

17th March, 1924

**THE
LEGISLATIVE ASSEMBLY DEBATES
(Official Report)**

FIRST SESSION

OF THE

SECOND LEGISLATIVE ASSEMBLY, 1924



**SIMLA
GOVERNMENT OF INDIA PRESS
1924.**

1 2/2

CONTENTS.

VOLUME IV, PART III—13th March, 1924, to 25th March, 1924.

	PAGES.
Thursday, 13th March, 1924—	
Members Sworn	1607
Questions and Answers	1607-1622
Motion for Adjournment—Disallowed	1622-1623
Sketch of Course of Business during Discussion on Demands for Grants	1622
Statement of Business	1628
The Budget—List of Demands—contd	1629-1701
Friday, 14th March, 1924—	
Questions and Answers	1703-1735
Alleged Pact between the Government and the Nationalist Party	1736-1737
Statement of Business	1737-1739
May Session in Simla	1738-1741
The Budget—List of Demands—contd.	1741-1807
Saturday, 15th March, 1924—	
Questions and Answers	1809-1816
Message from the Council of State	1816
The Budget—List of Demands—concl'd.	1817-1822
The Indian Penal Code (Amendment) Bill—Report of the Select Committee laid on the table	1850
Monday, 17th March, 1924—	
Member Sworn	1883
Statement laid on the Table	1883-1883
Questions and Answers	1889-1896
Discovery of a Bomb Factory at Maniktala	1896-1897
Rules under Section 67 of the Government of India Act	1897-1903
Unstarred Questions and Answers	1903-1907
Election of the Standing Finance Committee	1908
The Budget—The Indian Finance Bill—Motion for taking the Bill into consideration negatived	1908-1960
Tuesday, 18th March, 1924—	
Member Sworn	1963
Questions and Answers	1963-64
Accident on the Rohilkhund and Kumaon Railway	1964-65
Discovery of a Bomb Factory at Maniktala	1965
Unstarred Question and Answer	1965-66
Message from His Excellency the Governor General	1966
Governor General's Assent to Bills	1967

CONTENTS—*contd.*

	PAGES.
Tuesday, 18th March, 1924—<i>contd.</i>	
The Court-fees (Amendment) Bill—Introduced	1967
The Indian Merchant Shipping (Amendment) Bill—Motion for circulation adopted	1968-73
Amendment of Standing Orders—Adopted	1973-75
The Indian Finance Bill—Leave to introduce refused	1975-78
Wednesday, 19th March, 1924—	
Member Sworn	1979
Questions and Answers	1979-82
Cost of the Simla Session of the Indian Legislature in 1923	1983
Personal Power of the Governor General	1983-87
Statement laid on the Table	1988
State Prisoners in Bengal	1988-89
Discovery of a Bomb Factory at Maniktala	1989
The Indian Coinage (Amendment) Bill—Amendment made by the Council of State agreed to	1989-90
The Indian Income-tax (Amendment) Bill—Passed as amended	1990-91
Thursday, 20th March, 1924—	
Questions and Answers	1993-2011
Unstarred Questions and Answers	2019-20
Resolution <i>re</i> Abolition of the Cotton Excise Duty—Debate adjourned	2020-43
Resolution <i>re</i> Repeal of Bengal Regulation III of 1818—Adopted as amended	2043-80
Monday, 24th March, 1924—	
Members Sworn	2081
Questions and Answers	2081-2121
Unstarred Questions and Answers	2121-27
Further Constitutional Advance in India	2127
Holding of a Circuit Court in Delhi	2127-28
Franchise for Women	2128-29
Motion for Adjournment—Disallowed	2129-31
Statements laid on the Table	2132-36
The Indian Criminal Law Amendment Bill—Instructions given to Select Committee to present its report on or before the 26th March, 1924, withdrawn	2137
Governor General's Assent to the Amendment of Standing Orders	2137
The Imperial Bank of India (Amendment) Bill—Introduced, and motion for circulation adopted	2137-40
The Court-fees (Amendment) Bill—Referred to a Select Committee	2140-54
Election of the Standing Finance Committee	2154-55
Tuesday, 25th March, 1924—	
Questions and Answers	2157-71
The Ramganga Railway Disaster	2171
Publication of the Tariff Board's Report on the Steel Industry	2171-74

CONTENTS—*contd.*

PAGES.

Tuesday, 25th March, 1924—*contd.*

Proposed Indian Delegations to Turkey, Persia and certain Arab States	...	...	...	...	2174-77
Motion for Adjournment	...	...	...	...	2177-78
Statements Laid on the Table	...	...	...	...	2178-83
Governor General's Assent to Bills	...	...	...	...	2183
Election of the Standing Finance Committee	...	...	...	...	2183
The Hindu Coparcener's Liability Bill—Referred to Select Committee	...	...	...	...	2184-2201
The Indian Stamp (Validating) Bill—Introduced and Referred to Select Committee	...	...	...	...	2201-04
The Indian Criminal Law Amendment (Repealing) Bill—Introduced	...	...	...	...	2204-10
The Indian Evidence (Amendment) Bill—Introduced	...	...	...	...	2211-12
Message from the Council of State	...	...	...	...	2212
Motion for Adjournment—Adopted	...	...	...	...	2212-30

LEGISLATIVE ASSEMBLY.

Monday, 17th March, 1924.

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

MEMBER SWORN:

Mr. Alexander Robert Loftus Tottenham, M.L.A. (Member, Central Board of Revenue).

STATEMENT LAID ON THE TABLE.

The Honourable Mr. A. C. Chatterjee (Industries Member): Sir, I lay on the table a statement furnished by the High Commissioner for India showing all cases in which the lowest tenders have not been accepted by him in purchasing stores for the Government of India during the half year ending the 31st December 1923.

ABSTRACT OF CASES in which Tenders, other than the lowest offering suitable goods, were accepted on the grounds of superior quality, superior trustworthiness of the firm tendering, greater facility of inspection, quicker delivery, etc.

HALF YEAR END 31st DECEMBER 1923.

Store Ordered.	Contract Number.	Name of Contractor.	Amount of Contract.	Lowest Tender not accepted.	Reason for acceptance.
			£ s. d.	£ s. d.	
Canvas	C. 22-1449, 2nd July 1.23.	Barter Bros. & Co., Ltd.	161 19 2	1 3 4 7	
Wire, Iron	C. 23-188, 2nd July 1.23.	Chropelice Iron Co., Ltd.	1,125 0 0	1,37 10 0	
Tumblers, etc.	C. 34-647, 9th July 1.23.	B. Johnston & Co., Ltd.	4 10 0 (Fwedish Glass.)	30 13 9 Czechoslovakian Glass.	
Forge	C. 24-237, 1st August 1.23.	James Cassin	391 13 4	333 6 8	
Glasses, Bubble	C. 573-271, 21st August 1.23.	Cooke, Troughton & Simms	57 0 0	54 1 2	
Cells, Leclanche	C. 373-456, 21st August 1.23.	General Electric Co., Ltd.	1,935 5 0	1,575 0 0	
Pipes, Cast Iron	C. 3575-164, 27th August 1923.	Stanton Ironworks Co., Ltd.	5,723 6 10	5,693 16 9	
Ribbon, Typewriter	C. 391-4335, 26th August 1.23.	Carloman Co., Ltd.	333 15 0	312 0 0	
Theodolite	C. 442-164, 23rd September 1.23.	Cooke, Troughton & Simms, Ltd.	46 0 0	45 0 0	
Mild Steel Rods	C. 4541-553, 24th September 1923.	J. F. Melling	2,260 14 8	2,235 12 5	
	C. 4543-5453, 29th September 1923.	R. Hill & Co., Ltd.	1,454 15 4	1,355 1 1	

In these cases the stores were urgently required by the Insulating Departments, and in order to meet their wishes the higher tender had to be accepted.

Bridgework	C. 4908-4935, 16th October 1923.	Patent Shaft & Axletree Co., Ltd.	8,291 2 0	8,121 10 0	In these cases the stores were urgently required by the Indenting Departments, and in order to meet their wishes the higher tender had to be accepted.
Carsak Elements	C. 5872-7939, 29th November 1923.	India Rubber Gutta Percha & Tel. Wks. Co., Ltd.	700 0 0	687 10 0	
Road Roller	C. 2975-2769, 4th July 1923.	Aveling & Porter, Ltd.	1,163 6 0	951 17 0	Better value, and the Burma Government had expressed a preference for this firm's Road Roller.
Platform Weighing Machines.	C. 3119-982, 14th July 1923.	Wm. Hodgson & Sons, (Weighing Machine, Ltd.).	61 0 0	56 0 0	The machine offered was constructionally more suitable, and the difference in price was small.
Web Equipment	C. 3241-4026, 21st July 1923.	Mills Equipment Co., Ltd.	1,594 13 7	1,583 4 3	Greater reliability and better delivery.
Saws, Hack	C. 3869-3555, 30th July 1923.	Sanderson Bros. & Newbould, Ltd.	35 2 10	30 3 7	The samples submitted by this firm gave a better result on test, and the difference in price was small.
*Copper Plates	C. 3873-4406, 27th August 1923.	Linley & Co.	3,661 6 9	5,865 7 0	The copper plates were urgently required by the Indenting railways. A foreign firm submitted a slightly lower tender but the delivery they offered was much longer than that of the tenders accepted.
	C. 3874-4406, 27th August 1923.	J. B. Garnham & Sons	2,589 18 3	(French.)	
Cells, Leclanche	C. 3903-4870, 28th August 1923.	General Electric Co., Ltd.	317 14 2 (Pt. order.)	312 10 0	Better quantity, and difference in price small.
*Wheels, chilled Cast Iron.	C. 4176-4245, 19th September 1923.	Miller & Co., Ltd.	1,780 11 0	1,441 7 8	Indenting Officer asked for Miller & Co.'s wheels, but a Belgian firm, of whose work no experience had been gained, tendered at a lower price.

This order was for about half the total quantity. The other part was given to the Belgian firm. It was not considered desirable to give them more as a first order in view of the great importance of correct manufacture of these wheels. The Railway concerned has been asked to compare the two supplies and to report for future guidance.

* In these cases the lowest tender was a foreign one.

Stores Ordered.	Contract Number.	Name of Contractor.	Amount of Contract.	Lowest Tender not accepted.	Reason for acceptance.
Saws	C. 4300-5083, 17th September 1923.	Sanderson Bros. & Newbould, Ltd.	£ s. d. 66 1 10	£ s. d. 60 5 6	Test of samples showed this firm's saws to be of much better quality.
Bearing plates	C. 4425-5754, 22nd September 1923.	Graet, Keen & Nettlefolds, Ltd.	11,389 8 3	9,308 0 0	The North Western Railway pressed for very early delivery, the bearing plates being required for the Khyber Railway. This was the lowest tender offering delivery early enough to meet the railway's requirements.
*Steel Boiler Tubes	C. 4532-5797, 29th September 1923.	Ebbw Vale Steel Iron & Coal Co., Ltd.	4,333 6 8 (10,000 tubes.)	...	The tubes were demanded by telegram from the Agent, North Western Railway, to be ordered and shipped immediately.
Ditto	C. 4554-5797, 29th September 1923.	Tubes, Ltd.	5,684 5 0 (11,000 tubes.)	...	The French firm could not commence delivery in less than 2½ months and an order for 5,000 tubes only was therefore given to them.
Ditto	C. 4555-5797, 29th September 1923.	Howell & Co.	5,684 5 0 (11,000 tubes.)	...	
Ditto	C. 4556-5797, 29th September 1923.	Chesterfield Tube Co.	8,729 0 0 (8,000 tubes.)	French for 4,000 tubes. £15,057 5 10	The next lowest tenderer (The Ebbw Vale Co.) were very slow in delivering a previous order and it was not considered advisable to allocate to them more than 10,000 tubes.
Lathes	C. 4596-5435, 2nd October 1923.	Holbrook & Sons	98 1 0	89 0 0	Superior workmanship and greater precision.
Materials for Carriages	C. 4598-4917, 2nd October 1923.	J. Levick, Ltd.	18,549 10 0	18,483 10 0	In view of the urgency of the requirements and of the more satisfactory delivery offered. The lowest tenderer had been very dilatory in effecting deliveries on his previous order.
Varnishes	C. 4640-5114, 4th October 1923.	Marry & Minton, Ltd.	330 8 4	314 0 0	Test of samples showed this firm's varnishes to be of superior quality.

Oil	C. 4681-6183, 8th October 1923.	Younghusband, Barnes & Co.	65 11 6	65 8 4	Lowest tenderer has refused to admit Indian Students and was therefore passed over.
*Syringes	C. 5108-846, 27th October 1923.	J. H. Montagu	409 18 0	377 4 0 (German Stores.)	Quicker delivery.
*Tyres and Kings, Carriage and Wagon.	C. 5320-6325, 5th November 1923.	Steel Coy. of Scotland, Ltd.	4,140 0 0	3,260 16 8 (Czecho-Slovakian.)	The lowest tenderer offered syringes made in Germany. Apart from the general difficulty in obtaining supplies from that source the German firm had been very dilatory in effecting deliveries on recent contracts.
*Wheels and Axles	C. 5322-6326, 6th November 1923.	Harrison & Camm, Ltd.	12,200 0 0	10,013 10 10 (Czecho-Slovakian.)	All the rings required were ordered from the lowest satisfactory tenderer (The Steel Coy. of Scotland), and 2,400 tyres out of 2,940 were ordered from the lowest tenderer (The Skoda Works of Czecho-Slovakia). The remaining 500 tyres had to be ordered from the Steel Coy. of Scotland for the reason given against the wheels and axles, contract No. C. 5323. A foreign firm offered wheels and axles at a lower price but with protracted delivery.
Springs	C. 5324-6334, 5th November 1923.	Willford & Co., Ltd.	3,250 0 0 (Pt. order.)	3,041 13 4	As, however, the North Western Railway asked for half the total quantity to reach India in January 1924, the High Commissioner, in order to comply with this request, ordered half from Harrison & Camm who quoted the lowest price for delivery within the required period, and half from the foreign firm.
Grinding Wheels	C. 5576-6338, 15th November 1923.	Universal Grinding Wheel Co., Ltd.	1,307 2 3	1,350 0 0	As the lowest tender came from a firm, regarding whose reliability there was not full assurance, it was considered advisable to give them only a portion of the total order. The balance was placed with the next lowest tenderer (Willford & Co.) who also quoted quicker delivery. Quality much superior.

* In these cases the lowest tender was foreign one.

Stores Ordered.	Contract Number.	Name of Contractor.	Amount of Contract.	Lowest Tender but accepted.	Reason for acceptance.
Varnish	C. 5830-6115, 19th November 1923.	B. Ingham Clark & Co., Ltd.	£ s. d. 1,718 15 0 (P's. order.)	£ s. d. 1,687 10 0	Part of the requirements was ordered from E. I. Clark at a slightly higher price (3d per gallon), owing to the better quality of the varnish offered.
Files	C. 5763-7133, 26th November 1923.	Howell & Co., Ltd.	994 12 4	992 12 7	Better quality, and difference in price small.
Planes	C. 5804-7192, 27th November 1923.	E. A. & W. Greenslade, Ltd.	109 5 0	93 1 9	The samples submitted by this firm were much superior to the others.
Brass sheet, etc.	C. 6110-7232, 18th December 1923.	Chas. Clifford & Son, Ltd.	1,303 7 8	1,272 14 6	Superior trustworthiness. Trouble is being experienced in connection with a current contract with the lower tenderer.
Weighbridge	C. 6193-6384, 19th December 1923.	W. & T. Avery, Ltd.	110 0 0	100 0 0	Messrs. Avery's type of bridge possesses certain advantages over that offered by the lower tenderer and is considered well worth the extra cost. The indent estimate (£2118) is sufficient.
Paper, tape	C. 6280-7262, 21st December 1923.	Waterlow & Sons, Ltd.	291 0 0 (P's. packing.)	166 5 0	2-5lbs of the requirements were ordered from the lower tenderer (Mr. J. Wood Smith) as an experimental cheap supply, this firm not having made any previous supplies for the Government of India. The balance (3-5lbs) was given to Messrs. Waterlow and Sons, whose tender sample was superior to that furnished by Mr. Wood Smith.
Paper, manilla	C. 6305-7736, 31st December 1923.	John Wild & Sons, Ltd.	57 3 5	54 3 4	Inferior quality of paper offered by lower tenderer.

QUESTIONS AND ANSWERS.

APPOINTMENT OF INDIANS TO THE CADRE OF TRAFFIC INSPECTORS ON RAILWAYS.

853. ***Khan Bahadur Sarfaraz Hussain Khan:** With reference to the question No. 339, put in the Assembly by Sardar Kartar Singh and its answer given by Sir Charles Innes, will the Government be pleased to state if they are aware of any action taken by the Railway Administrations?

The Honourable Sir Charles Innes: As already stated by me last month, this matter was specially brought to the notice of Railway Administrations and from reports recently received it appears that out of 31 vacancies, temporary and permanent, which have occurred since last March on all lines 15 have been filled by Indians.

EXTENSION OF THE REFORMS TO THE NORTH-WEST FRONTIER PROVINCE.

854. ***Nawab Sir Sahibzada Abdul Qaiyum:** Will the Government be pleased to state if they contemplate taking any action in the matter of the extension of reforms to the North-West Frontier Province under the Government of India Act, 1919, and if so, how soon?

The Honourable Sir Malcolm Hailey: I can only say that the question will be considered in connection with the report of the North-West Frontier Inquiry Committee.

PAY OF THE CIVIL CLERICAL ESTABLISHMENT, NORTH-WEST FRONTIER PROVINCE.

855. ***Nawab Sir Sahibzada Abdul Qaiyum:** 1. Is it a fact that at the time of the separation of the North-West Frontier Province from the Punjab in 1901, it was laid down by Government as a general principle that the civil establishments (including clerical) in the new province should receive the same rates of pay as were then in force in the Punjab? If so,

(a) was this principle observed in fixing the rates of pay of the civil clerical establishments in the new province?

(b) has the local Administration, ever since the separation, been following and maintaining the Punjab standard of efficiency and rates of pay of their civil clerical establishments?

2. If the replies to (a) and (b) above be in the negative, will the Government be pleased to state why the principle has not been observed and on what principles the rates of pay of civil clerks in the North-West Frontier Province have been kept at a lower standard than those obtaining in the Punjab?

Mr. E. B. Howell: With your permission, Sir, and that of the Honourable Members concerned, I will answer Question No. 855 and Question No. 869 together. So far as officers of the Punjab Commission, the Provincial Civil Service, and members of subordinate graded services such as *tahsildars*, *naib tahsildars* and *munsiffs* were concerned, the principle was accepted by the Government of India and approved by the Secretary of State. In the case of clerical establishments it has also been accepted

subject to the proviso that the amount and character of the work done by the officials concerned is the same as in the Punjab.

(a) This disposes of (a).

(b) Consistent endeavour has been made to keep to Punjab standards of pay and efficiency and proposals for revision of pay in the North-West Frontier Province, including the case of office establishments, have been made with reference to Punjab standards. At the time of the last revision of pay of office establishments in the North-West Frontier Province in 1920 the corresponding scheme of the Punjab Government was not ready, but the general principles of both schemes were in general harmony. It was found, however, when the Punjab proposals took final form, that there were considerable differences in the average rates of pay in the two provinces. Fresh proposals for revision were submitted, based on the Punjab scales. These have been held over pending the result of inquiries instituted by the Government of the Punjab as to the possibility of effecting reductions in the pay of subordinate services owing to the fall in prices.

The second part of the question has been answered by the information already furnished.

PAY OF CLERKS OF THE IRRIGATION DEPARTMENT, N.-W. F. PROVINCE.

856. ***Nawab Sir Sahibzada Abdul Qaiyum:** Is it a fact that the pay of the civil clerks of the Irrigation Department in the N.-W. F. Province has been lately raised to the Punjab standard? If so, will Government please state why other clerks serving in the same province are being accorded a differential treatment?

Mr. E. B. Howell: With your permission, Sir, and that of the Honourable Members concerned, I will answer Questions No. 856 and No. 870 together. Yes, it is a fact.

As already explained, the treatment is not differential, although in practice, in other establishments, differences have arisen.

REVISION OF PAY OF CIVIL CLERKS IN THE N.-W. F. PROVINCE.

857. ***Nawab Sir Sahibzada Abdul Qaiyum:** (a) Have Government received copies of any Resolutions passed by the Civilian Clerks' Association, N.-W. F. Province, on the subject of revision of pay, and other subjects of importance to the civil clerks in the Province?

(b) If so, what action do Government propose to take on these Resolutions?

Mr. E. B. Howell: With your permission, Sir, and that of the Honourable Members concerned, I will answer Question No. 857 and Question No. 871 together.

(a) Yes.

(b) The revision of the pay of clerical establishments in the North-West Frontier Province has been held over pending the result of inquiries which have been instituted by the Punjab Government into the possibility of effecting reductions in the pay of subordinate services owing to the fall in prices.

INCOME-TAX ASSESSMENT IN THE KANGRA DISTRICT.

858. ***Lala Hans Raj**: (a) Is it a fact that Kangra District is attached to the Jullundhur Circle and the Income-tax Collector goes there once in a year for a couple of days and orders the former assesses and the newly proposed to bring their accounts to one place which is invariably at a distance of 40 to 60 miles journey on foot?

(b) Is it not a fact that those who have not kept any accounts are summarily assessed at the sweet will of the Collector and those who do produce their account books are told that their accounts are unreliable and unceremoniously taxed or their tax enhanced as the Collector wills?

(c) Are the Government aware that the Collector has taken as his standard of profit 20 p. c. on sales of sundry things, 12 per cent. on silver and 6 per cent. on gold in assessing these petty shop-keepers and, if so, from what data has he arrived at this rate of profits which nowhere exists?

The Honourable Sir Basil Blackett: (a) The Government have no information on the subject. If the assesses are put to any avoidable inconvenience the Commissioner would no doubt do his best to remedy matters if he were approached on the subject.

(b) Under section 23 (4) of the Income-tax Act, 1922, if an assessee produces no accounts the Income-tax Officer should make the assessment to the best of his judgment—that is, he must estimate the income. The Government do not understand what alternative course is open, except to declare that any one who does not choose to keep or produce accounts shall be exempt from income-tax.

(c) The Government have no information on the subject. If any assessee is dissatisfied with his assessment it is open to him to appeal to the Assistant Commissioner.

INCOME-TAX ASSESSMENT IN THE KANGRA DISTRICT.

859. ***Lala Hans Raj**: (a) Are the Government aware that the assessment of income-tax in the Kangra District has been made on the 9th February, 1924, for the year 1923-24 which ends on the 31st March, 1924, and if so, how far is it legal according to the Income-tax Act?

(b) Will the Government furnish a statement showing how many appeals against the income-tax orders were preferred in the years 1920-21 to 1922-23 from the Kangra District and how many, if any, were accepted?

(c) Is it a fact that Kangra District is attached for purposes of appeal to the Umballa Circle and that an officer comes all the way from there, a distance of three hundred miles, to hear appeals at D. Lala, a cool place where the appellants have to go on foot from forty to sixty miles?

(d) Is it a fact that this officer has decided last year nearly fifty appeals in half an hour's time and dismissed all even if represented by lawyers?

(e) Do the Government propose to change the course of Income-tax appeals from the Assistant Commissioner, Income-tax, to the District Judges as in cases under the Land Acquisition Act?

The Honourable Sir Basil Blackett: (a) The Government do not understand the Honourable Member's question. The assessment for the year 1923-24 is of course to be made in the year 1923-24 on the income of the year 1922-23.

(b) In 1922-23 there were 58 appeals to the Assistant Commissioner, 8 of which were successful out of 40 disposed of. There were no review petitions to the Commissioner. The Government have no information in regard to the years 1920-21 and 1921-22.

(c) and (d). The Honourable Member is referred to the answer just given to part (a) of his last question No. 858.

(e) No.

PAY, ALLOWANCES AND HOURS OF WORK OF THE TELEGRAPH STAFF.

860. *Haji S. A. K. Jeehani: (a) Will the Government be pleased to state whether it is a fact that the employes of the Telegraph Department are differently treated in the matter of pay, allowances and hours of work, from those of the Postal Department?

If so, will the Government be pleased to state the difference and the reasons for the same?

(b) Will the Government be pleased to state whether they have any proposals to do away with the difference by improving the lot of the postal employes?

The Honourable Mr. A. C. Chatterjee: As the answer to this question is rather long, if the Honourable Member has no objection, I shall lay it on the table.

(a) If, as is presumed, the inquiry relates to postal signallers and telegraphists in the Telegraph Branch, the reply on the first point is in the affirmative.

The scales of pay for the two classes of officials are as follows:—

Postal Signallers according to the locality	{	55-140	
		50-140	
		45-140	
		40-130	
		35-120	
Telegraphists	{	General Service	80-150
		Local Service	55-140
		Station Service	70-5-160
			60-5-150

Both classes of officials are ordinarily on duty for 50 hours a week but, whereas the work of postal signallers is usually done in the day, telegraphists are in many offices called upon to put in a regular turn of night duty. With respect to the reasons for the difference in the scales of pay, the Honourable Member's attention is invited to the reply given by Sir S. D'A. Crookshank on the 28th September 1921, to part (b) of Mr. B. H. Jatkar's question No. 41. The reason why telegraphists are called upon to do night duty is that they are employed in busy centres.

With respect to the matter of allowances, by which is presumably meant local and house rent allowances, Government are not prepared to undertake the labour involved in the compilation of a statement comparing the allowances granted to the two classes of officials and explaining the reasons for all differences.

