

Wednesday, 15th March, 1922

THE  
**COUNCIL OF STATE DEBATES**  
(Official Report)

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**SECOND SESSION**  
OF THE  
**COUNCIL OF STATE, 1922**



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# COUNCIL OF STATE.

*Wednesday, the 15th March, 1922.*

The Council assembled at Metcalfe House at Eleven of the Clock. The Honourable the President was in the Chair.

## QUESTIONS AND ANSWERS.

### FINANCIAL POSITION OF THE DACCA UNIVERSITY.

111. \* The HONOURABLE MAHARAJA SHOSHI KANTA ACHARYYA CHAUDHURI: (a) Have Government received any communication from the Dacca University in regard to the general financial position of the University?

(b) If so, what is the purport thereof, and what action has been taken thereon?

The HONOURABLE MIAN SIR MUHAMMAD SHAFI: (a) The reply is in the affirmative.

(b) The Government of India have consulted the Government of Bengal. It is not desirable to disclose the contents of the letter.

### SALARY OF VICE-CHANCELLOR, DACCA UNIVERSITY.

112.\* The HONOURABLE MAHARAJA SHOSHI KANTA ACHARYYA CHAUDHURI: (a) Have Government received any communication from the Dacca University requesting them to contribute Rs. 2,000 per month towards the salary of the Vice-Chancellor?

(b) Have the Government of India entered into any agreement with the Vice-Chancellor of the Dacca University in regard to the terms of his appointment? If so, what are the said terms?

The HONOURABLE MIAN SIR MUHAMMAD SHAFI: (a) The reply is in the affirmative.

(b) The Government of India have not entered into a formal agreement with Mr. Hartog, but after obtaining the concurrence of the Government of Bengal, they had agreed to the terms on which he accepted the post which he now occupies. The terms are:—

‘The appointment to be for five years in the first instance with the possibility of an extension for a further four or five years, provided that it would be open either to Mr. Hartog or to the Government of India to terminate the engagement after the first five years on giving not less than six months’ notice. The pay of the appointment to be Rs. 4,000 per mensem with a rent-free house, travelling allowances as recommended by the Calcutta University Commission, and a first class passage out to India and back to England on retirement. As regards contributions to retiring allowance, Mr. Hartog’s contribution would be fixed at 5 per cent. of his annual salary and that of the Dacca University at 10 per cent. The appointment was to take effect, and he was to draw pay, from the date on which he took charge of the office of Vice-Chancellor in Calcutta.’

### EMBARGO ON EXPORT OF RICE FROM BENGAL.

113.\* The HONOURABLE MAHARAJA SHOSHI KANTA ACHARYYA CHAUDHURI: (a) Has the attention of Government been drawn to a

\*The Honourable Member was absent.

recent debate in the Bengal Legislative Council on the question of the embargo on the export of rice from Bengal?

(b) If so, will Government be pleased to make a statement as to their present policy in this matter?

The HONOURABLE MR. B. N. SARMA: The Government of India have had under consideration the question of removing the restrictions on the export of rice from India which were imposed more than three years ago. Before these restrictions were imposed, it was customary for India to export her superior or special qualities of rice, while at the same time counterbalancing this export by importing comparatively cheap and inferior rice from Burma, with the result that ordinarily there was very little or no net export from India and no drain on Indian stocks. Representations have been received that the continuance of the embargo on the export of rice is having a prejudicial effect on the rice mill industry and would still further weaken her hold on the markets of the world. The last harvest, both in India and in Burma, was a very fine one; the price of rice in India last year never showed the same large rise which occurred in the prices of other food-grains, and it has now fallen considerably. At the same time, there has been a heavy fall in the prices of millets. The Government of India have, therefore, now decided to remove, with effect from the 1st April, all restrictions on the export of rice from India, but they desire to make it clear that, should this measure be followed by a considerable rise in prices, the question will be reconsidered. The existing restrictions on the export of wheat (including wheat flour) and of other food-grains and pulses will be continued in full force.

The HONOURABLE LALA SUKHBIR SINHA: May I put a supplementary question to this question? Do the Government propose to remove the embargo on the export of wheat after the end of March?

The HONOURABLE MR. B. N. SARMA: There is no present intention of interfering with the existing practice.

The HONOURABLE SIR ARTHUR FROMM: May I put a supplementary question, Sir? Will the Honourable Member state whether this policy of Government on the embargo on the export of wheat has reduced prices in this country? I think the Honourable Member made some mention of this the other day. May I ask him to let me know what it was?

The HONOURABLE MR. B. N. SARMA: The question does not arise directly out of the rice question; but I may say that the price of wheat is still fairly high, especially in the Punjab, and the Government have reason to believe that the stocks are low and might have been higher but for the restrictions; and I think it would require very strong and powerful arguments to make them reconsider their position.

#### SLAUGHTER OF COWS AND CALVES.

114. The HONOURABLE LALA SUKHBIR SINHA: (i) Have Government any information as to the date from which the Resolution of the Calcutta Corporation to stop the killing of calves has been brought into operation?

(ii) Are Government aware that the Corporation has passed by 16 votes to 4, another Resolution on the 25th January 1922 to prohibit the slaughtering of cows in Calcutta?

The HONOURABLE MIAN SIR MUHAMMAD SHAFI: (i) The Government of India have no information on the subject.

(ii) The Government of India have no information beyond what has appeared in the public press.

PRODUCTION OF MEDICAL CERTIFICATES FOR CASUAL LEAVE.

115. The HONOURABLE LALA SUKHBIR SINHA: (i) Is it a fact that in the office of the Deputy Accountant General, Central Revenues, Delhi, a medical certificate is required to be produced even for casual leave? If so, under what regulation?

(ii) Is it a fact that people are punished for absence on gazetted holidays?

The HONOURABLE MR. H. A. F. LINDSAY: (i) A medical certificate is not ordinarily required in support of an application for casual leave. If, however, a man absents himself on the plea of illness, a medical certificate is, as a rule, called for, when the absence exceeds three days.

(ii) In consequence of heavy arrears of work, it has recently been necessary to confine the holidays to those immediately concerned, *e.g.*, the Moharrum holidays were granted to Muhammadans only. In these circumstances, and as leave is not a matter of right, those who absented themselves without proper excuse have been dealt with under the ordinary rule, *i.e.*, the leave so taken has been treated as privilege leave or leave without pay.

QUARANTINE CAMP AT MANDAPAM.

116. The HONOURABLE KHAN BAHADUR AHMEDTHAMBY MARICAIR: (a) Are Government aware that the Ceylon Government have established a quarantine camp at Mandapam in the District of Ramnad, Madras Presidency, for segregating the emigrants to their Colony?

(b) Are Government also aware that they insist on Indian passengers, even those who travel in upper class, going to Ceylon to undergo quarantine in their camp?

(c) Will Government be pleased to state if any action has already been taken for the needful relief on the representation made by the Government of Madras, on this subject?

The HONOURABLE MIAN SIR MUHAMMAD SHAFI: (a) Yes.

(b) Under the Ceylon quarantine regulations every passenger, unless he holds the prescribed exemption or health certificate, is required to undergo quarantine at Mandapam.

(c) The Government of Madras have informed the Government of India that the matter is still under consideration with the Ceylon Government.

LIMIT OF CASUAL LEAVE IN CERTAIN OFFICES IN DELHI.

117. The HONOURABLE KHAN BAHADUR AHMEDTHAMBY MARICAIR: Will the Government be pleased to state the limit of casual leave allowed to the office of the Deputy Accountant-General, Central Revenues, Delhi, during a year and at a stretch, as compared with other offices in Delhi, *e.g.*,

office of the Chief Commissioner, Deputy Commissioner, Chief Engineer, Deputy Accountant-General, Posts and Telegraphs, and Auditor General?

The HONOURABLE MR. H. A. F. LINDSAY: A comparative statement is placed on the table.

