you to believe me when I say that I am as anxious as the youngest of you to reach the promised land in my lifetime and in the narrowing span of my life.

(*Several Honourable Members*: "I move that the question be now put.")

Mr. President: Order, order. Mr. Alimuzzaman Chowdhry.

Mr. Alimuzzaman Chowdhry (Dacca Division: Muhammadan Rural): Sir, I feel I will be wanting in my duty to my constituents and to myself, if I do not intervene in this debate and express my opinion, which I make bold to say is shared by a large section of my community, on the momentous question that is awaiting decision in this House.

I have not the eloquence of Pandit Madan Mohan Malaviya, the elegance and diction of Mr. Mohammad Ali Jinnah, the vehemence of Mr. Pate! or the shrewd legal subtlety of Pandit Motilal Nehru, and I crave the indulgence of this House to bear with me for a little while, as I place before it a few plain facts in plain language.

At the very outset I might say that I am as anxious and eager to have Swaraj in this country as anybody else in this House. I have been a humble pall-bearer in the Congress organisation of old, and have contributed my humble bit, in our attempt to secure self-government for this country, and am at the present moment prepared to work for the same, on proper lines and practical methods. I am afraid, Sir, that the methods which our friends of the Swarajist and the Nationalist parties have adopted, are neither proper nor practical.

From the speeches that I have heard, I find that those of our friends who support the Resolution in one form or another, want responsible self-government for this country, and that, immediately. I would respectfully ask my Colleagues to put their hands on their hearts and to say if our shoulders are strong enough to bear that responsibility. We may get the

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rights as a gift from the British Cabinet, but are we prepared and in a position to discharge the duties to the best advantage of our country and our countrymen? For an answer to these questions, we will have to consider the state of affairs of this country.

If we want Swaraj, we must face the facts as they stand, and not shut our eyes to them. Sir, there can be no denying the truth that there are strong communal differences in this country, and unless these differences are made up on a sound and permanent basis, we cannot get Swaraj, and, even if we get it, we cannot enjoy it long. Pandit Madan Mohan Malaviya admits the existence of these differences, but he says we ourselves can settle them; so we can, if we apply ourselves to the task in right earnest. Our differences cannot be settled, by speeches and harangues by shouting Hindu-Muslim unity as a cult, by pacts or written and verbal understandings, but by creating confidence, trust and tolerance amongst the people, and by establishing friendly feelings, between the various communities in the land and by a change of heart; and I want to know, if any attempt has been made in this direction.

True it is that some prominent leaders have made eloquent appeals on public platforms, but I want to know if these appeals have received any response from the public, and if in practical life we find any effect or any evidence of the existence of mutual good feelings and tolerance. On the other hand, the situation is growing worse every day. Whenever there is any Hindu-Muslim dispute, our leaders declare that it is the work of a misguided few and the work of irresponsible people. In the first place I want to impress on this House, that the irresponsible people form the bulk of the population in all countries, and that it is the irresponsible people who count, and it is to these irresponsible people to whom our friends want to entrust the destinies of this country. Let me now examine the conduct of our leaders.

Reference was made in this House to Swami Shraddhanand's request for a European Magistrate at Saharanpur. Our friends will say that he was wrong, and that no responsible Leader of the Hindu community approved of his conduct. I want to know which responsible leader condemned his action in public and if any Hindu newspaper condemned it in its columns. Is it not a fact that the Swamiji received an ovation at Delhi immediately after that? Is he not to-day in the front rank of our Leaders? Was he not present the other day at Delhi at a fracas between Hindus and Mussalmans?

The Muhammadan Minister of the Punjab, a gentleman who became unpopular among his co-religionists for joining the Hindus in the Congress in olden days, and who has worked whole heartedly for the national cause, incurred the displeasure of his Hindu countrymen by making a few Muhammadan appointments. I might mention here that he dared not give them their legitimate share, but only attempted to do them a little left handed justice, and that in a province where the Muhammadans are in an absolute majority. And what was the result? There was a howl and cry of disapprobation and condemnation in the irresponsible Hindu press, not only in the Punjab but all over the country. The irresponsible Hindu Members of the Punjab Legislative Council took the unusual and extraordinary step of approaching His Excellency the Governor with a prayer, or shall I say, a demand, for his removal from the office. Not a word of condemnation was uttered against them. While speaking of the Punjab, I am reminded of the incidents of some local importance in that province.

At Multan, a Muhammadan who, by the by, was a Congressman, was elected chairman of the local municipality, and immediately on his election, the Hindu members of the Corporation walked out and did their level best to upset the election: and I think the same thing happened at Lahore and Jullundur. (*Lala Hans Raj*: "No, not at Jullundur; I come from Jullundur.") How did our Leaders face the situation? Did they condemn the conduct of these men? On the other hand, the Nationalist press, as they call themselves, supported these recalcitrant members of the municipalities.

I would like this House to be enlightened as to what was the attitude of Pandit Madan Mohan Malaviya to the Jehangirabad amendment, to the local self-government Bills of his own province, which gave the Mussalmans some voice in the administration of their local affairs: and what was the attitude of the Nationalist press over all these questions?

In my own province, the Hindu element in the Government and the Legislature wanted to deny the Mussalmans of the capital city proper representation on the municipal corporation, and it was only through the intervention of non-official Europeans that a compromise of a temporary character was brought about. Is it not a fact that an attempt was further made even to stop cow killing in the city by Legislative measures? In Bengal, Sir, the cow question figured prominently in some election manifestoes, issued to non-Muhammadan constituencies. These are facts, Sir, which do not breed and inspire confidence and trust and they do not show much tolerance and good will between Hindus and Muhammadans.

The Mussalmans, Sir, have very little share in the administration of this country, and they have been deliberately denied their due and proper share in the public services, and for this the Government is responsible. They found it convenient to ignore and neglect our claims. The old and often told plea of efficiency is put forward; it does not at all hold water. True it is, that the number of educated Mussalmans is comparatively small, but the number is more than enough to meet the demand, and to supply the necessary quota of the Muhammadan element in the administration, without any loss of efficiency. The fact is, the Government is carried on by a machinery, in the working of which the Hindu element has a preponderating influence. Our Hindu fellow countrymen have the shrewdness to measure the mentality of our rulers, and know how best to play their cards, whereas the Mussalmans are content to live in hopes of fair play and justice.

It was said, Sir, that we get our opinions manufactured for us for an anna or less, but the people who control the factories are not Mussalmans, and their voice is seldom heard. The Muslim press is insignificant and negligible. I admit, Sir, that the fault is our own. The Mussalmans in this country, at the present day, are a disorganised body. The Mussalman organisations that were brought into existence by thoughtful Leaders of the community, to watch the interests and advance the cause of the Mussalmans in this country, have either ceased to exist, or have been merged into other organisations.

While the Muhammadan organisations collapsed or were allowed to die, and the Congress, as it is said, represents all communities and interests, may I know for what use or advantage were the Hindu Mahashaba and the Shangaton brought into existence? Certainly to protect the Hindu community and to advance its cause. To protect the Hindus from whom? If it were from the European bureaucracy, then united action was necessary, and not a separatist movement. Naturally, the aims of the associations

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must be to protect it against other communities in India. I would respectfully remind Pandit Madan Mohan Malaviya of his eloquent and vehement speech at the Hindu Mahashaba at Benares in August last. May I ask if these things are likely to inspire confidence and trust?

I mention these facts, not in anger but in sorrow, and to show that at the present moment we are in a weak and helpless position, and naturally we feel a little nervousness and diffidence, when we think of entering into partnership with a strong community without proper safeguards and limitations; and when we think of placing our destinies in the hands of a majority, who have, as a whole, not yet shown any signs of tolerance or respect for the feelings, sentiments and interests of other people. If our Hindu countrymen are in earnest and want self-government for this country, the best way of securing it is to lend a helping hand to the Muhammadans in their attempt to provide education for the people and to secure their proper share in the administration of the country. If this is done, the Muhammadans will very soon be in a position to march hand in hand, and shoulder to shoulder, with their Hindu compatriots without hesitation, fear or apprehension.

Sir, it is proposed by the amendment of Pandit Motilal Nehru to have a round table conference; if Indian opinion has to be ascertained, the best means of doing so is to consult the Legislature itself. In the last Assembly the non-co-operators did not come in, and therefore it could not have been said to represent all shades of opinion; and a round table conference in 1921 was necessary for ascertaining their opinion and for coming to an understanding with them. To-day, happily, all shades of opinions are represented in this House and I submit, Sir, that this House is the best representative round table gathering that the Government can secure.

Sir, Swaraj is now the universal cry in this country; it is sung in chorus throughout the length and breadth of this land. May I know if Swaraj has ever been defined; at least a great Leader in my part of the country has said that Swaraj is Swaraj and it admits of no definition. (*An Honourable Member*: "Who said that?") Mr. C. R. Das. May I ask, do the people understand what is meant by it? Have they been told what form of Government it is proposed to establish? If the masses knew the details, I am afraid their verdict would not have been so favourable as it is. The word Swaraj is very fascinating and captures the imagination of the people. It was first used by the veteran leader of revered memory, the late Mr. Dadabhai Naoroji, at the Calcutta Congress of 1906, when the Leaders of to-day did not care to take part in the political agitation, and engaged themselves in more profitable pursuits. Our people have been told that Swaraj will bring in the millennium, hence the chorus of approval.

Mr. Rangachariar, in the magnificent speech with which he moved his Resolution, said that his success at the polls was secured by a statement in his manifesto that he would fight for Swaraj, and he takes it as the verdict of his constituents. I beg to differ from him. He was returned by an overwhelming majority, because he had a brilliant record of services in this Assembly; he was the foremost leader of the Bar in Madras; and by his character and conduct, he commanded the trust and confidence of the people. His is a great personality, and the electorate, the City of Madras, was intelligent and thoughtful, and did not consist of mill hands. Popular elections are new to this country and are fought and won, not

on any issue but by organisations and canvassing machinery; and the party that commands the strongest machinery is bound to succeed. I agree with Pandit Motilal Nehru that there is discontent and unrest rampant in the land, but it is not due to the fact that people are crying for political power.

Mr. Bipin Chandra Pal in an unconscious moment said the other day, that his constituents are not interested in high politics, and what is true of the city of Calcutta, which was once the centre of political agitations, is true in a far greater measure of other constituencies in the land. The discontent and unrest is due to economic conditions and other causes: it is accentuated by the feeling of hatred preached from the housetops.

Mr. Rangachariar regretted that the intelligentsia took no interest in the various matters affecting the details of the administration. We all regret it. The proper course for our Leaders would be to direct their attention to these matters and to remove their grievances. It would be far more profitable than spending our energies in heroics. The Government should, in their turn, do everything in their power to improve the economic condition of the people: and I would appeal to my countrymen to bring about a calm atmosphere, which is necessary for the consideration of vital questions affecting the people and solving the problems which are awaiting solution. Any further advance in the reforms is not likely to bring about that state of affairs. If it is thought that it will silence the die-hards, or that section of the people to whom agitation is the breath of life, it is a mistake. They do not like a peaceful and calm atmosphere, and will not allow it to exist, because then Othello's occupation will be gone.

A word to my co-religionists and I have done. There was a time, when the Muhaminadans supported the Government in all their measures and actions, good, bad or indifferent, and opposed everything that the Hindus proposed. Like Cicero they would not have anything to do with a movement started by others. They had blind confidence in the Government, and entire trust in its justice, strength and fairness. They have paid the penalty for their neglect and apathy in public matters. The modification of the partition of Bengal, and the uncompromising and the unfriendly attitude of Mr. Lloyd George's Cabinet on the Turkish question gave them a rude shock and like Rip Van Winkle, they woke up and found themselves in the wilderness. The table was turned upside down and to-day we find that the community is prepared blindly to follow their Hindu compatriots, and oppose everything emanating from the Government. They were wrong in the former policy and they are wrong in the policy they are adopting now, and I am afraid they will have to pay the penalty for the same again; and this time it is likely to be more severe.

The Mussalmans in this country are in a minority, less advanced and poor; their safety lies in cohesion, independent organisation, independent thought and independent action. They have to judge every question on its merits and consider how it affects the interests of the community, and their actions should be guided accordingly. It will be false and foolish generosity to overlook communal interests. We are Mussalmans first and Indians afterwards. We have to organise ourselves and make our position felt in the public life of our country. It would be suicidal on our part to sit in the back benches of the Government, and follow their policy or their dictates or walk about the fringe of one party or another in this House or in the country. It is no use going about astray and allowing ourselves to be flirted with by one side or the other. We have to make the Government, and our Hindu compatriots, understand, that we can think and act

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for ourselves, and that we are a community to be reckoned with. Unless this is done, I am afraid the community is doomed, and its future will be gloomy and disaster is staring it in the face.

Mr. R. K. Shanmukham Chetty (Salem and Coimbatore *cum* North Arcot: Non-Muhammadan Rural): Sir, I do not know if my Honourable friend, Sir Basil Blackett, whom I am sorry I do not see here, will recognise that I am one of those who are sobered by their morning coats; but I may assure him that whatever sobriety is lacking in me, in spite of the morning coat, has been amply supplied by some of the speeches to which I have listened to-day in this House. It has been recognised on all hands that the beginnings of responsible Government in India were first laid by the famous pronouncement of August 1917, and that for the first time in the history of the British connection with India it was in 1917 that His Majesty's Government declared that the aim of their rule in India was the ultimate realisation of responsible Government in this country. In carrying out this great objective the famous Government of India Act, 1919, was enacted; and, if I am to describe that Act, I cannot do better than borrow the simile which was employed by my Honourable friend, Mr. Moir, the other day, the simile of the children drawing a picture of a dragon and, to make it explicit, their having to write under the picture "this is a dragon." Sir, to realise that there is any responsible Government at all given by the Government of India Act of 1919, it has to be written underneath it "This Act gives responsible Government to India." Unless that is written, from a perusal of the provisions of the Act it would be very difficult for any one to realise what responsibility has been given to this country under that Act. In all discussions about the grant of responsible Government to India, the objections of all those friendly critics have been the time-honoured arguments that the institutions of democracy are unknown to the Eastern races; as if representative institutions were foreign to the genius of the Indian people. But in the line of argument adopted by my Honourable friend, Sir Malcolm Hailey, the other day I was glad to find that he had not chosen to adopt this worn-out argument; he has altogether cut out a new path and given us certain practical objections upon which I am prepared directly to join issues with him.