(b) The reply is in the negative. Government are not prepared to assimilate the rates of pay and allowances of postal signallers to those granted to telegraphists in the Telegraph Branch. The two cadres are entirely separate.

DELAY BY THE GOVERNMENT PRESS, CALCUTTA, IN SUPPLYING GOVERNMENT PUBLICATIONS TO THE PUBLIC.

861. ***Mr. H. G. Cocke:** (a) Do Government propose to inquire into the delays which occur at the Government Press, Calcutta, in supplying Government publications, in view of the fact that copies of the corrections to the Income-Tax Manual written for from Bombay on the 23rd January last, with the remittance which had already been asked for by the Press, had not been received by 21st February, nor had any explanation of the delay been received?

(b) Are Government aware that the Government Press, Calcutta, is not permitted, under orders of Government, to send its publications by Value Payable Post?

(c) Are Government prepared to consider the withdrawal of the orders referred to?

The Honourable Mr. A. C. Chatterjee: (a), (b) and (c). Government are inquiring into the matters to which the Honourable Member has drawn attention.

ACCOMMODATION OF MEMBERS OF THE LEGISLATURE AT RAISINA.

862. ***Mr. Devaki Prasad Sinha:** (a) Will the Government be pleased to state what arrangements, if any, do Government contemplate for the accommodation of Members of the Legislatures at Raisina when the new buildings there are completed and the Secretariat located therein? Is the present arrangement likely to be continued?

(b) Have any replies been received to the tenders called for in connection with hotels in the new city?

(c) What rate per acre is Government asking for land in the case of hotel companies, theatre companies, or cinema companies?

(d) Has any hotel company sent in application for land for building purposes?

The Honourable Mr. A. C. Chatterjee: (a) The matter is under consideration.

(b) No tenders were received for the hotel sites advertised.

(c) One cinema company has acquired on perpetual lease a site at a premium of Rs. 7,500 per acre. The same figure has been asked for a theatre site and sites for hotels.

(d) Yes. Two applications were received from hotel companies but they were both subsequently withdrawn.

OFFICES ALLOTTED TO AN INSPECTOR OF POST OFFICES FOR INSPECTION PURPOSES.

863. ***Mr. Amar Nath Dutt:** Will the Government be pleased to state the average number of offices that is generally placed under the jurisdiction of a single Inspector of Post Offices, and the standard by which it is determined?

Mr. G. B. Clarke: The question presumably relates to the number of offices allotted to an Inspector for inspection purposes. If so, the reply is that no fixed standard is possible. The number must necessarily vary according to the distance of one office from another and according to the means of locomotion available.

INCREASE IN THE NUMBER OF INSPECTORS OF POST OFFICES.

864. ***Mr. Amar Nath Dutt:** Is it a fact that the Director General of Posts and Telegraphs assured the Inspectors, in reply to their representations last year, that he would increase their number? Will the Government be pleased to state how many Inspectors have been increased since then?

The Honourable Mr. A. C. Chatterjee: No such assurance was given by the Director-General. In 1921 memorials were submitted by Inspectors of Post Offices praying, among other things, that they might be given the services of clerks and they were informed in reply that the Director-General would prefer to increase the number of sub-divisions, i.e., Inspectors' charges, rather than to provide Inspectors with clerks. Since then the volume of inspection work to be done by these officials has been reduced and traffic has been below normal. The necessity for increasing the number of sub-divisions has not therefore arisen.

ORDERLY PEONS FOR INSPECTORS OF POST OFFICES.

865. ***Mr. Amar Nath Dutt:** Will the Government be pleased to state whether the Director General of Posts and Telegraphs gave the General Secretary of the All-India Postal Union to understand that he would consider the question of restoration of orderly peons to Inspectors of Post Offices, in the next year? If so, will the Government be pleased to state, whether it has been done? If not, will the Government be pleased to state the reasons, as also when the Government proposes to restore the same?

The Honourable Mr. A. C. Chatterjee: The Director-General informed the Honorary General Secretary, All-India Postal and R. M. S. Union, that the question of restoring the orderly peons *might be reconsidered during 1924-25* if this course were justified by the general financial situation. The Director-General is reconsidering the question.

REDUCTION OF THE ALLOWANCE OF RURAL BRANCH POSTMASTERS.

866. ***Mr. Amar Nath Dutt:** Is it a fact that the allowance of as many as 34 rural branch postmasters in the Nadia Division has been reduced by Rs. 3 to Rs. 4 a month and two sub-offices have been converted into extra-departmental branch offices and two or three other sub-offices are in contemplation of being reduced to the status of branch offices? Do the Government propose to reconsider the matter?

Mr. G. B. Clarke: The allowance of 20 extra-departmental branch postmasters were reduced by Rs. 8 and of 10 such officials by Rs. 4 but in no case is the revised amount less than the minimum of Rs. 6 prescribed by Government. One sub-office was reduced to the status of a departmental branch office and one to that of an extra-departmental branch office. In each of these cases the reduction was necessary in order to bring the cost of the office within its income. The conversion of 3 sub-offices into branch offices on the same grounds is under consideration, and I am inquiring whether such conversion is desirable.

CONTRIBUTION FROM RESIDENTS OF THE NADIA DISTRICT FOR VILLAGE POST OFFICES

867. ***Mr. Amar Nath Dutt:** Is it a fact that a large sum of money has been realised from the residents of some villages in the Nadia District, by way of contribution towards the maintenance of their village

post offices? Do the Government propose to consider the desirability of refunding the money so realised to the poor villagers without delay?

Mr. G. R. Clarke: A total sum of Rs. 141 has been realised from the villagers in respect of 8 post offices. I am inquiring into the question whether such a contribution was properly asked for in these cases.

RETRENCHMENT OF POSTMEN IN THE NADIA DIVISION.

868. ***Mr. Amar Nath Dutt:** Will the Government be pleased to state the number of postmen curtailed in the Nadia Division during the year 1923-24, as also how their work has been distributed?

Mr. G. R. Clarke: In 4 post offices which had 2 postmen each but could not support more than one, one of the appointments was abolished and the work carried on with the remaining postman. In 3 post offices which had only one postman each but were nevertheless working at a loss, the appointment was abolished and the delivery of articles was entrusted to an extra-departmental agent on a small allowance. In each of the 5 other offices, one appointment of postman has been kept vacant as a measure of retrenchment and the delivery work has been redistributed among the remaining postmen.

PAY OF THE CIVIL CLERICAL ESTABLISHMENTS, NORTH-WEST FRONTIER PROVINCE.

†869. ***Maulvi Muhammad Yaqub:** (a) Is it a fact that at the time of separation of the North-West Frontier Province the Government of India and the Secretary of State had laid down a general principle that the civil establishments (including clerical) in the new Province should receive the same rates of pay as were then in force in the Punjab, and was this principle observed in fixing the rates of pay of civil clerical establishments in the new Province?

(b) Is it also a fact that the Local Administration of the N. W. F. Province has ever since the separation been following and maintaining the Punjab standard of efficiency and rates of pay of their civil clerical establishments?

(c) (i) If the reply to (a) and (b) be in the affirmative, will Government please state why the civil clerical establishments in the N. W. F. Province are being paid less pay since October 1920 than that allowed to their confreres in the Punjab.

(ii) If the reply to (a) and (b) be in the negative, will Government please state since when, why and on what general principles the rates of pay of civil clerks in the N. W. F. Province have been kept at a lower standard than that obtaining in the Punjab for the time being?

PAY OF CLERKS OF THE IRRIGATION DEPARTMENT, NORTH-WEST FRONTIER PROVINCE.

†870. ***Maulvi Muhammad Yaqub:** Is it a fact that the pay of civil clerks of the Irrigation Department in the N. W. F. Province has been raised to the Punjab level? If so, will Government please state why other civil clerks serving in the same Province are being accorded a differential treatment?

† See answer to Question No. 855.

† See answer to Question No. 856.

REVISION OF PAY OF CIVIL CLERKS, N. W. F. PROVINCE.

†871. ***Maulvi Muhammad Yaqub:** Have Government received copies of any Resolutions passed by the Civilian Clerks' Association, N. W. F. Province, on the subject of revision of pay and on other subjects of vital importance to the civil clerks in the Province? If so, what action do Government propose to take on those Resolutions?

EXPORT TRADE IN INDIAN COAL.

872. ***Mr. W. S. J. Willson:** In view of the Resolution of this Assembly that a countervailing duty on Natal Coal should be imposed in order to protect Bengal coal, do the Government propose to appoint an impartial Board of Inquiry to inquire into the loss of export markets, coal traffic facilities and railway freights, the increase of the railway freight rebate to Rs. 2 per ton, the institution of special allotments of wagons for mineral traffic, the provision of suitable types of wagons for such traffic, the provision of quick-running trains of full rakes, the reduction of shipping charges including the provision of modern appliances for tipping wagons, the elimination of dumping charges at the dock, the reduction of port charges, and especially with regard to the development of the new high-class coal-fields of Karanpura and Talcher, and to inquire as to what is the best interests of the Railways and the coal trade as a whole including the possibility of reduction of railway freights to long-distance industrial centres, having regard to the needs of the industries established in the country? Also to inquire into the loading and grading conditions at the coalfields with special regard to combined working of groups for grading and despatch, and the discharging conditions and facilities at ports of imports?

The Honourable Sir Charles Innes: It has been suggested to Government that an inquiry should be instituted into the question whether measures could be taken to encourage the export trade in Indian coal, but no decision has yet been reached.

DISCOVERY OF A BOMB FACTORY AT MANIKTALA.

Mr. G. Pilcher (Bengal: European): May I, Sir, ask the Honourable the Home Member whether he can confirm, expand or deny certain assertions made in a telegram which reached me from Calcutta early yesterday morning? The telegram says:

"A complete bomb factory was unearthed by Calcutta Police Saturday in house at Maniktolla. Six live bombs of a new and particularly deadly type were recovered along with several similar weapons in process of manufacture and large quantity of explosives. Two Bengalis were caught red-handed, both being well known to the Police. It is believed that at least one other person managed to escape from the room before police were able to enter. The police have been aware for some time past that a revolutionary party have been manufacturing bombs with the object of carrying out programme of assassinating certain high police officers. The bombs found are a great improvement on the type used by Indian revolutionaries in the past. Previous bombs—including the bomb which was thrown at Lord Hardinge at Delhi, were made in cigarette tins bound round with wire and fitted with clamps. Latest discoveries however are made of cast iron in parts nearly half-inch thick and closely resemble the Mills grenade used during the war. One of the men arrested served for some time in a Bengali regiment."

May I add, Sir, that I am asking this question for three reasons. The first is that although I received this early yesterday morning, I looked through the "Pioneer" which reached me at break-fast time this morning and

found nothing at all relating to this incident. The second reason is that in Bengal we feel, especially since Mr. Day's murder, that so long as there are at large people of this character or type, always supposing they exist, there is nothing to prevent the summary murder of our friends and relatives in Calcutta on the ground that they possess an apparent resemblance to senior police officers. My third reason is that, if this information is confirmed, it goes far to establish the good faith of the Honourable the Home Member and the Bengal Government so often impugned in this House on the ground of arbitrary and unnecessary resort to the archaic machinery of Regulation III of 1818.

The Honourable Sir Malcolm Hailey (Home Member): Sir, the information to which Mr. Pilcher refers has appeared in this morning's telegrams and I have no reason to doubt its authenticity. At the same time I have not yet received from the Bengal Government an official confirmation of the details which have been given in the press. I am hoping to receive a telegram from them in the course of to-day and I shall be able perhaps to make a fuller statement on the subject. Like Mr. Pilcher I regard the news, if all the details are authentic, as of an exceedingly serious nature.

RULES UNDER SECTION 67 OF THE GOVERNMENT OF INDIA ACT.

Mr. A. Rangaswami Iyengar (Tanjore *cum* Trichinopoly: Non-Muhammadan Rural): I. (i) Will the Government be pleased to state the objects and reasons that led them to make the further amendments to the Statutory Rules under section 67 of the Government of India Act?

(ii) Whether the sanction of the Secretary of State was applied for and obtained to these alterations?

(iii) Why the procedure contemplated by the proviso to section 129-A of laying the Rules in draft before both Houses of Parliament before bringing them into force has not been adopted or recommended by the Government of India to the Secretary of State?

(iv) Whether steps have been taken to lay the Rules as now made before both Houses of Parliament and, if so, what is the date on which the Government expect them to be so laid?

(v) Whether the Government will refrain from putting the Rules into force until Parliament has had at least some opportunity to consider them and the Members time to understand the curious and complicated processes contemplated by them?

Sir Henry Moncrieff Smith (Secretary, Legislative Department): In part (i) of his first question the Honourable Member asks what were the objects and reasons for the amendments of the Indian Legislative Rules which appeared in Saturday's Gazette. The reason for the amendments is a very simple one. The original rules made under the section 67 of the Government of India Act provided a procedure for legislation passed through the two Chambers in the ordinary course. There was no procedure for the special class of Bills dealt with under section 67B. The section itself merely lays down that where one Chamber has failed to pass a Bill in the form recommended by the Governor General, the Bill shall, if not already passed by the other Chamber in that form, be laid before that Chamber, and goes on to describe the consequences if the second Chamber consents to or fails to consent to the Bill. It does

[Sir Henry Moncrieff Smith.]

not lay down any rules of procedure dealing with the Bill in the second Chamber, and the ordinary rules would in many cases be inapplicable. Further, in cases where a recommendation is made during the course of the consideration of a Bill by a Chamber of the Legislature—that is to say, after amendments have already been made in the Bill as introduced—it is clearly necessary to lay down a procedure enabling the Chamber to come to a decision then whether it will or will not pass the Bill in the form recommended. Without rules the Chamber might be held, by reason of Standing Order 31, to be precluded from considering a motion proposing an amendment to any clause which, in the course of consideration, has already been amended and stands part of the Bill. Standing Order 31, as the House will remember, runs:

“A motion must not raise a question substantially identical with one on which the Assembly has given a decision in the same session.”

There are other small difficulties in applying our ordinary Rules and the Standing Orders to section 67B; but I think I have said enough to show the Honourable Member that some special rules were necessary. Those portions of the rules which deal with dilatory motions are desirable, since Parliament clearly did not contemplate that it should be within the power of the Legislature to make a recommendation of the Governor General wholly ineffective.

Part (ii) of the question. This matter has been under the consideration of the Government of India for nearly two years. Various drafts of the rules have been prepared from time to time; and on the 8th November last the Government of India despatched certain amendments to the Secretary of State for his sanction; after further correspondence, the Secretary of State's sanction was asked, by a despatch of the 14th February 1924, for the rules substantially in the form in which they have now been made. Sanction to the rules as now published was received on the 8th March.

Part (iii). Discretion as to the procedure to be adopted in sanctioning rules under section 129A lies entirely with the Secretary of State. It is not for the Government of India to recommend to the Secretary of State which course he should adopt, nor can the Government of India say what considerations induced the Secretary of State to follow the ordinary procedure laid down in sub-section (3) of section 129A rather than the extraordinary procedure suggested by the Honourable Member which is laid down in the proviso to that sub-section.

Part (iv). The rules as now made will be forwarded to the Secretary of State by this week's mail (they were made too late to catch the last mail); and they will no doubt be laid before Parliament as soon as possible after they arrive.

Part (v). In this part of the question, the Honourable Member suggests that even after receiving sanction the Government of India should have refrained from making the rules until Parliament had had some opportunity of considering them. I have already explained that it lies with the Secretary of State to decide whether the rules should be laid in draft before Parliament, or whether he should sanction them first. As the Secretary of State has sanctioned these rules, it would serve no purpose for the Governor General in Council to delay making them; indeed, he is not constitutionally in a position to refrain from bringing them into force for the purpose suggested. Once the procedure adopted by the

Secretary of State in this case has been followed, the rules cannot be laid till they are made, and therefore, in fact, the sooner the rules are made the sooner can they be submitted for the consideration of Parliament. In the latter part of the question the Honourable Member suggests that the making of the rules should have been delayed in order to give the Assembly time to understand, as he says, "the curious and complicated processes contemplated by them". I think if the Honourable Member studies the new rules again—possibly he has already done so by this time—he will find that they are neither curious nor complicated. The design of the draft was to utilise the ordinary procedure of legislation to the largest extent possible, and to refrain from introducing motions new to our procedure. As I have already pointed out, the rules in the first place, enable certain ordinary motions to be made which might otherwise have to be postponed till the following session by reason of Standing Order 31, and in the second place, apply some restriction to the making of certain other motions which would have the effect of unduly delaying the passage of the Bill. There is really little more in the rules; and the Government of India do not consider that any useful purpose would have been served by publishing the rules before they were made; nor indeed is any such procedure contemplated by the Act of Parliament.

The Honourable Member's second part of the question is . . .

Mr. A. Rangaswami Iyengar: I have not yet put the second part of my question.

Mr. President: The Honourable Member has not yet put the second part of his question.

Mr. A. Rangaswami Iyengar: I suppose, Mr. President, I am at liberty to put supplementary questions to both the first and second parts of my question?

(Mr. President signified his assent.)

Mr. A. Rangaswami Iyengar: II (i) Are the Government aware that the new rules are designed to augment further the powers of exceptional legislation conferred by section 67-B, and that it is not competent to them, to do so by exercising the powers of rule-making which do not apply to legislation coming under section 67-B, but only to legislation coming under section 67 of the Government of India Act.

Sir Henry Moncreiff Smith: The Government are certainly not aware that the new rules are designed to augment the powers of exceptional legislation conferred by section 67-B, nor indeed is such the case. Throughout the consideration of this matter, Government have subjected the rules to the minutest scrutiny with a view to assuring themselves that they do not go beyond the scope of section 67. They are, purely and simply, rules of procedure; they confer no powers. If they added in the slightest degree to the powers conferred by section 67-B, they would obviously be *ultra vires*, and the House may rest assured that they would never have received the sanction of the Secretary of State.

I am not quite sure that I understand what the Honourable Member means by the latter part of this question. I have assured him that we are perfectly convinced that the rules are not *ultra vires*. He seems to imply that rules made under section 67 cannot be applied to legislation coming under section 67-B, but must be confined to legislation undertaken in the ordinary course—he says under section 67—I presume he means

[Sir Henry Moncrieff Smith.]

under section 65. Section 67 (1) lays down "that rules may be made under this Act for regulating the course of business in the Chambers of the Indian Legislature". I presume the Honourable Member does not mean to suggest that it is not the business of the Legislature to consider Bills recommended by the Governor General under section 67-B. The section itself clearly requires the Legislature to do so. Possibly the Honourable Member has in mind sub-section (5) of section 67 which lays down that "rules made for the purpose of this section may contain such general and supplemental provisions as appear necessary for the purpose of giving full effect to this section". It is, however, clear that there can be no intention in sub-section (5) to limit the rule-making power in sub-section (1). If it were so, we should be unable to make rules of procedure for the purpose of legislation passed in the ordinary course under section 65; section 67 itself gives no power to legislate.

Mr. A. Rangaswami Iyengar: May I ask, Sir, whether this procedure is intended to give the Governor General power to go to the House with different recommendations at different times and whether the rules in regard to dilatory motions are intended to arm the Government with the power to get over dilatory motions by the use of the exceptional powers given under section 67-B?

Sir Henry Moncrieff Smith: There are two questions here, Sir. The first question is, as I understand the Honourable Member, whether the rules are intended to enable the Governor General, once he has made a recommendation under section 67-B, at a further stage of the proceedings, to modify that recommendation. The answer to that is, the rules are not so intended, nor indeed could any such matter be provided for in the rules. If there is power to modify a recommendation, that power must be inherent in the section itself, and by no rules that we can frame under section 67 could we provide for such a procedure, however much we should like to.

The second question was in regard to dilatory motions. The Honourable Member stated that these rules regarding dilatory motions were framed for the purpose of enabling the Governor General to use his powers under section 67-B. That is not the case, Sir. The rules were framed for this purpose that, when the Governor General has made a recommendation under section 67-B, it should not be within the power of the House then to carry a motion which might have the effect of postponing the consideration of the Governor General's recommended Bill for a period possibly of six months.

Diwan Bahadur M. Ramachandra Rao: (Godavari *cum* Kistna: Non-Muhammadan Rural): Sir, may I ask the Honourable Member, seeing that he has stated that this matter has been under the consideration of the Government for two years, why a committee of this House was not summoned to examine this extremely intricate set of rules which has just been published, and whether it is courtesy shown to this House that these rules with regard to its own procedure should be submitted to the Secretary of State by the Government of India without this House having had any chance of criticising them?

Sir Henry Moncrieff Smith: There was no intention whatever, Sir, on the part of the Government of India to show any discourtesy to this House in the making of the rules, but the fact is that the making of rules under the Government of India Act, is purely an executive matter. They rest

between the Government of India and the Secretary of State, and the only interference that can come from the Legislature is from the Houses of Parliament in England. Standing Orders are different matter; Standing Orders are supplementary to the rules and, as the House knows, the House can itself amend these Standing Orders.

Mr. A. Rangaswami Iyengar: May I know, Sir, whether the effect of the rules now made with regard to dilatory motions is this that the Government introduce the Bill with the ordinary recommendation of the Government, namely, that it is a Government Bill, and that, if the House makes amendments therein, it is for the Home Member or the Member in charge of the Bill to say " Stop this or I will bring the special recommendation of the Viceroy " and forthwith it is attached to the Bill and appended to it there that, if it is not passed in the form recommended, the Viceroy will of course as a matter of automatic action proceed to certify it and make it law.

Sir Henry Moncrieff Smith: It certainly is the intention of the rules. Sir, that a procedure should be devised which will enable—not enable, because the section itself enables the Governor General to do that—which will provide that the recommendation made by the Governor General in the course of consideration of a Bill shall be considered by the House. There is undoubtedly a power under section 67B to enable the Governor General to make a recommendation in respect of a Bill which the House has already given leave to introduce. That recommendation can be made at any time in the course of the passage of the Bill through the Chamber.

The Honourable Member had another part to his question which was whether, if that recommendation were made, the rules provide that the Governor General should automatically then certify the Bill and make the Bill law. Well, if that was the Honourable Member's question, I may assure him that it is not the case. The law itself—not the rules—the law itself enables the Governor General to make it law in the form in which he has recommended after one Chamber has failed to pass it in the form recommended, but it does not by any means compel the Governor General to make it law. It is perfectly open to the Governor General to abandon any recommendation that he has submitted to the House.

Dr. H. S. Gour (Central Provinces Hindi Divisions: Non-Muham-madan): Sir, may I enquire whether these rules have been framed in consequence of any difficulty experienced by the Government during the last Assembly with reference to any particular Bill?

Sir Henry Moncrieff Smith: The Honourable Member no doubt has in mind the last Finance Bill. As it happened, by pure accident the recommendation of the Governor General in respect of the Finance Bill last March was made at a stage which enabled our ordinary rules of procedure to be applied. The Government in fact experienced no difficulty in regard to that particular Bill. But it is to meet numerous difficulties that can be anticipated, that may arise over any Bill, that the rules have been framed.

Dr. H. S. Gour: I take it, Sir, then, the Honourable Member means that these rules were not made *post facto* to overcome a difficulty that had arisen in practice but that these rules have been framed in view of difficulties that may arise in the future.

Sir Henry Moncrieff Smith: That is more or less correct, Sir. If in the last case of the last Finance Bill, the Governor General's recommendations

had been made possibly at any other stage of the Bill than at the stage at it was made, then we should have experienced difficulties.

Dr. H. S. Gour: If so, may I inquire what was the urgency of rushing these rules through this House?

Sir Henry Moncrieff Smith: It has taken us two years to rush them through.

Mr. A. Rangaswami Iyengar: May I take it, Sir, that it is the opinion of the Honourable Member that, when once the Viceroy has recommended a Bill to be passed by this Assembly in a particular form as being essential for the safety, tranquillity and interests of British India, it is open to him to refrain from certifying the Bill after the House has rejected it as entirely within his discretion to do so?

Sir Henry Moncrieff Smith: It is entirely within the Governor General's discretion to refrain from certifying a Bill which has been recommended. If the Governor General recommends a Bill to this House, and this House makes amendments in the Bill and passes the Bill in a particular form, which it is true is not the recommended form,—the Governor General can abandon his recommendation and allow the course of legislation to proceed. That is to say, the Bill would go to the other House and they would be asked to take into consideration the Bill as passed by the Assembly. That would be entirely irrespective of the recommendation.

Mr. A. Rangaswami Iyengar: I am asking, Sir, whether it would be consistent with that certification or recommendation for him to do so.

Sir Henry Moncrieff Smith: It might be inconsistent with the certification because the certification is that the passage of the Bill is essential for the safety, tranquillity or interests of British India, but up to that time there has been no certification. There has only been a recommendation to the House that it should pass the Bill in a particular form.

Mr. A. Rangaswami Iyengar: As essential to the

Sir Henry Moncrieff Smith: No, not essential. I fear the Honourable Member is making a mistake. That word does not apply to recommendations.

Dr. H. S. Gour: Is the Honourable Member aware of any precedent from the procedure of the House of Commons justifying these rules?

Sir Henry Moncrieff Smith: No, Sir. I do not know of any.

Mr. K. O. Neogy (Dacca Division: Non-Muhammadan Rural): Sir, will the Honourable Member refer to the new rule 86-A which runs as follows:

"Where a dilatory motion has been carried in respect of a Government Bill and the member in charge of the Bill intimates to the Chamber that it is proposed to re-introduce the Bill and to move the Governor General to make a recommendation in respect thereof such as is referred to in section 67B"

Will the Honourable Member be pleased to say under what provision of the Government of India Act or rules framed thereunder is it permissible for a Member in charge of a Bill to move the Governor General to make a recommendation under section 67B of the Government of India Act?