*Comparative statement showing the limit of casual leave allowed annually, and at a stretch, in the several offices mentioned by the Honourable Member.*

	At a stretch.	Total.
Chief Commissioner's office . . . .	10	20
Chief Engineer's office . . . .	10	...
Deputy Commissioner's office . . . .	15	15
Deputy Accountant General, Posts and Telegraph's office.	4	12
Auditor General's office . . . . no fixed limit		15
Deputy Accountant General, Central Revenue's office.	10	10

#### ABSENCE ON HOLIDAYS UNDER NEGOTIABLE INSTRUMENTS ACT.

118. The HONOURABLE KHAN BAHADUR AHMEDTHAMBY MARICAIK: Is it a fact that absence on holidays under the Negotiable Instruments Act, viz., Mohurram, Holi, and Easter, etc., entailed loss of pay and forfeiture of leave to men in the office of the Deputy Accountant General, Central Revenues, Delhi, against the provisions of the Act?

The HONOURABLE MR. H. A. F. LINDSAY: The Honourable Member is referred to the answer given to-day to part (ii) of the Honourable Lala Sukhbir Sinha's question on this subject. The office arrangements referred to in that answer are in no way contrary to the provisions of the Negotiable Instruments Act.

#### WITHDRAWAL OF EMBARGO ON EXPORT OF RICE FROM MADRAS.

119. The HONOURABLE KHAN BAHADUR AHMEDTHAMBY MARICAIK: Will Government be pleased to state when the embargo on export of rice from the Madras Presidency to Ceylon and the Straits Settlements will be withdrawn?

The HONOURABLE MR. B. N. SARMA: The answer given to question No. 113 covers this question.

#### SETTLEMENT OPERATIONS IN THE DISTRICT OF MYMENSINGH.

120. \*The HONOURABLE MAHARAJA SHOSHI KANTA ACHARYYA CHAUDHURI: (a) With reference to the answer given in the Indian Legislative Council to question No. 3 (a) and (b) on the 14th September, 1920, in regard to the excess collection of the costs of settlement operations in the district of Mymensingh, will Government refer to the answer of the Local Government which has been since published in the Bengal Legislative Council Proceedings, and lay on the table a copy of the 'General Orders' of the Government of India under which the said excess collection was stated, by the Government of Bengal in their said answer, to have been automatically credited to Imperial Revenues?

\*The Honourable Member was absent.

(b) Will Government be pleased to make a statement showing the amount of such excess collection from the different districts of Bengal during the last ten years?

(c) Are Government aware of a general public feeling in Bengal that the amounts of such excess collection should be spent on objects of local public utility in the respective districts?

The HONOURABLE MR. B. N. SARMA: '(a) and (b) The information will be obtained and supplied to the Honourable Member.

(c) As the excess collections, if any, are no longer credited to Central revenues, this part of the question does not require any action on the part of the Government of India.'

#### TRANSFER OF ADEN TO THE COLONIES.

121. The HONOURABLE MR. PHIROZE SETHNA: Will Government be pleased to state: (a) If they are aware that the Aden Chamber of Commerce which had previously favoured the transfer of Aden to the Colonies has on January 30th 1922, passed the following Resolution *unanimously*:—

"This Chamber urges that an early decision should be come to regarding the future administration of Aden, as the present state of uncertainty is detrimental to the local trading and other interests. Further, in view of the extended period over which this matter has been pending, and considering the long and important connection of Aden with India in regard to trade, the Chamber is now of opinion that Aden should remain under the Government of Bombay, and that a measure of Self-Government should be given to the local tax-payers and rate-payers as regards Municipal and harbour affairs."

(b) If this Resolution has been conveyed to the Secretary of State for India, and, if not, will it be so conveyed by the Government of India?

The HONOURABLE MR. S. P. O'DONNELL (on behalf of the HONOURABLE SIR JOHN WOOD): (a) Government had no previous knowledge of this Resolution.

(b) A copy of the Resolution when received by the Government of India will be communicated to His Majesty's Secretary of State for India.

#### MOTION FOR ADJOURNMENT OF HOUSE.

The HONOURABLE THE PRESIDENT: I have received notice from the Honourable Saiyid Raza Ali that he desires to move the adjournment of the business of the House for the purpose of discussing the matter which he states in his letter. The matter stated in the Honourable Member's letter is:

'for the purpose of discussing the policy enunciated by the Government of India in their telegram to His Majesty's Secretary of State for India on the 25th of February 1922, and the consequences of its publication.'

As Honourable Members are aware the right to move an adjournment of the House is subject to certain restrictions. I shall invite the attention of Honourable Members to the restriction contained in rule 12, sub-rule (5), which runs as follows:

'A motion must not deal with a matter on which a Resolution could not be moved.'

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The restrictions on the moving of Resolutions are contained in another portion of the rules and I invite the attention of Honourable Members to sub-clause (1) of rule 23 of the statutory rules which runs as follows:

‘No Resolution shall be moved in regard to any of the following subjects, namely:

- (1) any matter affecting the relations of His Majesty's Government, or of the Governor General or the Governor General in Council, with any foreign State’.

I have been supplied by the kindness of Government with a copy of the telegram referred to by the Honourable Member. The opening states clearly the object of the telegram:

‘We feel it our imperative duty to impress upon His Majesty's Government the necessity for a revision of the Treaty of Sevres.’

I think the Honourable Member who gives notice must see that he is proposing to debate the revision of a Treaty entered into by His Majesty's Government, and that he will agree that it is a matter very eminently affecting the relations of His Majesty's Government with a foreign State. The first portion, therefore, of the Honourable Member's notice is out of order.

The second portion of the notice deals with the consequences of the publication of the said telegram. Now it is essential also under the rules which govern motions for adjournment that the matter stated should be specific. ‘It must be a specific matter of recent occurrence.’ The words used by the Honourable Member do not relate to a specific matter. No doubt the Honourable Member has in his mind the resignation of Mr. Montagu. As regards that matter, there is a Resolution on the paper to-day, of which notice was given prior to the receipt of his notice. Therefore in this respect he is restrained by the rule against anticipation in so far as his motion is not bad otherwise for lack of definition. I am, therefore, unable to put the motion to the Council.

The HONOURABLE SAIYID RAZA ALI: Sir, without in any way trying to impugn the ruling which you have been pleased to give, I would beg leave to say that through your indulgence and through the indulgence of the Government of India, we had in this very Council Chamber discussed the foreign relations of the Government of India and of His Majesty's Government in so far as they relate to the Khilafat question alone. I may point out that only on the 21st February 1921, we discussed a Resolution on this subject, and you, Sir, and the Government of India, allowed us to discuss it in which identical questions were involved. I do not mean to say that we as of right are entitled to take up the question which has formed the subject-matter of my motion, but I would beg leave to say that so far as precedent is concerned, there is considerable authority in my favour.

The HONOURABLE THE PRESIDENT: I have no recollection of the discussion of a Resolution which transgressed the ruling I have just given, but I am clear that any debate which transgresses the rules cannot be allowed.

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#### PRIORITY FOR THE HONOURABLE SIR MANECKJI DADABHOY'S RESOLUTION.

The HONOURABLE SIR MANECKJI DADABHOY: Sir, may I make a request to give precedence to my Resolution? There are three other



Resolutions on the agenda paper, and my Resolution is placed on the supplementary list of business. I have consulted the other Honourable Members in whose names the three Resolutions stand, and they have no objection to my making this motion. I have also consulted the Leader of the House, and he has also no objection to my making this motion.

**THE HONOURABLE THE PRESIDENT:** The point raised by the Honourable Member is of some importance. The place which an Honourable Member has obtained in a ballot is, I must tell the House, indefeasible except with his consent. It is the only right and the only way by which a minority would ever be able to ensure an opportunity of bringing forward a Resolution. If the Honourable Member is correct in saying that he has obtained the consent of the Honourable Mr. Lalubhai, the Honourable Khan Bahadur Ahmedthamby Maricair and the Honourable Mr. Khaparde, I am prepared to put the motion to the House subject to the consent of the Government.

**THE HONOURABLE MR. LALUBHAI SAMALDAS, THE HONOURABLE MR. MARICAIR AND THE HONOURABLE MR. KHAPARDE:** Yes, we have no objection.

**THE HONOURABLE MIAN SIR MUHAMMAD SHAFI:** I have no objection.

**THE HONOURABLE THE PRESIDENT:** The question is:

'That on to-day's paper priority be given to the Resolution standing as No. 4 on the list in the name of the Honourable Sir Maneckji Dadabhoy.'