In the first place, Sir, as he very rightly pointed out the other day, the question of provincial autonomy is a very minor point in our discussion to-day. What we are asking for is not merely a revision of the Government of India Act with a view to transfer some more subjects to the Ministers in the provinces, but the overhauling of the whole machinery of Government which will introduce in the Central Government a substantial element of responsibility. Sir, it is needless for me to remind Honourable Members of this House that even at the time when the Government of India Bill was being discussed by the public in this country and when the Joint Parliamentary Committee took evidence on it, responsible public opinion in India emphatically asserted that it was absolutely no use trying to establish an element of responsibility in the provinces while keeping autocracy in the Central Legislature here. This view was emphatically brought home to those who were responsible for this Government of India Act, but, unfortunately for us, our arguments and contentions were not listened to. In the objection which my Honourable friend, Sir Malcolm Hailey, took to the Resolution, he assumed, Sir, that we were asking for full Dominion status immediately, and it was on that assumption that the whole of his speech and all his objections were based.

Now, I say here that neither the Resolution, as framed by my Honourable friend, Diwan Bahadur Bangachariar, nor the amendment to it, moved by my Honourable friend, Pandit Motilal Nehru, contemplates the establishment of full responsible Government immediately in India. The essence of our demand to-day may be said to be two-fold. In the first place, whatever might be the future of the Indian constitution, we say that the people of India should have a voice in determining what their constitution shall be. It may be, Sir, that the British Parliament may manufacture a very good constitution for us, but it may be necessary for us to Indianise the western democracy before we swallow it; so that, applying the principle of self-determination, what we ask for is that the people of India shall have the predominant voice in saying what shall be the future constitution. Secondly, Sir, what we want is an Act which will establish full responsible Government, if you please, by successive stages, but having those successive stages definitely marked in the Act itself. Let us not be let in the air, and let us not be asked to go on our knees before the British Parliament once in a decade begging for a revision of the constitution that then exists and asking for a further grant of reforms. What we ask for is, give us an Act which, though it may not give full responsible Government immediately, will nevertheless contain within itself all the stages ultimately leading to that goal which we all have in view and which the British Parliament has recognised.

Sir, in talking about this Resolution, my Honourable friend the Home Member drew a nice distinction between Dominion status and responsible self-government. He said that Dominion status might be a corollary to the Government of India Act but it was not implied in the Preamble of that Act. If what my Honourable friend meant was that Dominion status was incompatible with the sovereignty of the British Parliament, then I can only ask him to revise his constitutional law. Dominion status, as understood in the British constitution and in the constitution of the Dominions, does not repudiate the ultimate sovereignty of the British Parliament, and I do not know, Sir, what distinction he was drawing when he said that Dominion-status might be a corollary to, but was not implied in, the Government of India Act. If he has any doubts on that point, I should only ask him to refer to the Proclamation of His Majesty the King-Emperor in which he said "under the guidance of Almighty God India may be led to greater prosperity and contentment and may grow to the fullness of political freedom". Sir, it is that fullness of political freedom that we want, call it Dominion status or call it responsible Government, whatever you will. When once the Resolution has been understood in the restricted sense in which I have tried to interpret it, then I am sure, many of the arguments advanced by the Honourable the Home Member vanish.

He asked us to consider the question of the Ruling Princes and the defence of India. Yes, our relation with the Ruling Princes will be marked and defined in the new Act. It is repeatedly pointed out to us that, until we are prepared to defend our own country, we are not fit for self-government. At the same time, we are told that we have not yet reached a stage when we can take any share in managing the army administration of our country. This attitude of our critics will become explicable only when we realise the real significance of the Army in India. Sir, I maintain, and I would challenge the Honourable the Home Member to deny me if he can, that the Army in India is maintained not primarily for the defence of India but for the defence of the Empire.

The Honourable Sir Malcolm Hailey: India.

Mr. B. K. Shanmukham Chetty: Well, Sir, the Honourable the Home Member has been giving to Members very uncomfortable speeches, and I will also give him something. This is what Mr. Ramsay MacDonald wrote in 1910:

"Nine-tenth of the charge of the Army in India is an Imperial charge. Canada, South Africa, and Australia should bear it as much as India. It is a piece of the most bitter cynicism to find the Imperial doors of our Colonies shut in the face of these poor people who bear such an inordinate share of the cost of Imperial maintenance and at whose expense these Dominions are protected from the fear of war. If £18 million of the army charges were met by the whole Empire, we might look the Indian taxpayer in the face as honest men, but at present we cannot".

This is what Mr. Ramsay MacDonald, the gentleman who is now the Premier of Great Britain, wrote in 1910, and I ask the Honourable the Home Member whether, as an honest man, he can look the Indian taxpayer in the face to-day.

The Honourable Sir Malcolm Hailey: I can, Sir.

Mr. B. K. Shanmukham Chetty: He then told us, Sir, in any scheme for responsible Government, we must find out what European commerce will have to say and what the Civil services will have to say. I do not in the least deny the force of his contention, but may I ask, Sir, when the European commercial people invested their capital

The Honourable Sir Malcolm Hailey: The Honourable Member will perhaps excuse me for interrupting him, but I must again point out that I did not say that we should ask them what they would have to say. What I said was that we should let them have clear notice before they invested more. These are two different things.

Mr. B. K. Shanmukham Chetty: Of course, they would know what we would have to say. We will not manufacture a constitution behind their backs. What I want to ask, Sir, in this contention about the interests of the European commerce, is, whether when the European commercial people invested their capital in India, anybody gave them an assurance or undertaking that India would ever be kept as a subject country, so that whenever the question of the revision of the constitution of India comes up, then come these people with vested interests and say that they must be allowed to have their say? The same question might be asked of the Civil Services. Is it one of the contracts of their service that they will be asked not to serve but to rule over the Indian people? The whole difficulty with the Indian Civil Service is this, that, as somebody pointed out, they are neither Indian, nor Civil, nor a Service. I for one will be the first to agree to the maxim that whatever form of Government we may have got, it is absolutely essential that we must have a well paid, efficient and contented Civil Service, but what I do contend, Sir, is that it must be a Service. What we object to is not the British Civil servant, but the British masters who are masquerading as servants. There the difficulty comes in. The members of the Civil service want the privileges of the servant and the rights of the master. These two things cannot co-exist, and, if men of the services are prepared to face this problem honestly, I do not see how any difficulty will rise.

The Honourable Member, Sir, also spoke about the interests of minorities which was very eloquently advocated by my Honourable friend Colonel Gidney. But he should pardon me if I say that in what Colonel Gidney said there was too much of sound and fury which signified nothing. He stood

up for his community, which I always thought was a very much favoured community in India.

Lieutenant-Colonel H. A. J. Gidney (Nominated: Anglo-Indians): You thought wrong then.

Mr. R. K. Shanmukham Chetty: Well, Sir, if it is not so, shall I tell him that the position which his community occupies is due to
4 P.M. the fact that they would consider it degrading to call themselves Indians? They try to pose as our rulers and that is the difficulty with that community. And let me tell my Honourable friend, Colonel Gidney, and the members of his community, that, if they persist in this attitude, they are in very great danger of being disowned by the West and unclaimed by the East. Sir, whenever we ask for a new constitution, we are reminded of the interest of minorities. May I ask, when the new constitution was given to South Africa, what guarantee was given to the minorities—not merely to the minorities but even to some of the majorities there in South Africa? And, Sir, advocacy of the cause the minorities comes with a bad grace from people who have given the interests of majorities into the hands of minorities in Kenya. And, above, all, I emphatically repudiate the underlying implication involved in all this that the majority here in India will tyrannise over the minorities when they get power.

The Honourable the Home Member asked, do those social conditions exist which are necessary for political advancement? Allow me to tell him, Sir, that this is a very worn-out argument. Our firm conviction is that politically servile communities will always remain socially stagnant, and, if you want to wait to give us political freedom until the day when we will be socially perfect, you will have to wait till doomsday for that.

He said that the reforms must be tried, and my Honourable friend, Sir Campbell Rhodes, observed that the difficulty in the way of the reforms in Bengal was that the Members would not support the Ministers. My Honourable friend, Mr. Moir, from Madras spoke enthusiastically about the success of the reforms in Madras. Sir, I had the privilege of having been for the last three years a Member of the Madras Legislative Council. And, more than that, I had the rare privilege of being in the inner circles, as I was for some time the Council Secretary to one of the Ministers and I know that dyarchy has been a miserable failure in Madras. If I may be allowed to use a paradox, I might say that dyarchy has been successful in Madras because they have absolutely ignored dyarchy there. The conflict of loyalty which the Ministers have towards the Members on the one hand and the Executive Council of the Government on the other, places them sometimes in such an awkward situation that I have often wondered whether I would care to be a Minister in those circumstances. Sir, if you want further testimony of the fact as to how dyarchy has worked in Madras. I cannot do better than refer you to one of the greatest authorities in Madras, one who spent a whole lifetime in Government service and who now occupies the position of a Member of the Secretary of State's Council—I mean Sir P. Rajagopalachariar. When he laid down his office and when he thought he was free to speak more honestly, he said it was absolutely impossible to work dyarchy. He once remarked in a private conversation that, if you are allowed to practise this dyarchy till 1929, all the Members of the Provincial Council must be sent to the lunatic asylum.

Apart from the opinion of these authorities, Sir, the masses want a change. We who have come into contact with the masses of the people know what the masses want better than those sitting on the Treasury

[Mr. R. K. Shanmukham Chetty.]

Benches. In those days when the intelligentsia of the country agitated for constitutional reforms, Government was in the habit of saying "the intelligentsia want it—only a microscopic minority of the people—but the masses are loyal at heart", and when the masses agitate to-day they say "it is only the rabble that agitate, the intellectual people are all right." Whatever it is, you have got in the country the phenomenon of non-co-operation. I am not here to make any apology for the non-co-operation programme. For good or for evil non-co-operation has come to stay in this country, so long as the originating causes continue to exist. But wise statesmanship, and that true British genius which recognise the inevitable, must find a solution for this problem. And what is the solution which Government has from time to time offered to this challenge of the people? It is the pompous declaration that Government will never be coerced; that they have got in their armoury weapons to meet any situation, violent or non-violent. Well, Sir, I for one am prepared to maintain that no Government worth the name must allow itself to be coerced by threats, but, Sir, if it is the declared policy of this Government never to be coerced by the forces of public opinion, then I might say on behalf of the Indian people as a whole that they are determined not to be coerced by repression.

My Honourable friend, Sir Campbell Rhodes, referred to the outbreak of anarchical crime in Bengal. Certainly, the recrudescence of anarchy in Bengal is portentous of a dangerous spirit. That dangerous spirit has come again because Government in their wisdom removed the one personality that could successfully divert the people from thoughts of crime and violence,—and that is the personality of Mahatma Gandhi. I do not know, Sir, whether my Honourable friend, the Home Member, will challenge this statement. If he does, I will give him something. It is an extract from the deliberate opinion of one of their officers, a gentleman with imagination, whom we have the pleasure to have in our midst to-day—I mean my Honourable friend, Professor Rushbrook-Williams. In his book "India in 1921-22" this passage occurs:

"During the year 1921 anarchical crime had practically ceased. This party had been largely captured by the idealism of Mr. Gandhi's movement."

I wish the Government of India had as much imagination as Professor Rushbrook-Williams. Sir, I am not one of those who, like my Honourable friend, Mr. Patel, question the *bona fides* of Government. I quite recognise their *bona fides*. I heartily reciprocate the noble sentiments contained in the concluding words of my Honourable friend, Sir Malcolm Hailey, that they too like all of us are bent upon the same goal, that, if the route they have chosen to reach that goal is circuitous and long, it is because they fear the morasses and the pits that lie on their path. But here, Sir, are a people filled with hope, filled with enthusiasm. If you tell them their hopes are dupes, I might tell you your fears may be liars. The morasses and pits that you imagine on the roadside may after all be in your imagination. Here are men filled with enthusiasm and hope, enthusiasm and hope not merely for the destiny of India but for the destiny of something greater, that great commonwealth to which you and I belong. The generation of ardent patriots that preceded us, the generation of the Gokhales and the Mehtas, worked in the melancholy hope that they could serve their country only by their failures. Perhaps it is our proud privilege to serve our country by our success. Help us in our endeavours lest it go down in history that in the hour of its greatest trial Britain failed to captivate the enthusiasm of a great people.

Maulvi Muhammad Yakub (Rohilkund and Kumaon Divisions: Muhammadan Rural): Sir, I rise to dissociate myself and my community from what has fallen from the lips of Chowdhry Alimuzzaman and the two nominated Muhammadan Members, Nawab Sir Sahibzada Abdul Qaiyum and Maulvi Abul Kasem, and I assure this House that we Muhammadans are second to none in the effort to secure the freedom of our motherland. The unwisdom of those who withhold participation in the movement for concerted effort cannot be condemned in too strong language. No doubt, Sir, we are anxious to establish our importance and secure our privileges, but that can only be done by means of a mutual pact, by means of a round table conference, and, having this fact in view, we heartily support the other communities for the furtherance of the common cause.

Sir, I do not share the fears and suspicions of those who say, that if a sort of democracy is established in India, the Muhammadans or the other minor communities will suffer. I think, Sir, that by accepting the amendment of the Honourable Pandit Motilal Nehru, we are not in any way surrendering our rights. We are not placing ourselves at the mercy of the majority community.