Sir Henry Moncrieff Smith: There is no provision of the Government of India Act, Sir, that enables the Government of India to move the Governor General to exercise his powers. It is not a motion put forward by

Government at all but I think the House will realise that it should be open to the Government of India at least to tender advice to the Governor General in the matter.

Mr. N. M. Joshi (Nominated: Labour Interests): Sir, I do not understand one point. Sir Henry Moncrieff Smith said these new rules do not take away any powers given to the Assembly by the Government of India Act. The Government of India Act has given power to the House to make a dilatory motion.

The Honourable Sir Malcolm Halley: No, Sir.

Mr. N. M. Joshi: We can move that the consideration of the Bill be postponed.

Mr. President: In view of the importance which Members attach to this subject—and I acknowledge that it is an important subject—I think we had better defer further questions on it till the House has had more time to study the rules. My Honourable friend, the Secretary in the Legislative Department, has had a fairly long innings and is still not out; so Members can ask further questions when they have considered the terms of the new Rules.

UNSTARRED QUESTIONS AND ANSWERS.

EFFECT OF THE ENHANCED SALT-TAX ON THE WORKING MAN'S EXPENSES.

204. Mr. H. G. Cooke: Will Government be pleased to state whether they have made any inquiries in various parts of the country as to the difference which the enhanced salt tax has made to the working man's expenses, and, if so, the result of those inquiries?

The Honourable Sir Basil Blackett: No specific or formal inquiry was undertaken. But the Government took steps to watch the movements of retail prices throughout India week by week, and to gather all the information they could as to the effect of the increase in price. The general tenor of the information received was that the increase was passing practically unnoticed by the bulk of the population. As stated a year ago during the Budget debates, the statistics show that the average cost to the consumer of the increase in the tax from Re. 1-4-0 to Rs. 2-8-0 per maund could not exceed 8 annas per head, or less than a rupee per family per annum. Judging by the average prices of retail salt during the past year this was on the whole an over-estimate.

IMPROVED SCALES OF PAY FOR POSTAL EMPLOYEES.

205. Mr. M. K. Acharya: (a) Will Government be pleased to say (1) whether any petition has been received this year from the Postal Employés Union either directly or through the Director General of Post Offices for sanction of improved scales of pay, (2) whether it is true that Government have declined to entertain the petition?

(b) Are Government prepared to reconsider whether out of the surplus postal revenues earned by the hard work of the employés of the Department a percentage may not be set apart for the improvement of the pay and prospects of the said employés periodically?

The Honourable Mr. A. C. Chatterjee: (a) The reply to both parts is in the affirmative.

(b) Government cannot accept the view that any further improvement is required at the present time in the pay of the employés of the Post Office. I would remind the Honourable Member that their pay was very substantially improved on the recommendations of a Committee in 1920 when price conditions were very much worse than they are at the present time, and in this connection I would invite my Honourable friend's attention to the views expressed by the Retrenchment Committee in paragraph 9 on page 284 of their Report. Apart from this I would point out that the estimated surplus of the Department for next year is only Rs. 24 lakhs as shown in the Profit and Loss account while the scales of pay which the Union have asked for would involve a further annual expenditure of not less than 3 crores of rupees on the Postal side only, apart from similar increases which would certainly be demanded by the Telegraph staff.

ORDERS FOR WAGONS FOR STATE RAILWAYS FROM INDIAN FIRMS.

206. **Mr. W. S. J. Willson:** (a) Is it a fact as stated in the "Statesman" of Thursday, 28th February 1924, that the tenders received by the Railway Board for building 3,000 wagons were mostly required for Company-managed railways?

(b) If so, will Government state why it is not proposed to order any wagons for State Railways from Indian firms this year, having regard to the 5 year programme which contemplated the building of 82,800 wagons in the 5 years commencing 1st April 1922, and to the communiqué dated 1st March 1918, which definitely pledged Government to purchase in India 2,500 broad gauge and 500 metre gauge wagons annually for 10 years

(c) Will Government state if their decision was arrived at before or after the receipt of the report of the Tariff Board.

(d) Are Government aware that the inevitable result of this decision will be that Indian wagon builders will be forced to close their workshops and to disperse their 5,000 employés whose wages aggregate to Rs. 25 lacs yearly?

(e) Is it a fact that a large number of wagons are at present laid off awaiting repairs?

(f) If the answer to part (e) is in the affirmative, do the Government intend to come to a very early arrangement for Indian wagon builders to undertake wagon repairs?

The Honourable Sir Charles Innes: (a) It is a fact that the 3,000 wagons referred to in the call for tenders were nearly all required for the Company-managed railways.

(b) A careful examination of the position undertaken at the instance of the Retrenchment Committee has shown that the State worked railways have at present as many wagons as they need and further provision during the current year could not be justified. I must further remind the Honourable Member that the guarantee given was not an absolute guarantee but was subject to important conditions particularly as to price.

(c) The tenders for the 3,000 wagons were received on the 22nd January and the recommendations of the Railway Board were made before receipt of the report of the Tariff Board.

(d) The firms in question will no doubt await the Tariff Board's report before taking the course of action suggested.

(c) Since the war repairs of wagons have been in arrears. The position has improved and it is hoped that normal conditions will be established in the near future.

(j) Proposals to place wagon repairs, which are in excess of the capacity of the railway repair shops, in the hands of private firms have been considered on several occasions in recent years. The difficulties involved are considerable—impossibility of guaranteeing continuity of any particular class of work, great variety of types of wagons and nature of work required and difficulty in arriving at satisfactory terms of payment. The proposals have been found impracticable.

NUMBER OF EUROPEAN AND INDIAN RESIDENTS AND POLITICAL AGENTS IN INDIAN STATES.

207. Rai Sahib M. Harbilas Sarda: Will Government be pleased to state the number of Europeans and Indians respectively employed by the Government of India in its political service as Residents and Political Agents in Indian States?

Mr. E. B. Howell: The number of Residents and Political Agents in Indian States is 19. All of them are Europeans.

INDIANS HOLDING MEDICAL APPOINTMENTS IN THE POLITICAL DEPARTMENT.

208. Rai Sahib M. Harbilas Sarda: Will the Government be pleased to state the number of Indians holding medical appointments in the Political Department of the Government of India but not employed in British provinces under the direct management of that Government?

Mr. E. B. Howell: The information required is being collected and will be supplied to the Honourable Member in due course.

LOCO. FOREMEN ON THE B. B. AND C. I. RAILWAY.

209. Rai Sahib M. Harbilas Sarda: Will Government be pleased to state the number of Foremen holding permanent appointments in the Loco. and Carriage Workshops of the B. B. & C. I. Railway at Ajmer and how many of these are Indians?

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

MILITARY ASSISTANT AND SUB-ASSISTANT SURGEONS.

210. Mr. K. G. Lohokare: With reference to unstarred question No. 167 (b) will the Government be pleased to say:

- (a) If they know that for a long period for both the Military Sub-Assistant Surgeons and Assistant Surgeons classes,
 - (i) the standard of admission was the Matriculation or its equivalent,
 - (ii) the course extended to three or four years during the same periods,
 - (iii) the final qualifying examination was the L. C. P. S. of Bombay in the Bombay Presidency, and an equivalent one in other presidencies.

- (b) If there was any difference in both the classes (i) in the standard of admission, (ii) syllabus, (iii) number of attendance days at the hospital, (iv) number of lectures and practical and clinical attendances in each subject—from the year in which Matriculation was the standard of admission for the Military Sub-Assistant Surgeon class in the medical schools?

Mr. E. Burdon: (a) (i). The Matriculation standard for admission to the Sub-Assistant Surgeon's course was not made compulsory till February 1919. Candidates for the Military Assistant Surgeon's class were admitted till 1920 on the result of a competitive examination held by the D. G., I.M.S., the standard of which was regarded as equivalent to that of the Matriculation examination.

(ii) The curriculum for Military Assistant Surgeons was extended from four to five years in 1919. The curriculum for Military Sub-Assistant Surgeons was extended from three to four years in 1906. It remains at four years to-day.

(iii) The L. C. P. S., Bombay, was not introduced by the College of Physicians and Surgeons till 1917. Before then, Sub-Assistant Surgeons were given a qualifying certificate by the Principals of the Medical Schools wherein they were trained. Military Assistant Surgeons obtained a qualifying certificate after an examination held by the D. G., I.M.S.

(b) The course of training for Military Assistant Surgeons is quite different from that for Sub-Assistant Surgeons. The former are educated at the Medical Colleges and attend similar classes to those studying for the University degrees. The latter are trained at the Medical Schools where the standards of equipment and teaching are entirely different.

MILITARY ASSISTANT AND SUB-ASSISTANT SURGEONS.

211. **Mr. K. G. Lohokare:** (1) Has the standard of admission for the Military Assistant Surgeons class been raised; if so,

(i) When was the change introduced?

(ii) What is the admission standard since then?

(iii) Is it the same as required by the University of the Province in which the classes are located or is it such as is accepted by the General Medical Council?

(iv) What is the period of instruction?

(v) Is the syllabus that of any Indian University course or one accepted by the General Medical Council?

(vi) Is the qualifying Diploma registrable in the United Kingdom?

(2) How many pupils have qualified themselves and been admitted to the cadre since the change?

(3) Do the Government know that—

(i) the qualification which the Military S. A. S. hold is registrable in India,

(ii) Military S. A. S. hold civil appointments in some places,

(iii) Military S. A. S., Cantonment Hospitals, have to treat the civil population,

(iv) the Provincial Medical Registration Acts require that medical men in institutions maintained at public costs are registered?

Mr. E. Burdon: (1) Yes. The five-year curriculum was introduced in 1919. The system of admission by selection from the candidates with a raised standard of preliminary education was introduced in 1920. -

(ii) The admission standard now is:

(a) Preliminary examination in Arts recognised by the General Medical Council;

(b) The Intermediate examination in Science of a recognised University or the Cambridge Senior Local examination, old standard according to the revised regulations for 1917, or any examination which is accepted by the Local Government as equivalent thereto;

(c) The Intermediate Examination in Arts and Science of the Madras University, or an examination accepted by the Madras Syndicate as equivalent thereto or one of the examinations which are recognised by the General Medical Council.

(iii) Each University regulates its own standard of admission to its medical degrees. The standard is, at present, accepted by the General Medical Council.

(iv) Five years.

(v) Military Assistant Surgeons attend the same courses as laid down by the medical colleges to comply with the University regulations. These courses are, at present, accepted by the General Medical Council.

(vi) The M. B. degree of the Indian Universities is, at present, registrable in the United Kingdom. The qualifying diploma obtained up to now by the Military Assistant Surgeon is not registrable in the United Kingdom.

(2) None.

(3) (i), (ii), (iii), and (iv). Yes.

OPENING OF A BEEF SHOP NEAR THE HINDU QUARTERS IN RAISINA.

212. Sardar Kartar Singh: (a) Is it a fact that a beef shop has been opened near the Gol market in Raisina close to the quarters occupied by Hindus?

(b) In deference to Hindu feelings do the Government propose to order its removal to some other locality?

The Honourable Mr. A. C. Chatterjee: The meat shops are located on the outer edge of the Circular Market at Raisina, in a building which is altogether distinct from the Hexagonal Market in the centre. The Hexagonal Market itself is entirely reserved for the stalls of ordinary Indian food-stuffs and groceries. No one using the vegetable, fruit, poultry, milk or bread shops round the market need go near the building, inside which mutton and beef are on sale. In particular the shops set apart for the sale of beef are cut off from the mutton shops, and so placed as to be out of sight of anyone not actually entering them. Every precaution has thus been taken to provide facilities for marketing for all classes of the community without offending the susceptibilities of any particular section.

There are two quarters for clerks living in Indian style, the back compound wall of which is within 40 feet of the back of the beef shop. No Hindu is compelled to occupy these quarters.

Government do not propose to order the removal of the beef shop to any other locality.

ELECTION OF THE STANDING FINANCE COMMITTEE.

The Honourable Sir Basil Blackett (Finance Member): Sir, I beg to move:

"That this Assembly do proceed to the election in such method as may be approved by the Honourable the President, of a Standing Finance Committee of the Assembly not exceeding fourteen in number to which shall be added one member of the Assembly to be nominated by the Governor General. The member so nominated shall be Chairman of the Committee."

The motion was adopted.

Mr. President: As a result of the decision just made by the House I have to announce that nominations for this Committee will be received by the Secretary up till 3 o'clock in the afternoon of Wednesday, the 19th March, and the election, if necessary, will be held in this Chamber on Monday, the 24th March. The method of election will be the same as in the case of other Standing Committees.

THE BUDGET—THE INDIAN FINANCE BILL.

FINAL STAGE.

The Honourable Sir Basil Blackett (Finance Member): Sir, I beg to move:

"That the Bill to fix the duty on salt manufactured in, or imported by land into, certain parts of British India, to remit or vary certain duties leviable under the Indian Tariff Act, 1894, to fix maximum rates of postage under the Indian Post Office Act, 1898, to reduce the import and excise duties on motor spirit, further to amend the Indian Paper Currency Act, 1923, and to fix rates of income-tax, be taken into consideration."

Sir, I have first of all an announcement to make. In accordance with what the Government understand to be the unanimous desire of this House and in response to views expressed to me personally from every quarter, the Governor General in Council has decided that the four Demands for Grants that were so fully considered by this House on Monday last in respect of Customs, Taxes on Income, Salt and Opium, are essential to the discharge of his responsibility. I have to lay a declaration* on the table accordingly. (Lays declaration on table). These four Demands will therefore be restored.

Two further reductions were made by the House during the course of the discussion of the Demands for Grants, namely, a reduction of Rs. 100 in the case of Forests and of Rs. 25 lakhs in the case of Railways. It is not proposed to restore these grants to their original figure. The total Railway grant asked for was Rs. 67,71,60,000. A reduction of Rs. 25 lakhs in this total can therefore be accepted as a reduction of estimate which does not require that the Government should take special steps to reduce necessary expenditure. In a vote of this size, it is of course quite possible that when the final out-turn of the year is known, we may find that* under-spending to a larger amount than Rs. 25 lakhs may have occurred, while, on the other hand, in view of the nature of the Demand, namely, for the working expenses of the Railways, it is always possible

* Printed as an Appendix to these Proceedings.

that if the year proves more prosperous than we have estimated, the growth of gross railway revenue will require larger spending off working expenses in which case we should of course have to come back for a supplementary demand. In accepting a reduction of 25 lakhs in respect of Railways, I desire on behalf of the Government to draw the attention of the House to a fact which is sometimes not sufficiently noticed, namely, that the figures of expenditure are estimates. They represent the best approximation which we can make to the amount which will be required for carrying on the services which the Government have to carry on for the year on the basis of a given policy. The Finance Department does its best to present estimates which are minimum estimates subject only to the necessity of avoiding, if possible, the risk of coming back for a supplementary grant. I heard one Member in the course of last week's debate suggest that the Government's unwillingness to make a reduction was due to what he called the doctrine of prestige, and I noticed a statement in one of the newspapers to-day to the effect that "it is well-known that all branches of Government keep some margin for cuts by the Assembly in the Budget estimates". That statement is, Sir, absolutely without foundation. No Finance Department that was worth its salt (Laughter) would dream of permitting itself to be put in such a position. The estimates are the estimates of what is required for carrying on the services on the basis of a given policy. The Government cannot deliberately introduce estimates leaving a nice little sum to be given away in the course of discussion. Obviously you cannot arrive at anything on that basis. The result must be that normally cuts are only possible in the Assembly if the Assembly either picks out particular items of expenditure and says "This should not be spent" or a particular policy and says "This policy must be modified with a view to introducing economy". General cuts without specifying the items in respect of which they are cut cannot be accepted by the Government as a rule, and if they are accepted for the time being, they cannot be further accepted as a basis for reducing the Government's estimates of the money required for the year to carry on the services—of the ways and means which they require. Instead of actually restoring a grant, it is possible, as was done last year, to include certain cuts in the figures of total expenditure under some such head as money probably required for supplementaries. We have got to work out a sound financial system to meet the situation in this House and we must, therefore, I think, keep in mind the impossibility of the Government drawing up their estimates in such a form that they can accept large cuts in the course of the discussion of the estimates. They may accept them as indications that special economy in particular directions is desired, but they cannot go on to accept them as modifying the estimates of the total revenue and the total expenditure as the Government see it before the year is begun.

The cut in Railways of Rs. 25 lakhs involves, in the form in which our estimates are presented, not a reduction in our expenditure but an increase in our estimate of revenues. The effect of the changes that have been made, including that cut and the adoption of the Railway estimate on the basis, for the time being, of non-separation and certain other minor changes that have been introduced in the expenditure side is as follows: The total revenue of the year is now estimated at Rs. 1,31,58,08,000. This revenue is on the basis of Rs. 2 salt tax. It corresponds to the figures printed in our estimates, and does not include any allowance for the time being for reduction in Provincial contributions. The expenditure is now estimated at Rs. 1,29,89,60,900, leaving a surplus of Rs. 1,68,47,100.

[Sir Basil Blackett.]

That is, if the proposals which the Government made are accepted, and the Rs. 1½ crores distributed in relief of Provincial contributions, the final surplus for the year becomes Rs. 18,47,100.

When I spoke in reply to the general debate on the Budget discussion, in the interest of economy of time, and as we were all tired, I jettisoned quite a considerable cargo of answers to points that had been raised during the debate in the anticipation that I should have an opportunity of dealing with them when I came to move that the Finance Bill be taken into consideration. After a careful study of the Budget discussions I find that practically all the points with which I then postponed dealing have been raised again and answered in the course of the discussion on the Demands for Grants. The chief points which I find have not been touched on, or have been only insufficiently touched on, are certain references to the so-called luxury duties, in particular, the inclusion of glass bangles and motor cars in that category, excise duty on motor spirit, and the question of cotton excise. In regard to the so-called luxury duties, I do not think I need say more than that, while there might certainly be advantages in reducing the rate in some instances, we cannot afford to do so, and if there is any detriment caused to trade by those duties at the present time, it is not, in our opinion, so serious as to require a sacrifice of our revenue at present. The duty on motor spirit I think I can conveniently leave to be dealt with by my Honourable friend, Sir Charles Innes, when we come to the detailed discussion of the Finance Bill. In regard to cotton excise we have a discussion due next Thursday, and so I need not anticipate it now except perhaps to say that in existing circumstances we clearly cannot afford the loss of revenue involved. Moreover, and this is a point to which I would draw the attention of my Madras friends, the pledges given by the Government of India that they would so conduct, and are so conducting, their financial policy as to reduce and eventually extinguish the Provincial contributions at the earliest possible moment, are not, in my opinion, consistent with an immediate reduction in such a duty as the cotton excise duty or with any promise to give it any priority in present circumstances.

For debating purposes certain arguments were brought forward to prove that the Budget this year does not really balance itself. I do not think I need enter deeply into those particular arguments. It would be equally true to say that in estimating the Budget balance we have assumed incorrectly, if one or two speakers who spoke ought to be believed, that the income-tax will be renewed for the next year. The Budget estimates are introduced on the assumption that the existing taxation would be continued except in so far as suggestions are made for its reduction. But I cannot reiterate too often my view that we shall not have a really balanced Budget so long as we have nine crores of rupees of Provincial contributions between us and an actual surplus. We are relying, and so long as the Provincial contributions are there we must continue to rely, on what is admittedly a temporary form of revenue which we are under pledge to get rid of as soon as possible. This is a point which deserves special emphasis in view of some of the amendments which appear on the paper, and also in view of some of the things that were said in the course of the discussion on Demands for Grants about the Government of India's expenditure on education and other similar services. Eloquent appeals were made by Mr. Mahomed Yakub and by Pandit Madan Mohan Malaviya for additional contributions towards the Aligarh

and Benares Universities and more money was asked for in several directions for education. Now, I ask the House seriously to consider how we can be expected to provide money for new expenditure of this sort for beneficial purposes if we are to be denied the revenue necessary to meet our outgoings. I always start on the assumption that you cannot spend money that you have not got. We are all agreed I think that expenditure ought not to be incurred unless there is income out of which to meet it. Now, if once again in 1924-25 we start the year with the prospect of a deficit a year ahead, although we may balance this year—with the prospect of a deficit a year ahead unless we can make special reductions of expenditure, it obviously becomes the bounden duty of the Finance Department and of the Government of India to refuse every kind of demand for new expenditure, however beneficent, until it is assured that the Budget for the following year will be balanced without any increase of taxation.

One other point that was raised during the discussion last week I think still remains to be answered. That was raised by Mr. Willson. He inquired just before five o'clock on Saturday from what source we obtained money with which to reduce the volume of outstanding treasury bills in 1922-23 and 1923-24. The answer is that we have obtained the money out of the proceeds of longer term issues, either what we call long term debt or ten-year bonds. We have not, of course, reduced our total indebtedness during the period. We have simply converted the treasury bills into a longer term debt.

Apart from these particular questions which I have just been trying to answer, there have been a series of statements in the course of the debate from various quarters which I do not think I ought to leave unchallenged. Many of them seem to be widely believed in India simply because they have been made again and again, believed that is in accordance with the principle that what has been said three times is true. I may perhaps sum up the statements that I mean somewhat as follows:

1. The Government of India is the most extravagant Government in the world.
2. Our military expenditure is colossal.
3. There has been a vast increase in taxation in India in recent years in a way unparalleled elsewhere.
4. There has been a large increase in the numbers and in the pay of highly paid European officials, and large reductions could be effected by getting rid of such officials.

Let me take these statements in order. I have seen a good deal of the working of other administrations, both in England and on the Continent of Europe and in America, and, so far as the Central Government in India is concerned, nothing has surprised me personally more than the small number of highly paid officials at headquarters. If you consider the size of India and the thickness of its population I affirm that the really surprising thing about it is not its expensiveness but its cheapness. I can say without fear of contradiction that the average amount of taxation extracted from the Indian taxpayer for the purpose of meeting the expenditure of Government is far less in India than in any other civilised country.

Mr. Chaman Lal (West Punjab: Non-Muhammadan): May I ask the Honourable Member whether that is commensurate with the average income in India?

The Honourable Sir Basil Blackett: It is possible that the reason for the lowness of the average income in India is the smallness of the Government of India's expenditure.

Sardar V. N. Mutalik (Guzarat and Deccan Sardars and Inamdars: Landholders): In making the statement that the Government of India have got fewer officers at the headquarters, has the Honourable Member taken into consideration the fact that there is a large number of officers at the headquarters of each Provincial Government?

The Honourable Sir Basil Blackett: If the Honourable Member would allow me to continue my speech he will find that I was going to answer that particular point.

This opinion is not my own merely. I have had my attention drawn to the debate on the Government of India Bill in 1919. Speaking in the House of Lords on the 12th December 1919, Lord Selborne, who has had wide experience of administration, said:

"The Government of India was originally formed on the most simple lines possible. Its tasks were to preserve order; to administer justice and to collect the revenue. It really was an absolutely ideal Government after the conception of government of the Manchester School. I do not suppose that such an economical Government has ever existed before in the history of the world and I do not suppose that the world will ever again see its like. It is quite extraordinary for what it has done with a very small man power and with the smallest possible budget."

We may take the figures of expenditure of Governments in India as estimated for the year 1924-25 at 211 crores, that is leaving out 12 crores the charges for the working expenses of commercial departments, and including the expenditure of the Central Government and the Provincial Governments combined. The taxation per head in British India amounts to approximately 12 annas.* For the purpose of the comparison I will give the figures in English money and say 1s. It is approximately 1s. per head. In Japan in the year 1921-22 on the figures that I have the taxation per head was £2-11-0. In Java it was £1-12-0. In the Phillipines it was £1-18-0. In Egypt £2-3-0. Argentine, £4-13-0 and in New Zealand, £28

(At this stage Mr. Devaki Prasad Sinha rose to interrupt).

Mr. President: The time is past for asking these questions and Honourable Members must allow the Honourable the Finance Member to proceed.

Mr. Devaki Prasad Sinha: I am only trying . . .

Mr. President: I have informed the Honourable Member that the time is past for asking these questions.

The Honourable Sir Basil Blackett: If Honourable Members regret the statements they made during the week I only hope that they will take these figures and take them seriously. My Honourable friend Pandit Madan Mohan Malaviya has three times this session compared Japan with India in order to persuade us to take a leaf out of Japan's book. Let me compare the taxation in the two countries. Taxation in Japan went up by 600 per cent. in the 20 years before 1913-14. During the same period it went up in India by 40 per cent. and the increase since 1913-14 as far as I can make out has been less in India than in Japan. In regard to the military expenditure of India we have had considerable discussion and

* Afterwards corrected to 12s. (see page 1915 *infra*.)

I do not wish to be misunderstood. I have stated more than once that in my opinion that expenditure can be reduced and in normal circumstances we ought to be able to make some further reduction but it must be reduced gradually and I have also said that I do not think it is possible in the year 1924-25, the one we have now in hand, to reduce it below the figure at which we have put it. The amount taken in Japan by means of taxation for defence is many times greater than the amount taken in India. We come back to the point which I made last week that if military expenditure in India amounts to 28 per cent. of the total expenditure or 21 per cent. allowing for the commercial services the reason is possibly the result of the smallness of our other expenditure. The third point, namely, the vast increase of taxation which has been taking place in India, has already to some extent been dealt with in what I have said. It has increased from something below 1s. to 1s. per head whereas in New Zealand it is £28 a head. I agree with comments that Honourable Members are probably making in their minds and I agree with them strongly that mere money figures do not give you anything like the whole comparison and they never can. That is one of the reasons why I have always set my face against any attempt to present the position of any country in the form of a statement that its income per head is so much. That sort of statement is apt to be very misleading and there are many comments that can be made on these figures but none the less it is difficult to get away from the final comparison. One shilling per head in India. In Japan it was £2-11-0 and in New Zealand . . .