The motion was adopted.

**THE HONOURABLE THE PRESIDENT:** In result, therefore, the Honourable Sir Maneckji Dadabhoy's Resolution will be taken first on the list.

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## RESOLUTION *RE*: RESIGNATION OF THE RIGHT HONOURABLE E. S. MONTAGU.

**THE HONOURABLE SIR MANECKJI DADABHOY:** Sir, I beg to move the following Resolution:—

'That this Council recommends to the Governor General in Council that he be pleased to communicate to the Secretary of State for India the sense of deep regret felt by this Council at the resignation of the Right Honourable E. S. Montagu and its warm appreciation of his signal services to India generally, and more especially, in connection with the Reforms to which this Council owes its existence.'

Sir, I need offer no apology for moving this Resolution. I feel it is a task of duty, it is a task of obligation, it is a task which this Council owes to itself as the premier Council in India where the representatives of the people of India sit, to express its deep and profound sense of sorrow at the news, namely, the retirement of the Right Honourable E. S. Montagu from the office of the Secretary of State for India. Sir, I am echoing the sentiments not only of a majority of this Council, probably of all the Members of this Council, and also of the people of this country when I say that the news of Mr. Montagu's retirement has been received with great feeling and profound sorrow throughout the length and breadth of India. The news came upon the country as a bolt from the blue, and as far as I have been able to gauge the situation all over the country, at present there is one topic on the lips of every man, woman and citizen, that India has lost by Mr. Montagu's

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retirement from his office one of the most sincere and genuine friends of this country. Sir, I do not propose to enter into a discussion of the circumstances that have led to his resignation of the office of the Secretary of State for India. Probably, no useful purpose would be served by a discussion of that kind now. His resignation might be compatible with the collective responsibility of the Cabinet; his resignation might be compatible from the standpoint of Imperial interests; but I venture to state that his resignation is not compatible with the general interests of this country. This is not the time, nor the occasion, to deal with Mr. Montagu's many-sided activities or to give a history of his career, but I feel bound to state that it is the sense of this Council that in the long roll of illustrious Secretaries of State who have served this country, nobody has served this country better, nobody has served this country more faithfully and taken a more genuine interest in the progress and development of this country, than Mr. Montagu. Sir, in July 1917 when he was called upon to occupy this onerous office, every one knows of the state of excitement and dissatisfaction which prevailed in India. This country had expressed, and expressed in very strong terms, their condemnation of the administrative policy that had been adopted and pursued in this country. The whole of the Indian nation as a body had loudly cried out for reforms. The illustrious and the now famous memorial of the 19 Members of the Council had been already put forward before the Imperial Cabinet. And within a few weeks of his appointment came the famous Despatch of the 20th August 1917, which gave fresh hopes and which raised fresh ambitions in the people of this country. In pursuance of that announcement of policy, the Secretary of State, with his characteristic genius, his marked ability and his enthusiasm, set himself to work. He came out to this country, co-operated with the then Viceroy, collected first-hand information, and within a brief period laid before the country and the Imperial Parliament a remarkable sketch of reform which has now become a matter of history. Sir, had it not been for Mr. Montagu and had it not been for Lord Chelmsford, whose co-operation was willingly and cheerfully given, I say the present reforms would not have come into existence, and this Council in which we are sitting to-day would not have come into existence. Sir, I do not propose to speak to-day on the reforms enunciated by Mr. Montagu. They are now a matter of recent history. But we all know that it was he who gave one-fifth of the human race inhabiting this world the first act of civic freedom, the first instalment of political liberty, the first instalment, or contribution I may say, of self-government, which we may hereafter be able to attain and achieve in its entirety. Sir, it is thus, when we come to think of the numerous, varied and the signal services rendered by Mr. Montagu to the cause of India, his deep and all-abiding sympathy for the people of India, his constant care and anxiety to make India a contented partner in the Empire and his earnestness of purpose and his true devotion to duty, that we feel that we cannot allow this opportunity to pass without expressing our deep sentiments of sorrow in losing a Secretary of State of such conspicuous and glorious record and career. Sir, I do not propose to-day to discuss controversial matters which led to his retirement. It is advisable that on an occasion like this, we should abstain from criticisms which may be prejudicial to the country, and I speak with the language of restraint to-day particularly in view of the forthcoming Conference at Paris. At the same time, I am bound to mention, and I feel it obligatory on me to state, that the action of the Government of India in despatching the telegram which culminated in the unfortunate retirement of our beloved

Secretary of State was one that was wholly justified. I go further, Sir, and say that if the Government of India had failed to despatch that telegram, it would have been guilty of a gross dereliction of duty. The interests of this country, the interests of our fellow-Muhammadan subjects, the interests of peace not only of India but of the world made it necessary for the Government of India to have taken up that attitude, and whatever might have been its consequences from the Imperial point of view, I assert, and assert with all the emphasis which is at my command, that the action of the Government of India was a legitimate and proper one; and we are glad now to find that the Government has been earnest, and that it has done everything in its power to respect the Moslem interests of the country. Sir, there are one or two matters to which I shall make a brief allusion. This telegram, I feel, was justified. It was justified from a constitutional point of view. . . . .

The HONOURABLE MR. C. M. BAKER: I rise to a point of order, Sir. Is not the Honourable Member discussing the Treaty of Sevres and the foreign relations of the British Government?

The HONOURABLE THE PRESIDENT: He is approaching the discussion of the Treaty of Sevres. When he arrives at it I will stop him.

The HONOURABLE SIR MANECKJI DADABHOY: I say, Sir, that the telegram was justified from a constitutional point of view. India has been an original party to the League of Nations. India is a signatory to the treaty of peace. India is a signatory. . . .

The HONOURABLE THE PRESIDENT: Now, I think the Honourable Member is over the line.

The HONOURABLE SIR MANECKJI DADABHOY: If you will just hear me, Sir, I am not transgressing the rules. I will endeavour not to transgress any rule. I say that from all points of view the action of the Government of India was justified, and this Council would have held the Government of India responsible if they had failed to discharge that burden of duty.

Sir, there is one more matter to which I should like to refer. I only hope for the future of this country that the change of Secretary of State will not mean, or imply in the least, a weakening of that policy, which the Government of India has so nobly and so courageously followed in the past, of raising the people of this country from their former condition to a condition of equal partnership, of raising their political status and making this country self-respected, and helping it to take its proper place in the comity of nations. I hope, Sir, that nothing will be done to depart from a policy that has been laid down deliberately and with much wisdom, and which has now been embodied in the Government of India Act, and which has become, as I said, the Magna Charta of Indian liberty, Indian progress and Indian advancement, and regeneration. There is in the midst of all these clouds a little ray of silver lining, hope and assurance in the fact that the Premier, before leaving England for his holidays is reported to have said that so far as the Moslem feeling is concerned, it will be an important element to be borne in mind at the Conference in Paris. I will go further and remind the Imperial Government that whatever policy may hereafter be adopted, one thing should be borne in mind, and that is, that the interests of India are paramount, that India must be governed with due regard to the interests of the people, that all progress and all advancement in this country should be heartily encouraged and that steps should be

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taken gradually for the political regeneration of the people of this country, leading to their eventual emancipation from the form of government to full self-government within the Empire. I also hope that the exhortation given by Mr. Montagu on leaving the India Office that the British people should not permit their Government to vacillate or falter in the continuance of their Indian policy will be taken to heart and scrupulously observed by the people of Great Britain. We are dependent for our advancement and progress on the good-will of the people of England, and I have no doubt that, whatever reasons may have compelled Mr. Montagu's resignation, whatever political exigencies there may be that might have forced or accelerated his retirement from the office which he adorned, one fact must also be borne in mind by the people of Great Britain, that they will have to depend for the commercial prosperity of England, for the peace of Europe and for the name and prestige of Great Britain itself on the good-will and cordial friendship of the people of this country.

Sir, I shall not detain the Council any longer. I only wish to make a request that this Resolution is of great importance, and if my Resolution is accepted, the Government of India will telegraph this Council's profound regret to the Secretary of State and assure him that though he has left office, though he has officially severed his connection with India, the people of this country are extremely grateful to him for what he has done for them, and they believe and hope that from his place in the House of Commons he will still be able to render much greater service to the people of this country.