Nawab Sir Sahibzada Abdul Qaiyum (North-West Frontier Province: Nominated Non-Official): Remember the Indians in South Africa, please.

Maulvi Muhammad Yakub: Whose doing is it, Sir? Who is not giving them their rights? Is it not the same power that is withholding their rights from the Indians? We, on the other hand, are extracting a solemn pledge from the majority community, we are obtaining a promise from them, which is incorporated in the amendment of the Honourable Pandit Motilal Nehru, that when a constitution for responsible government in India is drawn up, the interests and rights of the minor communities will be safeguarded. Sir, India is bound to get Swaraj sooner or later. Time and tide wait for no community or no individual, and even if the un-Mussalman-like Mussalmans of India try to throw stumbling blocks on the road to Swaraj, they will not succeed in stopping the march of other communities. But, Sir, when Swaraj comes, what will be our position? It would be simply ignoble and insecure.

Nawab Sir Sahibzada Abdul Qaiyum: Remember the Indians in South Africa, please.

Maulvi Muhammad Yakub: I will come to it. I do not really understand what the Honourable Nawab Sir Sahibzada Abdul Qaiyum means by South Africa.

Nawab Sir Sahibzada Abdul Qaiyum: Just one word, Sir. May I explain my meaning to the Honourable Member? Our position in India as against the majority community will be just like the position of the Indians in South Africa and Kenya against the majority there. That will be the exact position. The majority in India will not then hear your voice.

Maulvi Muhammad Yakub: Well, Sir, I have just told the House that in the principal Resolution we are not entering into details, but are putting forward our demand in principle, we have got that safeguard. We have got that handle in the amendment of Pandit Motilal Nehru, which says "with due regard to the rights and interests of important minorities"

[Maulvi Muhammad Yakub.]

So, there is no fear of our rights. As I have just explained, when the constitution is being drawn up at the Round Table or anywhere else, we will see that our rights are safeguarded and that adequate and effective representation is secured for the Muhammadans on all the controlling bodies.

Nawab Sir Sahibzada Abdul Qaiyum: What about the signs of suspicion, please?

Maulvi Muhammad Yakub: I would have come to it later. I say that a great deal of suspicion and distrust is prevailing in the minds of certain members of my community as against the other communities. Partially it is correct. But then what is the reason of all this distrust and petty jealousy? This is due to our having been kept in a state of slavery and subjugation for more than 150 years. Suspicion and distrust are created in the minds of the people when nobler and higher aspirations are frustrated. As soon as we in India get responsible government, then you will find that we will have ample room for our aspirations. There will be a time when even an humble Indian can aspire to become the President of the Indian Republic or whatever it may be. Then you will find that there will be no room for petty jealousies and prejudices. There are very few open doors for the Indians to obtain salaried posts or honorary posts and therefore these petty jealousies crop up.

Maulvi Abul Kasem (Bengal: Nominated Non-Official): What was your opinion when you issued the circular against the Lucknow pact?

Maulvi Muhammad Yakub: I will come to that, Sir. My friend Maulvi Abul Kasem—I am so glad to find him here—in the beginning of his speech he stated—and it was partially true—that he was representing nobody in this House but that he was expressing his own views. Sir, I feel very diffident in accepting the last portion, namely, that he was giving expression to his own views. If he were giving expression to his own views, to-day he would have been fighting with us for the freedom of our motherland, as some years ago he was fighting on the platform of the All-India Muslim League and the Indian National Congress. But, Sir, we have of course to respect the views of our electors, and here we find Maulvi Abul Kasem in that state. I can very well understand the Indians who say that they never want Swaraj and that they will always like to live in a state of slavery. There are many people in the world who commit suicide. But I am quite unable to understand the reasoning of those gentlemen who say that they want Swaraj, but at a slow pace and after a short time. I will ask them, “How will the minor communities be safeguarded by a delay? Is it possible that by getting Swaraj, say after 50 or 100 years, the population of the Mussalmans will have increased so much by that time that they will become a majority, even if every Mussalman, young and old, were compelled to have the maximum number of wives allowed under the Muhammadan Law? (Laughter.) Well, Sir, what is the good of delay? On the other hand, the more we live in this state of slavery and subjugation, the more we lose that little spirit, that little self-respect, which is still left in us and which will be exhausted in a very short time. The amended Resolution of the Honourable Pandit Motilal Nehru has been worded in such moderate and cautious language that I do not think there can be any room for opposition. We do not make exorbitant demands. We do not want to create an atmosphere of revolution.

We do not want to follow*in the footsteps of De Wet and De Valera. But what we do want is the most constitutional and peaceful method of a round table conference. I do not know what more constitutional and peaceful method could have been adopted. The Honourable the Home Member has also very kindly expressed an anxiety on behalf of the minority communities. But, Sir, I would ask him only one question. What have the Government done during the last one hundred and fifty years to remove the differences between the Hindus and the Mussalmans or between the different communities? You have got hundreds of Acts on the Statute-book passed since the Legislative Councils have come into existence. But may I ask, have you ever tried to frame an Act or Regulations with a view to stopping friction between the rival communities? (A Voice: "How will you do that?") Can you point to any Act designed for that purpose? (Cries of "Go on.") (An Honourable Member: "The Indian Penal Code.") That is what I wanted to hear from you. What you have done is this. If there is any conflict, if there is any riot, you have left the whole matter in the hands of unsympathetic and inexperienced Magistrates, and even the most respectable and honourable Indians have been sent to jail like the greatest felon and the cruellest murderer. But this is not the way to put an end to such differences, it is not the way to stop friction. I ask, what law have you passed with a view to minimise these conflicts? What are the causes of friction between the two communities? They can be counted on your fingers. One is the occasion of the Mohurram and Dasehra, another is cow slaughter on the occasion of Id-uz-Zuha, again another is playing music before mosques at the time of prayer. I ask you, what have you done to prevent conflict on such occasions? What law or Act have you passed in any of your Legislative Councils to prevent all these things? On the other hand, you ask, what we will do in respect of this. I say this, once we had an opportunity of forming a pact which is known as the Congress-League pact, and by forming that pact we removed one great difference between the two communities on the occasion of municipal and council elections. In the same way when we get an opportunity, when we draw up a constitution for India, we will form a brotherly pact and make our own rules and regulations to regulate religious processions and deal with other causes of friction between the two great communities. Sir, a question was also asked as to what would be the attitude of Mussalmans if India were invaded by Afghanistan. Of course, this was a very intelligent question on the part of the Honourable the Home Member. He also said that the Mussalmans would be crushed by the majority of the Hindus. He asks the Hindus what will be their fate if India is invaded by the Afghans. In reply to that, I would say this, that in the first place we do not claim an entirely independent kingdom for India. We will still remain an integral part of the British Commonwealth and I would like to ask you, as the paramount power, what will be your duty if India is invaded by any foreign enemy? As regards the attitude of the Mussalmans I would submit that if the Mussalmans could fight against the army of their own Caliph in Palestine, there is no reason why the Muhammadans of India will not defend their own motherland. Sir, we do not want a change of masters. What we do want is our own freedom, and in order to obtain our freedom we will do whatever other communities in India will do whoever may be the invader, whether he be the Afghan, or the Japanese, or any other foreign invader. It is now getting late and I do not want to take up much of your time. I very heartily support the amendment proposed by my Honourable friend, Pandit Motilal Nehru. Before I sit down I wish to express my thanks to you, Sir, for giving me an opportunity of expressing my views on this important question.

Colonel Sir Henry Stanyon (United Provinces: European): Before I address myself to the main question before the House, I am anxious to say a word regarding a remark made by my Honourable friend, Dr. Gour, in the course of this debate on the 8th February. The substance of what he said was this, that Sir Campbell Rhodes and his community opposed the introduction of the Reforms three years ago, and that they are now opposed to any further advance towards responsible government. I take his reference to that community to be a reference to the non-official Europeans in India. Sir, in the course of this debate we have had the *practical* opinion of my esteemed friend, Diwan Bahadur Rangachariar, who, after three years of sincere co-operation and work under the Reform Scheme, has pronounced that scheme to be a failure. We have also heard the *theoretical* opinion of the Honourable Pandit Motilal Nehru, the accredited leader of a party which has watched the working of that scheme without taking any part in it,—a party which claims to include among its ranks the best minds of India—that the Reform Scheme is a thing of evil, fit only to be destroyed. If these opinions are correct,—I do not say that they are, but Dr. Gour evidently subscribes to them,—then they establish the soundness of the estimate which the European community in India formed three years ago, before the Reforms were introduced, with regard to the scheme. But, Sir, what may have been the opinion of the European community at that time is now a matter of purely academical interest. The scheme was embodied in a Statute by the unanimous vote of both Houses of Parliament and has received the assent of His Imperial Majesty, the King Emperor. Thereupon, the European community, with a recognition of the principles of democracy which might well serve as an object lesson in India, not only accepted that decree but set themselves to give effect to it. It is the publicly declared undertaking of the non-official European community in India, by active co-operation with their Indian fellow-subjects, to endeavour to help forward India to the goal of responsible government within the Empire. The difference between Dr. Gour and ourselves relates only to the path to be followed, the pace at which, and the circumspection with which the journey is to be performed. But let me make this clear, that non-official European co-operation towards this goal stands or falls with constitutional procedure under the Government of India Act. I turn now to the main question, and I wish to deal particularly with the amendment of the Honourable Pandit Motilal Nehru. I would remind Honourable Members that, when they vote, they will not vote in support of sentiments expressed in speeches made in this House but on the amendment as it stands worded on the agenda paper. We should not allow our vision of this fact to be clouded by any simplicity of speech, by any fascinating subtlety of argument, or by any forensic or political astucity of suggestion. The amendment is not a mere invitation to Government to co-operate with non-official Members in an exploration of the avenues for the advance of India towards responsible self-government. The language of this amendment is clear and unambiguous, as one might expect to find in an amendment framed by so capable a lawyer as my friend Pandit Motilal Nehru. In its first part it does not ask the House, or the Government, or the country to see whether a stage for further advance has been reached. It assumes that the time for the conferment of full responsible government on this country is passed, and it asks only a recommendation for the legislation necessary to give effect to that state of affairs. This is the main proposal: "The time for introducing responsible government is passed: Let us have an Act which will confer it." Then, appended to this main proposal, is the procedure which is to be followed. Stated briefly that is,

first of all, a conference, helped by Government, to draw up a scheme of a constitution; and, next, a dissolution of this Assembly and the election of a new Assembly to pass the scheme and send it up to the British Parliament for embodiment in a Statute. Now, to represent this amendment as a mere invitation to Government to co-operate with the Swarajists in exploring the avenues for an advance towards responsible government is, in my humble opinion, and I say so with all due respect, to misrepresent it. The suggested conference is to be limited, like a Select Committee on a Bill, to the framing of a constitution for full responsible self-government. As soon as that is done this Assembly is to disappear. The House is asked to vote for its own premature extinction. It is invited to attempt suicide. Why? It has been suggested, as one reason, that the object is to secure a consideration of the responsible government scheme by the best minds in India. That, on the face of it, is a very poor compliment to the present Assembly, and would be a very poor compliment to the electorate responsible for its *personnel* if there was such a thing as a real electorate. Be that as it may, who would be the most competent judges of the contemplated scheme—the men who have worked for three years to learn the fundamental principles and acquire some experience in working the form of administration which the British Parliament and the British public contemplate eventually to confer on India, or the men who have confined themselves to sitting on the fence and jeering at those who have laboured to build the road to responsible government? It has also been said that, when a new constitution has been prepared, "the people" should have an opportunity of pronouncing on it by a fresh election. That statement, no doubt, will read very well in the European press, but it falls flat and dead on the ears of those who know India. It assumes the existence of an intelligent, and independent electorate capable of forming an opinion of its own on such a scheme. That electorate, I say without hesitation, has no real existence. According to this amendment this House is to vote itself unfit and incompetent to judge the scheme to be prepared by the very conference which it is asked to recommend. It is to give way to certain super-men, who are to handle the scheme after it has been devised. That is an extraordinary proposition. It is easy to conjecture what is the real purpose underlying this scheme for a fresh Assembly, but it is not necessary to state it. It seems sufficient to urge that there is no assurance that any new Assembly which could be elected would be more capable, or in any better position to judge on the merits of this contemplated constitution than this House.