Mr. G. Pilcher (Bengal: European): I take it that the Finance Member is not making a mistake in saying repeatedly that it is 1s. in India. I am reluctant to intervene but I think it must be 10s.

Mr. V. J. Patel (Bombay City: Non-Muhammadan Urban): That does not make much difference.

The Honourable Sir Basil Blackett: That does make considerable difference, but it does not materially affect my argument. The figure has been copied from my own pencil writing and it is I think likely that there was a slip and that 10s. is correct. The third point is the vast increase in taxation. Now I find that there are many people who are paying to-day the same land revenue that they were paying in 1913-14. Prices have increased by 70 to 80 per cent. since 1913-14. A land owner who was paying say Rs. 150 for land assessment in 1913-14 and is paying the same to-day is really paying a very much smaller amount of taxation in terms of what money will buy. As regards the number of highly paid officials, as I have already said, the number of such officials is extremely low in India and so far from it being true that the number of Europeans employed is increasing rapidly it is rapidly decreasing. The increase in the pay of the all-India services on which some comment has been made has been considerably less than the rise in prices. I yield to no one in my desire to see the increasing association of Indians in the Government of India and the progressive realisation of the ideal of self-government but for this very reason I urge Members of this House not to be satisfied with repeating catchwords of the kind that I have been mentioning, catchwords about the extraordinary expensiveness of the present Government of India. They may not like it but they will not gain anything by saying it is expensive if that is not the fact. Repeated assertions of this sort do not help to make the Government more efficient and when the day comes when Honourable Members themselves take their place in the Government

[Sir Basil Blackett.]

of India they may find themselves severely hampered by the expectations which they have created in the minds of more ignorant people of a reduction of expenditure which they will be entirely unable to effect and which they would be very unwise to attempt to effect. I thought it desirable to say that because it is so very frequently stated and the contrary is really the case. Let us consider and voice our objections to the present state of things, if we will, but let us be careful to be correct in our facts. We shall get more results by doing so.

I turn once again to the question which has been placed before the House for decision. It is no doubt impossible to tear the Budget for the year out of the political atmosphere in which everything is being discussed at present. At the same time I wish to make an appeal to all in this House on behalf of the Budget. The Budget has a right to claim consideration on merits. We are all working for India and we must consider the financial position of India on merits. The choice which has been put before the Assembly is between what in my views is the clear economic interest of India as a whole, namely, the fixation of the salt duty at Rs. 2 a maund, and on the other side a reduction of the salt duty to 1-4-0 in satisfaction of what I can only regard as almost fanatical prejudice against the tax, a prejudice in which the constitutional issue raised by the events of last year is confused with the economic merits of the tax and in which sentiment, amour propre and misread history have combined to obscure the issue. On financial and economic grounds I claim that there is absolutely no room for doubt that the salt duty should not be reduced below Rs. 2 per maund. As compared with Rs. 1-4-0 per maund the extra charge per head of the population is something like one anna and six pies per annum, less than half a rupee per family. If we are really thinking only of the poor man who has to pay the tax, if the burden of taxation on the poor man is our guiding motive, we could do very much more for him if we were to maintain the salt tax at Rs. 2-8-0 and use a crore or two of our surplus in reducing the cotton import duty, no doubt with a corresponding reduction in the excise. That would do much more for the poor man. As I said before, in my opinion a reduction of the salt tax below Rs. 2 is a luxury in which India ought not to indulge herself. If we insist on self-indulgence it will, I am afraid, be because we cannot or will not bring ourselves to do what in their heart of hearts I am perfectly confident a majority of this House believes to be right. It is not merely that if we reduce the salt tax to Rs. 1-4-0 we thereby postpone for one year and possibly more any beginning of relief to the Provinces, but we are doing a thing which is unsound financially; we are putting ourselves in the position of starting next year with a deficit to clear off in the year 1925-26, with a Budget which on the existing basis would balance on the wrong side. It is a course which no sound financial adviser, whether Indian or European, would ever advise. I appeal once again to the House to remember its responsibility, to accept the request the Government have made to the House, to join with it in examining the financial merits of the present position as it is disclosed and co-operate with the Government in maintaining a sound financial position. The House complains of limitations that have been put upon its responsibilities. Here is a case where the Government definitely and deliberately asks the House to share the responsibility fully. In order to do this the House must reach its decision on financial and economic grounds and must not be misled or led away by political considerations; although I may add in parenthesis that I do not think that

there would be any clearer way of demonstrating the fitness of this House for the responsibility which it asks for than if it would face this issue from the financial and economic standpoint and were to decide in favour of the two-rupee salt tax.

I should just like to correct my statement about taxation per head. It was 12 shillings not 12 annas, but my pencil figures had been mistyped. It makes no serious difference to the argument.

Pandit Madan Mohan Malaviya (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Sir, I rise to oppose the motion that the Finance Bill introduced by the Finance Member be taken into consideration. I do so with a full sense of the responsibility which this attitude casts upon me. I do so after fully weighing the possible advantages and the disadvantages of the course which I am going to ask the House to adopt. We have fully heard what the Honourable the Finance Member has said regarding the merits of the Bill and the constitutional desirability of this House accepting the Bill, of its sharing the responsibility with the Government of passing the Bill and of co-operating with the Government in this very important matter, whereby, in the view of the Honourable the Finance Member, this House will give proof of its fitness to receive a further measure of responsibility. Having heard all that, I feel, Sir, that the only course which a man in my position, representing the people of this country and desiring to serve their best interests, can take in reference to this Bill is to urge on the House that it should not be taken into consideration. There are many reasons which have led me to this conclusion. I will try to voice them as briefly as I can.

The constitutional situation in India before the war is well known to students of Indian history. When the war was going on India co-operated with the British Government. It sent over 10 lakhs of men to the various theatres of war and it contributed over two hundred millions of money to the war in various forms and ways. During the progress of the war and also when the war was over many English statesmen acknowledged very handsomely the loyal contribution of India to the success of the Allies. The then Prime Minister concluded a memorable speech in his own terse style by telling the House of Commons: "We have had four years of great brotherhood, let it not end there". He said that India and England had had four years of great brotherhood and that it should not end there. We were told that India would cease to be a dependency and would become a partner in the British commonwealth of free nations. When the Reforms Bill was introduced we were greatly disappointed. The country as a whole expressed its sense of disappointment in the clearest manner possible. Not merely those who have the honour of being described as Extremists, but even those who have the honour of being described as Moderates and Liberals urged with all the force born of a knowledge of facts and figures that there should be an element of responsibility introduced in the Central Government. The requests were not heeded. The Bill was passed in the form in which we now have it in the Government of India Act, 1919. Under that Act dyarchy was introduced into the provinces. Dyarchy has had its trial for three years, and I think there will be very few people found now either among officials or among non-officials who will not endorse the view that dyarchy as a system has failed. What is the spectacle now, when the first Councils which can claim truly to represent the people better than their predecessor did, have come into existence? In the Central Provinces the Council has thrown out the Budget and the Ministers have tendered

[Pandit Madan Mohan Malaviya.]

their resignations. The Governor has had to resort to governing the province without the help of the new constitution. In Bengal, if newspaper reports speak correctly, the Swaraj party is going to throw out the Budget, and a similar situation will arise there. The significance of such events cannot be underestimated. There could not be a stronger, a more constitutional and a more vigorous protest against the system of dyarchy that has been introduced under the Reforms Act than has been launched by the members of the Swaraj party in the Central Provinces and which, as we are informed, is going to be launched by the Swaraj party in Bengal. In other Provinces it is only the fact that the party is not sufficiently strong numerically in order to be able to carry out this programme that has largely been responsible for the non-adoption of a similar course of action.

The Provinces have had three years of experience of the reforms. They have had the luxury of having their expenditure increased, largely increased; they have had the luxury of having Ministers appointed on salaries which the people did not approve, except in one Province; they have had the luxury of having debates conducted and part of the Government and transferred subjects conducted by Ministers who are supposed to represent the people. They have found that they have been worse off than they were before the reforms were introduced. They have found that the subjects which were transferred to them were transferred without the wherewithal to administer them, which is like handing over a baby to a nurse while we withhold from her the milk and the food with which the child should be fed. The transferred subjects have been starved. Progress has not been recorded where it should have been recorded in the beneficent services by which the people, the nation, can be built up. The experience has been a very sad one. So far, then, as the Provinces are concerned, there is only one verdict, in which, I hope, officials and non-officials will join, namely, that the system of dyarchy has failed, and that the sooner it is buried and replaced by another healthier and sounder system, the better will it be for the dignity and usefulness of the Government, and for the welfare of the people. There may be some Die-hards among officials who may adopt an attitude of *non possumus*, who may revel in the thought that full power has again been left to the Governor to carry on the administration as before, and who may show a determination to continue the administration without the reforms. Such men can have only a very short-lived satisfaction. The representatives of the people have told the Government that they will have to carry on the administration without their support unless and until they become fully responsible to them; and not the worst of the Die-hards can feel happy and comfortable under a constant pressure, under a constant sense of acting in opposition to the people whose salt he eats. Therefore, this state of things cannot be agreeable to even the Die-hards among the officials. I hope that their number is very small. I hope that I have done an injustice to them; and that although there may be some of them who may be described as Die-hards, I hope all officials who look at the question in a straightforward manner will agree in the opinion that this system of dyarchy has had its trial, has had its day, and must be buried.

- Now, Sir, let us look at the Central Government. The Central Government is like the heart or the brain, whichever you please to call it, of the system of unitary administration which obtains in India. (*A Voice*: "Not the brain.") My friend whispers, "not the brain", shall we call it

the heart then? (*A Voice*: "Neither the brain nor the heart.") Well, I do not wish to speak in that style or to think in that style either. I do not mean any offence to any of the Members who constitute the Central Government, and I am sure that my Honourable friends who interjected also did not mean any personal offence to them. I am endeavouring to express the idea which I am sure is shared by many of my countrymen, both inside and outside this House, that the Central Government have outlived their time, have outlived their utility, and that the system stands now condemned in the eyes of all sensible people. It is a system which is quite unique, absolutely singular; it has no parallel to it. It is a system where a large electorate has been created; Members have been elected by the direct vote of such an electorate to sit in this Assembly, and the majority of the Assembly is composed of such elected Members, and where one great duty has been laid upon such elected Members, namely, of voting taxation, but where their power to deal with the monies raised by such taxation is severely limited. During the last three years of the existence of this Assembly 41 crores of new taxation have been added with the support of the Assembly, and yet the Assembly has not had the power to deal with a very large portion of the expenditure to meet which that taxation was imposed. To refer only to one item, the Army expenditure amounting to between 60 to 70 crores, is not votable. In this situation the Members who have come here to represent the people find that their position is absolutely uncomfortable. I can understand, Sir, Government carrying on their administration under the old system, where six or seven Members of the Viceroy's Council decided what should be done and what should not be done, what money should be raised, and how it should be spent. But, if you create a machinery like the present one which, as somebody said the other day, costs 10 lakhs a year to the country—perhaps that includes the Legislative Councils in the provinces—an Assembly which means so much of expenditure to the people and an Assembly which demands a considerable expenditure of the time, the valuable time, of business men from all parts of the country, but which has not the power to deal with the bulk of the taxation which is raised, such an Assembly affords a peculiarly unsatisfactory specimen of, or rather an apology for, a Legislative Assembly in the whole world. Where do we stand under this system? In this Assembly itself the non-votable items amount to a very considerable sum. When we come to deal with other items, we are required to raise taxation, and not only do the Government of India here have the power to spend it, but their chief, the boss of the Government, namely, the Secretary of State, has unlimited powers. He can borrow at his sweet will in defiance, in disregard, in almost contemptuous disregard, of the existence of the Government of India. That was illustrated in 1921 when a loan was raised at the rate of 7 shillings of interest not as it was understood at the time, at the instance of the Government of India, (*A Voice*: "At 7 per cent."), but without the knowledge or the consent of the Government of India. I speak subject to correction. We find that the Secretary of State can give increased pensions, can give increased allowances, can give increased salaries, without any reference to this Assembly which under the Act of 1919 is the only body in India which can pass a taxation Bill. We find that this Assembly passed a direct Resolution disapproving of the appointment of what is now known as the Lee Commission. The Government ignored that vote of the Assembly. The Commission was appointed, it has come out and is carrying on its investigation with the money that has been voted by the elected Members

[Pandit Madan Mohan Malaviya.]

of the Legislative Assembly of India. Is there a parallel, Sir, to this state of things in any part of the world? I could understand, as I said, the system that obtained before this, when the entire responsibility for imposing taxation as well as for spending the money raised by it rested upon the Executive Council of the Government. But I submit there is no parallel for such a hybrid system as we find in existence to-day and of which we, by a misfortune, find ourselves the instruments at this moment.

Now, Sir, when we came to this Assembly in this state of affairs we put our heads together and we decided to offer our co-operation to the Government in order to rectify it. We put forward a demand, not that full self-government should be immediately established here. We put forward a demand that there should be a Round Table Conference representative of various interests in this country, European, Indian, official and non-official, which should meet and consider the situation, discuss the pros and cons of the problem, and try to convince some of us who urged advance towards responsible government that we were wrong and be prepared to be convinced by us who had studied the question and whom it deeply affected that those who did not agree with us in the beginning were in the wrong. I cannot imagine, Sir, a more reasonable attitude of mind on the part of the representatives of any people. I cannot imagine a more reasonable proposition put before any Government. And what was the response that this request met with? The response that it met with was dissertations on the incapacity of Indians for exercising larger powers than have been given to them under the Act.

The Honourable Sir Malcolm Hailey (Home Member): Will the Honourable Pandit kindly mention the source of these dissertations? They are unknown to me.

Pandit Madan Mohan Malaviya: Those who indulge in them know them better than I do. The Honourable the Home Member is one of those who talked of the incapacity of Indians to get a larger measure of self-government than at present.

The Honourable Sir Malcolm Hailey: I deny that. Besides, the Honourable Pandit originally charged me with asserting the incapacity of Indians to exercise greater advance. He knows that he is misrepresenting me.

Pandit Madan Mohan Malaviya: What the Honourable Member said and what I said is now printed in the pages of the Debates and I am simply repeating it in substance now. It is no good telling me what I said before. He did tell us that in his opinion we were not prepared at present to have self-government. He did tell us and he brought forward arguments to tell us that the Hindus and Muhammadans were divided. He did tell us that the state of the country was not such that self-government could be established here immediately. He did tell us that we were not prepared to defend our country. He did tell us that this was a factor which ought to be taken into account. I cannot be expected to reproduce *verbatim* what he said on these questions. The substance of what he said on all these points can only lead to one conclusion and that is that he urged that these were matters which stood in the way of the accomplishment of the desire which we had expressed. Now, Sir, it was not the Honourable the Home Member alone who treated us to arguments of that character. The Honourable the Finance Member also gave us a

lecture on that subject and there were other speakers who informed us again and again that the country was not prepared in its present state for any substantial advance in the direction of responsible government. I submit, Sir, that it was very cruel of officers of Government, of English officers of Government, to deal with this matter in the way in which they dealt with it. They well know how grateful the people of India are for the spread of education which the British Government have introduced in this country. They are always happy to acknowledge the benefits of that education. But they have during the last forty years urged a change in the system of government in order that the system of government should come into line with what is regarded as a civilised system of government. These Members have known, or ought to know, that ever since the Congress came into existence in 1885 proposition after proposition has been passed and put before the Government asking for changes in the system of government so that the people of India might have an opportunity of shaping their own destinies with the help of their British fellow subjects who were in this country and who would be in this country, even if full responsible government were introduced, for a considerable time. (*The Honourable Sir Malcolm Hailey*: "Thank you.") Their request was not fairly met. Now we find that, when we ask for a further change, arguments relating to divisions among the people, differences among the people and to the want of social conditions, upon which political institutions should rest, and with which Englishmen are familiar, are placed before us. I submit it is cruel to us; it is an insult to our intelligence. These English friends and others who take the same view must know, if they have read history to any purpose, that representative institutions have in all lands and climes been the source and instrument of normally developing the strength of the people in every possible direction. They have added to the physical strength and to the national stamina of the people. They have prepared them for national defence and in almost every direction in which human activities can go. They must know, Sir, that, if responsible government were introduced here, we Indians would also have the chance of showing that we can also bring about improvement in our social and political conditions. It is no good their taunting us with not being prepared for national defence. I do not make the present Members of Government responsible for our not having been prepared for national defence. It is the system which is to blame. It is the system which has denied to us the right to prepare ourselves for national defence. We condemn the system. We say let us have a chance now. Let us agree to replace this system by a healthy, an honourable and a national system and it will not be long before the Sikhs, the Mahrattas, the Rajputs, the Gurkhas, the Pathans and the Brahmins, who serve in His Majesty's army, will supply you with officers who have won the Victoria Cross and who will win the Victoria Cross in the fields of battle and bring honour to the name of India. We know that if we have the opportunity to do so, we shall create a national army; we shall create a citizen army which system will be much more economical and much sounder, so far as national defence is concerned, than the present mercenary system. But nothing of that kind can be done under the existing system, and what was the response to our proposal for a Conference? The utmost advance that the Honourable the Home Member, representing the Government of India, could make was to move in the direction of an inquiry by a Committee. Is that the way in which a proposal put forward by the representatives of the people should have been met? The

[Pandit Madan Mohan Malaviya.]

Secretary of State endorsed the proposal: in fact the proposal had been put forward here after the approval of His Majesty's Secretary of State had been obtained. The responsibility for that proposal, I submit, rests more upon the Government of India than upon the Secretary of State in the situation in which we find it. The Government of India are on the spot. Many of the officers of the Government are not new to the country and know the state of the country. They know what has gone on, all the preparations the people have passed through. They were expected to inform His Majesty's Government that the time was ripe when an advance should be made in the direction of the introduction of a very large measure of responsibility in the government of the country. It was said, Sir, that the people had had only three years of experience. What a sad thing that any officer of Government or anybody who criticised our proposals should ignore even present-day history. Has any of these gentlemen studied the reports of the Indian National Congress for the last 38 or 39 years? Has he ever looked into the discussions on the question of national expenditure, military expenditure, civil expenditure; on the question of training Indians for the army; on the question of promoting education, in order that they may develop more patriotism and in order that they may live with their fellow-men on terms of perfect equality? Have our critics read those resolutions and debates wherein we have shown that we have views in every possible direction to urge for the improvement of the administration and for the welfare of the people. Little do they know how much of anxious thought was bestowed upon those subjects by the representatives of the people who have met for 38 or 39 years to deliberate upon the common concerns of the people of India. Little do they know how anxiously they have worked, how earnestly they have appealed to the Government in order that those proofs should be brought forward. Are these small Assemblies consisting of one hundred and odd members to be the only criterion by which the capacity of Indians should be judged? Are not the proceedings of the Indian National Congress for the past 38 or 39 years sufficiently reliable documents to speak of the capacity of Indians to carry on representative institutions? Are not they sufficient proof of the capacity of Indians to discuss these subjects without any religious intolerance? A study of those pages will reveal that Hindus, Muhammadans and Christians have come together without any religious difficulty being encountered, and that when a difficulty did arise it was only to be settled by their common consent as was the case at Lucknow. But the critics heed not, care not. They are content merely to tell us that we are not sufficiently advanced for a larger measure of responsible government. Now, Sir, I submit, this has naturally created very great disappointment in the country. Let me now turn to what has happened in England. Lord Olivier naturally spoke after he had consulted the Government of India. His Lordship was new to the situation. He had not, I admit, sufficient time to study the subject, but some of us had hoped that he would take time to make his pronouncement acceptable to India.

The Honourable Mr. A. C. Chatterjee (Industries Member): You did not give him time.

Pandit Madan Mohan Malaviya: The Honourable Mr. Chatterjee tells me that we did not give His Lordship time. With all my respect for Mr. Chatterjee I cannot agree with him. I cannot agree that there was not time enough for the Secretary of State to make a sympathetic

pronouncement on the question. We wanted that he should have taken time to abstain from making a pronouncement on a very important and vital question and not dealt with it in the way in which he did. What is my complaint? My complaint is not that he did not promise to introduce responsible government immediately into this country. Mr. Chatterjee did not wait to hear what I was going to say. My complaint is that on the very little information that he had, and which alone he could have had, without waiting to study even the debates of this House Lord Olivier committed himself to the opinion that there shall not be any substantial change in the near future in the constitution of the Government of India, that the revision of the Government of India Act was at present out of the question. He did not even commit himself to the view that full Provincial autonomy would be introduced in the provinces. My complaint, my regret, is that His Lordship did not wait to study the question as it had been discussed and presented in this House for I submit that if he had, he would probably have made his pronouncement more sympathetically. I do not imagine that you can change an enactment in a day; my friends here are not under that impression. No one thinks that the Government of India Act can be changed in a day, and we all realise that it must take time. All that our proposals asked for was that a representative Round Table Conference should be convened in order that the *pros* and *cons* of the matter should be considered, the difficulties which beset the question, the advantages which would arise from the adoption of our proposals, might be fairly considered by all those interested in the matter, and that we might then make a report which the Government here might be able to support and the Government in England might be able to accept. But this was refused to us. The statement of the Secretary of State did not give us the slightest hope that there would be any such change introduced: indeed the Secretary of State has only discouraged us in regard to any substantial change in the constitution in the near future. That being the state of things, we naturally felt very much dissatisfied and subsequently there was a statement made by Mr. Richards in which he told us that there was no intention to revise the Act of 1919 before 1929. Now, Sir, this is the situation in which we find ourselves, and it is one which has given great dissatisfaction to the vast bulk of the people of this country. Here you have an Act against which protests have been made by numerous representatives of the people during the last four years. A request has formally been made on the part of the people by their elected spokesmen in the new Assembly for a representative Conference in order that the desirability of revising that Act might be considered. It has been refused by the Government of India and the Secretary of State. The other day one of the Honourable Members on the Government Benches bullied a Member on this side of the House by asking him to have the courage of his convictions regarding a particular statement. Does it show a courageous attitude on the part of the Government Members that they cannot face a Round Table Conference? Why cannot they agree to sit down at a Conference to have the *pros* and *cons* of the question considered, debated, reduced to writing, in order that the public of this country and the representatives of the public in the House of Commons might understand the question and be able to pronounce judgment as to whether we, the representatives of the people, are right or the Members on the Government Benches are right? They have not shown that courage; on the contrary, the Government of India, speaking through the

[Pandit Madan Mohan Malaviya.]

Honourable the Home Member, showed their unwillingness to adopt this course. I cannot understand why there should be such unwillingness to call a Round Table Conference. The idea of a Round Table Conference seems to be like a red rag to a bull as far as the Government of India are concerned. The suggestion was first made in 1921, but unfortunately failed at the time. The proposal was again made early in 1922, but was not accepted by the Government of India.

Lieutenant-Colonel H. A. J. Gidney (Nominated: Anglo-Indians): Why did it fail in 1921?

Pandit Madan Mohan Malaviya: Colonel Gidney knows very well why it failed. I will not waste my breath in discussing this matter. (Laughter on the part of the Honourable the Home Member.) The Honourable the Home Member laughs. If I were to mention all the facts the Honourable Member would cease to laugh. But I do not wish to waste the time of the House and do not wish to detain the House any longer, in fact I shall have to detain the House for a pretty long time without repeating what is already very well known. The Government of India showed much unwillingness and refused to call a Conference in 1922. When a Conference met in Bombay early in 1922, the proposal was made that they should do so. At that time I understood the difficulty that was felt was that there was an apprehension that certain activities of some of the representatives of the people might not be stopped and that the Government could not agree to call a Round Table Conference, until they felt assured that the atmosphere was calm. The atmosphere has been calm now for a long time. When we met and put forward a demand for a Conference in this Assembly, the atmosphere was calm. Nobody can say that there is at present any movement going on which is causing any serious anxiety to the Government, unless it be a movement of their own, a result of their own mistakes and errors of judgment. At this juncture there is nothing to stand in the way of a Round Table Conference being called, but the Government are still fighting shy of it. Now, Sir, if they must avoid an opportunity of discussion such as we have asked for, what is the position in which we find ourselves? The Government refuse to call even the Conference we have asked for, and the Honourable the Finance Member invites us to-day, on behalf of the Government, to support the Taxation Bill by our votes. Are the Government consistent in their attitude? (*The Honourable Sir Basil Blackett*: "Yes.") They are not. The Honourable the Finance Member must of course answer in the affirmative; he has no option and I do not blame him for it. (*The Honourable Sir Basil Blackett*: "Like George Washington, he speaks the truth".) I refuse to accept the truth of a remark which is not uttered sufficiently clearly for one to hear it. The Finance Member invites us to support the Taxation Bill. With what consistency can he ask us to do so? Does he realise the position in which we are placed? Does he realise that we feel that we should not support taxation unless we have the power to deal with the whole expenditure which has been incurred out of this taxation? Does he realise the position that the taxation proposed means something serious to the people? It so happens that in the present Finance Bill there is one item which deeply touches the poorest in the land, and that is the salt tax. He has unfortunately not been able to appreciate the position of us Indians with regard to the salt tax. He has quite seriously appealed to us more than once to take a calm, statesmanlike view of

the salt tax, and not throw away the money that would be available by raising the rate to Rs. 2. He has appealed to us several times and quite seriously, but he does not realise the position of us Indians. The salt tax was not wrongly described by the Secretary of State as an iniquitous and horrible tax. There has long been a feeling against the salt tax, not only among Indians, but also among Englishmen. I have not got the book with me, but I remember having read in the speeches of Professor Fawcett made in the seventies of the last century in a debate in which he drew pointed attention to the iniquity of the salt tax, where he pointed out that the people of India felt it a grievance that the rock salt mountain should be standing before them, and that they could not take out the salt without paying a tax; and where he, or another writer pointed out that the vast sea-shore of India extends from one part of the country to another, and the people were not given the liberty to manufacture salt in order that they might use it for themselves and their cattle. The salt tax is peculiarly objectionable to us Indians; and yet what is the proposal of the Honourable the Finance Member? He must know that in 1840 the salt tax stood somewhere at 8 annas, that after the Mutiny it was raised to 12 annas, and that subsequently in 1878 it was raised to Rs. 2-8-0. It was brought down in 1882, during the time of Sir Evelyn Baring, to Rs. 2-0-0 per maund. And again only a few years afterwards it was raised to Rs. 2-8-0 per maund. It was reduced to Re. 1 per maund in 1907 and stood there until it was raised to Re. 1-4-0 per maund during the war in 1916. Last year it was raised to Rs. 2-8-0 per maund, not by the voice of the people, not by a vote of the Assembly, but in the teeth of the opposition of the Assembly, by certification by the Viceroy.