The HONOURABLE SAIYID RAZA ALI: So many and so varied are the services of the late Secretary of State for India to this country that I really find considerable difficulty in deciding as to which of them should be specifically mentioned in this House to-day. Sir, while associating myself with the remarks that have been made by the Honourable Mover of this Resolution, I must say that the activities of the Right Honourable E. S. Montagu, while as Secretary of State for India, have not only been confined to an improvement of the political status of this country in the direction indicated by the Honourable Mover of the Resolution, but there are many more services which can usefully be mentioned to the House. The great and honourable part which Mr. Montagu took in shaping and formulating the Reforms Scheme and giving it the ultimate form in which it was passed by the Houses of Parliament is a matter of common knowledge. His coming out to India at great sacrifice, devoting his time to listening to the addresses presented by the various deputations, and patiently discussing with the deputationists all sorts of schemes some of which contained crude and undigested matter are not matters for which we cannot but be grateful to the authors of the Reforms Scheme. We also know that, after the issue of the Report associated with the honoured names of Mr. Montagu and Lord Chelmsford and with the introduction of the Government of India Bill in the House of Commons, a Joint Committee of the two Houses was appointed and opportunity was given to the people of this country, as also to those in England who felt an interest in the question, to give evidence and make suggestions in order to improve the scope of the reforms. I feel it my duty to mention, Sir, that the Joint Committee in which Mr. Montagu took a very prominent part considerably enlarged the scope of the reforms. His piloting the Bill through the House of Commons with that consummate skill, all his own, has drawn the admiration of the Indian no less than the English friends

of reform movement in this country. Then, Sir, Mr. Montagu worked hard and succeeded in securing the inclusion of India as an original Member of the League of Nations. That is really a position of which,—whatever may be the opinion of a certain section of the people,—we Indians feel proud. That has very considerably raised the status of this country and given us a voice in the discussion of many matters relating to our welfare and progress as a whole to which we would not have been entitled to give expression if our country had not been a member of the League. In this connection I may also cursorily mention the grant of fiscal autonomy that has practically been conceded to this country . . .

The HONOURABLE MR. LALUBHAI SAMALDAS: No.

The HONOURABLE SAIYID RAZA ALI: I hope I am right when I say that the grant of autonomy has been practically conceded to this country . . .

The HONOURABLE MR. LALUBHAI SAMALDAS: No.

The HONOURABLE SAIYID RAZA ALI: I will repeat it and I do not think that my Honourable friend is right in contradicting me. If he believes his proposition is right I believe he will be in a position to support his statement by quoting chapter and verse. Then, Sir, another matter to which not much importance has been attached because the thing has been overshadowed by events of greater moment, was the appointment of Lord Sinha as Under-Secretary of State for India, and subsequently as Governor of Bihar and Orissa. I venture to say that, if that event had stood alone, if that bold departure in the line of Indian policy had been taken by any other Secretary of State for India, that alone would have been sufficient to entitle him to our gratitude. As it is, that is one of the many, one of the minor I dare say, important services rendered by the outgoing Secretary of State. I should also not forget that Mr. Montagu fought hard in the matter of securing to Indians in the Colonies and Self-Governing Dominions an equality of status with the residents of other parts of the British Empire. His services in this connection are too well known, and I do not think it is necessary for me to remind the Honourable Members in whose memory must be fresh the courageous and bold utterances of Mr. Montagu made only last month. It is hardly necessary for me to remind Honourable Members as to what a deep debt of gratitude we owe to Mr. Montagu in that direction. Then, Sir, I come to the part played by Mr. Montagu in connection with the Khilafat question. On this question as Honourable Members will notice I propose to move an amendment; and I think before I come to this part of my speech it would be meet and proper if I lay my amendment before the House. My amendment is, Sir, that between the words 'in connection with' and 'the reforms' the words 'the Khilafat question and' be inserted. With your permission, Sir, I would rather like to place these words at the end of the Resolution, because it was suggested to me this morning by a friend that the insertion of these words in between would not perhaps as a matter of form be so proper as if the words came quite at the end. The Resolution as I propose to amend it would be:

'That this Council recommends to the Governor General in Council that he be pleased to communicate to the Secretary of State for India, the sense of deep regret felt by this Council at the resignation of the Right Honourable E. S. Montagu, and its warm appreciation of his signal services to India generally, and more especially in connection with the Reforms to which this Council owes its existence and the Khilafat question.'

[Saiyid Raza Ali.]

Sir, ever since the Khilafat question has come to the forefront Mr. Montagu has made every effort that the view-point of India should be given that prominence and effect that it deserves. The question has assumed very great importance since the termination of the war. Very properly no efforts were made by the Mussalmans and the people of India in this direction as long as the war lasted, because every one of us thought that it was our duty not to embarrass the Government during the progress of the war. The enemies of the Empire having been defeated in 1918, the question was seriously taken up and no occasion was lost by the people of India, or what is more, I am glad to say, by the Government of India, to press the Muslim and Indian point of view on His Majesty's Government. The great efforts that were made by the Right Honourable E. S. Montagu at several Peace Conferences that took place for eighteen months in 1918 and 1919 are fresh in the memory of most of us. Sir, whatever may have been the view that has been taken of the question by the people of this country, and howsoever dissatisfied they may be on the settlement of the question as it stands to-day, it is our duty to give expression to our sense of gratitude to the Government of India, no less than to the Right Honourable E. S. Montagu, for the great efforts that were made jointly to bring about peace and contentment to the distracted people of this country on this important question. Sir, I know the delicacy of the situation and I would be the last man to say one word which would embarrass the Government of India or add to the difficulties of the situation that has arisen by the resignation of Mr. Montagu. All the same I am entitled to say that not only the Mussalmans, not only those with whom the Khilafat question is a religious matter, but all the people of India stand behind the representation that was made on the 28th of February 1922, by the Government of India and the strong support given to that representation by the Secretary of State. The situation that has followed it is most unfortunate, and I do not think I would be doing any useful service by dwelling upon it. But there is one thing, Sir, to which I may invite your attention and it is this, that we are indeed very sorry that Mr. Montagu is no longer at the helm of affairs at Whitehall. It is our duty to place on record our deep sense of gratitude to that distinguished statesman for all that he has done to espouse our cause. But, Sir, we sincerely hope that the disappearance of Mr. Montagu from Whitehall will not lead to any change of policy on the Khilafat question. That, in fact, is the reason why I considered it my duty to give notice of this amendment, because as is known to Honourable Members, among the very many services rendered by Mr. Montagu, two services are outstanding, namely, the efforts he made in connection with the Reforms Scheme and his support of our cause on the Khilafat question. Therefore, Sir, that has been my object in giving notice of this amendment, so that His Majesty's Government will not make any departure in Mr. Montagu's policy so far as the Khilafat question is concerned. It only remains for me, Sir, to say that the memory of Mr. Montagu will remain enshrined in the hearts of a grateful people, and that generations yet unborn will ever remember with gratitude how this distinguished statesman laboured continuously for five years, through good repute and evil, to secure for India and its people a position worthy of them.

The HONOURABLE MR. SETHNA: Sir, with your permission I should like to add a few words by way of an amendment to the original Resolution moved by my Honourable Friend, Sir Maneckji Dadabhoy; this amendment is in consonance with the wishes expressed by him in his speech. I have

sent to the Secretary's table notice of my amendment which is as follows :  
That the following words be added at the end of the Resolution :

*' and that a copy of the Resolution be conveyed by telegram to the Right Honourable E. S. Montagu.'*

Sir, the news of the resignation of the Right Honourable E. S. Montagu, in the words of the Mover of the Resolution, came upon the Indian public as a bolt from the blue. We were well aware that for some time past because of his whole-hearted devotion to the cause of India Mr. Montagu was not a *persona grata* with some of his Colleagues in the Cabinet and also with the Die-hards in Parliament, and that a section of the British public were doing their level best to undermine his influence and longed for his removal from the office of Secretary of State for India. We are well aware that the amendment to the address from the Throne which was moved a month ago in the House of Commons was intended to be a vote of censure on the Right Honourable E. S. Montagu. The rejection of that amendment by an overwhelming majority gave us hope that we would be safe in reckoning that Mr. Montagu would continue in office till the life of the present Government. It is often the unexpected that happen, and such is the case in the present instance, for we have lost the services of the man at the helm of affairs who was most essential at Whitehall in the present very trying and critical period of India's history.