The main question calling for the sober judgment of this House is whether, at the present time, India is prepared (as is assumed to be the case in the proposal and in most of the amendments) to sustain the burden of full responsible government. My Swarajist friends will say "Yes, certainly:" but such a statement will convince no impartial judge. The Honourable the Home Member has set out four grounds for the view that the country is not yet ready. Beyond a mere assurance in general terms that these objections can be met and overcome, or a reply that they can be postponed to some more convenient date,—general terms and statements which will convince no one,—no real attempt has been made to answer the objections. Those who advocate immediate or very early responsible government ought to have considered some of the main details at all events. Where are they? Why should they not be stated? Why has no constructive scheme, even the very skeleton of a constitution, been prepared

[Colonel Sir Henry Stanyon.]

and put before the country or before this House? We hear of provincial autonomy. Is the contemplated Government going to be a central administration or a mere federation of provinces? It is easy to say, as my friend, Pandit Motilal Nehru said, that if the Independent States wish to come in, they will be welcome: if not, they are not wanted. Such statements do not even tackle the problem, far less do they dispose of it. Is it at all likely that the Chiefs who rule these States will consent to accept control from a Swaraj constitution in substitution for the present Government of India? It is certain that they will not. Then what is to happen? Do the idealists who press for immediate Swaraj suppose that States like Hyderabad, Baroda, Mysore, Gwalior, Bhopal, and that the great Chiefs of Rajputana or the Punjab can be ignored? My friend, Mr. Pal, says, "Oh no, we shall leave them to the tender mercies of the Government of India." Well, I am not enough up in the administration of the Foreign Department to be able to say how far such a scheme would be practicable. It seems to me that the relations between the Independent States and British India are so interwoven that, to have full responsible government (Swaraj), in British India, and a separate Government of India, maintained only to manage the affairs of the Indian States, would be little short of an absurdity. Again, what scheme can Swaraj wit devise which will be acceptable to all the communities, races, castes and creeds of this great continent? We hear of attempts to establish a pact between the two great communities, and we read of the results of those attempts. Is the contemplated constitution to be built up on such foundations? Is it to be a fragile mosaic of communal pacts? I venture to assert with confidence, and also with sympathy, that any scheme which my Swarajist friends may put forward in substitution of the constitution embodied in the Government of India Act will meet with a hydra-headed opposition all over the country, and is fore-doomed to failure. (Mr. Sham Lal Nehru: "From whom?") You will know in good time. This would be due, not to any want of good feeling or ability on the part of the legislators, but to the state of the country. The very first essential of a popular Government, namely a general trust in the ruling organisation, would be wanting. The party of Pandit Motilal Nehru know this, and that is why no attempt has been made so far to draw up any scheme or suggest any form of constitution. The assistance of the present Government is sought in order that responsibility may be cast on the Government for whatever may prove unpopular with any community or communities in the new scheme. We have it repeatedly asserted that the country wants a government of the people by the people. If so, then why do not "the people" put forward a form of Government? (An Honourable Member: "Who are the peoples' representatives?") Yes, who? The very fact that they are unable to do so is a sure indication of the truth that India is not yet ready for Swaraj, even over its domestic concerns. If this House were to vote in favour of a demand for immediate Swaraj, it would achieve nothing beyond the publication of its want of appreciation of the realities of the situation, and of its inability to grapple with the problems which underlie, and to overcome the difficulties which stand in the way of, attainment of the desired end.

Sir, I invite Honourable Members to take a wider outlook of the situation. The greater part of our work for ensuring advance towards responsible government lies, not in this House, but outside it. Success depends, not on what we can do or cannot do under the Government of

India Act, but on what we can achieve in fields beyond the Act,—on our handling of forces which no legislation can reach. Let us educate the people as a whole till we have a real and independent electorate. Let us endeavour to create trust between man and man, between one community and another. Let us disperse that suspicion and jealousy which now honeycomb the whole country and make impossible that sincere mutual co-operation which is indispensable for any measure of government of a people by themselves. In this great work the non-official community, to which I have the honour to belong, stand ready to co-operate with our Indian fellow subjects. I am no pessimist. I know something of India and its people, and I can foresee the heights to which, properly guided, this people can attain. I offer my views in all sincerity as a friend of India.

Pandit Shamlal Nehru: I move that the question be now put.

Diwan Bahadur T. Rangachariar (Madras City: Non-Muhammadian Urban): Sir, in rising to reply to the various speeches which have been made in the prolonged discussion of a most important subject, I have to confess that, as a pessimist I began, and I am going to end as a hopeful pessimist still. Sir, we are all united; we have no less than a personage occupying a distinguished position on the Treasury Bench, the Honourable the Finance Member, who confessed that he was also a Swarajist. Sir, we have the distinguished representatives of the Muhammadian community and the Anglo-Indian community also saying they are Swarajists. It goes without saying, Sir, that the Hindu community, probably with a solitary exception, are also Swarajists. They are all Swarajists, but some of the people who are Swarajists, they would welcome it as a mere dream, as a mere shadow to look at. They are really not real Swarajists; they are half and half. They would rather keep it at a distance, keep it dangling in the air, raising hopes in the minds of the credulous, trying to do that; but when it comes to close grips with Swaraj, they are afraid to face it. I do not think such gentlemen, if they are re-born, as we believe that we are going to be re-born, will ever believe in real Swaraj for India, such is the frame of mind into which they have worked themselves. Now to such of them it is really difficult to reply. I know the English nation is an obstinate nation, just as I am myself, but obstinacy always yields to reason, otherwise we can never get on in this world. We are trying to convince this obstinate nation by reason. My Honourable friend, Sir Henry Stanyon, who spoke last, referred to my experience of the working of the Act as a sincere co-operator, and my verdict on the Act with some appreciation, but what conclusion he drew from my verdict I was unable to see. My submission, after actual experience of the Act, is that the Act intends to do something really *bona fide*, intends to do something for India, but fails to carry out its intention.

That is my complaint against the Act. It tells us that full responsible government is to be the goal for India but does not mark out the road to it. It merely keeps it as a shadow not a substance to be got at. It speaks of revisions for the purpose of progression or retrogression. It speaks of periodical examinations in cycles of 10 years—it may be never-ending cycles of 10 years. That is my complaint against the Act. If really the British nation believes that India should get responsible government and for that purpose has set itself to the task of giving us responsible

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government, let us have an honest road to it. The Honourable the Home Member is quite right when he says that I am complaining against the Act. It is true. That is why I want the revision of the Act. My complaint against the Act is that it does not lead to anything. It is not an honest road on which we are set to work. That is my verdict on the Act. I am sorry to give that verdict but I have thought about it. You may go on working this Act for every period of three years, the term of this Assembly. My Honourable friend Sir Abdul Qaiyum may have his experience of the Act for three years, and, if at the close of that period he behaves in an orderly way, he will be told by another Viceroy "We have closed one more chapter, we have advanced another step, not only reaching the half-way house but three-fourths-way house" and such like platitudes. But that is no compliment. I really do not take it as a compliment. We wish to be treated as men, not as children—as men who can take care of our own household. Sir, it is not true that we have come here this time—at any rate, I have not come here—to wreck or to obstruct. I have come here to continue to work the Act in the same spirit in which I was doing it for the last three years. But at the same time I shall be failing in my duty to my Sovereign, in my duty to my people, if I do not point out that this is no honest road which you have given us. Revise the Act; take steps to revise the Act in order to secure full responsible government. My Honourable friend Sir Malcolm Hailey, like the clever advocate that he is, has acted the part of an advocate rather than that of a statesman, which he is going to be ere long. He has misread my Resolution. I wanted very early steps to be taken to revise the Act. I wanted those steps to be taken in order to "secure" full self-governing Dominion status. "Secure" is the word, for the present Act does not secure it. It merely holds it up as an object to admire from a distance with an ocean to cross, as my Honourable friend would have it. Yes, Sir, you want us to pass an impassable ocean. These periodical examinations by Commissions which are to come out every ten years—what will they find? Will they find India changed? Will all the Muhammadans have disappeared, or the Hindus have disappeared, or the Christians and Anglo-Indians have disappeared, or the commercial interests have disappeared? What will they find, Sir, at the end of the ninth year? They will find us as we are. Have we changed much from 1919 to 1924? Has India changed very much in that time? What then is the meaning of this periodical examination in order to find out whether we are fit for progress, fit for responsible government or not? I deny that there is any such test which you can apply. Sir, you can go on working this Act till eternity, and I am convinced in my own mind that we shall never attain what is held before us. Are you setting mere shadows before us or are you asking us to be ready to take over the government of India. Is the pursuit which you have taught India to follow anything but an alluring shadow? Is the wealth which you are offering us anything but dust and ashes? Now what is the answer to this? To take my Indian friends who have spoken on this Resolution, and I hope my Honourable friend Colonel Gidney will forgive me if I rank him as an Indian; I wish to rank him as an Indian and to embrace him as an Indian—I hope he will forgive me for that. Sir, what is his fear? What is it that he is afraid of? Does he really think that responsible Indians will really ignore the peculiarities of his community? Do they not know the special aptitudes of that community?

Each community has its own aptitude and its own sphere of work in this great continent of India. Is his plight so bad that he should be afraid that the people of this country should get the power? Let him discard those fears. If real responsible government were to come to-morrow, he is not going to be ignored, nor am I going to be ignored.

Lieut.-Colonel H. A. J. Gidney: Thank you.

Diwan Bahadur T. Rangachariar: Surely we are a civilised people, we are not barbarians who wish to tread under foot other people. Has not this country, Sir, encouraged in the past other communities to come and settle down here? Were the Parsis expelled from this land when they sought refuge in India? Did they come here only when the British were in the ascendancy? Did they not come long before the British came to this country? Have not minor communities sought refuge in this ancient land?

Again, turning to my Muhammadan friends, there were two who spoke for whom I have great respect. My friend, Sir Abdul Quiyum, hails from the North-West Frontier. After coming into personal contact with that great community which inhabit the Frontier, I have nothing but admiration for them,—for their sagacity, their wisdom, and although they may not be familiar with the so-called modern civilised ways, I was greatly struck by their capacity to manage affairs. My Honourable friend, Sir Abdul Qaiyum, is quite wrong in supposing that I am against the advancement of his community. I wish that community to join the rest of India and not to keep to themselves; to give us what they have and to take from us what we can give them. We will mutually benefit by coming into contact with each other. I wish more of them to come into this Assembly and give us the benefit of their advice. That is my point; there is really no quarrel. If he will see far ahead he will find that that is the best course for his community. On the other hand, I pity them.

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What is their present position? They are under a primitive government, although it is a British Government. I pity the inhabitants of those five districts of the North-West Frontier Province. They do not have a proper government at all, and it is time that proper steps were taken to improve their lot. I quite sympathise with him. He himself has told us that he wants responsible government in his province and that he is not afraid of it. He merely therefore argues my position, that at any rate the people of the North-West Frontier Province are fit for responsible government.

So also my friend, Maulvi Abul Kasem. What did he say? I fully agree with all the Panditjee said, he said. He fully agreed with the picture that the Panditjee drew; and what is his quarrel? "Settle my share first, before you get it." That is his quarrel and nothing else. Very well, we will settle it. (Hear, hear.) There will be no difficulty about it. You yourself were a party to settling it in 1916 at Lucknow. You settled it then satisfactorily. The people were then quarrelling because of the proposed grant of reforms; at once the quarrel subsided. By all means, let us settle it before responsible government is established. There are no two words about it.

My Honourable friend, Mr. Kabeerud-Din Ahmed, has not spoken, but he now and then interjects. But I thought he told us the other day that we had come here with a determination—I think those were his words—that we had come here with a determination, that this was not the old

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Assembly, but the new Assembly; and with a physical gesture he emphasised that determination. Sir, that is his position.

Now, Sir, what is the real difficulty of the Muhammadans? When they were in power, did they oppress the Hindus in the land? Are not the Hindu subjects of His Exalted Highness the Nizam happy under his rule? Are there not subjects in Kashmir, most of them Muhammadans, under Hindu rule? It is easy to magnify these things. I do not deny their existence (*Mr. K. Ahmed here interrupted with a remark which was inaudible.*) I am sorry, Sir, that my Honourable friend, Mr. Kabeerud-Din Ahmed, will go on interjecting; but, however, I shall not mind it. Now, there are these difficulties; as the Honourable the Home Member has himself told us they are neither insurmountable nor are they serious. Sir, these difficulties about classes, castes, creeds and communities have always been trotted out; they are time-worn objections; may I say, they are word-worn objections. Were they not raised when that modest reform was inaugurated in 1892 in Lord Cross' Act? Were they not emphasised in 1909 when the Reforms came into existence? Were they not trotted out when the first Indian Member was put on the Executive Council? It was said that the Heavens would fall down if an Indian was taken into the inner counsels of the Indian Government.

The Honourable Sir Malcolm Hailey: Who said that?

Diwan Bahadur T. Rangachariar: I suppose Anglo-Indians and Indian officials and the Indian Civil Service. I know it was said in the House of Lords and everywhere. I know it was the cry which used to be raised. All these things will be trotted out; they are time-worn objections and statesmen always ignore them. I do not think, Sir, that my Honourable friend the Home Member has stated them in clearer or more eloquent terms than Chapter VI of the Report on the Constitutional Reforms has done. That Chapter records all these objections, and, Sir, what is the answer which the British Parliament gave them?

"You have great differences of race and religion and great difficulties arising out of harsh customs and precepts of caste. I cannot help believing"—

this is what the then Secretary of State said:

"that there is no better way of getting over these difficulties than by representative institutions."

Sir, there are two great factors which will destroy these difficulties, the railways and your reforms. These are the two great factors which destroy these difficulties which undoubtedly exist. Now, Sir, it is no use pleading that the country is not sufficiently educated, that the masses do not know what the intelligentsia think and therefore it is not safe; and that educational and social conditions are not such that you can have responsible government. But you have done it already. You have done it in the provinces. You have ignored these difficulties and rightly too. What has happened? Have these interests suffered at the hands of responsible Ministers? May I ask my Honourable friend, Sir Campbell Rhodes from Calcutta if his commercial interests and industrial interests have suffered in any way? Have they suffered because of the responsibility in respect of those subjects being placed in the hands of Indians?

Sir Campbell Rhodes: If I may interject, I may say that commerce is a Central subject.

Diwan Bahadur T. Rangachariar: What about industries? It is all very well to speak of the millions of capital sunk. I am yet to know that they have sunk millions in commerce. I admire these industrial magnates in Calcutta who have sunk lakhs and lakhs of rupees in jute mills and other industries; but they are not commercial men. Commercial men have sunk very little capital here. It is the industrial magnates in the planting areas and jute areas and cotton mills who have sunk capital in commerce. European commerce profits with Indian bank money. I had the good fortune of being taken round these jute mills on the banks of the Hughly for thirty miles above and thirty miles below Howrah. It struck me as a magnificent contribution to the wealth of India by these great Scotsmen who have built up that industry there. Would any responsible Indian really think of mutilating or injuring those industries? Would it not be harming himself when he sees thousands of his countrymen, labourers, living there in comfort and earning a living wage? Would he destroy those industries? What is the fear of the Europeans? It is all a fancied fear. You must put aside that idea, that you must have a white doctor, a white magistrate, a white policeman to protect you here. So long as you entertain that idea you will never be able really to gain the confidence of the people of this country. Trust the people of this country and they will treat you handsomely. They want your assistance. In fact my complaint has been against these shrewd Englishmen and Scotsmen in this country that, while they have attended to their business, they have not attended to the business of the country as much as they ought to have done. It is a complaint which Lord Carmichael also made in the House of Lords when this Government of India Act was passed there. This is the shrewd way in which he puts it:

"I have always found as a Governor that a great deal of help could be given by non-official Europeans. They do not take much interest in politics. Many of them are Scotsmen and I am a Scotsman, and I quite sympathise with them. They were attending to their own business, but I often felt that if only they would help me to attend to mine a little more than they did, it would help matters on."