Now, Sir, the Honourable the Finance Member has told us that the increase he proposes in the salt tax will not cost more than 8 annas a year to a family, and I wish really he could realise what an increase of eight annas a year to a poor family may mean. He does not know the people as I do; he has not lived and moved among them, and I do not blame him for it. He has lived in a happier, brighter land; he cannot form an idea of the grinding poverty to which the bulk of my countrymen are subject and under which they live at present. He does not know, and yet he wants to assure the House that an increase of 8 annas a year would not really be felt by the people. If he will go out among the people, the people will tell him that he is mistaken. Last year, when the duty was raised, there was a most eloquent proof given that the duty should not have been raised by the small amount of salt that was consumed, by the decline in the consumption. That should have satisfied any accountant or any financier, but the lesson seems to have been ignored by the Honourable the Finance Member. The people evidently ate less salt last year than they should have done, but the Honourable the Finance Member tries to console himself with the thought that the people did not actually use less salt than they would have done but for the raising of the duty last year. He says the dealers in salt had, in anticipation of the raising of the duty, stored a good deal of salt, and that they did not purchase sufficient salt because they were expecting that the duty would be reduced. I would be sincerely glad, Sir, if that were a fact. (*The Honourable Sir Basil Blackett*: "It is".) My friend's assertion that it is, will not satisfy me. My friend found fault with me the other day when I said the Japanese worked 20 hours. He did not take note of the fact that that would be in double shifts. He now tells me in a positive

[Pandit Madan Mohan Malaviya.]

statement which he makes that the people did eat as much salt last year as they should have eaten, in spite of the figures of the purchase of salt last year. He may be able to say so, Sir; I am not able to say he is wrong, I am not able to say he is right, but I am able to tell him that it is a matter upon which he should not make a pronouncement in the light-hearted manner he does. We know how an increase in the salt duty affects people. Let a poor man who goes to the *bania* to buy some provisions for his daily bread, let him say how much of salt he used to get before the duty was raised and how much he got after the duty had been raised last year. The Honourable Member can get tens of thousands of poor people, in the villages and in the cities, to give him information which might possibly lead him not to be so positive as he is in asserting what he has asserted.

Now the salt duty is one of the items involved in the Finance Bill. It is not necessary for the purposes of the earlier part of my argument that the duty to be raised should relate to salt, but it gives intensity to the appeal which I am making, in view of the constitutional situation in which we are placed, that we are asked to support the existing system of government with all its expenditure—I will not call it extravagance at this stage, I will deal with it later—with all its expenditure we are asked to support taxation on salt in order that this expenditure should be carried on as it is being carried on. I refuse, Sir, to support this taxation. I refuse, firstly, on the ground that if I support this taxation, I should have it in my power to reduce the expenditure wherever I think it possible. That liberty is refused to me, that liberty is refused to my countrymen sitting here as the representatives of the people of India. Long ago, a great Viceroy (Lord Mayo) said that the only justification for Englishmen being in India was that they should serve the good of India. He said: "The welfare of the people of India is our primary object. If we are not here for their good, we ought not to be here at all." And I want my English fellow-subjects to look at the question before us from the point of view of us Indians. They are educated men. They know that we too have by the grace of God received some education, that we are able to discuss matters with them, that we are able to appreciate the points raised by them—which should all lead them to think that it must be peculiarly galling to us educated Indians to find ourselves in the position in which we find ourselves to-day. Is there a single Englishman in this House or

1 P.M. outside who would like to be placed in the position in which we are, who, finding himself in that position by a stroke of misfortune which I hope will never befall him, would support such taxation, as we are asked by the Honourable the Finance Member to support in this House to-day?

This, Sir, is the constitutional aspect. So long as the Government of India Act is not revised, therefore, I find that, with my sense of self-respect, with the little conscience that God has given me, I cannot support taxation, either now or in future. Take away the Government of India Act if you please. That is a threat which has often times been uttered by not very responsible, thinking, people, but take the Government of India Act away if you so please. We shall not complain of it; but if you must govern India in the forms of civilized government, let reality be introduced in place of the sham that you have established here. (Hear, hear.) When Mr. Balfour went to America during the days of the war, he told the American people that the only form of government which was worthy of the name

was a government which was conducted according to the will of the people concerned. Judged by that test where do the Government of India stand to-day? During the days of the war, when you wanted the support of India, when you wanted the support of the civilized world, when you wanted the support of America, you listened respectfully, willingly, acquiescingly to the proposals of the late Woodrow Wilson. You agreed that every nation should have the power of self-determination. You agreed that every people on earth should be given the opportunity to govern their own affairs, and we had hoped, as fondly as we had always hoped, that after the war, the system of government here would be modified in order to bring it into conformity with that statesman's declaration as to the true nature of a civilized government. Where do we find ourselves to-day? We are told there is a publication issued at Delhi which is called "India's Parliament". That publication—very pleasing to some of my friends sitting here,—gives a misleading idea to the people outside regarding the actual state of things in India. You invited India in recognition of her services during the war to be an original member of the League of Nations; you have invited representatives of India to represent India at the League of Nations and at the Imperial Conference. With all respect, and without meaning any disrespect to any individual, I say this is a fraud you are practising upon the civilized world. An Irish Member rightly hurled it at one of my countrymen that he was not at the Imperial Conference in the same capacity in which the representatives of free nations were there. Why further humiliate us by again inviting us to take part in conferences, in meetings of the League of Nations, where we cannot speak with the authority of the people whom we are supposed to represent there. I hope, Sir, none of my countrymen, elected by the people, will agree to appear to take part either in the meetings of the League of Nations or in the meetings of the Imperial Conference until India can elect her own representatives and send them, vested with the authority to represent India, to take part in those proceedings. That is the position. In this state of things we are asked to-day to vote this Finance Bill, and I submit, Sir, we cannot conscientiously, honourably do so.

Now, Sir, the next ground upon which I refuse to support this Bill is the extravagance of the expenditure of the Government of India. I listened with great attention to the remarks of the Honourable the Finance Member on the question of the extravagance of the Government of India. He tried to persuade us that we were all mistaken in thinking that the Government are extravagant. I assure him that, if he could persuade us to that view, we should be really, sincerely, grateful to him. For it is no satisfaction to any of us, Sir, to be spending our efforts and our time in urging a reduction oppressed with the idea that the Government of this country are very extravagant. But having heard my friend, I regret to say that I do not feel satisfied that he has put forward any argument which is worthy of attention from this House. His first point was that there were not too many officers. Who has said that there were too many officers? In fact, my friend was a little unfair in propounding his questions and then answering them. I am not unfamiliar, Sir,—and there are many Members of this House who are not unfamiliar—with the way in which a question is framed when a particular answer is sought to be given. In framing the question, my Honourable friend had in mind what he wanted to say, and one of the things he said we had urged was that there were too many European officers and there were too many officers in the government of this country. That there are too many European

[Pandit Madan Mohan Malaviya.]

officers several of us have said and repeated, but none of us, so far as I remember, asserted that the number of officers in the Government of India or in the Provincial Governments even was larger than it should be. My friend said, it was not large. I say it is very small. It is much smaller than it should be. Let us have a chance, let us have an innings, and we shall appoint many more Ministers in charge of many more portfolios working for the good of the people much more than the present Ministers are working. I do not mean any offence to any individual. (*Lieut.-Colonel H. A. J. Gidney: "Question."*) My friend, Colonel Gidney, may put a question, but for goodness' sake, listen to what I am saying and probably you will not interrupt. Now, Sir, I do not know that my friend, Colonel Gidney, has studied this question about which he is interrupting, but I say probably the Honourable the Finance Member has. And he is right in saying—I agree with him when he says—that the number of officers in the Government of India is small; it is much smaller, I say, than it should be, and, if we had a chance, we would appoint many more officers in order that the many subjects which are at present in the charge of one Member should have a better chance of being adequately dealt with. The Government of India are proposing to separate the Railway Budget from the General Budget. That is a move in that direction. But the move has to be much larger, more comprehensive, more widespread, than perhaps the Government of India have contemplated. We are not quarrelling with that. The Honourable the Finance Member next said, we had urged that the Government were extravagant. Of course, we have urged that, but what is the nature of our complaint? Our complaint is that the salaries which we are paying to the European officers in this country are disproportionately high when you consider the national average income of the people. The Honourable Sir Basil Blackett gave us the figures of taxation in other countries. Never in my experience of public debates, either in this House or in other places, have I heard any responsible man mentioning merely the figures of taxation without at the same time referring to the national average income of the people taxed. I was surprised that the Honourable the Finance Member made no reference to the national average income of the people whose figures of taxation he mentioned. He did not tell us what the figure of taxation was in Japan, say 20 years ago. He did not tell us by how much it had risen before arriving at £2 10s. and he did not tell us what the rise in the average national income had been during those years. I hope, Sir, we are not so blind to the necessities of expenditure being incurred for national purposes, as the Honourable the Finance Member would lead one to suppose we were. We know that expenditure in this country is not at present as high as it should be if we were in a prosperous condition. Our complaint is that the present salaries are disproportionately high when you consider the national average income of the people of India. Let us have a chance of increasing that income. You have done comparatively little—I am very sorry to say it; it is no pleasure to me to find fault with my fellow-subjects who sit on the Government Benches; I am grieved to say that they have done little to promote the national average income. I wish that my friend, when he gave us figures of taxation, also told us about the respective national average incomes of the peoples whom he mentioned.

We know, Sir, that if a country prospers, the national expenditure must increase. I look forward, if I live, to the time when my people will have the power to administer the affairs of the country. I look forward to a large increase in our national expenditure. What is our national expenditure at present? Is the expenditure of a Government of 320 million people to be so paltry as it is? But whose fault is it that it is so paltry? It is the fault of the system of government which has prevailed here. It has failed to build up the national strength of the people. It is the fault of the system whereby the number of men who can pay income-tax on large incomes is unfortunately extremely small. After the war, when statesmen in England were considering how they were to reduce national debt and how they were to increase national expenditure, what did they think of? They knew that they could not tax the people further and that they must lower taxation. But they thought of providing larger amounts on employment, larger amounts on producing more wealth in order that that wealth might be taxed for the common good. That was the way in which Englishmen proceeded. That is the way in which we Indians, who have the benefit of studying your literature, of studying the literature of other countries, and of studying the systems of government which obtain in other countries, should proceed. We shall so proceed if you will only help us to obtain the power to do so.

Mr. K. Ahmed (Rajshahi Division: Muhammadan Rural): That is the reason why you should give some of the money asked for in the Finance Bill.

Pandit Madan Mohan Malaviya: Now, Sir, the Honourable the Finance Member told us that our military expenditure was not so great as we imagined it was, and he told us that we should remember the military expenditure of Japan. I do not know what my Honourable friend intended to say. He was not quite clear to me. If he means to tell us that military expenditure in Japan can have any reasonable comparison with the extravagance of the military expenditure in India, I join issue with him. I will be prepared to go with him into the question of military expenditure in Japan and, speaking for myself and for my fellow colleagues in this House and outside it, I will venture in all humility to say, that if this system of military expenditure in Japan were adopted after we have risen to the national average income of Japan, not a single Indian Member of this House would refuse to support that expenditure. But how is that expenditure built up? I thought before I heard the Honourable the Finance Member that the Japanese had proved that they were the most economical people on earth, that their military system was the most economical system that existed on this earth, and that they combined efficiency with economy. In the year 1868 there was the great revolution in Japan. The condition of the people was then most regrettable. A few European Powers had a few years before that time bombarded Japan and tried to subjugate it. The people of Japan restored their Emperor, the Mikado, in 1868, and that was the revolution. It was the beginning of a new chapter in Japan. In a few years' time they began to enlist their army, and in the course of a few years they introduced a system of conscription under which they created a citizen army and they have gone on adding to the strength of that citizen army until now it is difficult to find out what is the total strength of their militia. They do not let the outside world know what the total strength of their militia is, and they do not let the outside world know what the total amount that they are really spending

[Pandit Madan Mohan Malaviya.]

on their military departments is. That is the way of the Japanese. The Japanese system is built up upon a patriotic basis. The Japanese Emperor issued a rescript in which it was pointed out that it was the duty of every son of Japan to enlist himself in the national army and to prepare to defend his country. Says Mr. Alfred Stead in his book "On Great Japan":

"Since 1882, this rescript forms part of the equipment of every soldier, and great Generals like Kuroki think a day ill-begun in which they have not saluted the Emperor's portrait and read the edict. The first of the five articles of this says: 'The principal duty of soldiers is loyalty to Sovereign and country. It is not probable that any one born in this country will be wanting in patriotism; but for soldiers this virtue is so essential that unless a man be strong in patriotism he will be unfitted for his service. Disloyal men are like dolls, however expert and skilful they may be in their military art and science, and a troop which is well trained and led but lacks patriotism is like a band without a chief.'"

Now, this is the foundation of the national army of Japan. How well they have trained themselves for national defence the whole world knows. In 1894, only 22 years after they began to organise their army they distinguished themselves in the war with China, and in 1904 they inflicted a defeat on Russia which was then regarded as the strongest power in Europe. They have maintained their position and have risen steadily in the estimation of their fellow-men all over the world by the excellence and the efficiency of their national system of defence. Adopt by all means a system like what the Japanese have adopted, and you will see light where you see darkness at present, you will see clear guidance where you find confusion at present, and you will be able to effect a large reduction in the expenditure on the Army in India. But so long as you merely tell us that Japan is spending a lot of money, that cannot carry any weight with us, nor will it carry conviction to us.

Now, Sir, the Honourable the Finance Member also told us that taxation in India had risen from something less than one shilling to one shilling. He made that statement very positively and compared it with £2-12-0 in Japan, £28 in New Zealand and so on in various other countries. The positive tone of his statement took me by surprise. Later on, when his attention was drawn to the fact that it might be 12 shillings

The Honourable Sir Basil Blackett: I said 12 annas, but should have said 12 shillings.

Pandit Madan Mohan Malaviya: The Honourable Member said 12 annas or one shilling. I have got that down clearly, but I do not want to find fault with him. I will try to set a better example. We must recognise that the Honourable the Finance Member had no intention to make an incorrect statement; it was entirely due to an oversight that he made it. Therefore, I am not finding fault with him for that. But, what I wish to draw attention to is that when my Honourable friend spoke of the increase in taxation, he did not also tell us—he will agree as a financier who has been brought out to India in order to set her finances in order—he must agree as a student of finance that he should have told us, it was his duty to have told this House, by how much the national average income of the Indian has risen during all these years. Without that data I think he was wrong in making the statement he did. At any rate he should have mentioned that fact as an important one for consideration. I should like to know by how much the national average income of the people of India had risen during the last three decades. For the

last 40 years nearly Indians have been trying to persuade the Government to institute an inquiry into the national average income of the people. In 1882 or about that period, during the time of Lord Ripon, there was an inquiry made. The results were published in 1888. That report is still available and that report is eloquent of the fact that the income of the people of India has been miserably poor. When that report was published, Lord Curzon felt very uncomfortable. Mr. William Digby, an Englishman to whom India is deeply indebted for all the valuable services he rendered to her cause and whose name she cherishes with gratitude, in his book on "Prosperous British India" gave proof after proof from official quotations to show that the average income of the people of India was less than one anna per head per day. Lord Curzon disputed that statement and put it at a little more than Rs. 80 a year. I do not remember the exact figure. My friend tells me that there was a difference of Rs. 10 per annum in the two estimates. Since that time repeated requests have been made to the Government of India and to the Government in England to institute a regular inquiry to find out the average national income of the people. The Government have burked the inquiry; Government have not taken up the inquiry up to this time. What good is it then for any Government Member to get up and tell us that the national income is not so low as it is represented by some Members of this House to be? Nobody means to be dogmatic in an assertion like that. The assertion is made in order to arrest attention, in order that the matter may be investigated, in order that the truth may be established. Does anybody on the Government Benches think that any Member of this House would have any satisfaction in feeling that the national income of the Indian has been going down? We would all rejoice if the national income has been rising. We would all pray to hear that it has risen. But a mere assertion of even an irresponsible man will not satisfy us. We want an investigation. Why do you not face that investigation? Let us sit down and find out the facts and publish them to the world. Let us speak the truth and shame a certain person. We want to know if the national income has increased. We would be glad to hear that it had done so. We would then gladly assent to an increase of national expenditure. But, so long as we are not satisfied that it has increased, we cannot but complain that the expenditure is disproportionate to the income of the people. I wish to repeat that our contention is not that the salaries which are paid are *per se* extravagant. Our contention is not that the expenditure which is incurred on the administration of the Government of India is *per se* more than what it should be in any country. Our whole contention is that, compared to the national average income of the people, the expenditure is extravagant, that is, if you compare the salaries you give to the Britishers in England, it is extravagant. We urge the Indianisation of the services not because we have a dislike towards or hatred of our English fellow subjects but because we want that there should be more Indians employed in order that they may play the part that God and nature meant them to play in their own country and also because the employment of Indians will be more economical. Let me assure all my European friends that no Indian would debase himself by desiring any ill to any of his European fellow subjects. We do not wish it; we should be ashamed if we thought ill of any of our fellow subjects. We wish you to remain here with us as fellow subjects. We wish you to remain here as fellow subjects with the high sense of an Englishman's duty of promoting the good of the country in which he finds his lot cast. We will welcome you, we will respect you, we will honour you. We have had a race of Englishmen

[Pandit Madan Mohan Malaviya.]

represented by Allan Octavious Hume, Sir William Wedderburn, William Digby, Charles Bradlaugh, Dr. Annie Besant, and others, whom we have honoured for the services they have rendered to the cause of India. We would honour every one of you fellow subjects if you worked only in that spirit to help us to rise out of the unfortunate position into which by the vicissitudes of time and fortune we have fallen.

Now, Sir

Mr. President: I do not wish to interrupt the Honourable gentleman but if he desires to go on much longer I think I had better adjourn for the usual lunch interval.

Pandit Madan Mohan Malaviya: I did not know, Sir, that the time was flying so rapidly. As it is I have to go on for some time yet.

Mr. President: I think I had better adjourn and the Honourable Member can resume after the lunch interval.

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. Chairman (Mr. K. C. Neogy) in the Chair.

Pandit Madan Mohan Malaviya: Sir, I wish to draw attention to the extravagance in military expenditure from two points of view; from the point of view, firstly, of comparing it for a while with the expenditure on the Army in Japan, and secondly, from the point of view of further economies being brought about in that expenditure. As regards the first, with reference to the opinion expressed by the Honourable the Finance Member about military expenditure in Japan, in support of what I urged in the earlier part of the day, namely, that expenditure on the army in Japan was economical, let me read a passage from an article on Japan in the Encyclopædia Britannica, in which I find it stated as follows:

"From 1872-1896, the ordinary expenditures of the Army varied from three-quarters of a million sterling to 1½ millions, and the extraordinary outlays ranged from a few thousands of pounds to a quarter of a million. Not once in the whole period of 25 years—if 1877 (the year of the Satsuma rebellion be excepted)—did the State's total expenditures on account of the army exceed 1½ million sterling; and it redounds to the credit of Japan's financial management that she was able to organize, equip and maintain such a force at such a small cost. In 1896, as shown above, she virtually doubled her army, and a proportionate increase of expenditure ensued, the outlays for maintenance jumping at once from an average of about 1½ millions sterling to £2½ millions, and growing thenceforth with the organization of the new army, until in the year (1903) preceding the outbreak of war with Russia, they reached the figure of 4 millions. Then, again, in 1906, six divisions were added, and additional expenses had to be incurred on account of the new overseas garrisons: so that, in 1909, the ordinary outlays reached the total of 7 millions, or about one-seventh of the ordinary revenue of the State."

I find from the Statesman's Year Book, 1923, that the total revenue in 1923 was 1,482 million yens, and the expenditure on the Army was 196 millions. That is between one-seventh and one-eighth of the total revenue. I am surprised therefore that the Honourable the Finance Member should have been led into thinking and saying that the expenditure in Japan on the army was high.

The Honourable Sir Malcolm Hailey: He was speaking of defence expenditure, which includes the army and navy.

Pandit Madan Mohan Malaviya: It will take further time to go into the question of navy. But, as the Honourable the Finance Member referred to the army, I have referred to it and I leave it at that.

The Honourable Sir Malcolm Hailey: He used the word "defence"
(*An Honourable Member:* "The defence expenditure in Japan is six times higher than in India.")

Pandit Madan Mohan Malaviya: When we have the control of our country as the Japanese have control of their country, I expect that our expenditure on these subjects will be much higher than what it is in Japan.

Now, Sir, I will turn to the question of how this expenditure might be reduced at this juncture, even so far as the present year is concerned. I am glad His Excellency the Commander-in-Chief is here now. The other day when I referred to the question of internal security troops, I did not have the privilege of His Excellency's presence in the House. I wish to say again, therefore, as I said the other day, that I have not yet understood why there should be 27,000 British troops retained for internal security. I urged nearly four years ago, when I had the privilege of appearing before the Military Requirements Committee over which His Excellency the Commander-in-Chief presided, that the expenditure of the army should be largely reduced by the adoption of a national system of defence and I urged further that the British internal security troops should be disbanded as they were not needed for the purposes of preserving internal security. I learnt the other day from the Secretary to the Army Department that the number of those troops now stands at 27,000. I should like to know from His Excellency or somebody representing him why the whole of these troops cannot be disbanded and why a saving of nearly seven crores and a half cannot be effected without reducing the number of fighting units. I understood His Excellency the other day to say that so long as he was responsible for advising the Government of India for the defence of the country, he could not advise the reduction of any further troops in the fighting units. I understand that view. But I request His Excellency to enlighten the House why the internal security troops cannot be disbanded either entirely or largely. I submit that they should be disbanded. I think it is a very great wrong to this country to keep 27,000 British soldiers in the country for the purpose of preserving internal security. I have asked on more than one occasion that there should be a statement to show on how many occasions the British troops have had to be called out in order to preserve internal order. My own impression is that they have been so utilised on very few occasions and I will contend that even on these few occasions it was really not necessary to call out these troops to preserve internal order. From that view I should say that these troops should be disbanded. If it should be necessary to add any further troops to the rest of the army for the purpose of internal security, I think they can be obtained by substituting, if necessary, a larger number of Indians in the place of the internal security British troops. In that way also I feel that the maintenance of the military expenditure at its present high level is not advisable. That is another ground on which I cannot support the proposal relating to the Finance Bill which is before the House. A reference has been made to the Indian Territorial Force. I fully know that His Excellency the Commander-in-Chief is anxious to develop this force and we feel grateful to him for the interest he has taken in it. But our contention has been, and it is to-day,

[Pandit Madan Mohan Malaviya.]

that the measures adopted are inadequate, that they are very unsatisfactory from the point of view of experiment and of satisfying the sentiment of the Indians to a certain extent. But what is needed is a policy which will give us a larger Indian army, which is the only way of making an effective reduction in expenditure on the regular army. Towards that end a larger policy is demanded. So far as the college at Dehra Dun is concerned, we are grateful for its establishment, but the feeling among us is that the college should be better equipped, better developed, should impart education which any cadet needs in order to qualify him so as to take up an officer's post in the army in India; that a few, not all of them, may, after a time, be sent to England for further training there, but that the main portion of the training should be completed here and should be imparted to a much larger number of young men than is the case at present. The college should be expanded into a military college which should be expected to meet the requirements of training Indians as officers of the Indian Army in full measure. If that is done it is true that it will not help to reduce the Budget at once, but it will in future years, and if a policy like that were adopted, we would feel that we had some satisfaction and that we should support the Budget to some extent for the present.