Mr. Montagu has befriended India in a manner and to an extent as not one single one of his 21 predecessors in office has done. Perhaps the youngest and certainly one of the ablest, if not the ablest of them all, he soon realised that Indians would soon break through the leading strings by which they were held together for so long, that the Morley-Minto Reforms had not gone far enough, and that for the security of the Empire, as well as for its good name, it was necessary that substantial reforms should be immediately granted to this country. From his speeches made as Under-Secretary of State, which position he occupied during the years 1910-1914, great expectations were raised should he ever attain to the position of Secretary of State for India. He was appointed to that office in July 1917, and as my Honourable Friend, Sir Maneckji Dadabhoy, has pointed out within only a few weeks, he made that memorable pronouncement of August 20th, 1917, which we can truly look upon as the Magna Charta of this country, and for which his memory will endure in this land for ages to come. The Montagu-Chelmsford Reforms bear their joint names as we know, but we also know that perhaps by far the larger share in that scheme was due to Mr. Montagu and not to the late Viceroy. . . .

The HONOURABLE SIR WILLIAM VINCENT: May I rise to a point of order? Is the Honourable Member right in making a reflection on the late Viceroy of India? Is it good taste to do so?

The HONOURABLE THE PRESIDENT: I think the Honourable Member has no intention of making a reflection.

The HONOURABLE MR. SETHNA: I only say that India knows and believes that the Reforms are more due to Mr. Montagu than to Lord Chelmsford. I mean nothing else. The country is indebted to Lord Chelmsford for his share, but the country is ever so much more indebted to Mr. Montagu for what he has done. Mr. Montagu worked hard at these Reforms. He overcame no end of opposition, and to use his own words, when the Indian Reforms Bill passed the third reading he looked upon that event as 'the proudest moment of his life.' He also observed on that

[Mr. Sethna.]

occasion that his one ambition in life was to have the privilege of commending to Parliament what he believed to be the only justification of the Empire, namely, the step of self-government for India. To his mind, he said, the only Imperialism worth having was a trusteeship intended to develop the country under the British flag into a co-partnership in the Commonwealth.

Sir, at every step of his career as Secretary of State, Mr. Montagu has done all he possibly could to advance the cause of India. Only a year ago just about this very time a very strong deputation from Lancashire waited on him in connection with the Cotton Excise duties, and no matter what differences of opinion there may be between my Honourable Friend, Mr. Lalubhai Samaldas, on my right, and my Honourable Friend, Saiyid Raza Ali, on my left, as to the question whether India has been given fiscal autonomy or not, Mr. Montagu informed that deputation that India had a perfect right to deal in its own interests so far as the question of fiscal autonomy was concerned just in the same manner as does Great Britain or any of the Dominions. It is not unlikely that we may have repetition of the same trouble from Lancashire in regard to these duties, and that perhaps within the next few days. The manner in which the new Secretary of State will deal with that question will be a proper test to judge how the Home Government means to carry on its promises in regard to the future of India, now that Mr. Montagu is no longer in the Cabinet to fight our battles.

Further, a very fitting tribute was paid by his Colleagues, the Maharao of Cutch and the Right Honourable Mr. V. S. Srinivasa Sastri, to Mr. Montagu in regard to the excellent work done by the latter for India at the Imperial War Conference. Both these Indian representatives observed that the support which Mr. Montagu gave to India's cause has placed India under a debt of deep gratitude to him. They said that Mr. Montagu could not have been a stronger and a more sympathetic advocate of India's interests even if he were an Indian himself. The least therefore we can do, is to pass this Resolution and to convey to Mr. Montagu personally and to convince the British public that all India deplores the resignation of Mr. Montagu, as she would be parting from a sincere, tried and well-trusted friend.

Sir, his resignation in regard to which we have read so much within the last two days is due, no doubt, to causes other than what were at first given out, but as it is ruled from the Chair that we should not refer to the circumstances of his resignation, I shall not enter into any details. Perhaps his resignation has assured a slight extension of life to the present Government, but it looks as if its days are numbered and that the country is in the throes of a general election. If Mr. Montagu's party comes into power, it will be a proud day for India; if his party will offer and if he will accept again the office of Secretary of State for India and continue to advance yet more the position and the prestige of this country and its people. (Applause).

Mr. Montagu's resignation in the minds of the general public, and as has been said by the previous speakers, gives rise to the fear that perhaps the policy laid down by him may not be pursued in the future, for we know that in the past while Government have tried to keep pace with the pressing demands of the ceaseless march of time, they have also in the same breath tried to retain its ancient character and thereby presented the appearance



of the texture of the faithful Penelope unravelling by night what is woven by day. I trust that Government will recognise that there is now no going back but that there is to be one steady and onward move. The  
 12 noon. Reforms have not opened the flood gates. We recognise with gratitude that a certain amount of water has been let out. Let us hope that the Government will act in a manner whereby more water will be gradually let out until the gates are thrown wide apart. Sir, discontent is cited as perhaps one of the main roads to progress. Discontent leads to desire and desire to volition and to will. Nothing will now keep back this country from attaining its cherished desire of complete self-government as an integral part of the British Empire, and I for one have sufficient faith in the British Government that they will by no means retrace the steps they have taken at the instance of the Right Honourable the Secretary of State who by force of circumstances has been compelled to resign his post to the great regret of the millions of this country.

The HONOURABLE THE PRESIDENT: To the Resolution under consideration, amendment moved:

'At the end, after the first amendment, insert the words 'and that a copy of this Resolution be conveyed by telegram to the Right Honourable E. S. Montagu.'

The HONOURABLE MIAN SIR MUHAMMAD SHAFI: Sir, the Resolution moved in such eloquent language by my Honourable Friend, Sir Maneckji Dadabhoy, as amended by the Honourable Saiyid Raza Ali and further amended by the Honourable Mr. Sethna, gives expression to the sense of deep regret felt by this Council at the resignation of the Right Honourable E. S. Montagu and its warm appreciation of his signal services to India generally, and more especially in connection with the Reforms to which this Council owes its existence, and the Khilafat question. If adopted by this House, it will be not only our duty but also our pleasure to communicate this Resolution to the right quarters by telegram as requested in the amendment moved by the Honourable Mr. Sethna. Honourable Members who preceded me have, in their speeches, given in some detail the services which the late Secretary of State rendered to the cause of constitutional progress in India as well as to the Khilafat cause. It is unnecessary for me to add anything to that list. But there were one or two statements made by one or two speakers with reference to which it is necessary for me to say a few words. It has been assumed, I believe, in more than one speech delivered in this House this morning that the announcement made in the House of Commons on the 20th of August 1917, was due to the initiative of the Right Honourable E. S. Montagu. As a matter of fact, that announcement was due to the initiative of Lord Chelmsford taken before Mr. Montagu took up office as Secretary of State for India. The form of the announcement of course was one which was finally decided upon when actually made in the House of Commons, but the initiative towards the declaration of a policy calculated to satisfy Indian sentiments was taken by Lord Chelmsford. The Honourable Sir Maneckji Dadabhoy expressed an opinion that the action of the Government of India in sending the telegram the publication of which ultimately led to Mr. Montagu's resignation was perfectly legitimate and proper. I do not know that the legitimacy and the propriety of sending that telegram has been questioned in any quarters either out here in India or in England. As a matter of fact, if I remember aright, the Right Honourable Austen Chamberlain, in one of his declarations, has clearly admitted that the Government of India acted properly in acquainting His Majesty's Government with the views of the people of India, and that they were perfectly within

[Mian Sir Muhammad Shafi.]

their rights in asking for permission to publish that telegram. The resignation of Mr. Montagu is the result of permission given to the Government of India to publish that telegram without consulting the Cabinet.