May I ask Sir Campbell Rhodes and his countrymen in Calcutta to take that view of the question? You have hitherto neglected your duty by the people of this land. You ought to have given a better education, a more practical education. You should have joined with the people of this country in improving the administration of this country, but instead of all that, you have been attending only to your own business interests; you did not attend to the interests of the country. That is the trouble. I do not appeal to the European community in the way that my Honourable friend Sir Malcolm Hailey sought to do the other day while speaking, I believe, at Cawnpore or some other place. Sir, I do not want the European community to organize themselves against Indians. I want them to organize with us

The Honourable Sir Malcolm Hailey: Sir, have I ever anywhere in my dreams suggested such a thing?

Diwan Bahadur T. Rangachariar: I am glad to hear his correction, Sir, but that is how I interpreted his Cawnpore speech. I am glad to be corrected.

The Honourable Sir Malcolm Hailey: You are not a good interpreter.

Diwan Bahadur T. Rangachariar: I am very sorry for it, but I am glad to have the Honourable Member's correction. Sir, I want the European community to join hands with the Indians in all matters affecting the country. Surely, the members of the European community cannot be blind to the state of things prevailing now, to the state of turmoil, to the state of unrest, to the state of distrust, to the state of no confidence which the people show towards the Government of this country. Are they willing to let it go at that? Is it really in their true interests to let these things continue as they are? Have the consent and co-operation of the people. It is true you are now in a position to override the wishes of the people. You may do so. You have got physical force. Probably you can all combine and put down any disorder. I quite admit that. But is that the right course to adopt? Now give up such ideas. I want the co-operation of the European community. I am not one of those who would ignore or discard their co-operation. It is impossible to get on without the co-operation of Europeans in a matter like this. I know that the Muhammadan community as a whole in the land would not tolerate the opinion given expression to in this House by my Honourable friend Maulvi Abul Kasem. If he had to answer an electorate, he would not have said what he has said here. We know he had sought the suffrages of his fellow countrymen, but he could not get their votes, and I do not wonder that he did not get their votes. Therefore, Sir, these difficulties should not be exaggerated. They should not be considered as insurmountable.

Sir, as I said, I was a hopeful pessimist to-day, because the Government of India said only last year that they would not budge an inch, they would not move an inch, but to-day I find that the Honourable the Home Member is willing to institute a departmental inquiry with the help of the Local Governments in order to see if there are any defects in the working of the Act, in order to find them out and place them before Parliament, and then have the opinion taken of the country. May I ask him, Sir, is there really any use in consulting the Local Governments on a matter like this without consulting the people of the country, without a formal inquiry? I do not want to ignore the opinions of the Local Governments, but may I remind my Honourable friend the Home Member what views Madras held in 1919 when these Reforms were sought to be introduced, and what views the Madras Government now hold about the further progress? It all depends upon the personnel of the head of the Province. Then, Sir, Lord Pentland and his Government including Mr. Todhunter—I think he was then Chief Secretary—they wrote despatch after despatch saying 'this is a most objectionable measure, those reforms should not be granted' and so on. But, Sir, if you consult the Madras Government to-day with the same Mr. Todhunter, now Sir Charles Todhunter, as Finance Member there, I should like to know what they have to say. I should like to look into that report which they have made to the Government of India or rather to His Excellency the Viceroy on the working of the Reforms. It is an open secret in Madras that Madras advocates a very much further advance, full responsible Government for the Province. Sir, these opinions come and go, I mean there are always false prophets of evil, and I am glad they always turn out to be false. There have been prophecies of evil whenever reform was put forward here. There have been people who cried down, who discouraged, who threatened, and who warned the Government of India not to take a certain course of action, not to do a certain thing, but the Government of India always turned out to be right. Therefore,

Sir, these prophets of evil should be ignored. Let us have hope, let us have faith in ourselves. There is no problem which you and I cannot solve. Let us sit at it. There is a serious problem now facing the country. The very fact that we recognise difficulties shows that we are able to grapple with those difficulties. Therefore, it is unnecessary for me to pursue the matter further, and I sincerely trust that the Government of India will not ignore this demand of the nation. The demand of the nation, I do not say, is concrete in all the essentials which we have put forward, but the demand of the nation is there, that this Act should be revised, —for what?—for ensuring full responsible government, not-to-morrow, not next year, but to ensure it. Let us have the Act so framed that full responsible government inside the country will be established, and so far as the provinces are concerned, there can be no real difficulty at all, and as regards the Central Government, as I have already said, there should be no real difficulty whatever.

Sir, then the Honourable the Home Member asked what will the Princes say to this? I have already quoted the opinion of one of the eminent Princes, one of the noblest of noble rulers, the Maharaja of Alwar, who only recently in the Imperial Conference said 'Give them responsible government'. May I give the answer of another great ruler who is considered to be a re-actionary ruler, His Exalted Highness the Nizam of Hyderabad? What does he say, Sir? In that letter recently published asking for the rendition of the Berars to him, what does he say? He says that he will give the people of Berar the full right to determine their own affairs . . .

Dr. H. S. Gour (Central Provinces Hindi Divisions: Non-Muhammadan): Why has he not done it in his own State? Let him give it to Hyderabad first.

Diwan Bahadur T. Rangachariar: That is another question. If you want to ask the opinion of the rulers, I have no objection whatever to their opinions being taken in this matter. Their opinions are valuable, I do not want to ignore them at all. But what is the meaning of merely saying 'What will the Princes say, what will commerce say, and what will minorities say?' Yes, they say that, but we are here to judge on what they say. I ask in my proposition that a Royal Commission should come out in order to judge those questions. Therefore, I am not ignoring these difficulties. I did not want to go into details. My Honourable friend, Sir Henry Stanyon, complained that we have not got a cut and dried scheme before us. If we present such a scheme, I am sure my Honourable friend, Sir Henry Stanyon, will be the first to pick holes in it. This is not the place to have a cut and dried scheme. We want a Committee, we want a Conference in order to chalk out a cut and dried scheme. I do not pretend that a cut and dried scheme is so easy of manufacture. I confess my incapacity to do it myself, and I shall want the assistance of my Honourable friend, Sir Henry Stanyon, and others like him in the matter.

Sir, then coming to the Civil Services in this country, they always labour under a delusion that they alone know the masses and not we, the people of the land. That delusion must disappear. The masses think with us, although they may not be able to express themselves with us. We move with the masses much more than the Treasury Bench have occasion to do. There is no mistake in that matter.

Sir, this advance must be a definite advance which I want. The next step must be a substantial step and that is why I have indicated in the Resolution that there should be full provincial

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autonomy; not autonomy for the bureaucrat, as somebody would have it, but autonomy for the responsible, that is the Executive being responsible to the Legislature there. And my Honourable friend, Sir Malcolm Hailey, also referred to my Resolution and, as I have stated already, he read into it a lot of things which I had not meant to put into it, and on a careful reading he will be satisfied that my Resolution does not ask for the immediate establishment of responsible government to-morrow. I ask that immediate steps should be taken by the Government of India in order to ensure it. Sir, my Honourable friend quoted from the speeches of various gentlemen who appeared before the Joint Committee in England. The Joint Committee itself told Mr. Patel at the outset: "Now we have to proceed on the assumption that the Announcement made in the 1917 Declaration must be taken as the starting point. You should not go beyond it. Now what are your proposals on that basis?" It is on that basis that the inquiry was conducted by the Joint Committee and therefore it is no use quoting Mr. Jinnah or Mr. Patel or other people with reference to that matter. That is why we complain against the Act. The Act has reproduced certain things which were contained in the Announcement and that is why the Act should be revised. Now, if really it is the intention of Government that India should have full responsible government, let them set to work in earnest to give it to us—not merely pretend to give it to us. We consider this Government of India Act a pretext for that purpose. That is why we want the Government of India Act to be revised at an early date. Sir, I will not tire the House.

As regards the amendment of my friend, Mr. Bipin Chandra Pal, and that of my friend, Pandit Motilal Nehru, they only relate to the procedure to be adopted. I leave in my Resolution the steps to be taken for the Government of India to decide and have suggested in brackets a Royal Commission, if necessary, because I do not care what method is adopted. So long as it is an open method in which the people of the country, the intelligentsia of the country and the representative people of the country, will have a voice, will have a seat on that Committee in an open inquiry—call it a Committee, a Convention or a Royal Commission, it is a matter of indifference to me. But I do want an open inquiry with a set purpose, namely, to ensure responsible government. These are the two cardinal points in my Resolution, and therefore I do not propose to deal with the amendments proposed by my Honourable friend, Mr. Bipin Chandra Pal, at length. I do not think his amendment has the acceptance of the House. But I find Pandit Motilal Nehru's amendment has the general acceptance of the House, and, if it is the general wish of the House that that amendment should be carried, I will not stand in its way and I shall be glad to accept it myself.

The Honourable Sir Malcolm Hailey (Home Member): I remember reading somewhere of a practical philosopher who said that "of all earthly pleasures, even of the pleasure of sitting, there cometh satiety at the last". I suppose there cometh also satiety of speaking, and I see that the House is anxious to proceed with its vote, but, loath as I am to defer it, I must endeavour to guide its decision into some clear issue. For, as I said when I first addressed myself to this motion, it was inevitable that a discussion of this nature should be the focus of many cross currents of thought. That anticipation has been fully justified. We have just listened to Mr. Rangachariar; but even now I doubt if anyone here has formed a clear

impression whether he desires to see the new fundamental law of the constitution of India settled by a Commission of Parliament or by a self-ordained round table conference. There are here those who perhaps would desire to see some advance within the Act; but both the Resolution and the amendment altogether transcend that ambition. There are those who would desire to see some wide advance involving general amendment of the Act itself, whether that amendment is to be determined by a Committee appointed by the Assembly or by a Royal Commission. But again, neither the Resolution nor the amendment is confined to mere advance; each has a definite objective far beyond this. It would have been a great gain if we could have presented India and the United Kingdom with a clear vote on a clear issue, and if we could have made certain that a vote on the Resolution only embraced those who were definitely in favour of that explicit issue. It is this feeling which prompts me once more to remind the House of what it really has before it. For me from the first there never has been any issue but one, namely, whether India can now claim that a state of things has arisen in which immediate self-government is feasible and desirable. I admit that there is something that I might describe as a subsidiary proposition, namely, whether, if, immediate self-government is to be attained, the new fundamental law of the constitution is to be laid down by a Parliamentary Commission, or by a round table conference. It might at first appear that that was a mere matter of procedure or machinery. That is not so. There is a vital difference. The former method retains not only the power of investigation, but the power of decision in the hands of Parliament to which we on our side claim that it belongs and must belong. The latter assumes that it remains entirely with the Indian people themselves, and such representatives as they may approve of, either through our electoral system or outside that system, to establish a national constitution.

Now I pause for a moment here, because I have been told more than once that in claiming that this is the real issue I was wrong, that there was no demand for immediate self-government, that I was fighting a bogey that I had myself created. I have Mr. Jinnah's assurance that I am wrong. It is possible that Mr. Jinnah himself, though for some reason he seems to sympathise with those idealists who do ask for immediate self-government, does not ask for it himself. But, Sir, since when has Mr. Jinnah been the custodian of the conscience of the Swaraj party?

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): I did not say that. I said that the amendment of Pandit Motilal Nehru, worded as it is, does not ask for the establishment of immediate full responsible government—it requires that immediate steps should be taken.

The Honourable Sir Malcolm Hailey: I shall deal with that amendment in detail; indeed, I was about to do so. I acknowledge the moderation with which Pandit Motilal Nehru explained his case. He said, of course, that the Government of India Act was an evil thing; but on the other hand, he did not ask for self-government "delivered immediately in a bundle". That is true. I admit again that, though he said that India must decide her own constitution for herself and that she could not admit that the Imperial Parliament had any right to decide it for her, yet he nevertheless indicated that it might be possible that the body assembled to decide on the form of that constitution might perhaps decide that full self-government should be introduced by gradual stages. I admit all that. But, Sir, that is not enough for us. We want more than this. We ought to be told definitely whether the demand for immediate self-government has been given

[Sir Malcolm Hailey.]

up, and I look not only to the floor of this House but beyond it. I say that if the Swaraj Party has given up the demand which it made in its manifesto of October last, then they should tell us so clearly and now. If we have to face the consequences of refusing its demand, and if we are told that the consequences of that refusal would be grave, both for ourselves and India, then we should at least know clearly and without ambiguity what that demand is.

I go further. I say that, if the Swaraj Party has not given up that demand, then, they should not claim under the cover of this Resolution, the votes of those who have never accepted and never would accept their manifesto of October last. I can quite understand that the Honourable Bhandit appreciates the need for moderation in statement; I can understand that a cautious thinker such as he is, does not desire to go back and plough the barren furrows of Bardoli. But, he does not stand alone. What of Mr. Patel? I must plead guilty perhaps to irritating Mr. Patel into the confession that he would prefer after all to retain the presence of British troops in this country. The confession must have been a little humiliating after he had made a speech, which I read out to him, stating that he intended to remove every vestige of British administration within a year.

Mr. V. J. Patel (Bombay City: Non-Muhammadan Urban): May I ask a question, Sir? Will the Honourable the Home Member kindly say whether he has compared the speech which he has got and which he has just read out with the vernacular report of that speech, and whether it was published in any Anglo-Indian paper or in any other paper? He has not stated in what paper the speech appeared. Perhaps he referred to the "Bombay Chronicle". I do not remember.