The third ground on which I regret I must refuse to support the Finance Bill is the want of confidence that many of us feel in the Government of India as at present constituted. I have dwelt in the previous part of the discussion on two aspects, the constitutional aspect, namely, the defects of the Government of India Act and the necessity of revising it; in the second part I have dealt with the extravagance of the system of administration both in the civil and military departments. Now I will deal with the question of the want of confidence which we Indians feel in the Government of India as at present constituted. We feel that they have failed to protect India's financial interests; we feel that in regard to the question of the army the Government of India have failed to plead with the British Government to reduce military expenditure in India and also failed to save India from having to bear the burden of military expenditure, although the British Army in India is not merely for the purpose of protecting India, but also to maintain the prestige of the British Government in the Far East. We also feel that in the matter of the Lee Commission the Government of India have failed to represent to the Government in England, effectively, the undesirability of sending out the Lee Commission when the Assembly had twice made a protest against it. That is only one of many instances. Government may have protested; I hope they did; I do not know; but my point is, that as the Government of India are constituted, they are not able to protect India's interests in matters financial. The Secretary of State can borrow money without referring to the Government of India; can give increased pensions and allowances without the consent of the Government of India. As the Government of India are constituted they are not able to protect India's financial interests. We also feel that, as far as the financial management of the Government here is concerned, they have a very unsatisfactory policy. Finance Members have been appointed without sufficient consideration. Without meaning any personal disrespect, I should like to draw the attention of the House to some of the recent appointments in the Government, and the House will at once see the importance of the question to which I refer. You want a financier who can frame a national policy for India and who will have the strength to put that policy before Government and

have it accepted. But what has been the policy? How often has not one of the civilian members of the Government been appointed Finance Member? Without intending any disrespect to the Honourable the Home Member, I would recall that for some years he was Finance Member. It was at that time that we had that trouble over Reverse Council Bills. Of course he did his best undoubtedly according to his light. But the unfortunate part of it was the belief that was entertained by some Members of the Government of India and the Secretary of State perhaps that anybody who belongs to the Civil Service is fit to take up any appointment which he may be called upon to fill. In that view you appointed a gentleman who, although he was able to do the work in a way, was not able to understand the finances of India and protect them in the right way. We had therefore all these troubles, scandals and losses during his time. Now we have brought out a trained financier from England. I should like to say without any disrespect to the Honourable the Finance Member, who is a capable financier—I suppose he is as capable a financier as the Government of India could select at this time—that the main point we wish the Government to consider and represent to the Secretary of State is that, in order to protect the finances of India, an Indian financier should be appointed. My objection is not a personal one to any particular gentleman. My objection is that you appoint an Honourable gentleman to the most important office in the Government of India so far as the country's finances are concerned, and without his having a sufficiently long experience of the country, you put upon him the responsibility, the burden, the necessity, of balancing the Budget of India, of promoting economy in the expenditure of India, and of helping India forward financially in all the numerous directions in which national activities must go. Without the smallest intention to show any disrespect to the particular gentleman concerned, I say this is a wrong policy. You want at this juncture to select an Indian of outstanding merit as a financier and let him shoulder the burden, let him give you proof whether an Indian can or cannot manage the finances of India. I will not refer to individuals, I will not refer to personalities, but I have before my mind not one, but several Indians who could give an honourable account of themselves if they were asked to take up the responsibilities of the Finance Member of the Government of India. I think the time has come when, without any disparagement to the English Members who have held this office, without any desire to hurt their personal feelings, I should ask that the Finance Member of the Government of India should be an Indian, who could share the responsibility and the burden of administering the finances of his country.

You have an excellent example of the wisdom of such an appointment so far as the Military Department is concerned. You have Sir Bhupendra Nath Mitra as the Military Adviser to the Government in the Accounts Department; and I think His Excellency the Commander-in-Chief will bear testimony to the high worth which he has shown and the absolute trustworthiness with which he has discharged the duties of his high and important office. Is it impossible to find an Indian financier, an Indian business man, who has the whole experience of a life-time in India, who knows the needs of India, to take up this high responsibility? I think, Sir, it can be done and the fact that it has not been done is another matter for complaint with us.

The Government have failed in another matter which touches the people very vitally, namely, their personal liberty. We know that during the last three or four years the Government of India

[Pandit Madan Mohan Malaviya.]

have not respected the liberty of Indians as they should have done as the custodians of the interests of the people. During the last three years a policy of repression has gone on in many Provinces. The Government of India were expected to restrain this policy, to call a halt to this policy. The Government of India have failed to do so. It is a matter which causes great grief to us that since 1921, only shortly after the reforms were introduced, there has been a wave of repression in this country which knows no parallel in the previous years of the existence of British-Indian administration. In this period men quite as honourable as any Member who has ever sat on the Government of India Benches, have been thrown into the jails, have been deprived of their liberty, have been subjected to hardships, for no other reason than that the Governments of some Provinces resorted to a repressive law which was meant for a time when bombs were flying about in Bengal, when anarchical crimes were going on in Bengal, and which was never meant to be used in these peaceful times. I refer to the Indian Criminal Law Amendment Act, Part II, of 1908. Under that law the Government of Bengal first acted under the impulse given to it by an English paper in Calcutta after the unfortunate events which took place in Bombay in 1921 on the arrival of His Royal Highness the Prince of Wales. We regretted those events; everybody regretted them. But while the Bombay Government kept its head cool, while the Government of Bombay did not introduce either the Criminal Law Amendment Act or any other Act to suppress the activities of the people at the place where these unfortunate occurrences had taken place, under the evil inspiration derived from an article which appeared in a Calcutta daily the Government of Bengal long before the Prince was due there introduced this Criminal Law Amendment Act into Bengal. Under the operation of that Act a large number of honourable Indians, at the head of whom stood Mr. C. R. Das, were prosecuted and imprisoned. No evidence was adduced that they had committed an unlawful act. The only evidence that was adduced was that they belonged to the Congress Volunteers and that the Congress Volunteers had been declared an unlawful association by His Excellency the Governor of Bengal.

Perhaps some of my friends might think that I refer to this matter—I have referred to it more than once—with a light heart. They would be wrong. Let me assure them that I refer to this matter with great grief, with great reluctance, and that I refer to it because I cannot forget the hardships, the indignity, the unjustifiable suffering to which a large number of my esteemed fellow-countrymen were subjected under the operation of this evil law which was applied, extended to Bengal without the smallest justification. It was next introduced into the United Provinces. Four days before the arrival of His Royal Highness the Prince of Wales, when everybody should have expected that the Government would relax their repressive policy, that the Government would do everything which was possible to conciliate the people and to induce them to offer the loyal welcome that they desired it to offer to His Royal Highness the Prince of Wales, the Government introduced this evil law into the Provinces. Under the operation of that law my Honourable friend Pandit Motilal Nehru and fifty-five other gentlemen who were sitting on the Provincial Congress Committee discussing the affairs of the Congress were arrested, prosecuted and imprisoned. Under the operation of the same law, many hundreds of others in the United Provinces were prosecuted and thrown

into jails, separated for months together from their wives and children, separated for months together from their business pursuits, and subjected to the indignity of being put into His Majesty's jails. The same evil policy was pursued in the Punjab. A few days after the introduction of the law in Bengal, the law was extended to the Punjab also. Remember, please,—the Members of this Council will remember that His Royal Highness was still somewhere in the Bombay Presidency, that it was a long time after he came that he went to Bengal, that it was a long time after he came that he went to the United Provinces, and that it was a long time after he came that he went to the Punjab. But during this interval the Governments of these provinces had put this law into operation and put thousands of respectable Indians into jails. One should have expected that this policy would soon be abandoned; but even after His Royal Highness bid good-bye to India, this policy was kept up, and to-day—I do not know if all the prisoners who were then imprisoned are yet free—but even to-day there are a number of persons who were either imprisoned then or who were imprisoned later under the provisions of this law, who are still undergoing imprisonment.

Section 144 of the Criminal Procedure Code was abused, misused, in subjecting a number of persons to undue restraint. Men going to preside over meetings were told that they could not do so; men going to deliver an address to the people were told that they could not do so. The Seditious Meetings Act was applied, and a number of persons were bound over under sections 107 and 108 of the Code of Criminal Procedure. Among the persons who were so imprisoned, I cannot forget Babu Bhagwandas, a scholar leading a saintly life at Benares, who was hauled up under section 107 or section 108 and who was subjected to all the indignity appertaining to that position. Now, this went on for a long time. Even now the Government have not withdrawn this enactment so far as some provinces are concerned. We have in this House expressed on more than one occasion our opinion that the repressive laws should be withdrawn. The House will remember that the Committee which sat on the Repressive Laws recommended that this law should be withdrawn, though they were of opinion that the law could not be repealed at the time when they reported; but from the passage which the Honourable the Home Member read to this House the other day, the House will remember that the Government contemplated introducing a Bill early in 1922 which would help them, according to their ideas, to repeal this enactment. The Government have not found time to give effect to that desire. Do they entertain that desire at this moment? I do not know; I speak subject to correction, but the Government have certainly not introduced a Bill which was meant to enable them to withdraw the Indian Criminal Law Amendment Act. The Government have also not released political prisoners. They are undergoing imprisonment under various enactments. On the contrary, Regulation III of 1818, which the Repressive Laws Committee had recommended should be withdrawn, has not yet been withdrawn, and under the operation of that Regulation, I understand a number of persons in Bengal have been deported. This is the situation so far as the Government's action towards the people is concerned. I ask any Member of this House to point to any period in the history of the British Indian administration in which so many respectable persons, so many innocent persons, were prosecuted and imprisoned and subjected to indignities and hardships under the operation of laws which were never meant to apply to such persons,

[Pandit Madan Mohan Malaviya.]

and to tell us then whether there is any reason why we should feel confidence in the Government of India as constituted at present. We have asked for the release of political prisoners, but the Government have not yet responded. Mahatma Gandhi who, as the Secretary of State rightly indicated, should not have been imprisoned, was released, because it was said that the doctors had advised that he should be released. Leaving that one case at that, we do not know whether any other political prisoner has yet been released. The House recommended the other day the release of Sardar Kharak Singh. We have not yet heard what decision the Government have arrived at in the matter; but he is not the only person about whom we are anxious. There are numerous persons, respectable and innocent persons, who are unjustly undergoing imprisonment, while we are having our dinners and our parties, and holding our receptions and enjoying life. It fills me with grief, it fills me with a sense of shame, that we should be unable to save our fellow men from this indignity and hardship; it fills me with a sense of grief that we should be unable to persuade this Government which have invited us to represent the people here, to adopt the right course in relation to these gentlemen who are unjustly undergoing imprisonment.

Now this is so far as liberty of association and speech is concerned. Even in this matter the Government of India, as it is at present constituted, have given further proof why we should have no confidence in them. I will refer to general situation arising out of the deposition of the Maharaja of Nabha. Since the Maharaja of Nabha is one

The Honourable Sir Malcolm Halley: I am afraid I must protest.

Pandit Madan Mohan Malaviya: Protest to the Chair, not to me.

The Honourable Sir Malcolm Halley: I am protesting to the Chair, and I hope the Chair will support me. It is improper to discuss on the floor of this House the merits or demerits of the Maharaja of Nabha or the action taken by Government in connection with what the Honourable Member called the deposition of the Maharaja of Nabha and what of course was his abdication.

Pandit Madan Mohan Malaviya: Sir, I should like the Honourable the Home Member, when he protested against this reference by me to the deposition of the Maharaja of Nabha, or his abdication as he puts it, to refer you to some rule or law by which this discussion can be shut out.

The Honourable Sir Malcolm Halley: Legislative Rule No. 28.

Pandit Madan Mohan Malaviya: Sir, Legislative Rule 28 at page 67 refers to Resolutions. It debars a Resolution, it does not bar a discussion in this House relating to the affairs of any Prince in alliance with His Majesty. That rule says:

"Every Resolution shall be in the form of a specific recommendation."

Then it says:

"And no Resolution shall be moved in regard to any of the following subjects:

- (b) Any matter affecting the relations of any of the foregoing authorities with any Prince or Chief under the suzerainty of His Majesty or relating to the affairs of any such Prince or Chief or the Administration of any such Prince or Chief."

If I was moving a Resolution, the Honourable the Home Member would have a right to raise this objection. I am not moving a Resolution. I submit, Sir, that I am entitled, that every Member of this House is entitled to refer to a matter of this character which affects any Ruling Prince who is in alliance with His Majesty the King Emperor.

The Honourable Sir Malcolm Hailey: Before you decide, Sir, perhaps you will allow me to quote the actual facts. You will find that in our Legislative Rules, we have certain restrictions on subjects of discussion which apply firstly to Questions and secondly to Resolutions. You will find those relating to the subject-matter of Questions in Rule 8, page 63. You will find those relating to Resolutions in Legislative Rule 23 which will be found at page 67. Now, both of those are identical in scope, obviously the intention being that certain subjects should not be brought under discussion. That is the reason why the Legislative

3 P.M. Rules place that restriction both in regard to Questions and to Resolutions. Now, the Rules do not, I admit, specifically provide anywhere any restrictions on subjects which may be discussed in the course of motions for adjournments or on Bills. But it has been invariably the practice in this House to apply those rules and restrictions which relate to Questions and to Resolutions to discussions on motions arising in the course, for instance, of the Budget debate or in the course of the discussion of Bills. That is the effect of the President's rulings given not once, but several times, lately in the course of our Budget discussion, and I submit, Sir, that they apply equally to a motion for rejection of a Bill such as has been put forward to-day. I ask you, Sir, to maintain that practice.

Dr. H. S. Gour (Central Provinces, Hindi Divisions: Non-Muhammadan): Sir, before you decide that question, may I draw your attention to the very rules to which the Honourable the Home Member has adverted? Pages 64 and 68, last clauses:

"If any doubt arises whether any question is or is not within the restrictions imposed by sub-rule (1), the Governor General shall decide the point, and his decision shall be final."

Then again on page 68, it is stated:

"The decision of the Governor General on the point whether any Resolution is or is not within the restrictions imposed by sub-rule (1) shall be final."

The Honourable Sir Malcolm Hailey: He resolves the President's doubt finally. The Governor General resolves the doubt which the President may feel on the subject.

Dr. H. S. Gour: Now, Sir, these two clauses therefore vest the final authority as regards the decision in the Governor General, and therefore, so far as the President is concerned, he is not the ultimate deciding authority. We are told by the Honourable the Home Member that it has been the practice of this House that the provision of these rules has been enlarged in practice during the last three years and that the discussion of subjects dealt with in these rules has been prohibited. Well, Sir, I speak subject to correction, I am not aware of any practice to that effect, and I appeal to you as an old Member of this House to refer to any practice embodied in any order passed by the President on that subject. I go further. Even assuming for the sake of argument that the President had given a ruling, with due respect to the President I submit that he could not whittle down the effect of the plain provisions of these Standing Orders upon which the Honourable the Home Member himself relies. The

[Dr. H. S. Gour.]

Honourable the Home Member admits that there is no explicit rule barring discussion. But, he says, that the spirit of these two rules has the effect of preventing a discussion as to matters upon which Questions and Resolutions are barred. I beg to join issue on that point with the Honourable the Home Member. It is a well-known provision of law that what the law does not prohibit, it permits, and therefore I submit that under the plain rules of construction, where the Standing Orders and rules do not prohibit, they permit.

Pandit Madan Mohan Malaviya: Before you give your ruling, Sir, I wish to draw your attention further to the point raised by Dr. Gour. The rules to which the Honourable the Home Member has referred specifically refer, one to a Question and the other to a Resolution. And the Honourable the Home Member has not been able to draw your attention to any rule forbidding reference to any of the Indian Ruling Princes in the discussions of this House. That is the first point.

The second point is, if I am not mistaken, that this very House did deal with the Princes' Protection Bill. That Bill was intended to confer protection on Indian Princes from the criticisms of certain newspapers. If this House was permitted to deal with that point, I cannot understand how the Honourable the Home Member can raise an objection to reference being made to any Indian Ruling Prince, either to his abdication or to any other matter. Besides that, I also submit that you have to consider what the situation would be like if the objection of the Honourable the Home Member is upheld. There are no prohibitions in the rules against a reference being made to any Indian Ruling Prince, and this is the only Legislative Assembly where any matter relating to Indian Princes could be discussed. My Honourable friend, Dr. Gour, further draws my attention to section 67 of the Government of India Act, which says:

"It shall not be lawful, without the previous sanction of the Governor General, to introduce at any meeting of either Chamber of the Indian Legislature any measure affecting the relations of the Government with foreign Princes or States."

We were not introducing any measure laying down that the subjects of His Highness the Maharaja of Nabha should pay a certain tax or do something else. I wanted to refer to an event which related to the Maharaja of Nabha himself because he was a friend of His Majesty by a treaty. He has been dealt with in a certain way

The Honourable Sir Malcolm Hailey: Before you give your ruling, I should like to draw your attention to two facts referred to by Dr. Gour and the Pandit.

Mr. V. J. Patel (Bombay City: Non-Muhammadan Urban): May I be permitted to refer to Standing Order No. 29 printed at page 88 of this Manual? You have got to distinguish between notice of Resolutions and Questions on the one hand and the right of a Member to make speeches in this Assembly on the other. The subject-matter of speeches is dealt with separately from that of Resolutions and Questions, and if you will allow me to read Standing Order 29 printed at page 88 of this Manual. It says:

"The matter of every speech shall be strictly relevant to the matter before the Assembly."

So the only question you have got to decide now is whether the subject-matter to which my Honourable friend, the Pandit, has made reference,

is relevant to question in issue. That is the question before us. The Standing Order further lays down certain limitations:

"A member while speaking shall not—

(i) refer to any matter of fact on which a judicial decision is pending; . . ."

That is not the question here.

"(ii) make a personal charge against a member;

(iii) make use of offensive expressions regarding the conduct of the Indian or any local Legislature;

(iv) reflect upon the conduct of His Majesty the King or the Governor General or any Governor (as distinct from the Governments of which they are respectively the heads) or any Court of Law in the exercise of its judicial functions;

(v) utter treasonable, seditious or defamatory words; or

(vi) use his right of speech for the purpose of wilfully and persistently obstructing the business of the Assembly."

These are the only cases in which you can refuse my Honourable friend leave to refer to such matters.

(At this stage, Mr. President resumed the Chair.)

Colonel Sir Henry Stanyon (United Provinces: European): I also refer to the rule quoted by the last speaker, Rule 29, which lays down that the matter of every speech shall be strictly relevant to the matter before the Assembly. The matter before the Assembly is whether the Finance Bill shall be considered; but, leaving that aside, if the matter is of such a character as could not be included in a question or could not be made the subject-matter of a Resolution, then *a fortiori* no debate upon it should ever take place.

Pandit Madan Mohan Malaviya: In your absence, Sir, the Honourable the Home Member resorted for the third time to an objection that I could not refer to anything relating to the Maharaja of Nabha. He did not hear what I was going to say but has unfortunately shown nervousness every time I endeavoured to refer to this question. He has shown lack of courage, a charge which he brought against a fellow Member the other day. I wish he had the courage to hear what I was going to say instead of taking shelter behind a technical objection. But in this case even his technical objection will not bar what I am going to submit to this House and it is fortunate that you are here, so that we may proceed with the matter in a sufficiently rapid manner. I was giving my reasons for want of confidence in the Government of India as it is constituted, as a ground for my refusal to support the Finance Bill which is before the House. In doing so I urged that the Government of India had failed to protect the liberty of my fellow subjects and I was going to refer to the action which has been taken in relation to a number of my fellow subjects in British India at a certain place which is in Nabha territory, but my point of reference to-day is not the incident that took place, is not so much what happened at Nabha and the responsibility for it as the fact that a number of my fellow-men, who were the subjects of His Majesty living in British India, lost their lives and the Government of India have not yet instituted an inquiry, so far as this House is aware, except the magisterial inquiry to which reference was made the other day. I want to know whether I can or cannot refer to a question affecting the lives of so many of our fellow-men. I know that if in an Indian State an Indian subject of His Majesty was killed that would be a ground for the deposition of the Indian Prince who might have been instrumental in bringing about his

[Pandit Madan Mohan Malaviya.]

death. I know that if a number of His Majesty's Indian subjects were unjustly locked up in the jail of some Indian Prince,—I mean no disrespect to any Indian Prince,—I am sure that matter could be raised and discussed here in order that the Government of India might take action regarding it.

Mr. President: The Honourable Member is wrong in his interpretation. This matter was raised in the Budget debate last year by my Honourable friend who is not here to-day, our present Deputy President. He proceeded to discuss a matter relating to the territory of an Indian State and I ruled him out of order and I adhere to that ruling now.

Dr. H. S. Gour: May I just point out what transpired during your temporary absence.

Mr. President: Order, order. I have nothing to do with what transpired in my absence. I may inform the House that any one authorised to occupy the Chair holds all the powers which the Chair possesses and is fully entitled to their exercise. No appeal could be made to me from anything that he ruled. I cannot be made a court of appeal on matters of which I have no cognisance.

Dr. H. S. Gour: That is exactly the point. When your predecessor occupied the Chair, the Chair had not given any decision. The matter was laid before him and before he could decide you resumed the Chair.

Mr. President: Even those facts are facts of which I was not aware until the Member informed me. I can only take cognisance of matters arising on points of order presented to me when I am in the Chair, and I have told the Honourable Member that this subject was raised last year in the Budget debate and I ruled that matters taking place in the territory of an Indian State are not in order.

Dr. H. S. Gour: I do not think my friend the Panditji has broken any rule since you returned to occupy the Chair. He has not done so. We were continuing a discussion which began during your temporary absence and the Pandit was merely referring to the discussion which was then proceeding. He has not mentioned that matter at all. The Honourable the Home Member objected to a part of his speech in which he referred to the abdication of His Highness the Maharaja of Nabha (*Pandit Madan Mohan Malaviya*: "The deposition.") Thereupon the Honourable the Home Member said he wanted a ruling from the Chair whether there was

Mr. President: Is the Honourable Member now referring to what happened to His Highness the late Maharaja of Nabha?

Pandit Madan Mohan Malaviya: If you will kindly let me proceed, Sir

Mr. President: Dr. Gour has put to me what appears to make a hypothetical point of order. If he is referring to the Maharaja of Nabha he is out of order.

The Honourable Sir Malcolm Hailey: That is the point I took exception to.

Pandit Madan Mohan Malaviya: With every deference to your ruling, Sir, you will permit me to enter my protest against the view that I am

barred from referring to any Indian Ruling Prince who is in alliance with His Majesty the King Emperor and whose subjects are moving into British territory and into whose territory British Indian subjects are moving.

With that much so far as the Maharaja is concerned. I will now come, Sir, to events here in British India. Those are that many residents of the Ferozepore district and of districts adjoining it are reported to have lost their lives when they were going to a Gurdwara which is at Gangsar. They were going there with the distinct and avowed object of paying a visit to the shrine and reading the holy Granth Sahib there; that in the course of that visit they were fired upon and they lost their lives. This House discussed this matter in an indirect way the other day and we had hoped that the Government of India would by this time have ordered a public inquiry by a committee which will inspire confidence to investigate the affair and find out how this happened.

Mr. President: Did these matters take place on the territory of an Indian State or not?

Pandit Madan Mohan Malaviya: One bad affair of the many to which I am going to refer happened in the territory of an Indian Prince. But there are many other things to which I am going to refer which did not happen there. For instance the march of the men through British territory and the loss of life which occurred in it. Some of them lost their lives in the territory of an Indian Prince, but several others lost their lives in British territory. They received their wounds in the territory of an Indian Prince and they were on their way to their homes in British territory when many of them died. Now, Sir, what was the number of the deaths that took place, what was the number of injuries that were inflicted,—we are not yet in a position to say, but their number was large. The other day you will remember, Sir, that one Mr. Day was unfortunately killed in Calcutta. His Excellency the Governor General expressed his great grief over the event, and rightly so, and expressed his sympathy with those whom the deceased had left behind. In this matter it has been alleged that the deaths that took place were many: we do not know whether they died exactly within the limits of an Indian Prince's State or whether they died outside, but there were many men who were residents of the Ferozepore district and other districts, and this is a fact about which there is absolutely no doubt from the inquiries I have made. Many men received injuries and some of them succumbed to the injuries they received. The Government of India have not, so far as I am aware, except for the expression used by the Honourable the Home Member that he deplored the event and the deaths—the Government of India, and particularly His Excellency the Viceroy, have not yet made any pronouncement which might show how the matter was being viewed by them.

Sir Campbell Rhodes (Bengal: European): In defence of the memory of Mr. Day I should like to point out that when Mr. Day was murdered, he was walking along Chowringhee alone, taking an early walk in the morning for the benefit of his health and that he was not connected with any agitation or anything of that sort.

Pandit Madan Mohan Malaviya: I am sorry, Sir, the Honourable Member has interrupted me. I mentioned that. I think the Viceroy rightly expressed sympathy with the man and his family. I grieve for his death, I deplore that anybody should have taken his life, I thought that was clear.

[Pandit Madan Mohan Malaviya.]

but what I was going to submit, Sir, is that there were a number of our fellow-subjects living in British India, some of them have lost their lives, and several of them have received injuries, and an appeal has been made in this House to institute a public inquiry by a Committee which would command public confidence, which might sift the facts, and place them before the public. But the Government have not responded. The other day Captain Orr's unfortunate case occurred and we know that His Majesty's Government were prepared—at least that was the impression created by the papers—even to go to war with a neighbouring Prince, with an independent Prince, in order to vindicate the right of the British Government to see that their subjects are not maltreated, not exposed to death or injury by the subjects of another Prince or Ruler. Why . . .

Mr. President: I cannot allow the Honourable Member to proceed on those lines. It is obvious that, in substance, this is a matter which took place in the territory of an Indian State. There are many matters which are in order, so I must ask the Honourable Member to address himself to those.

Pandit Madan Mohan Malaviya: My point, Sir, is that the Government of India as they are constituted are not protecting the civil liberty of my fellow-subjects, and that is the point I am endeavouring to establish; and I say that when the Government fail to offer protection to their subjects, when they fail to make an inquiry even into what has happened to them, that Government cease to enjoy popular confidence.