It was further stated by more than one Member that the resignation, they hoped, did not indicate any change of policy either with regard to the Khilafat or with regard to the Reforms. In so far as we are aware, nothing has been said by any authority at any stage of this controversy in England which justifies any such fear. There is no ground for the fear which has been expressed by more than one speaker. In connection with what the Honourable Saiyid Raza Ali said towards the end of his speech, may I invite the attention of the House to the question put in the House of Commons by Sir John Rees and the answer given to that question by Mr. Chamberlain? Sir John Rees asked the Prime Minister whether, in view of the unfortunate effect upon Muhammadans in India of the resignation of the Secretary of State following immediately upon the publication of the Government of India's pronouncement, some signal and decisive repudiation of any want of sympathy with the Indian Moslems on the part of His Majesty's Government can be devised and may be expected. Mr. Chamberlain replied as follows:

'If my Honourable Friend will read the letter in which the Prime Minister accepted the resignation of the late Secretary of State he will see that that resignation had nothing to do with the merits of the policy advocated by the Government of India, but only with the publication on the sole responsibility of my Right Honourable Friend.'

Then, further on, Mr. Chamberlain observed:

'The views of the Government of India and of Indian Moslems have been most fully before the Government and the Peace Conference and have received most careful and sympathetic consideration from His Majesty's Government. Our object has been, and is, as I stated the other day, to secure a just and honourable peace between the belligerents.'

As I said before, Sir, this Resolution, if accepted by the House, will be communicated to the right quarters by telegram.

THE HONOURABLE COLONEL SIR UMAR HAYAT KHAN: Sir, as a Muhammadan representative, it is my duty to thank the Honourable Mr. Montagu for the sacrifice which he has made for our cause and we feel also that he should have suffered on our behalf when another committing the same sort of mistake has been let off. Then, Sir, being a soldier, I am very grateful to him. When I represented the case of soldiers that they should be given franchise, he at once took the matter up, and all the soldiers owe him a debt of gratitude for all that they have got. As regards the Council itself, Sir, I think it is in some ways better than the previous one. On these grounds I support the Resolution.

THE HONOURABLE MR. BOROOAH: I beg to associate myself with this Resolution. Sir, I regard the resignation of Mr. Montagu as a misfortune both to India and England, especially at a time like this; and I suppose that many in this House, as well as many outside this House, will agree with me when I say, that India will ever remember Mr. Montagu with nothing but feelings of great admiration and gratitude. India expected much from Mr. Montagu, and Mr. Montagu has done much for India. Sir, let us hope that his resignation does not signify any change whatever in the Indian policy of His Majesty's Government, and that the angle of vision which was fixed in the year 1917 still remains the same, and that it has not been and will not be affected in the least. I have nothing more to add except that I support, and support very warmly, every word of the

very able speech with which the Honourable and distinguished Mover has introduced his Resolution. I support the Resolution. I support both the amendments as well, which appear to me to be quite appropriate.

The HONOURABLE MR. G. S. KHAPARDE: Sir, I rise to support this Resolution, on grounds some of which have not been adverted to, and one ground which I put forward, is the immense trouble which the Right Honourable E. S. Montagu took. I saw him when he was in India. From morning to evening he would see deputation after deputation, receive representation after representation, and I remember we also submitted our views. The scene got transferred and I happened to be in England also at the time. At that time everybody desired more, nobody said that what was given was enough. All the Indians taken together, each one of them in one way or another desired a little more. But still there were many parties. Some were willing to take what was given and be content. There were some, among whom I was one, who were willing to take what was given but press for more and resented that more was not granted. There was a third party which said that they did not care for anything at all. The party to which I belonged, I remember, was introduced to the Secretary of State and was readily heard. We went there individually, and collectively, placed our views and were patiently heard. In the meantime there was a party of English politicians who were entirely opposed to these reforms and thought that they were too early and too great and ought not to be given. They also approached the Secretary of State and, I believe, they made their representations and their voice was heard in the Joint Committee which ultimately decided the form and contents of the Government of India Act. I happened to be at the National Liberal Club and also at the antechamber of the India Office where the Secretary of State used to sit, and they were crowded with people who went to make one representation or another. I wondered at the immense amount of trouble the Secretary of State was taking. I am sure if I were the person concerned and if all these representations came to me and all these arguments were urged before me, I suppose I should have liked a few hours' rest before I should be able to say anything at all. But that was not so in his case. The Secretary of State listened to them all. Then you would find him in his place in the House of Commons arguing the matter till about midnight and sometimes very late with great patience and with immense sportsmanship. Each time he opposed but he would not create a feeling that he was opposing. He would consent, but would not allow it to be thought that he was conceding anything. He had always certain ideas that he carried in his mind which he pressed forward and forward and very successfully too, that excited my admiration. I admired it at the time, I have always admired it ever since, and this particular occasion when he retires from office brings them all to my mind and I still feel—I have no doubt that there is as good fish in the sea as ever came out of it, and England is a rich country, rich not only in the sense of having much money, but in the sense of having statesmen and good soldiers and wise people—I still feel and cannot help feeling a sort of loss that Mr. Montagu will not be at the India Office for the reason that we have come in contact with him and spoken to him personally and he is in a certain manner in our good books. I have no doubt his successor will be equally good, equally honest, equally strong, equally painstaking and equally able. I have no doubt about that, but I have this doubt that there will not be this personal tie, this personal acquaintance and personal knowledge, and that makes me feel the loss. I therefore most heartily support this Resolution and the idea of its being communicated to him personally.

The HONOURABLE SARDAR JOGENDRA SINGH: I do not very much like a funeral oration. The time will right itself in a more clear and certain way. I am, however, one of those who believe that Mr. Montagu read the heart of India correctly and tried to give India an institution which will throb with the heart of India. There are many who think that the constitution as given would not work in the interests of India. I do not agree with them. I was talking to a very high official yesterday on the eve of his retirement. He told me that the racial bitterness was very difficult to eliminate from our relations in this country. If that is so, government becomes very difficult to carry on where any bitterness between the rulers and the ruled exists. What was the remedy? Mr. Montagu and His Majesty's Government tried to meet this new demand and created a constitution which would expand with the desires of the people. Therefore, I think that Mr. Montagu not only served India but served the Empire in providing for India a Government strong and capable of expansion as time goes on, and as such we owe him a deep debt of gratitude. The telegram which the Government of India sent representing the views of India is, as the Honourable Mian Sir Muhammad Shafi pointed out. . .

The HONOURABLE THE PRESIDENT: Will the Honourable Member kindly raise his voice? I cannot hear one word.

The HONOURABLE SARDAR JOGENDRA SINGH: The telegram which has brought about the resignation of Mr. Montagu, as the Honourable Mian Sir Muhammad Shafi has pointed out, was supported by the Government of India, and nobody in England has raised any question as to the right of the Government of India to represent its views. The question is about its publication. One heard a great deal of the open-door diplomacy when peace was concluded. This is one instance of open-door diplomacy where the Government of India has been thrown over by His Majesty's Government, and I am greatly surprised that the Government of India has not defended its action very strongly in sending the telegram and representing India's cause in the Council that is going to meet in Paris.

In the new times it will always be a question as to how these sister communities, as they have been designated, are going to represent their views at Councils where general questions relating to them are going to be submitted. Personally, Sir, I think that the acceptance of the resignation of Mr. Montagu has done more to endanger a peaceful settlement than anything else. It is known all over the world that the French support the Moslem cause. . . .

The HONOURABLE SIR WILLIAM VINCENT: I rise to a point of order, Sir. Is the Honourable Member in order in referring to these points when His Majesty's Government are now dealing with the Treaty of Sevres?

The HONOURABLE THE PRESIDENT: The Honourable Member in possession of the House is so inaudible that it is impossible for me to follow him. He must avoid the Treaty.

The HONOURABLE SARDAR JOGENDRA SINGH: I had just a touch of fever and cold yesterday and find it difficult to talk loud; however I will raise my voice, Sir. There is not very much more to say except to support warmly this Resolution and to point out that the future policy of His Majesty's Government will depend more on how we work the constitution out here than on any Secretary of State that comes to the helm.