The Honourable Sir Malcolm Hailey: I stated at the time to Mr. Patel that the extract came from the "Bombay Chronicle." He suggested to me that it was invented by my Department. My Department may have many faults, but it does not produce the "Bombay Chronicle".

Mr. V. J. Patel: Will the Honourable Member kindly give the date of the issue of the "Bombay Chronicle"?

The Honourable Sir Malcolm Hailey: The 26th January, 1921; the House will see that Mr. Patel is already three years behind date.

Mr. V. J. Patel: That is not an answer to my question. The Honourable Member has not stated whether he has compared it with the vernacular report—the report of the speech in the vernacular language in which it was delivered.

The Honourable Sir Malcolm Hailey: Do you really wish me to proceed beyond the "Bombay Chronicle"? Is that not sufficient authority?

Mr. V. J. Patel: That is no answer.

The Honourable Sir Malcolm Hailey: If Mr. Patel desires to deny that he ever had any such intention, I will only be too glad to accept it.

Mr. V. J. Patel: Have I not?

The Honourable Sir Malcolm Hailey: Very well, he now denies that he had any intention of getting rid of us. But nevertheless I must invite attention to what he said in this House regarding his aspirations in regard

to Dominion self-government. That, I think, he will not deny, and I ask the House if my description of what he said the other day is not correct. I sum it up thus: Dominion self-government, immediate, complete, uncontrolled, self-ordained. I see that he does not deny that. If that is the case, then, to use the historic expression of Mr. Rangachariar's when he reproves us for not getting to work quickly enough to shoot down the Moplahs, let us have no shilly-shallying or dilly-dallying about the matter. If you have given up the demand for immediate self-government, as I have said before, say so, and we shall know where we stand. If not, we must assume, and the British Government must assume, that the bulk of the Swaraj Party in this House and outside this House still stands for their manifesto of October last.

Pandit Motilal Nehru (Cities of the United Provinces: Non-Muhammadan Urban): May I make a personal explanation? The Swaraj Party still stands and will always stand for what it said in that manifesto. I do not admit that that manifesto is in any way inconsistent with the amendment which I have proposed to the Resolution of my friend Mr. Rangachariar. But whatever the Swaraj Party may say outside, and whatever its future intentions may be, after this Government has given its decision, with regard to its own course of conduct, that is entirely beside the question. The only issue now before the House is whether this Resolution or the amendment which I have put before the House commends itself to it or not, not what the Swaraj Party may do or what it may feel.

The Honourable Sir Malcolm Hailey: Then am I to take it that the Swaraj Party does not stand behind the amendment? Is that the position?

Pandit Motilal Nehru: It does stand certainly.

The Honourable Sir Malcolm Hailey: If you stand both by the amendment and the manifesto, read what the manifesto says:

"The Party considers it an abuse of the suffrage of an Indian electorate on the part of its representatives to engage in such questions as the re-adjustment of the powers and duties of the Secretary of State, the Government of India and the Provincial Governments, and various other officials."

Pandit Motilal Nehru: I have repeated the same statement in my speech, if the Honourable Member will remember.

The Honourable Sir Malcolm Hailey: Then what becomes of the whole structure of our constitution? Obviously there is nothing but immediate self-government left. I maintain that this is what the Honourable Member and his friends are claiming.

Pandit Motilal Nehru: Call it what you like—responsible government or self-government.

The Honourable Sir Malcolm Hailey: Let me see how his demand is interpreted by his own organ:

"Our aim is to destroy the reform scheme as a whole. We must steer clear of the fatal temptation of accepting a compromise as the prize of victory."

My friends in the Moderate and Independent Benches opposite will now know exactly to what they are giving their votes. Let me take the Madras organ:

"Our programme is one of self-organisation leading to the creation of a situation rendering any semblance of constitutional government by British authorities impossible in this country."

[Sir Malcolm Hailey.]

Again, my Liberal friends opposite, who are sentimentally attached to the proposal of the Honourable Pandit, will know what exactly it means. As I say, I will take a declaration from Mr. Jinnah that he does not mean an immediate demand for self-government. But, I require greater certitude than that, if I am to accept the amendment at its face value.

Mr. M. A. Jinnah: I have made no declaration, Sir. I do not wish to be misrepresented. I have made no declaration. All I say is that the words of Pandit Motilal Nehru's amendment are clear. It asks for immediate steps and not the immediate establishment of full responsible government.

The Honourable Sir Malcolm Hailey: My case remains the same. He told me that I was fighting a bogey. I say, it is not a bogey. I say that we have had it from Mr. Patel himself and we have had it in a concealed form from Pandit Motilal Nehru.

Pandit Motilal Nehru: I did not say that at all. I want to make it clear that the position of the Swaraj Party outside this Assembly has nothing whatever to do with the amendment which is now before the House. The Swaraj Party stands for what it has always stood, and I do hope and trust that it will continue to stand for it. But this, as I pointed out in my speech, is an amendment considerably toned down to meet the wishes of friends who were not prepared to go as far as the Swaraj Party. The amendment is before the House and it is for the House to give its opinion upon the amendment.

Mr. N. M. Dumasia (Bombay City: Non-Muhammadan Urban): Will the Swaraj Party outside the Councils also come to the round table conference?

Pandit Motilal Nehru: That we shall see.

The Honourable Sir Malcolm Hailey: What it really comes to is this, that the Swaraj Party has inscribed on its banner exactly the same motto as it bore in October last; but for the moment that banner has been conveniently furled, in order that the sight of that motto might not shock the nerves and possibly alienate the votes of their somewhat weaker brethren in this House. If that is the case, it is only right that those I have, with no sense of disrespect, described as their weaker brethren should know exactly what are the intentions of that party. (*Several Honourable Members stood up.*) I do not wish to usurp your thunders, Sir, but might I, with your permission, quote what the Speaker of the House of Commons said recently that listening is as much one of the functions of a member of a representative assembly as speaking.

Pandit Madan Mohan Malaviya: I wish to have one point made very clear. Is the Honourable Member replying to the debate on the amendment as it has been put before this House, which amendment is not an amendment put forward by the Swaraj Party but by the Nationalist Party which consists of over 75 Members of this House. If so, is he right in dealing in his reply with speeches which were made outside this House, with ideas which might be entertained by some people outside this House? I want the Honourable Member to reply in his speech on the amendment which is before the House and which asks for only one thing, namely, that steps be taken by way of convening a conference to consider how the Act of 1919 should be revised in order that full self-government should be

established in this country. As to the date when it will be established nothing is stated in the amendment. The conference might recommend its establishment within twelve months, to the satisfaction of us, Indians, or it might recommend its establishment after three years. That is a matter left for consideration by the conference. I ask the Honourable Member to deal with the matter which is before the House and not evade it by quoting speeches which were not delivered in this House.

The Honourable Sir Malcolm Hailey: If the Honourable Member wishes to circumscribe me in the scope of my arguments, may I ask him a question in reply? Has not Mr. Patel made his speech here in this House?

Pandit Madan Mohan Malaviya: You dealt with it and nobody objected to it.

Mr. V. J. Patel: I shall urge the same view before the round table conference as I urged here. I stand by my statement.

The Honourable Sir Malcolm Hailey: But according to him, and I understand now, according to Pandit Motilal Nehru also, the Resolution means this that you ought to have immediate self-government. Am I travelling outside? The real meaning of the Resolution is obvious; and some of its most prominent supporters admit that I have correctly interpreted its meaning. We have before us a grave, nay a vital issue. It is essential that every interest in this country, and that the Parliament of Great Britain should know the exact issue which we have before us.

Pandit Madan Mohan Malaviya: For that you should look to the amendment.

Pandit Motilal Nehru: And at the speeches here, not outside.

The Honourable Sir Malcolm Hailey: The Honourable Pandit cannot escape from the real implications of this Resolution in that manner. (*Pandit Madan Mohan Malaviya:* "I do not want to.") I say it has been argued not once, nor twice, but again and again on the floor of this House that there must be no delay in granting immediate self-government; I say that the whole trend of the speeches of those who sit with him and who have spoken for him is that India is ready at once for complete self-government and that it must be granted.

Pandit Madan Mohan Malaviya: The Honourable the Home Member is entirely wrong in representing me and my friends like that. We clearly said, that India is prepared for full responsible government if it is introduced to-day, and I repeat it, but we have also urged that a conference should be convened in order to consider what the next step should be. It has been indicated by more than one Member that many of us are prepared to recognise that foreign relations, including war and peace and the administration of the army, should be kept out of the control of the Legislature for the present. I do not see why my Honourable friend should harp upon our claiming the immediate establishment of full self-government. When we said that immediate responsible government should be established, we made all those reservations to which I have referred to be considered by a conference. Why cannot my Honourable friend say whether Government are prepared to meet us at a conference to discuss these points?

The Honourable Sir Malcolm Hailey: I cease my attempt to make the matter clear; I must leave it in that curious state of doubt; one Member of the party says very clearly one thing and the other Members who have subscribed to the amendment say very clearly that it means another thing. (*Diwan Bahadur T. Rangachariar:* "But the words are there".) I can only warn those who vote on the matter to be clear in their minds what they are voting for. •

Now, I will take the amendment more closely, and the kind of arguments on which it has been supported. They are of two classes. I must treat them very hurriedly. There is the class of argument which was intended entirely to detract attention from the main issue. I am not going to answer the invectives—perhaps if I might be allowed to describe them, the somewhat juvenile form of invectives—against the whole course of our administration in India such as we heard from one of the Punjab representatives.

Mr. Chaman Lal (West Punjab: Non-Muhammadan): I rise to a point of order. Is the Honourable Member justified in using that expression?

Mr. President: Which expression is the Honourable Member referring to?

Mr. Chaman Lal: I ask you, Sir, is it not derogatory to the dignity of this Assembly that the Honourable Member should take advantage of his old age

Mr. President: If the Honourable Member pursues that line much further, I shall have to ask him to withdraw the implication in that phrase which he has used.

Mr. Chaman Lal: If the Honourable the Home Member is prepared to withdraw his, I am prepared to withdraw mine.

The Honourable Sir Malcolm Hailey: So far from withdrawing it I will justify it; the attack was exactly of the class of invective which one would expect in a college essay. I did not refer to the Honourable Member's age: I am quite unaware of what age he is. I will only say that the attack was juvenile in the sense I have mentioned. Nor will I go at any length into the curious arguments drawn from history of India in the past. It seems to me an insufficient argument that, because there was a great period of Indian history and a great culture in the past, therefore that in itself proves that India is to-day ready for Dominion self-government. I should be the last to depreciate the great past of India, far from it; I should be the last to depreciate the many real virtues of the great masses that make up the Indian population to-day.

Pandit Madan Mohan Malaviya: Sir, I am surprised that the Honourable the Home Member should interpret my argument in the way he does. I referred to the past of India to show that we were a people who have had a civilisation, that that civilisation continued to the day that we were talking on and that therefore we were not to be treated as a primitive people who should be taken stage by stage in the art of self-government.

The Honourable Sir Malcolm Hailey: I did not suggest nor did I say that the people of India were a primitive people; but I fail to see once more how the existence of a past, great in history, a past which has not been continuous but gravely interrupted on more than one occasion by long

periods of chaos, can itself argue the readiness of India for Dominion self-government to-day. It would have been better history and far more just, nay, far more honest, if the Honourable Member had painted the picture of what India was immediately before we came to this country and confessed to the great improvement of material conditions, the great growth of order and justice, the higher social standards and the sense of nationhood which we, working in co-operation with Indians, have secured for this country. (*A Voice*: "And also the great exploitation which has gone on.") (There were also other interruptions from all sides of the House.)

Mr. President: I must ask the Honourable Members to allow the Honourable the Home Member to proceed. The Honourable the Home Member is perfectly capable of protecting himself from ordinary interruption but not against these organised volleys.

The Honourable Sir Malcolm Hailey: I say that these were arguments simply intended to detract attention from the main issue before us. Nor was there wanting a plentiful supply of suggestions intended to create prejudice against our case. Remember that all that we did was to state that there were problems which needed solution before India was ready for self-government; problems of great gravity, but not in themselves insurmountable, yet such as required time for their solution. I made a reference, but an incidental one, to the Services. It was suggested by Sir Purshotamdas Thakurdas that I had laid it down as a condition that the opinion of the Services must be taken on this change. Not so; all I said was that there were many, both Europeans and Indians, who would be entering those Services in the future and it was necessary that they should be in a position to know our decision. It was part of my appeal that we should get a clear decision on a clear issue; no more than that. Once again, I referred to the fact that large numbers of capitalists had placed their interests in this country and they were daily increasing their commitments. I said it was only fair to let them know if we contemplated an early change. That has been misrepresented as a statement that I considered European capital to be in danger in this country. That is not the case.

Sir Purshotamdas Thakurdas (Indian Merchants' Chamber: Indian Commerce): When the Honourable Member interrupted me at the time I was making my speech, I pointed out . . .

Mr. President: The Honourable Member should not interrupt when the Honourable the Home Member did not refer to him by name.

Sir Purshotamdas Thakurdas: I am very sorry, he did, and that is why I rise to justify myself.

The Honourable Sir Malcolm Hailey: Sir Purshotamdas Thakurdas to whom I explained what I said assured us very handsomely that he understood the position entirely. It was Mr. Duraiswami Aiyangar to whom I was referring.

Sir Purshotamdas Thakurdas: May I take it that you withdraw all that you said about me previously?

The Honourable Sir Malcolm Hailey: Not what I said in your direction as regards the Services.

Sir Purshotamdas Thakurdas: I thought you also referred to European capital in that connection.

Mr. C. Duraiswami Aiyangar (Madras ceded districts and Chittoor: Non-Muhammadan Rural): I accepted your correction and proceeded.