I will now refer in the next instance to the question of religious liberty. But before I give up that point, I wish to say this also, that British subjects have every right in British India to discuss matters in British territory—outside this Council it may be for the present, for of course I must bow to your ruling—and British subjects have in British India every right to discuss matters relating to Indian Princes who are in alliance with His Majesty because British subjects in British India pay taxes, the taxes maintain the army, the army may be employed in fighting an Indian Prince or in supporting him, and therefore it is the inherent right of every British Indian subject to discuss matters relating to any Indian Prince. The Gurdwara Prabandhak Committee, which has its headquarters at Amritsar, is a religious body which represents Sikh religious public opinion. It thought it its duty to protest at Amritsar, not within the territory of an Indian Prince, against the action that had been taken by the Government against an Indian Prince. The Government seem to have taken umbrage at that attitude of the Gurdwara Prabandhak Committee. The Members of the Committee had only a short time before been declared by the Government to be representatives of a large body of the Sikh religious public opinion. On their having passed certain Resolutions condemning the action of the Government taken against a particular Indian Prince, the Government of the Punjab declared them to be an unlawful association. Under that declaration a number of members of the Gurdwara Prabandhak Committee are being prosecuted. I submit, Sir, that the Government should have stopped such prosecution, should have told the Government of the Punjab to withdraw the declaration in question and not prosecute anybody under the cloak of an Act which throws very little responsibility upon the Governor, which gives very little opportunity to those who are being prosecuted to establish their defence, because there is no other defence which is permissible in such cases except that they are not members of the declared

Association. Though there are other sections also under which they are being tried, this section should certainly not have been applied. They should not have been declared an unlawful association, and the Government, I submit, have failed to give them that protection in the matter of their civil religious liberty which they had a right to expect.

Lastly, Sir, the Government of India have not been able to protect the religious liberty of His Majesty's subjects in British India. It generally happens, Sir, that when Indian subjects of His Majesty go on a pilgrimage to any shrine or temple the Government do not give them up entirely to the mercy of those with whom they have to deal. And here I will submit that any British subject who is going on a pilgrimage to any shrine or any temple or any mosque, though it may happen to be situated outside British India, is entitled to protection from the Government of India through the Local Government in the territories of which the place of pilgrimage may be situated. This protection also the Government of India have failed to give to my Sikh fellow-subjects who were going to a religious shrine in order to perform their religious duties. Now, Sir, in all these matters, I submit, the Government have failed to carry the people with them. The Government have lost the confidence of the people and, so long as they are carrying on this administration in the manner in which they are carrying it on, I think it will be wrong on my part and I will not be doing my duty by my people if I lend them my support so far as the Finance Bill is concerned.

The situation has now resolved itself into this. I have shown that on the ground of the constitution as laid down in the Government of India Act being defective we have objection to supporting the Taxation Bill. I have fully described the constitution as it stands. I will refer to only one passage from the Report of Lord Durham which shows that the situation in Canada in 1834 was very much like what we find here under the present constitution of the Government of India. Before responsible government was introduced in Canada the situation there was very much like what we find here. Lord Durham in his report stated:

"The powers for which the Assembly contended, appear in both instances to be such as it was perfectly justified in demanding."

These are the powers which we want—the power to control our domestic affairs in the Home Department, in the Finance Department, in the Industries Department and all the other departments of the Government of India subject to such understanding as may be arrived at for a short period in relation to the army and navy and to foreign and political relations.

Lord Durham went on to say:

"It is difficult to conceive what could have been their theory of government who imagined that in any colony of England a body invested with the name and character of a representative Assembly, could be deprived of any of those powers which, in the opinion of Englishmen, are inherent in a popular legislature. It was a vain delusion to imagine that by mere limitations in the Constitutional Act, or an exclusive system of government, a body, strong in the consciousness of wielding the public opinion of the majority, could regard certain portions of the provincial revenues as sacred from its control, could confine itself to the mere business of making laws, and look on as a passive or indifferent spectator, while those laws were carried into effect or evaded, and the whole business of the country was conducted by men, in whose intentions or capacity it had not the slightest confidence. Yet such was the limitation placed on the authority of the Assembly of Lower Canada; it might refuse or pass laws, vote or withhold supplies, but it could exercise no influence on the nomination of a single servant of the Crown. The Executive Council, the law officers, and whatever heads of departments

[Pandit Madan Mohan Malaviya.]

are known to the administrative system of the Province, were placed in power, without any regard to the wishes of the people or their representatives; nor indeed are there wanting instances in which a mere hostility to the majority of the Assembly elevated the most incompetent persons to posts of honour and trust. However decidedly the Assembly might condemn the policy of the Government, the persons who had advised that policy retained their offices and their power of giving bad advice. If a law was passed after repeated conflicts, it had to be carried into effect by those who had most strenuously opposed it. The wisdom of adopting the true principle of representative government and facilitating the management of public affairs, by entrusting it to the persons who have the confidence of the representative body, has never been recognised in the government of the North American Colonies. All the officers of Government were independent of the Assembly; and that body which had nothing to say to their appointment, was left to get on as it best might, with a set of public functionaries, whose paramount feeling may not unfairly be said to have been one of hostility to itself."

Now, Sir, that is very much the situation here with some alterations which I need not wait to emphasise. That is generally the situation in which this Assembly finds itself. Here we have got an Executive Government controlling the destinies of Indians. We are an elected majority in this House but the appointments in the Executive Government are not made after consulting the sense of this Assembly. The Members who sit on the Government Benches are entirely independent. They might insult us. They might flout public opinion. They might show the utmost disregard for the lives and liberties of His Majesty's subjects. They may treat them with contempt, and yet they can sit and draw their salaries and exercise the power which their positions give them. This is a situation which is entirely intolerable. I hope that these reasons will convince every Indian and many Europeans—if not all Europeans—that we cannot, situated as we are, lend our support to the Bill which has been brought forward by the Honourable the Finance Member. It might be urged, how will the affairs of the country be carried on? Under the enactment called the Government of India Act of 1919, the certification of any measure which the Viceroy is advised to consider desirable in the public interest is possible. / We cannot lend our moral support and vote to the maintenance of this taxation unless the representatives of the people of this country have a voice in the expenditure of the money raised by taxation, unless we are put in a position to exercise the same rights and privileges which the members of every Legislature in the world exercise. Unless that is done we cannot support such taxation. I hope the reasons that I have given will satisfy every elected member of this House of the justice of the attitude I have taken, and I hope they will lend me their support in order that the present system may be ended as soon as possible, and that we may have a regular system of responsible government under which the representatives of the people, men who have the entire confidence of the people, may carry on the administration of the domestic affairs of this country. For these reasons I oppose the motion which has been put before the House by the Finance Member that the Finance Bill be taken into consideration.

The Honourable Sir Malcolm Hailey: I did not realize that the House would desire to close so early a discussion so interesting; but no one else has risen to speak, I assume, because Pandit Madan Mohan Malaviya has exhausted discussion. He has taken us, or those of us who cared to follow him, over a field of thought so wide that I hesitate to enumerate his topics; it is difficult to decide in my own mind whether he really desires that the motion for consideration should be rejected because we were opposed to

the Resolution for a Round Table Conference or whether it must be rejected because we have taken action in regard to the affairs of a certain Indian State; or whether it is something connected with the treatment of what are known as the Akalis; or whether it is something connected with some one or other of the almost innumerable wrongs which he laid to our charge over unnumbered years and in every sphere of our administration. (*A Voice: "Altogether."*) In one way I am not sorry, though for other reasons I might feel some kind of regret. I am not sorry that the Honourable Pandit has put forward this motion, for it has brought us once more to a clear understanding of the situation. I shall not go back as far as the Honourable Pandit; I shall not seek to refer to the history of the Congress for the last 39 years; but I shall content myself with what has happened in the last few months at Delhi.

Take the events which led up to the experience of those last months. We had had three years' experience in the previous Assembly of the Government of India Act. We found ourselves in association with men who were prepared to work that Act, and did so in good earnest. I repeat what I have expressed before, that India has real reason to be grateful to them. They showed how representatives of the public, working in co-operation with the Executive, but not in such co-operation as excluded full criticism and strong opposition where necessary, could effect great advance in popular legislation, and exert great influence over the whole course of the administration. That Assembly was dissolved. A large number of public men who had hitherto decided that they were unable to accept the terms of this Act, or co-operate in any sense in its working, then decided that they had been wrong in their attitude, and that they would come into the Assembly. Now I am not going to refer once again to the manifesto of October last. We have seen its terms a good deal, a great deal, quoted in England. We ourselves have been somewhat more chary of referring to it, because we had no desire, when once our friends had joined us here, to pin them down to the exact programme which they had set forth there. They had come in with us; we hoped that they would work with us; we desired no more; we limited ourselves to that position. But I confess, Sir, that we have from the first been in some doubt as to their policy. We began with what we now know as the constitutional Resolution. Admittedly that Resolution was put forward as a compromise between differing sections of our new friends. We found reasons why we ourselves could not accept it; the Home Government equally found reasons why they could not accept it. All through those discussions we were in doubt what it really meant. We were in doubt how far that compromise had gone. We were in doubt whether it was not really intended, after all, merely to cloak a desire on the part of many of our friends for a complete reversal of the constitution or something even more far-reaching. That debate ended; there followed the Secretary of State's speech in the House of Lords, which was received with considerable dissatisfaction by many of our friends in the Councils. We then proceeded to deal with the Budget. On the first day of the Demands for Grants the House united in throwing out four of our principal Demands. They stated that this had been done to demonstrate a principle. We were still unaware what principle they were demonstrating; we were still entirely unaware what their motives were; we were still entirely unaware whether this was some obscure form of co-operation, or was really a demonstration of an underlying but hitherto veiled desire completely to wreck the constitution. Then, for reasons which were equally obscure to us, there was next day a sudden change; we found the House prepared to pass our Demands for Grants, not without criticism, for they gave us much constructive

[Sir Malcolm Hailey.]

criticism of the type which we have hitherto found to have a great effect on the administration. Day after day passed and I found the Honourable Pandit saying "Aye" constantly to motions which were put forward. Other Honourable Members who may be said to represent the extremist wing of his party, were, some of us noticed at the time, absent in different parts of this building . . .

Pandit Motilal Nehru (Cities of the United Provinces: Non-Muhammadan Urban): I hope the Honourable Member will make it clear which Honourable Pandit he means. I was lying ill in bed and was not in the House all through the debate.

The Honourable Sir Malcolm Hailey: Pandit Madan Mohan Malaviya.

Pandit Madan Mohan Malaviya: I did not catch what the Honourable Member said.

The Honourable Sir Malcolm Hailey: We thought then that the House at large . . .

Pandit Madan Mohan Malaviya: My friend is mistaken, Sir, in thinking I said "Aye". I did not oppose the grants—that was all that I did. Except those that I definitely voted against, I did not oppose the grants. I do not remember saying "Aye" to any grant as far as I remember. If I did I did not intend to.

The Honourable Sir Malcolm Hailey: I am sorry that I thought he was saying "Aye"; but there were many grants at all events to which he gave his tacit blessing. We thought then that the House, having made what it deemed to be a demonstration, was once more prepared to advance to constructive work with us on the Budget. Now there is once more a sudden and equally inexplicable change; the Honourable Pandit comes forward with a clear denunciation of the whole of our policy in the past and a profession of total inability to accept the motion put forward by the Finance Member. His specific ground—I will take that as being his real ground—his specific ground is that we would not agree to a Round Table Conference. I will take the rest of his speech—and I must do so if I am not to be equally exhausting to the House—as having perhaps less direct reference to the real point at issue. I have been trying to probe in my mind the reasons which have led to this fresh sudden change of attitude. I have noticed of course that in many papers, which were formerly in the habit of supporting many of my Honourable friends, a series of severe and even acrid criticisms of their action during the last week. They were told that they should have persisted in their course, that they should have thrown out the Budget as a whole, that they should not have voted a single grant—in fact, a good deal of scorn was poured on them. Is it that reason? (*Pandit Madan Mohan Malaviya:* "No.") Is that the reason that induced them to go back to the complete policy of wreckage of the constitution? (*Mr. Rangaswami Iyengar:* "Certainly not.") Then if they have not been influenced by a desire to get square with their newspaper critics, I must look elsewhere. I have noticed in many parts of the House a difficulty arising from the fact that an enhanced salt rate would provide means of relieving the Provinces of their Provincial contributions. But equally I know that there is some hesitation on the part of provincial Members in openly voting for anything like a Rs. 2 salt rate much as they might in their hearts desire it. Was it to catch their votes that this motion was put forward? Was the inducement

offered to them that, if the House were to throw out the Finance Bill as a whole, this would leave it to Government to certify at an enhanced rate of salt tax, leaving them the benefit of the rate without the responsibility of passing it? Was it really felt that it would be easier to take that course and thus to relieve provincial Members of the necessity of voting one way or the other? Is that the reason at the back of my Honourable friend's mind? This time no one interrupts me. Then again, I noticed that there were motions on the paper for reducing the salt rate to just a few annas, seven annas, eight annas, and the like.

Mr. C. Duraiswami Aiyangar (Madras ceded districts and Chittoor: Non-Muhammadian Rural): As a preliminary to the total abolition.

The Honourable Sir Malcolm Hailey: Was it felt by the Honourable Pandit Malaviya that it would be a much easier course to get a vote against the Finance Bill as a whole than to run the risk of a party defeat on the proposal to reduce the salt tax to seven annas? Is that his motive?

Mr. V. J. Patel: You cannot understand it.

The Honourable Sir Malcolm Hailey: No, I cannot; and no one has helped us with an explanation; but it is not my poor brain alone which has broken down under the strain of conjecture. I notice that the country has found equal difficulty in appreciating these tactics. Veteran politicians, versed in every constitutional art of Europe, have found it equally difficult, to appreciate the tactics of my Honourable friends.

Now, Sir, what is it that the Honourable Pandit is asking. He is dissatisfied with our reply on the proposal for a Round Table Conference. I am not going again into that controversy; we have already, I think, justified ourselves on that score and I am willing to leave the verdict with the outside world; but I will go into the consequences of the action he proposes. He says clearly and explicitly that, so long as he is dissatisfied with the attitude of Government, he will not join in voting for any taxation at all. I see the Honourable Pandit nods his head. I am glad for one thing, Sir. It does not affect me personally, for I am about to enjoy a brief period of leisure, and during the month of May I hope to be in England. But I am glad for those Members who might otherwise have to travel through an Indian summer for a special session to consider a proposal for dealing with the Tariff Report; for the Tariff Report assumes legislation regarding our customs duties. Obviously, the Honourable Pandit and his party will not be prepared to assist in any operation of that kind. It is just an extreme statement of that description which brings home the real nature of the course which he proposes. The real fact is clear; and there is now no need to conceal it further, that the Honourable Pandit, feeling as he does that there is much that is wrong in our administration, has at last cast off all thought of co-operation of any kind with Government. He has joined that faction which is determined that it can only get its way by a complete wreckage of our present constitution with all its consequences to India and to the Empire. It may be a satisfaction to the more extreme section of the party which stood for that objective in the past, and which stands for that to-day, to secure him as a recruit; my own belief is, that on a calmer reflection, he will regret that he has given them that sort of satisfaction. It should be perfectly clear to him that there never was any real intention on the part of that extreme section of co-operating either with those Members who supported our constitution in the past or with those who stand for the

[Sir Malcolm Hailey.]

constitution to-day. It should be perfectly clear that that section which announced that it would secure its way by civil disobedience, which announced that it would secure its way by mass movement, with all its consequences of disorder and disaster, has never changed its ideals and has never changed its methods. Then I am astonished to see that one who refused to join them in the past, decides to join them here to-day. I should be still more astonished if those others who refused to join them in the past were to follow his lead to-day. For what does it mean? After all, let us look the facts clearly in the face. I am not going into any arguments as to whether we have rightly exercised or not that trusteeship which the United Kingdom has always felt that she had for India. I am not going here into the question whether that trusteeship was, as one Member took on himself to inform us, fraudulent. But there is no doubt that the British nation will not give further constitutional advance to India unless it is satisfied that the measure of advance given is likely to be worked to the real advantage of India. That is the bare and fundamental fact, and it will not be altered by any argument used here regarding the way in which the trusteeship of the British Parliament has been exercised. And I ask Honourable Members here to look that fact squarely in the face. The British Parliament after many years, as the Honourable Pandit Madan Mohan Malaviya pointed out himself, after many years of demand from India, at length started India on the road to responsible Government. It made its first step in the form of a transitional constitution. What does the Honourable Pandit and those whom he asks to support him propose to do to-day? He proposes to throw that constitution back into the face of the British Parliament. And he thinks that by doing so the day of responsible Government will be hastened. (Pandit Madan Mohan Malaviya: "Yes.") Then I pity his lack of political sagacity; for this is a question of statesmanship pure and simple. I have very deliberately, throughout this discussion, avoided any use of provocative or contentious language; I merely appeal to my friends here to view the facts in their true perspective and in their effect on India. It would be easy to use language in this respect which might rouse feelings of bitterness and resentment among my friends opposite; I have no desire to do so. I merely ask them to look at the facts dispassionately and with only one view, namely, will this or will this not help India forward on the path of responsible Government? Believe me, it is of little advantage to make a gesture or a demonstration of dissatisfaction if that in itself is likely to turn to your disadvantage or the disadvantage of India. It is exactly a gesture of dissatisfaction of this type, exactly a sign of impatience, exactly, if I may say so, a demonstration of irresponsibility, which will make it impossible for the British Parliament to consider a further advance. The King's Government has to be carried on. You are dissatisfied with the rate of constitutional advance; you do not aid in proving that advance justified; you simply refuse Government their finances. That is not responsibility. You refuse the taxation which Government have put forward, not because you object to it in itself, but for other reasons, knowing well that it will have to be certified under reserve powers, for otherwise the Government would come to an end. You shelter yourself behind the fact that others will exercise a responsibility, necessary and proper in itself, which you will not assume. You are offered the choice of different rates of salt tax; the decision lies entirely with you; but for reasons unconnected with the salt-tax you refuse to exercise that choice. That again is not a proof of responsibility. It is on that ground that I appeal to Honourable Members opposite to consider only the

one factor I am putting before them, namely, that to follow the Honourable Pandit Malaviya in this vote will inevitably set them back with the British

Parliament. Now I know no section of the British Parliament 4 P.M. which will be influenced in the slightest by such action. To two of the three parties in it I need not refer. But let me quote once again the words that were used by the present Premier as to the manner in which his party was likely to view action of this kind:

"No party in Great Britain will be cowed by threats of force or by policies designed to bring Government to a stand-still; and if any sections in India are under the delusion that that is not so, events will very sadly disappoint them. I would urge upon all the best friends of India to come nearer to us rather than to stand apart from us, to get at our reason and our good will. When an appeal is made to revolutionary methods, whether those methods are active force or passive force, a reaction towards the opposite extreme is bound to come, and men and parties of the most sincere good will are hustled off the stage, whilst the two forms of reaction—that of the Right and of the Left—kick and tear and sweat against each other until the failure of both has been demonstrated."

I never have accused my friends opposite of a desire to promote actual revolution. I do not desire to do so now. But they are joining a form of obstruction which may have disastrous consequences on the internal affairs of India and will undoubtedly prejudice their case with those who in the long run must dictate the pace at which India can advance towards responsible Government. And I ask them to hesitate before they follow the Honourable Pandit in doing so.

Pandit Motilal Nehru: Sir, I had no intention to take part in this debate as I did not feel well and strong enough to do so. But the speech with which the Honourable the Home Member has just treated the House has inspired in me the strength which would otherwise be wanting. The Honourable the Home Member has on more occasions than one, during my brief experience of this House, by his special polemics shown himself to be a past master in the art which is usually practised by the whole of the Government of India. That art is the art of "divide and rule." We have seen on many occasions that the great argument which he has against any proposition which is advanced by this section of the House is to point out to those who he fears will follow us into the lobby and vote in favour of that proposition, the grave danger in which they stand if they do so. He is never remiss in pointing out to the non-Swarajists the dangers of their associating themselves with the Swarajists, to those who are not in the Nationalist Party the very grave and serious dangers of their joining or voting with the Nationalist Party; and to-day, Sir, we have witnessed an exhibition of that art almost to perfection. My Honourable friend has told those who are not for a wrecking policy to beware how they cast in their lot with those who openly and professedly, before they came into this Assembly, were wreckers, whose object was to make the Government impossible. He has reminded those who were very anxious and keen about seeing the Report of the Tariff Committee, that if they in any way lent their support to this party—he did not call it a party of revolution, but he said enough to identify this party with a party of revolution—if they identified themselves with this party they would have no chance to see the report of the Tariff Committee put into operation, there would be no taxation, the Government would come to a standstill, there would be no meeting of this Assembly and no discussion of the Tariff Committee's report. I need not go further into the various means which were adopted by my Honourable friend. I am here now to make as simple and as plain a statement as my Honourable friend has made on behalf of Government.

[Pandit Motilal Nehru.]

Sir, the position to-day is exactly the same as it was on the day when this session opened. My Honourable friend has refrained from criticising the Swarajist manifesto—I consider it to be one of the greatest honours that was reserved for me in my life to be the author of that manifesto—he has reserved his remarks thinking that thereby he was sparing me. To-day he referred to it only to say that enough had been said about it in the House of Lords. I repeat that that manifesto is a document of which I shall ever be proud. It is a document which clearly and unequivocally states the case of the Swarajists on which they sought election to this Assembly and the Provincial Councils. They adhere to that as their case to-day as Swarajists. I took pains to point out on previous occasions as to how it was that I, a sworn Swarajist, a confirmed Swarajist, was using the instruments and the means that lay at my disposal in this Assembly to push forward the national demand and to see what response that demand elicited from the authorities before whom it was pressed. I said in terms which cannot admit of any doubt that we had come into this Assembly, non-co-operators as we were, to offer you our co-operation, but on our own terms. Those terms were not dictated by a spirit of hostility to the Government but were considered in consultation with other friends who were not Swarajists. Those terms were put before the whole country and opinions were invited. All schools of thought, all shades of opinion concurred that we could not in the interests of our country put the national demand lower than what we had put it. Having satisfied ourselves as to the nature of the demand and the acceptance it had found in the whole country, we put it forward not on behalf of the Swarajists alone, not on behalf of any particular section but, as I submitted when I was moving my amendment to the motion of my Honourable friend Mr. Rangachariar, we put it forward on behalf of the country. I scrupulously and studiously kept back all ideas and all policies which are attributed to Swarajists as well as those which, though not attributed to them, are really theirs. I said that I was for the moment sinking my identity as a Swarajist, not because I had ceased to be a Swarajist but because I had adopted certain principles which were common to me and other sections of Nationalists. We adopted those principles in order to see whether there had been that change of heart in the Government for which we had been looking during the last four years. A minimum demand, a very reasonable demand, was accordingly put forward. It was carried by an overwhelming majority of this House, supported not merely by Swarajists, not merely by members of the Nationalist party but also by independent members who did not belong to any party. That clearly shows that, so far as this country is concerned, it was taken to be a real and national demand and not simply an extravagant demand made only with the object of provoking a negative reply and then assuming an attitude of hostility to the Government. Now what followed. After that demand was put through in this House, there was a speech by the Secretary of State for India in the House of Lords. That speech, I have already submitted, was conceived in a very good spirit but, when we came to look for the substance, we found that it promised nothing. It gave nothing except hopes for the future and pious wishes for our advancement. When I had the honour of addressing this House after that speech was received in this country, I made it clear that, however high the purpose of the Indian Government or that of the British Cabinet may be, we had long since ceased to be satisfied with high purposes and mere declarations of high purposes. What we wanted was action, something done along with the declaration of high policy.

We have been waiting for that. We suggested various things. Nothing has been done. Then, Sir, what did we do. This Budget came up. We made up our minds to throw it out, not as my Honourable friend the Home Member has put it, in pursuance of the policy of the Swarajists—I made that perfectly clear—but because, apart from being one of the methods which was in the minds of the Swarajists, it was also a well known constitutional method of putting grievances before supplies. This method being accepted by the party was put into operation. Now, on the first day we threw out all the grants that came up on that day. That was on Monday last. Then we met and we came to the conclusion that it was after all a farce first going into one lobby and then into another, spending the whole day in that way and with what object? The upshot would have been that, as soon as we had done going into and coming out of the lobbies, an order would come stating that His Excellency the Viceroy had been pleased to restore all the grants we had refused. I made it quite clear that we were not really refusing supplies, because it was not in our power to do so. We were simply doing all that we could do, that is to say, we were refusing to be any parties to the supplies which the Government of India wanted in order to run the Government of the country without consultation with us and without our having the slightest power to control the Executive. That was the idea. We made it clear. In coming to the conclusion we did, I am pleased to say that we were influenced also by the position of the Labour Government and by various other considerations. We thought that we had on the first day established the principle. My friend the Home Member says he has not been able to understand what that principle was. I thought I would be accused of citing matters of elementary learning when I cited certain extracts from well known books. In fact my friend the Honourable Mr. Chatterjee said that he knew those books 30 years ago, thereby implying that I was simply wasting the time of the Council in citing authorities of that character which were the A. B. C. of political science. I find, if my friend the Home Member will pardon me for saying so, that at least he has not profited by that elementary learning, because to-day he again stands up and says “I cannot see what principle has been established”. I submit, Sir, that it is one of the oldest principles that it is the inherent right of those who can grant supplies also to refuse supplies. As I pointed out then, the reason why supplies are refused is that certain grave grievances have remained unredressed in spite of all the efforts, in spite of all the available remedies, having been used. Now, Sir, that was the principle which we wanted to establish. That principle is established in free countries not merely fictitiously as we were compelled to do here, but really and in actual fact. In those countries supplies are actually refused and the Government really comes to a standstill if they are refused. I admit it that we are not capable of achieving any such results in this country. But at any rate the least that we can do is to say that we shall be no parties to granting supplies. We adopt that procedure, for what it is worth, to have as much effect as it can possibly have having regard to our disabilities.