The HONOURABLE LALA SUKHBIR SINHA: Sir, I rise to give my full support to the Resolution that has been moved by my Honourable Friend, Sir Maneckji Dadabhoy, as amended by my friends, the Honourable Saiyid Raza Ali and the Honourable Mr. Sethna. The Resolution, if passed by this Council, will be a recognition of the services of the Right Honourable E. S. Montagu who was the founder, father and organiser of the Reforms Scheme, if I may be allowed to say so. Sir, this Council owes its existence to the Reforms Scheme; and, as he was the founder and as we expected much from him, it is our duty to pass this Resolution without any voice of dissent. Although he is out of the Cabinet now, we expect that he will not be silent and that he will do his best for India in future also. With these few words I strongly support this Resolution.

The HONOURABLE CHOWDHURI MOHAMMAD ISMAIL KHAN: Sir, I rise to support the Resolution moved by my friend, Sir Maneckji Dadabhoy, and the amendments moved by my Honourable Friends, Saiyid Raza Ali and Mr. Sethna. It is needless for me to repeat . . . . .

The HONOURABLE THE PRESIDENT: The Honourable Member must raise his voice; he is quite inaudible.

The HONOURABLE CHOWDHURI MOHAMMAD ISMAIL KHAN: It is needless for me to repeat all that Honourable Members have said. Suffice it to say that I agree with them. Looking from a Muhammadan point of view I feel it my bounden duty to say that the Right Honourable E. S. Montagu was a true friend of the Muhammadans, and his resignation at this juncture has come as a bolt from the blue. Though an assurance has been given that Muhammadan interests will not be affected by this resignation, the Muhammadans feel that they have become orphans and that the champion of their cause has been sacrificed at the altar of political party feeling. It was the late Secretary of State who gave a sympathetic hearing to the Muhammadan claims and safeguarded their interests in the reformed Councils. He also championed the Khilafat cause and I associate myself with the Honourable Mover in expressing my deep sense of regret and that of the Muhammadan community at the untimely resignation of Mr. Montagu.

The HONOURABLE MR. LALUBHAI SAMALDAS: Sir, I yield to none in the Council who have preceded me in my respect and admiration for the *ex*-Secretary of State, but memories must be short if we forget what previous Secretaries of State have done for India. My Honourable Friend, Sir Maneckji Dadabhoy and others said that he has done what no others have done and that he has been the best Secretary of State for India. Sir, as a student of one of the greatest Secretaries of State that we have seen, Lord Morley, I think it is not fair that we should forget what Lord Morley did for this country. He was a friend, philosopher and guide to many of us educated Indians here, and we realise that it is he who first set the ball rolling. Sir, there is another name that ought to be mentioned in this connection. I believe my Honourable Friend, Mian Sir Muhammad Shafi, perhaps referred to him when he said that although the announcement of the 20th August 1917 was made in the time of Mr. Montagu, it was actually drafted and prepared by, if I mistake not, Mr. Chamberlain, and the credit is as much due to Mr. Chamberlain as to anybody else. I believe I am right in saying that. Though Mr. Montagu has done a lot for us, we cannot forget what the previous Secretaries of State have done for the country. My Honourable Friend, Mr. Sethna, who never uses an unkind word, somehow or other referred to Lord Chelmsford—I do not think he meant it—possibly what he meant was—I hope I am expressing his views correctly—that

[Mr. Lalubhai Samaldas.]

the recommendations of the Montagu-Chelmsford Report were whittled down by the later recommendations of the Government of India; and if he had thrown the blame on my friend who sits opposite, perhaps he would have been better able to defend himself. . . .

The HONOURABLE MR. SETHNA: I referred to him as the mouth-piece of the Government of India.

The HONOURABLE MR. LALUBHAI SAMALDAS: He would have been able to defend himself, but I think we have no right to go back and criticise a Viceroy who is not present here. Then there is one matter to which I would like to refer, which is a personal matter. My Honourable Friend, Saiyid Raza Ali, said that we have got fiscal autonomy or, as he put it, practically fiscal autonomy. If he had been present in this Council, when I moved a Resolution on the subject he would have seen my Honourable friend who sits opposite to me had to use all his diplomacy to get it defeated; he got the Honourable the Commerce Member and the Law Member to take the issue on a side track and to say that it would wreck the reforms if it was carried. If my Honourable friend, Saiyid Raza Ali, was present at the time it would not have been necessary for me to convince my Honourable friend that fiscal autonomy . . . . .

The HONOURABLE THE PRESIDENT: I can quite believe that the subject is one to which the Honourable Member is very much attached and would like to refer to, but really it is not relevant to the present discussion.

The HONOURABLE MR. LALUBHAI SAMALDAS: Then, there is another matter, Sir, which is also a personal matter. . . . .

The HONOURABLE SAIYID RAZA ALI: On a point of order, Sir. Are we here to discuss personal matters? I thought that we were here to discuss public questions. My Honourable friend is constantly referring to personal matters.

The HONOURABLE MR. LALUBHAI SAMALDAS: The Resolution that was passed in the Council expressed its disapproval of the action of the Secretary of State as regards the issue of 7 per cent. sterling loan. As the mover of that Resolution, I may say that I never meant that as a vote of censure on the Right Honourable E. S. Montagu. I think I had better make that position clear, because if I support this Resolution without making my position clear, it may be said that I was not consistent.

The HONOURABLE SIR ZULFIQAR ALI KHAN: Sir, when we pay a tribute of admiration to the *ex*-Secretary of State we convey the general feelings of the people outside this Council. Sir, coming as I do from a province which is largely inhabited by Muhammadans I beg leave to say that when the announcement of Mr. Montagu's resignation was made a feeling of consternation went from one end of the province to the other, and I dare say that the same feeling prevails in other provinces, because questions and problems of very great importance and moment are at present pending before the statesmen of Great Britain, and Mr. Montagu being one of the most prominent men who took interest and deep interest in the right solution of the Muhammadan problems, his resignation must be deeply regretted. Sir, our judgment of his career must be influenced by the result of our examination of his great work. The Honourable the Education Member said in his speech that Lord Chelmsford was primarily responsible for the initiative taken in connection with the

Reforms in India. Sir, without in any way depreciating the efforts made by that statesman, I may say that those who have read Lord Morley's 'Recollections' will see what potential personalities can do in a matter of initiative of this kind. Lord Morley in his 'Recollections' has clearly said, or he has implied it in so many clear words, that although the Despatch was sent by the Viceroy from India, yet the inspiration came from himself and he was the author of those Reforms. In the same manner, Sir, I would say that it was Mr. Montagu's personality which was responsible for these reforms. Sir, as soon as he accepted office as Secretary of State for India, he immediately took stock of the situation in the Empire. His weighty and momentous pronouncement of 20th August 1917 will remain as an act emanating from a statesman distinguished for foresight and sympathy. His noble work in this connection, while it is being appreciated now by us in India, will be appreciated perhaps more by posterity. History will record, as it has recorded in the past, the coming and going of men, but it is only the benefactors of nations who will shine in history and who will be remembered. While carrying through these reforms he met with opposition and obstinacy at every turn, but it was due to his great perseverance that he won the battle, and to-day we meet here and see the result of his great statesmanship. Sir, these Councils are the result of his energy and foresight; he has made us feel ourselves more representative and more responsible, and I hope that this liberal policy which he harmonised with the old traditions of Great Britain will be continued in the future by those who succeed him in office. There is no doubt that every reform creates new difficulties of adjustment, but a man who is responsible for the management of great Empires must be guided by rectitude and sympathy, and the result he must leave to God and I hope that in this matter this result will conduce to the tranquillity and peace of the Empire.

Sir, the announcement made by my Honourable Friend, Mian Sir Muhammad Shafi, that the statement made in the lower House in England that the same policy with regard to the Khilafat question will be continued by Mr. Montagu's successor and that the Muhammadans of India need not have any misgivings on this point will, I am sure, create feelings of rest in the minds of my countrymen. Sir, with these few words, I beg to support the Resolution moved by my Honourable Friend, Sir Maneckji Dadabhoy.

**THE HONOURABLE LALA RAM SARAN DAS:** Sir, I rise to heartily support this Resolution. Two of my colleagues have strongly but rightly spoken in support of this Resolution and have described in detail the signal and unparalleled services which the Right Honourable E. S. Montagu has done to India. The Indians rightly regard him as a great soul, a genius, an eminent statesman, a high personality of strong perseverance and firm in his views. We fail to understand why our Premier Mr. Lloyd George should have differently treated the late Secretary of State for India in asking him to resign. . . .