The Honourable Sir Malcolm Hailey: Mr. Duraiswami Aiyangar, when he proceeded, asked whether European capital in India will be in any more danger under a new Indian Government than Indian capital was in India to-day under the present Government. Since he has raised that question, and since reference has been made to it since, I would ask him if he attended the Gaya Congress. If he did, will he recall a Resolution there which called for repudiation of India's debts?

Mr. V. J. Patel: Future debts.

The Honourable Sir Malcolm Hailey: I was also referring to future debts. I thoroughly agree with Pandit Motilal Nehru that this Resolution was an action equal to the worst committed by the Soviet. My astonishment is that after the Congress had passed such a Resolution, any honest man should still belong to it. Now these are only by the way.

Diwan Bahadur T. Rangachariar: Quite out of the way.

The Honourable Sir Malcolm Hailey: Then they should never have been levelled against us. But a more serious imputation was brought in connection with our reference to the question of minority interests; we were once again accused of fostering and fomenting these differences. It has actually been suggested that communal differences between Hindus and Muhammadans would not have taken their present form unless it had been for the suggestion of a previous Member of Government that Muhammadans should claim communal representation. I believe that story to be entirely mythical; just as I believe the general accusation against Government to be entirely without foundation. I should be prepared on a future occasion to justify the whole action of Government in this connection; I have no time now; and would merely refer those who brought that charge against us to the speech of the President of the Cocanada Congress. He elaborately analysed the whole cause of these differences, and, so far from charging Government with having fomented them, he claimed a victory over Government in securing separate communal representation; he said in fact that the Lucknow pact "forced the hands of the bureaucracy". I regret in particular that the charge that we have been concerned in fomenting these disturbances should come from Pandit Madan Mohan Malaviya. I dislike personalities; I desire to make no personal attack on him, but I would remind him in justice to ourselves that the charge should not have come from him. I reminded the House that in the speech he delivered in 1909 he inveighed very bitterly against the rights which it was proposed to give Muhammadan communities. He repeated that in 1911 in the Imperial Legislative Council, where he was rebuked by Mr. Gokhale for taking an unduly sectional view. He did his best to upset what was known as the Jehangirabad settlement in the United Provinces; and he lately issued from his University of Benares a statement to the Hindu Mahasabha accusing the Muhammadans of violence of an aggravated nature, and suggesting to the Hindus that they should organise a party of physical force to protect themselves. Those facts are published and incontrovertible and I say that it is unfortunate that an accusation against us of this kind should come from Pandit Madan Mohan Malaviya.

Pandit Madan Mohan Malaviya: It is extremely necessary that I should deal *seriatim* with the points which have been mentioned by the Home Member. The House will remember that he quoted from a speech of mine delivered in 1909 as President of the Indian National Congress at Lahore. I there deplored that my Muhammadan countrymen had raised the question of communal differences. When my friend gave me the date of that speech, I at once told him that it was a predecessor of his in the Government of India, a Home Member of the Government, who invited some Muhammadan gentlemen to wait in deputation upon the Government of India and ask for communal representation. I challenge the Honourable Member to deny that fact. That is a fact which is absolutely undeniable. That is my first reply to him. Again he mentioned that I raised some protest in 1911. As he has not had the fairness to quote exactly what I said, I do not propose to take any notice of it further. He then says that I opposed the Jehangirabad amendment. The Honourable Member has not told the House the history of the Jehangirabad amendment and that it went beyond the terms which had been arrived at Lucknow. He has also not told the House the history of the agitation. Is it fair of him to accuse me in that connection when he has not placed the facts of the case fully before the House? Lastly, he said that I recently issued from the Hindu University two circulars asking Hindus to organise physical force parties to fight Muhammadans. I did not issue them from the Hindu University. It was at the Hindu Mahasabha of which I was the President, that I made a speech, which was published in the papers in which I appealed to the Hindus to organise themselves for Seva Samiti work, for social service and work with their Muhammadan brethren and members of their communities in all matters of a national character, for instance, as Citizen guards. That is the speech I made. I am sorry and surprised that the Home Member should forget the dignity of his position and make accusations against me, which are baseless.

The Honourable Sir Malcolm Halley: There is by my side a member of the deputation which attended in regard to the question of separate Muslim representation. He can vouchsafe for the fact that no predecessor of mine ever suggested the formation of that deputation.

Pandit Madan Mohan Malaviya: I am prepared to prove it up to the hilt that two leading Muhammadans refused to join the deputation.

6 P.M. I am prepared to prove it up to the hilt. Let anybody deny it.

The Honourable Sir Malcolm Halley: Then perhaps my friend, Sir Muhammad Shafi, and Pandit Malaviya will settle this matter between them. I myself have never seen any proof of the action said to have been taken by one of my predecessors, and I say moreover that it is ridiculous to suppose that the whole Mussalman world of India could have been agitated to its depths by a single suggestion, not a public, but private and informal, suggestion of a former Home Member. I did not know we had such authority. As for calling upon Hindus to unite in social effort, perhaps the Honourable Member will allow me to read this from a speech of his:

"If Hindus want to protect the honour of their women and temples, they must create a similar force and see that it followed every Hindu wherever he went."

Pandit Madan Mohan Malaviya: Will the Honourable Member read what has preceded that? Will he tell this House that I spoke of the

[Pandit Madan Mohan Malaviya.]

conduct of certain ruffianly elements of the population and that I said that, where they find ruffians coming to attack respectable, harmless citizens, these Hindus should be prepared to defend themselves. I will repeat it now. My friend would be ashamed if an Englishman would not stand up to defend his hearth and home and exercise the right of self-defence. I called upon Hindus to exercise the same right of self-defence, but I told Hindus in the same speech that they should work together with the Muhammadans in all matters relating to the welfare of the people, and should organise themselves as citizen guards. Let him read the speech I gave at Lahore after the Multan tragedy.

The Honourable Sir Malcolm Hailey: The House can form its own judgment from what I have read. Now, Sir, as to the method which this amendment proposes for solving the problems suggested. As I have said before, it is not really merely a question of procedure, it is a question of principle. In other words, the amendment contains the assertion of a principle that India has the right to make its own fundamental laws without reference to the British Parliament. In other words, the British Parliament is only called upon to ratify them

Mr. A. Rangaswami Iyengar (Tanjore *cum* Trichinopoly: Non-Muhammadan Rural): Not without reference.

The Honourable Sir Malcolm Hailey: It is only called upon to ratify them. If you read the amendment, you will see that that is so, and it has been so stated in debate. That is far indeed from merely a question of machinery. I assume that what my friends really mean is something that was once sketched in the rather picturesque words of Mr. Ranga Iyer. He said "We will present an ultimatum to the British Government through the post office at Simla called the Government of India."

Diwan Bahadur T. Rangachariar: When was this?

The Honourable Sir Malcolm Hailey: That was in November 1923.

Diwan Bahadur T. Rangachariar: May I ask, is it open to the Honourable Member to refer to speeches made outside this Assembly?

Mr. President: That point of order seems to me to come with peculiarly ill grace from Members who have been attacking the representatives of the Government on their past record. If we are to judge of the *bona fides* of Government by their past record, it is equally legitimate that the Member of Government, in replying, may interpret the terms of the Resolutions and the intentions of their authors in the light of their past record.

Mr. C. S. Ranga Iyer (Rohilkund and Kumaon Divisions: Non-Muhammadan Rural): I certainly said that and I take the discussion in this House and the speech of Pandit Motilal Nehru as an ultimatum.

The Honourable Sir Malcolm Hailey: Then I am correct; this is the kind of ultimatum which some of my friends wish to present to the British Parliament. That constitutional demand has been supported on two grounds; the first is the inherent right of India to frame its own constitution; the second is based on what are alleged to be parallels of action taken elsewhere within the Empire. I am not going into philosophical questions.

of inherent right here, because in this troubled world of ours both nations and individuals have to think more of practical politics than philosophical conceptions. My answer, and I think a sufficient answer, is this. As to inherent right to decide your own form of constitution, no one would deny that a constitution should not be framed from outside without due consultation of the peoples affected and consideration for their sentiments. But if it is a question of abstract rights to complete self-determination, I point to the facts. You have to face the fact that at present your shores are defended by the British fleet; your military strength is calculated on the basis that in any emergency, you would receive the definite assistance of troops from Great Britain; and thirdly, it has been agreed on all hands that you have much to gain, both in the material and cultural sense from association with the British Empire. Now in these circumstances an inherent right becomes a matter of abstract philosophy, and not a matter of practical politics. (*Pandit Madan Mohan Malaviya*: "Oh!") Then, again, as to the parallels that have been quoted from the Dominions; they afford no true analogy. I am unwilling at this time of the evening to go into a long study of the history of these conventions; a few dates will tell their own tale. Canada received responsible government between 1839 and 1846. The Conference to which my friend made reference was held in 1864.

Pandit Madan Mohan Malaviya: I never referred to any Conference in Canada, but I said that Lord Durham made a recommendation that responsible government should be given to Canada. I referred to a Convention in Australia and to a National Congress of 200 delegates in Belgium to frame the constitution in 1831.

The Honourable Sir Malcolm Hailey: Then I may leave Canada; and since the Conference ending in the Quebec Resolutions is sometimes quoted, I say only that that Conference met some 20 years after Canada had enjoyed responsible government, and related entirely to the federation of the Provinces. As for Australia, the beginnings of local self-government dated from about 1850, though in Western Australia full responsible government was not finally conferred till about 1890. Now the Conferences took place between 1893 and 1900. What was their object? Mainly the federation of the various States in Australia. They took place when responsible government in some form had been enjoyed for very many years. I do not know if the Honourable Member still attaches, after that, any importance to the example of South Africa.

Mr. B. Venkatapatiraju (*Ganjam cum Vizagapatam*: Non-Muhammadan Rural): Sir, is it not a fact that a Conference was held when responsible government was given to the New South Wales Government in Australia?

The Honourable Sir Malcolm Hailey: Several Conferences took place, but their main concern in Australia was the form the constitution should take were federation adopted.

Pandit Madan Mohan Malaviya: My friend is not right, the Conference I refer to took place at Melbourne between 1850 and 1856. If the Honourable Member will look it up, he will find that I am right and he is wrong.

The Honourable Sir Malcolm Hailey: That was not a Conference to decide the constitution of the Government. I do not think that is correct.

Pandit Madan Mohan Malaviya: I will show the Honourable Member my authority. For South Africa there was a Conference

The Honourable Sir Malcolm Hailey: Yes; there was a conference which resulted in the Union of South Africa; but responsible government had long before this been enjoyed by South Africa. Then my Honourable friend referred to Belgium. What happened in Belgium? As the result of the Napoleonic war, there was a united Government for Belgium and Holland, but, as the result of the European disturbance of 1830, Belgium decided to part. Representatives of the five great Powers stopped hostilities; they called together a Convention of 200 Belgians which settled the constitution for themselves. Now, is there the slightest parallel between that and the present circumstances?

Pandit Madan Mohan Malaviya: My friend's facts are not correct. It was not the five Powers that called the Conference. Belgium was detached from Holland by force in 1830 and the people of Belgium sent a petition to the Sovereign there and asked for a Conference and 200 of them sat down and framed the constitution which has lasted for nearly 82 years without much change.

The Honourable Sir Malcolm Hailey: But does the Honourable Pandit still pretend that there is the slightest similarity between those facts and the facts of the present situation?

Pandit Madan Mohan Malaviya: Yes, very much, we are in a better position.

The Honourable Sir Malcolm Hailey: I am astonished to learn that India has separated itself from Great Britain by force.

Pandit Madan Mohan Malaviya: Who says it?

The Honourable Sir Malcolm Hailey: Then that would be the only case in which the parallel would apply.

Pandit Madan Mohan Malaviya: I am sorry you have no better argument than that.

The Honourable Sir Malcolm Hailey: I am sorry the Honourable Member cannot provide me with a better historical illustration than that. I assert that there is nothing whatever either in political equity or in the history of the Dominions which justifies the claims that India should frame her own constitution without other reference to Parliament than the demand that it should at once be ratified.

Mr. M. A. Jinnah: Let us create one.

The Honourable Sir Malcolm Hailey: You propose a round table conference. It has been already criticised unmercifully. For myself I could only wish there was still sitting on this Bench Sir Sankaran Nair to give us his experience of the last historical round table conference India has known.

Pandit Shamlal Nehru: What is the Government afraid of in a round table conference?

The Honourable Sir Malcolm Hailey: I will tell you. There are wanting all the elements of a useful round table conference. It is not an authoritative convention, carrying a definite mandate from organized opinion;

interests are not yet organized in such a manner as to secure success to an undertaking of this kind. It will inevitably involve this—that at the last stage the Government will be brought in to decide between those conflicting interests, and incur once more all the odium and insinuations involved in the attempt to settle the claims of contesting interests. There may be unity against Government, but that unity breaks down when any attempt is made to proceed to constructive decisions. But my real objection goes much further. It is to the objective of the proposed conference. If it is really intended, as I claim it is intended (and again I rely on the assertions of the invaluable Mr. Patel), if it is really intended that this conference should not be one to find a remedy for the problems which beset our future, but should only ratify the demands of himself and his friends for immediate self-government, then I say it is not a conference in which any representative of the British Crown could or would take part.