Then, Sir, I made a statement before this House after we came to the conclusion I have referred to. I made the statement that we had established the principle according to our own judgment—of course opinions must differ—I do not expect that the Honourable the Home Member will agree with us on that point; and I said that we shall leave—I have not got the exact words before me, but I remember having said that we shall leave the discussion on the remaining grants to take its ordinary course, and such

[Pandit Motilal Nehru.]

of our friends as were interested in discussing those grants on the merits, such as had studied them, would take part in the discussion. I confessed at the time and I confess now that I did not study any part of the Budget from that point of view; the other Members did discuss it and thereby showed that we are not here, as Lord Olivier put it, like children who refuse to play. We know how to play, and we showed we could if we chose to criticise the Budget and, on the question of principle the rejection of the first four grants was taken to be enough. It has been suggested by the Honourable the Home Member that this is a sudden change of attitude. Is it a sudden change, as he calls it? After having sent in amendments for the reduction of the various taxes, this apparently sudden change, says the Honourable the Home Member, is due to certain adverse criticism which has appeared in the press. Now, Sir, there has been both adverse and favourable criticism. Perhaps the Honourable the Home Member has an eye only to adverse criticism, but criticism of any kind has nothing whatever to do with the real merits of this proposition. Suppose, however, that it is adverse criticism which has led us to raise the present question and which led my Honourable friend, Pandit Madan Mohan Malaviya, to move the rejection of the Finance Bill—does that fact in any way detract from the soundness of his arguments, if they are sound on the merits? But, Sir, I deny that any amount of adverse criticism could in the least affect us or our attitude in this matter. We are here representing our constituencies, representing the people of India; we are here to do our duties regardless of anything that might be said in this House or outside this House. We are here to do our duty according to our own lights, and we cannot do any better.

Now, Sir, after the discussion of the Demands, we have here the Finance Bill confronting us. What is our position in regard to that? I should like to know what the Honourable the Home Member expected it would be? I am sure he did not expect us to say "Aye" to the motion. He might have heard "Ayes", as he did in the case of my Honourable friend, Pandit Madan Mohan Malaviya, who informs us he never voted on any of the Demands. It is obvious that the Finance Bill, as it stands, could not possibly have our approval. Well, if it did not have our entire approval, was it merely the amendments of the various clauses proposing reductions of the various taxes that would have satisfied us? Was that all we wanted? Now, Sir, what reason had my Honourable friend to make that guess? After the statement I made that these Demands will now be discussed in the ordinary course no division was called for during the whole of the debate on the remaining grants with the exception of two. All the Demands were discussed and finished. The whole idea was to put forward all the objections that could be raised on the merits. Now what was happening in the meanwhile? Barely 10 minutes had elapsed since I had sat down on Tuesday last after making the statement which has been referred to, when a cablegram was seen on the notice board of the Assembly stating that Professor Richards, M.P., had answered in the affirmative a leading question put by a member of the House that it was not the intention in any way to interfere with the ten years' programme laid down by the Act. The words of the Under Secretary were "That is the position" or "That is exactly the position" or something of that kind. Now, Sir, that was the first experience that we had of the change of heart immediately after I had made that statement. Day after day,

elapsed and there was no sign of a Committee, a Parliamentary Committee, or even a Departmental Committee to be appointed by the Government of India. Not that a Departmental Committee would have satisfied us but I mention it to show that even the least thing that they could do was not done. And what do we find to-day? When we come to this House we find—not that we did not expect it—the very first announcement made is that the Demands that had been refused have been restored. Two or three days previously in the last issue of the Government Gazette we were treated with another little warning in the shape of new rules. What are these new rules? It has been in a manner admitted by the Honourable Sir Henry Moncrieff Smith that the Government have taken the power which the existing rules did not give them, but he said it was a power derivable from the Government of India Act and was rightly derived from it. He was further questioned as to what the Member in charge of a particular Bill might do and it was pointed out to him that after amendments to a Bill had been allowed by the House and the Bill as amended was about to be put to the vote of the House, there was nothing to prevent the Member in charge from getting up and saying "Thus far and no further. Wait, I am going to get a recommendation from the Viceroy and you will have to follow that recommendation. If you do not, then a certificate will follow." It is said that these rules had been under consideration for the last two years. I do not doubt that statement but they were sent to England only in November last, which is after the date of the manifesto which has been so much talked about. It is permissible to have a shrewd suspicion that they were meant as a counterblast, as something to meet the situation which would be created if that manifesto were to be acted upon. But what is our position after the passing of those rules? We are mere automata here; a button is pressed in the Government House and the marionettes of this House begin to dance. That is the true description of this House. We may pass amendments, we may be ready to pass a Bill as amended, but at any time it may be taken away from our hands and the Government may do as they please and call upon us to pass it as recommended by the Viceroy.

Now, Sir, these things have happened, besides the criticism in the newspapers to which the Honourable the Home Member has referred and these things have had their due weight with us. We gave enough time at least for some indication of the mind of the Government and of the manner in which it was proposed to deal with our proposition but we have been told up to this only one thing and that is that the Government pin their faith to the Government of India Act as it stands and are not prepared to consider the revision of that Act by the appointment of a Royal Commission or a Round Table Conference. I wish to say one word about this Round Table Conference. The whole thing has been misunderstood. I tried my best to explain the position in my speech in support of the amendment to Mr. Rungachariar's proposition. I said that this Round Table Conference was to be a representative conference of every conceivable interest in this country; that we wanted all of us to put our heads together and devise a constitution which was best suited to the genius of the people and the requirements of the country. That did not mean that we were going to slavishly follow any Parliamentary system adopted in a particular part of the world. It was for the representatives of the people to come together and the very first thing they

[Pandit Motilal Nehru.]

would have to do would be to decide whether any of the existing systems which have been tried in America, in England or elsewhere, or an imitation thereof would be suitable to this country or not. Our position in regard to the Government of India Act, Sir, is that it is a false beginning. You assume too much when you say to us, you people of India will have to train yourselves in parliamentary institutions before you aspire to have parliamentary rights. Your conception of parliamentary duties, parliamentary rights and parliamentary procedure may be quite different to what the genius of the people might dictate to its representatives. It is not a matter which could be disposed of in a day or two, in a week or two weeks or even in a month or two months. It requires very careful deliberation by all the members of the Round Table Conference, perhaps the taking of evidence, and a number of other things. It was not, as easily supposed, something in the nature of asking for an immediate grant of responsible government, but it certainly was a demand for an immediate admission of the claim to responsible government. That was not the same thing as actually giving or establishing responsible government. Now, Sir, it is stated in the report of the speech of Lord Olivier which I have before me :

"We claim to know by centuries of experience in Europe and America the laws and conditions indispensable for the stable working of that system, which is not native to India."

That claim admits the whole of my case. I do not want a system which is not native to India. What I want the Round Table Conference to determine is a system which is native to India and of which you have no experience in Europe or America. Your experience of centuries of Europe and America will not avail you in the least to find out what system is native to India. Lord Olivier goes on to say :

"And it is perfectly plain to us that those conditions are not established in India and cannot be established in a few months by this kind of deliberation at a Round Table Conference, or the premature appointment of a Commission under the Government of India Act."

That is a misconception of the whole case. We do not want this Round Table Conference or a Royal Commission to, as it were by magic, create conditions which do not exist in this country. We want to investigate the conditions which do exist in this country, and with full regard to these conditions and the capacity of the people, we want this Round Table Conference to arrive at a system of government, which may turn out to have many things in common with the parliamentary systems you know but not necessarily so. That, Sir, was not a thing as to which anybody could say offhand, "Oh, we are not going to consider it at all". But that is in effect what was said, and therefore we said we were thoroughly dissatisfied. Now we are told that, whatever we may say, whatever we may do, the British nation will not give any further advance unless it is satisfied that such advance will be for the benefit of the country. That is said to be the plain fact and it means that the British Parliament must in all events be the sole arbiter of the measure, the manner and the time of each advance. Now, that is a proposition, Sir, which we cannot accept, and as long as you insist upon that, so long we shall insist upon the contrary. Meanwhile whatever means are available to us we shall employ them if they are legitimate and peaceful means. We have come here to employ the means which are available to us under the Statute and under the rules, and so long as we employ those means you cannot refer to such

action as may possibly be taken or is being actually taken outside this House. We are here Swarajists and non-Swarajists, members of the Nationalist Party, to stand upon our rights as representatives of the people—rights which we derive from the Statute itself—and which we can only exercise within the four corners of the Statute and within the rules. And, therefore, so long as we are here, we must, if we want to do our duty, conform to the Act and to the rules. That is very different to what we may do outside but you cannot say, "Oh, you have changed yourselves". We have not changed ourselves at all. It all depends upon the surroundings and upon the circumstances. I said plainly and unequivocally in my first speech in this House addressing myself specially to the Treasury Benches—"We are here to offer you our co-operation, accept it if you like, and if you do, we are your men. If you do not, well we shall go out—you call it the wilderness, be it so; we shall go out into the wilderness but we do not in the least intend to deviate from the line of policy which we have laid down for ourselves outside this House." I submit it is not fair for the Honourable the Home Member to rely upon the policies and the lines of action which are open to us and which we do not mean to abandon—to rely upon them and ask those who have made up their minds as to the reasonableness of the demand which was put forward by the nation and the unsatisfactory nature of the response which has been given by the Government not to join the Nationalist Party. Given that the demand is a reasonable one, given that the answer is a most unsatisfactory one, there is open to us no other policy, no other principle, no other doctrine than the one we have adopted and no hair-splitting arguments can avoid the inevitable result that we must refuse supplies. That is what we have agreed upon and everybody knows it. The Honourable the Home Member said he is not aware of the constitution of this party. He has read all the adverse criticism of their action but not the rules of this party which have been published from time to time; even the names of the members have been published—there is no secret about it.

Now, Sir, I do not want to take up much more time of the House but would like to make one or two observations before I sit down. I have been at great pains to discover the meaning of certain very simple English words and have often wondered whether they retained the same meaning as I was taught at school and college, which they still retain in the dictionary, or whether they should be more properly used in a sense which is not explained in the books. What is said is "If you act in a particular way you are irresponsible; the Government would take it as a demonstration of irresponsibility". Now, Sir, I thought that responsibility arose out of a man's own action, his own word, his own deed. How is one man responsible for another's words or deeds, I fail to see. It is you who frame your Budget; it is you who raise the income, it is you who regulate the expenditure, and you say "If you do not say 'ditto' to what we say or do you are an irresponsible person". And then it was said—my Honourable friend the Finance Member said—that we shall by not acting as we are told be proving our unfitness for our duties. Now, Sir, however able my Honourable friend the Finance Member may be in his finance, I do not think he has any right to tell me or any other Member of the House that we are not fit to discharge our duties as Members of this House. I do not pretend to be an expert in his line, but there are things in which I think my Honourable friend will not pretend to be any better than I. But what is fitness? Fitness here means, if you see eye to eye with the Government, you are fit for responsible government. If you do certain

[Pandit Motilal Nehru.]

things which will please the Government, you are fit. I should have considered our fitness in relation to the people whom we represent, and not in relation to the Government. Whether we are fit to represent them it is for them and not for the Government to say.

Then, Sir, there is much talk of political responsibility. But I ask can there be any political responsibility without political rights in the particular department in which responsibility is cast upon a particular person?

I will not now detain the House any longer, but would like again to make it perfectly clear that what we are now doing is being done not because we have changed our minds by reason of the adverse criticism or the taunts that have been levelled at us in this House and outside it, but because we have now given up all hope of our demand being conceded. There is no sign that there will be an early compliance even with what little was foreshadowed in the speeches in this House and in the House of Lords. What we are doing, I say again, merely amounts to the strongest protest we can make. We are using the strongest weapon available to us. We can do no more. I expect that in the step proposed to be taken the House is with me—I beg the House to vote with one voice in support of my Honourable friend Pandit Malaviya, and to reject the motion to take the Bill into consideration. It will then not be necessary for us to go into the amendments proposed which were put in as a matter of ordinary precaution. My Honourable and learned friend the Home Member has misunderstood the object of the amendment. We put forward a proposition as the first to be considered. That proposition is the best, the most suited, the most liked. If that fails, as a precautionary measure, we put in a certain number of subsidiary propositions. That does not mean that the latter by reason merely of being put in first contradict the former or weaken our position when we support the main proposition. Sir, I hope I have made my position clear and I do not wish to detain the House any longer. I beg all the Members or at least all the elected Members of this House to vote in a body in support of Pandit Madan Mohan Malaviya's contention against the motion.

Sir Purshotamdas Thakurdas (Indian Merchants' Chamber: Indian Commerce): Sir, I rise to support the motion that the Finance Bill be taken into consideration. I need hardly assure my Honourable friends, the two esteemed Pandits, that I rise to support this motion with a heavy heart but after full conviction and with full determination. I have said on previous occasions, either when criticising Government or speaking on political Resolutions of other sorts, that, when the occasion arises, it is the duty of every person in this House to face it according to the best of his convictions. I feel, Sir, to-day that the occasion has arisen when I ought to, despite it be my misfortune to differ from several esteemed Members of this House, I mean especially the Indians, I ought to say frankly what I consider to be the undesirable results if this motion is carried and ask the House to give consideration to what I put before them. We are discussing the motion that the Finance Bill be taken into consideration. Most of the speeches on this motion have gone on lines which may justly be called more political than economical or purely financial. This perhaps is in keeping with the general atmosphere which is prevailing in the country and the general atmosphere which has prevailed in this House since we met here. There is a wide awakening in the country that the form of the

Government, the details regarding the constitution; and the other details, are not such as can meet with the approval of the country. The country at large has no patience with it. The country demands that an onward march be made to the next stage of progress. It is, therefore, only right that, when persons of the standing and of the sobriety of my esteemed friends, the two Pandits, get up to oppose this motion, perhaps for the first time since the Indian Councils ever met, an attitude which will rank as one without parallel till now at least with the Central Government, they should put before the Assembly what they consider to be the main underlying reasons why they recommend the House to reject the Finance Bill. May I, Sir, therefore, also ask the House to excuse me if I do not give my support to the motion that I rise to support from the point of view either of economy or of finance. The Honourable Pandit Malaviya, Sir, has told the House at great length and in great detail the number of grievances under which India is smarting to-day. To few of those would I take exception; with many of those I would agree. In fact, I have myself ventilated some similar complaints before now. But what is the relief, Sir, that is being sought to-day? The relief that this House is recommended to seek to-day is in the direction of refusing what is called the sinews of war, when this House, as a whole,—rightly or wrongly, according to the opinions of some Members of this House—voted the Budget. Having voted the Budget, I feel that it is hardly right to refuse the means by which you get the sinews of war, the means by which you get money on a basis of taxation which has been prevalent for 1, 2, 3 or 4 years in the past. For, in the Finance Bill, as far as I remember, there is no proposal to increase taxation this year, and I submit that, if the suggestion of my Honourable friends, the Pandits, is to be carried out, the country stands this year at any rate to lose, as far as the masses are concerned, more than to gain. I would be at once asked, "What is the remedy?" How long shall we continue under these galling circumstances and restrictions on our powers?" The reply is not very easy to give. In fact, I cannot put my finger on a certain button and say, "Here is the remedy". But I should like, Sir, to put before my friends here in this House one aspect of the situation as it strikes me and which gives me just a tiny little ray of hope, if you like to call it so. Till now, India has had experience of Liberal and Conservative Governments in power. Only two months back has India had the pleasure of being governed from London by a Cabinet which consists of Labour Members. If I mistake not, the Resolution moved in this House to send congratulations to the Labour Cabinet had the hearty support of my esteemed friend Pandit Motilal Nehru. Not, Sir, that I rely very much on help from London. I believe much more in self-help. But if, after all, a little friendly push from London is necessary—and none here will dare say that it is not necessary—I think there is more chance of India getting it from the Labour Government and it would not be justifiable to despair simply because we did not fare better till now under the Conservative Government.

Pandit Motilal Nehru: My support was more an act of courtesy than anything else.

Sir Purshotamdas Thakurdas: May I submit, Sir, to the Honourable Pandit that even that act of courtesy would, I think, be very fully appreciated if it was followed by a little more patience

Pandit Motilal Nehru: It was an act of courtesy and an indication of good will.

Sir Purshotamdas Thakurdas: And a little more confidence in the same persons. Sir, Lord Olivier's speech in the House of Lords has been criticised in the country as being extremely unsatisfactory. I think as an announcement by a Secretary of State from London, Lord Olivier's speech, as far as I am aware, strikes quite a different note from the speeches that we have been accustomed to till now from Secretaries of State in London regarding India. I do not wish to go into the details of it because the speech was delivered about a fortnight back and everybody must have thoroughly read and digested it. But I would like to point out that in that speech Lord Olivier does justice to India and Indian opinion in more directions than one, justice which till now was almost denied. May I, Sir, ask if it would be too much, if it would be a sheer waste of time and nothing else if I plead that a fair trial may be given to this Party in power or rather to this Party that is in office and not still in power? I am afraid the only reason for the recommendation before the House that this motion be rejected can be said to be impatience. It is not that I do not understand and do not appreciate the mentality of those who are impatient and who get impatient. In fact, I feel that it is most human for those who have been waiting and

B.P.M. watching for so many years to get impatient. But, may I put against that, the reasons why a little more self-control and a little more patience may be exercised at this stage? For, Sir, if the Finance Bill is to be rejected, what is it that we are faced with? I leave aside the question or the charge that will be laid at our doors that we have been precipitating things and that we have shown undue haste. But we will surely be told that this Assembly voted supplies and refused to vote the money with which to carry out those orders of the Assembly. Am I asking my Honourable friends too much if I ask them to consider whether this step of theirs will not give one more handle to those die-hardes,—and that there are many nobody will deny,—who revel in misrepresenting India and in misrepresenting India's ambitions and India's aspirations in the wrong way in London? Is that not to be counted with, and is that risk to be completely overlooked?

Besides these three points, there is a fourth one, a more concrete consideration which I would like the House to consider. If the Finance Bill is not to be considered by this House, the result will inevitably be, more or less certainly, certification, and under that certification, unless His Excellency the Viceroy chooses to certify the salt tax at Rs. 1-4-0, the salt tax would be certified at Rs. 2.

Mr. V. J. Patel: On his own responsibility.

Sir Purshotamdas Thakurdas: On his own responsibility, my Honourable friends says. I am afraid many things have been done by the Government of India this session on their own responsibility, but there the thing stands. If the salt tax is certified at Rs. 2, it means an avoidable twelve annas more for the salt consumer as this House can fix and can ensure Rs. 1-4-0 per maund and no more.

Mr. V. J. Patel: There are higher considerations.

Sir Purshotamdas Thakurdas: And I have referred to many of the higher considerations. Now, Sir, this, in round figures, would amount to between 3 and 4 crores of rupees. So strong I understand were the feelings of the last Assembly and so great is the solicitation of practically this whole House, as far as I have been able to judge it till now, regarding the salt duty being as low as possible, that I feel that if we can just help the lowering of the salt duty to the figure of Rs. 1-4-0 which we can easily do, it may be worth while perhaps to consider this Finance Bill. I am not, Sir, refer-

ring at great length to the other consideration which also ought not to escape the attention of this House. For instance, there are one or two very important amendments which are necessary in the Finance Bill, especially in connection with the gold thread import duty which Government proposes to put down at 15 per cent. and which if retained there will positively kill that industry which has barely begun to find its legs during the last year or two.

I confess, Sir, that the position in connection with the political outlook in India is most difficult. I admit, and I think it will be generally admitted, that it is one without a parallel either in this part of the world or perhaps in the whole world. For a number of years we continued to pay taxes without representation. Now, Sir, we are having representation without responsibility. We have been asking Government to couple the representation that we have with more responsibility, and the delay that is occurring in this is telling heavily upon India and upon Indians.

I have been told—we have heard it before now and I am sure every Member of this House wants it—that what we aim at is bloodless revolution and peaceful evolution. I heard from some Honourable Member the other day that that is our goal. May I ask, Sir, if in order to attain these, namely, peaceful evolution with bloodless revolution, it is too much to ask that statesmanship of the very highest quality be exercised and also patience and self-control. May I appeal to the House in the interests of India to exercise these and consider the Finance Bill on its merits.

Mr. President: The question is:

“That the Bill to fix the duty on salt manufactured in, or imported by land into, certain parts of British India, to remit or vary certain duties leviable under the Indian Tariff Act, 1894, to fix maximum rates of postage under the Indian Post Office Act, 1898, to reduce the import and excise duties on motor spirit, further to amend the Indian Paper Currency Act, 1923, and to fix rates of income-tax be taken into consideration.”

The Assembly divided:

AYES—57.

Abdul Qaiyum, Nawab Sir Sahibzada.
Abul Kasem, Maulvi.
Ahmad Ali Khan, Mr.
Ahmed, Mr. K.
Aiyar, Mr. A. V. V.
Aiyer, Sir P. S. Sivaswamy.
Ajab Khan, Captain.
Akram Hussain, Prince A. M. M.
Alimuzzaman Chaudhri, 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.
Hailev, The Honourable Sir Malcolm.
Hindley, Mr. C. D. M.

Hira Singh, Sardar Bahadur Captain.
Holme, Mr. H. E.
Howell, Mr. E. B.
Hyder, Dr. L. K.
Innes, The Honourable Sir Charles.
Joshi, Mr. N. M.
Lindsay, Mr. Darcy.
Makan, Mr. M. E.
Moir, Mr. T. E.
Moncrieff Smith, Sir Henry.
Muhammad Ismail, Khan Bahadur Saiyid.
Nag, Mr. G. C.
O'Malley, Mr. L. S. S.
Owens, Lieut.-Colonel F. C.
Pal, Mr. Bipin Chandra.
Percival, Mr. P. E.
Pilcher, Mr. G.
Purshotamdas Thakurdas, Sir.
Rajan Bakhsh Shah, Mukhdum Syed.
Rhodes, Sir Campbell.
Rushbrook-Williams, Prof. L. F.
Shams-uz-Zoha, Khan Bahadur M.
Singh, Rai Bahadur S. N.
Stanyon, Colonel Sir Henry.
Tottenham, Mr. A. R. L.
Turing, Mr. J. M.
Ujagar Singh Bedi, Baba.
Willson, Mr. W. S. J.

NOES—60.

Abdul Haye, Mr.
 Abdul Karim, Khwaja.
 Abhyankar, Mr. M., V.
 Acharya, Mr. M. K.
 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.
 Dutt, Mr. Amar Nath.
 Goswami, Mr. T. C.
 Govind Das, Seth.
 Gulab Singh, Sardar.
 Hans Raj, Lala.
 Hari Prasad Lal, Rai.
 Ismail Khan, Mr.
 Iyengar, Mr. A. Rangaswami.
 Jeelani, Haji S. A. K.
 Kartar Singh, Sardar.
 Kazim Ali, Mr. M.
 Kelkar, Mr. N. G.
 Kidwai, Shaikh Mushir Hosain.
 Kun, Maung.
 Lohokare, Mr. K. G.
 Malaviya, Pandit Krishna Kant.
 Malaviya, Pandit Madan Mohan.

Mehta, Mr. Jamnadas M.
 Misra, Mr. Sambhu Dayal.
 Misra, Pandit Harkaran Nath.
 Murtuza Sahib Bahadur, Maulvi
 Sayad.
 Mutalik, Sardar V. N.
 Nambiyar, Mr. K. K.
 Narayandas, Mr.
 Nehru, Dr. Kishenlal.
 Nehru, Pandit Motilal.
 Nehru, Pandit Shamlal.
 Neogy, Mr. K. C.
 Patel, Mr. V. J.
 Phookun, Mr. Tarun Ram.
 Piyare Lal, Lala.
 Ramachandra Rao, Diwan Bahadur M.
 Ranga Iyer, Mr. C. S.
 Ray, Mr. Kumar Sankar.
 Reddi, Mr. K. Venkataramana.
 Roy, Mr. Bhabendra Chandra.
 Saifiullah Khan, Mr. M.
 Sarfaraz Hussain Khan, Khan
 Bahadur.
 Shafee, Maulvi Muhammad.
 Singh, Mr. Gaya Prasad.
 Sinha, Mr. Devaki Prasad.
 Sinha, Kumar Ganganand.
 Syamacharan, Mr.
 Venkatapatiraju, Mr. B.
 Yakub, Maulvi Muhammad.
 Yusuf Imam, Mr. M.

The motion was negatived.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 18th March 1924.

APPENDIX.

Declaration by the Governor General in Council under section 67-A (7) of the Government of India Act regarding certain demands refused by the Assembly.

In pursuance of section 67-A (7) of the Government of India Act the Governor General in Council is pleased to declare that the following Demands which have been refused by the Legislative Assembly are essential to the discharge of his responsibilities, namely:—

Number of Demand.	Service to which Demand relates.	Amount of Demand refused by the Legislative Assembly.
		Rs.
1	Customs .	71,84,000
2	Taxes on Income	61,32,000
3	Salt	1,06,55,000
4	Opium	2,07,31,000

A. C. McWATTERS,
Secretary to the Government of India.

DELHI,
The 17th March, 1924.