Now, Sir, at the risk of detaining the House further I must refer to what we are ourselves prepared to do in this connection. I do so because I wish that there shall be no mistake whatever about our position or that of the Home Government. It will be unnecessary for me to read to the House what I said at the opening debate as to the lines which our proposed inquiry should follow. We have reconsidered the position anxiously and carefully since then. I desire to say (and for what I say now I have the full authority of His Majesty's Government), we still hold to the general position I took up on behalf of Government. Before His Majesty's Government are able to consider the question of amending the constitution, as distinct from such amendments of the Act as are necessary to rectify any administrative imperfections, there must be a full investigation of any defects or difficulties which may have arisen in the transitional constitution. Neither they nor we would be justified in considering changes in that constitution until they were in possession of the information which our investigation would place in their hands. In 1919 Parliament, after the fullest consideration, laid down a scheme, transitional in its nature, but nevertheless carefully devised, with a view to effecting the steps necessary for the progressive realisation of the ideal embodied in the prelude to the Act. It is not to be supposed that the British Parliament would be lightly inclined to consider changes in that constitution; it is bound to concentrate attention for the present on such imperfections in its working as may have been disclosed by the experience of the last three years. I said we have carefully considered our position again, and we hold to that position in detail—save in one respect. If our inquiry into the defects of the working of the Act shows the feasibility and the possibility of any advance within the Act,—that is to say, by the use of the rule-making power provided by Parliament under the Statute, we are willing to make recommendations to this effect. But, if our inquiry shows that no advance is possible without amending the constitution, then the question of advance must be left as an entirely open and separate issue on which Government is in no way committed. To that extent the scope of our inquiry goes somewhat beyond that originally assigned to it; but I must again emphasise the fact that it does not extend beyond that scope to the amendment of the constitution itself. We shall no doubt be told that this is entirely insufficient, that it does not and will not remove the mistrust which is felt in this country regarding our intentions to assist India forward on the path of constitutional advance. That the Indian Government should be mistrusted seems to be its fate. We are clear in our own conscience; we must look to history for a justice which our contemporaries deny to us, and have no

[Sir Malcolm Hailey.]

doubt that history will endorse our own conviction of the consistent honesty of our purpose and the reality of our efforts. But it offends even more against my sense of justice that this charge should be brought against the English people who have initiated and fostered liberal institutions throughout the world. That mistrust extends to the British Government. I have no authority to speak for any section of politics in the United Kingdom, and for myself I do not believe that, where Indian policy is concerned, a change of helmsmen can mean a change in the course of the ship and statesmanship. But I again speak with the full authority of His Majesty's present Government when I say that they also have noted with grave concern the distrust shown by the advocates of constitutional reform regarding the good faith of His Majesty's Government and their attitude towards constitutional progress. They are sincerely convinced that the only hope for a satisfactory solution of the problems of the Government of India lies in a pursuance of the policy adopted in the Government of India Act and set forth in the Preamble. They associate themselves with the Indian party of constitutional progress in its aspiration towards responsible government, but they believe that this aim can only be realised if that party co-operate with Government in enabling the Act of 1919 to be administered as efficiently as possible in the interests of good government, Sir, it is because we ourselves also believe in the necessity of that co-operation that we ask responsible opinion to join our side to-day, and because we believe in the necessity of the proper administration of this Act that we have undertaken this investigation. I can only address myself to those who believe, as I believe, that ordered progress is only to be attained through the constitution as we now possess it. I ask them, before they are hurried into voting for a proposition which they themselves have never yet accepted and in which if there is anything in their previous record they do not honestly believe, to pause and consider their position. I ask them not to allow new advisers to tempt them beyond the bounds of prudent policy, or to induce them to follow into unexplored and uncharted seas full of difficulties and danger. They have before them a well marked course, longer perhaps in seeming, but clearly buoyed and lighted by those who have taken a somewhat similar journey themselves before. Every dictate of prudence and statesmanship demands that they shall follow that course and none other. (Hear, hear.)

Mr. President: The original Resolution was:

"This Assembly recommends to the Governor General in Council that he be pleased to take at a very early date the necessary steps (including if necessary procuring the appointment of a Royal Commission) for revising the Government of India Act so as to secure for India full self-governing Dominion status within the British Empire and Provincial autonomy in the Provinces."

Since which an amendment has been moved:

"That the following be substituted for the original Resolution:

This Assembly recommends to the Governor General in Council to take steps to have the Government of India Act revised with a view to establish full responsible Government in India and for the said purpose:

- (a) to summon at an early date a representative Round Table Conference to recommend, with due regard to the protection of the rights and interests of important minorities, the scheme of a constitution for India; and
- (b) after dissolving the Central Legislature, to place the said scheme for approval before a newly elected Indian Legislature for its approval and submit the same to the British Parliament to be embodied in a Statute".

Further amendment moved :

" That in the amendment all the words after the words ' he be pleased ' be deleted and the following be substituted therefor :

' to forthwith appoint a Committee consisting of two-thirds members to be elected by the elected Members of this House, to (i) examine the possibilities of the expansion of responsibility in the provinces to the utmost limits permissible under the present Government of India Act, and advise the Government to take the necessary steps to secure such expansion by Regulations framed under this Act, within the year 1924; and (ii) to prepare the outlines of a Bill to amend the present Government of India Act with a view to secure the establishment of full responsible Government in India, under the terms of Parliamentary Announcement of August 20, 1917, within the life time of the present Indian Legislature, by the transference of all departments at present administered by the Governor General in Council, to the control of the Indian Legislature, except Foreign Affairs, pending the constitutional reconstruction of the Empire, including relations with the Ruling Princes and Chiefs of India, and for the next ten years only, the Army, the Navy, and the Air-Force ' "

The question is that this amendment be made . . .

Diwan Bahadur T. Rangachariar: I have a suggestion to make, Sir, as regards the procedure in putting this Resolution; I would suggest that the two parts of the amendment of Pandit Motilal Nehru be put separately to the vote, when that amendment comes to be put.

Mr. President: It will simplify the issue, between Pandit Motilal Nehru's amendment and Mr. Bipin Chandra Pal's amendment, if the latter is disposed of. The question is that the latter be substituted for the former.

The motion was negatived.

Diwan Bahadur T. Rangachariar: You will see, Sir, now that we have come to Pandit Motilal Nehru's amendment, that the first portion wants to take steps to have the Government of India Act revised with a view to establish full responsible government in India; then, the latter portion says that for the said purpose such and such a procedure should be adopted. Sir, from the discussion you will have noticed that, while there are many who are in favour of the first portion, there are some who differ in the procedure to be adopted; and therefore, Sir, I ask that the first portion be put separately from the second portion.

Pandit Motilal Nehru: I have no objection to it, Sir.

Mr. President: Does the Honourable Member propose that the first six lines of Pandit Motilal Nehru's amendment should be substituted for the whole of his own Resolution?

Diwan Bahadur T. Rangachariar: I suggest that the amendment be put in parts.

Mr. President: The Honourable Member will observe that this is an amendment to his Resolution and therefore, if something is proposed to be carried as an amendment to the Resolution, it must take the place of the Resolution or be inserted in the Resolution. Pandit Motilal Nehru's amendment is put in the form of a substitution of an entire Resolution for the other Resolution; but that form is merely a matter of convenience. What I want to know is whether the Honourable Member is prepared to accept the substitution of the first

[Mr. President.]

part of Pandit Motilal Nehru's amendment for the entire Resolution in his name. It is understood that the Assembly will be free to vote on the other amendment as an addition to it.

Diwan Bahadur T. Rangachariar: My suggestion is, Sir, that the Assembly should have an opportunity of voting on both portions of the amendment.

The Honourable Sir Malcolm Hailey: And if they carry only one?

Diwan Bahadur T. Rangachariar: The rest will be put of course.

The Honourable Sir Malcolm Hailey: What becomes of the Resolution?

Diwan Bahadur T. Rangachariar: It is not my suggestion that the first portion alone should be substituted for my Resolution, but that after this is put to the vote the other may be put to the vote, leaving the question open as to the second part.

Mr. President: I propose to follow the suggestion made by the Deputy President that we take the amendment in three separate sections, the first laying down a principle, and the other two suggesting the procedure to be adopted in furtherance of that principle. The question is:

"That the words 'this Assembly recommends to the Governor General in Council' to take steps to have the Government of India Act revised with a view to establish full responsible Government in India' be substituted for the original Resolution."

The motion was adopted.

Mr. President: The question is:

"That the words 'and for the said purpose:

(a) to summon at an early date a representative Round Table Conference to recommend, with due regard to the protection of the rights and interests of important minorities, the scheme of a constitution for India' "

be added to the amended Resolution.

The motion was adopted:

Mr. President: The question is:

"That the following be added to the amended Resolution:

'and (b) after dissolving the Central Legislature, to place the said scheme for approval before a newly elected Indian Legislature for its approval and submit the same to the British Parliament to be embodied in a Statute.' "

The motion was adopted:

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

* "This Assembly recommends to the Governor General in Council to take steps to have the Government of India Act revised with a view to establish full responsible Government in India and for the said purpose:

(a) to summon at an early date a representative Round Table Conference to recommend, with due regard to the protection of the rights and interests of important minorities, the scheme of a constitution for India; and

(b) after dissolving the Central Legislature, to place the said scheme for approval before a newly elected Indian Legislature for its approval and submit the same to the British Parliament to be embodied in a Statute."

The Assembly divided :

AYES—76.

Abdul Haye Mr.
 Abdul Karim, Khwaja.
 Abhyankar, Mr. M. V.
 Ahmad Ali Khan, Mr.
 Aiyangar, Mr. C. Duraiswami.
 Aiyangar, Mr. K. Rama.
 Aney, Mr. M. S.
 Belvi, Mr. D. V.
 Bhat, Mr. K. Sadasiva.
 Chaman Lal, Mr.
 Chanda, Mr. Kamini Kumar.
 Chetty, Mr. R. K. Shanmukham.
 Das, Mr. Bhubanananda.
 Das, Mr. Nilakantha.
 Datta, Dr. S. K.
 Duni Chand, Lala.
 Dutt, Mr. Amar Nath.
 Ghose, Mr. S. C.
 Gour, Dr. H. S.
 Govind Das, Seth.
 Gulab Singh, Sardar.
 Hans Raj, Lala.
 Hari Prasad Lal, Rai.
 Hyder, Dr. L. K.
 Ismail Khan, Nawab.
 Iyengar, Mr. A. Rangaswami.
 Jeelani, Haji S. A. K.
 Jinnah, Mr. M. A.
 Joshi, Mr. N. M.
 Kartar Singh, Sardar.
 Kasturbhai Lalbhai, Seth.
 Kazim Ali, Mr. M.
 Kelkar, Mr. N. C.
 Kun, Maung.
 Lohokase, Mr. K. G.
 Mahmood Schamnad Sahib Bahadur, Mr.
 Malaviya, Pandit Krishna Kant
 Malaviya, Pandit Madan Mohan

Mehta, Mr. Jamnadas M.
 Misra, Mr. Shambhu Dayal.
 Misra, Pandit Harkaran Nath.
 Murtuza Sahib Bahadur, Maulvi Sayad.
 Mutalik, Sardar V. N.
 Nambiyar, Mr. K. K.
 Narain Dass, Mr.
 Nehru, Dr. Kishenlal.
 Nehru, Pandit Motilal.
 Nehru, Pandit Shamlal.
 Neogy, Mr. K. C.
 Pal, Mr. Bipin Chandra.
 Patel, Mr. V. J.
 Phookun, Mr. Tarun Ram.
 Piyare Lal, Lala.
 Purshotamdas Thakurdas, Sir.
 Ramachandra Rao, Diwan Bahadur M.
 Rangachariar, Diwan Bahadur T.
 Ranga Iyer, Mr. C. S.
 Ray, Mr. Kumar Sankar.
 Reddi, Mr. K. Venkataramana.
 Roy, Mr. Bhabendra Chandra.
 Sadiq Hasan, Sheikh.
 Samiullah Khan, Mr. M.
 Sarfaraz Hussain Khan, Khan Bahadur.
 Shafee, Maulvi Muhammad.
 Singh, Mr. Gaya Prasad.
 Sinha, Mr. Ambika Prasad.
 Sinha, Mr. Devaki Prasad.
 Sinha, Kumar Ganganand.
 Syamacharan, Mr.
 Tok Kyi, Maung.
 Ujagar Singh Bedi, Baba.
 Venkatapatiraju, Mr. B.
 Vishindas, Mr. Harchandrai.
 Wajihuddin, Haji.
 Yakub, Maulvi Muhammad.
 Yusuf Imam, Mr. M.

NOES—48.

Abdul Qaiyum, Nawab Sir Sahibzada.
 Abul Kasem, Maulvi.
 Aiyer, Sir P. S. Sivaswamy.
 Ajab Khan, Captain.
 Akram Hussain, Prince A. M. M.
 Alimuzzaman Chowdhry, Mr.
 Allen, Mr. B. C.
 Bahawal Baksh, Chaudhri.
 Bell, Mr. R. D.
 Blackett, The Honourable Sir Basil.
 Burdon, Mr. E.
 Butler, Mr. M. S. D.
 Calvert, Mr. H.
 Chatterjee, The Honourable Mr. A. C.
 Clarke, Mr. G. R.
 Cocke, Mr. H. G.
 Dalal, Sardar B. A.
 Dumasia, Mr. N. M.
 Dunk, Mr. H. R.
 Faridoonji, Mr. R.
 Fleming, Mr. E. G.
 Fraser, Sir Gordon.
 Ghulam Bari, Khan Sahib
 Gidney, Lieut.-Col. H. A. J.

Hailey, The Honourable Sir Malcolm.
 Hira Singh, Sardar Bahadur Captain.
 Holme, Mr. H. E.
 Howell, Mr. E. B.
 Innes, The Honourable Sir Charles.
 Lindsay, Mr. Darcy.
 Moir, Mr. T. E.
 Moncrieff Smith, Sir Henry.
 Nag, Mr. G. C.
 O'Malley, Mr. L. S. S.
 Owens, Lieut.-Colonel F. C.
 Parsons, Mr. A. A. L.
 Percival, Mr. P. E.
 Pilcher, Mr. G.
 Rhodes, Sir Campbell.
 Richey, Mr. J. A.
 Rushbrook-Williams, Prof. L. F.
 Samarth, Mr. N. M.
 Shams-uz-Zoha, Khan Bahadur M.
 Singh, Rai Bahadur S. N.
 Stanyon, Colonel Sir Henry.
 Tottenham, Mr. A. R. L.
 Turing, Mr. J. M.
 Willson, Mr. W. S. J.

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 19th February, 1924.