**THE HONOURABLE SIR WILLIAM VINCENT:** May I again rise to a point of order, Sir? May I ask the Honourable Member if he does not think it would be wiser to exclude questions of policy of His Majesty's Government in a discussion which is solely meant to convey the gratitude of India to the Right Honourable E. S. Montagu?

**THE HONOURABLE THE PRESIDENT:** I observe with great satisfaction the restraint shown by Honourable Members throughout this debate,

[The Honourable the President.]

and I think it would certainly be most wise to exclude questions of policy in this discussion.

The HONOURABLE MR. K. V. RANGASWAMY AYYANGAR: I should object to the Honourable Sir William Vincent, who is not a Member of this Council, rising to a point of order. I think it is only Members of this Council that have the right to submit a point of order.

The HONOURABLE THE PRESIDENT: The Honourable Member is perfectly right in rising to a point of order.

The HONOURABLE LALA RAM SARAN DAS: What I wanted to show was the sentiments of Indian people on this question. With due deference to what the Honourable the Home Member has said, I do not wish to cast any reflections. . . . .

The HONOURABLE SIR EDGAR HOLBERTON: I am sorry, Sir, I cannot hear the Honourable Member.

The HONOURABLE LALA RAM SARAN DAS: What I say is that I do not want to cast any reflections upon our Premier. We are equally grateful to our Premier for getting through the reforms which we are now enjoying. But, at the same time, I want to give expression to the sentiments of Indians—I should say, the majority of Indians—who think that certain other Ministers—in case I am allowed to mention names, Lord Milner, the Right Honourable Mr. Churchill and Colonel Amery have equally violated the same doctrine. . . . .

The HONOURABLE MIAN SIR MUHAMMAD SHAFI: Is my Honourable Friend in order in mentioning these names and criticising them?

The HONOURABLE THE PRESIDENT: The Honourable Member is not approaching the subject in the same good taste and with the same restraint as has been up to now manifested in the debate.

The HONOURABLE LALA RAM SARAN DAS: Well, Sir, we, all Indians, deplore this resignation and express our sense of deep gratitude that we owe to the outgoing Secretary of State. With these words, Sir, I heartily support the Resolution.

The HONOURABLE MR. C. M. BAKER: Sir, the Honourable the Mover of the original Resolution proposed a vote of appreciation. I do not know whether he realised it, but, at the same time, he was really proposing two votes of censure. First, by his silence, he proposed a vote of censure on the late Viceroy, Lord Chelmsford, the real originator and author of the reforms. That mistake has already been corrected. Secondly, not by silence, but in many words, he proposed a vote of censure on the British Government in connection with its foreign policy. . . .

The HONOURABLE MIAN SIR MUHAMMAD SHAFI: May I point out, Sir, that the Honourable Member is out of order in referring to the British Government and the policy of the British Government? No one has raised the question of the British Government—neither Sir Maneckji Dadabhoy nor any of the speakers.

The HONOURABLE THE PRESIDENT: It would have been better if a personal explanation had come from Sir Maneckji Dadabhoy.



The HONOURABLE SIR MANECKJI DADABHOY: Sir, I must say that I am extremely surprised. . . .

The HONOURABLE THE PRESIDENT: The Honourable Member may not make a speech. He may give a personal explanation.

The HONOURABLE SIR MANECKJI DADABHOY: I am not only surprised, Sir, but I am pained to see that the Honourable Mr. Baker should seriously tell this Council that in moving my Resolution I am not only censuring the former Government. . . .

The HONOURABLE THE PRESIDENT: The Honourable Member may make a statement on a point of fact.

The HONOURABLE SIR MANECKJI DADABHOY: My statement, Sir, is that the statement made by the Honourable Mr. Baker is egregiously wrong and unwarranted.

The HONOURABLE SAIYID RAZA ALI: We have not discussed the attitude of the British Government.

The HONOURABLE SIR MANECKJI DADABHOY: No.

The HONOURABLE MR. C. M. BAKER: Sir, I am glad to accept the Honourable the Mover's explanation that he does not mean any censure on the British Government though I find it hard to reconcile with his language. I do not think, Sir, that this motion will serve any useful purpose. If the late Secretary of State did well, he needs no praise from us. If he did ill, this is not the time to say so. If any Honourable Member has anything to say against his policy, he will not choose this moment for saying it. It would be like writing disparaging remarks on a tomb stone. It is clear that the Resolution cannot really be debated and will not serve any useful purpose. But the original Resolution, as it is worded, is open to no objection. The censures to which I have alluded do not stand in the original words of the Resolution. They were put in by the Honourable Mover in his speech. I have no objection to voting for the Resolution as a polite formality. But the amendment. . . . .

The HONOURABLE MIAN SIR MUHAMMAD SHAFI: Sir, I move that the question be now put.

The HONOURABLE THE PRESIDENT: The Question is that the question be now put.

The motion was adopted.

The HONOURABLE THE PRESIDENT: The question is that the following amended Resolution be adopted:

'This Council recommends to the Governor General in Council that he be pleased to communicate to the Secretary of State for India the sense of deep regret felt by this Council at the resignation of the Right Honourable E. S. Montagu, and its warm appreciation of his signal services to India generally, and more especially in connection with the Reforms to which this Council owes its existence and the *Khilafat question*, and further that a copy of this Resolution be conveyed by telegram to the Right Honourable E. S. Montagu.

The Resolution was adopted.

The HONOURABLE SIR EDGAR HOLBERTON: I think it would have been more in order, Sir, with due respect, to have put the amendments first.

The HONOURABLE THE PRESIDENT: I should certainly have done so in the ordinary way, but nobody opposed the amendments. I put the Resolution as a whole as there was no sign of opposition to either amendment.

The HONOURABLE SAIYID RAZA ALI: Sir, will the Leader of the House be pleased to send to England to His Majesty's Government a short summary of the proceedings of this debate?

The HONOURABLE THE PRESIDENT: I have no doubt that if the Honourable Saiyid Raza Ali will speak to the Leader of the House outside this House, he will be delighted to give him an answer, but he is not in order now when the Resolution has been put and carried.

The HONOURABLE SAIYID RAZA ALI: I want to put the question to him through you, Sir. That is the only channel through which I can approach him in this House.

The HONOURABLE THE PRESIDENT: I am afraid the Honourable Member has chosen a defective channel.

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#### RESOLUTION *RE* CARRIAGE OF GOVERNMENT AND RAILWAY MATERIALS.

The HONOURABLE MR. LALUBHAI SAMALDAS: Sir, I beg to move that:

'This Council recommends to the Governor General in Council to issue instructions to the Departments concerned to give Indian Shipping Companies an opportunity of quoting for the carriage of Government and Railway materials from any ports to India, and to give them preference if their quotation is approximate to that of other Companies.'

Sir, I think it will be accepted on all sides that each nation has a natural desire to have its own mercantile marine, and wherever they have no mercantile marine, these nations have by the grant of subsidies, bounties or other concessions, tried their best to create such mercantile marine, and that is a justifiable action. The object of having a mercantile marine of its own, is that the country or the nation may have full control over the transport of its imports and exports. If it has no mercantile marine of its own but has to depend upon other countries for the transshipment of their imports and exports, the nation will be at the mercy of that country, and it is in self-defence that each country would like to have its own mercantile marine. The other advantage, Sir, of having a mercantile marine is that it opens out new careers for the youth of the country. Speaking for India, we have so few careers open to our countrymen that it would be advisable that this new career should be opened to them by the creation of a mercantile marine. Moreover, such a mercantile marine provides employment for both skilled and unskilled labourers or citizens of the country. I think there will be no difference of opinion as regards the necessity of each country having its own mercantile marine, and where there is none, it should, by the grant of subsidies, create it. That other countries have been doing this kind of work can be seen by a reference to the history of either the continental countries, or taking Asia, of Japan, or taking America, of the United States and other countries.

(At this stage the Honourable the President vacated the Chair and the Honourable Sir Dinshaw Wacha occupied it).

All these countries have passed laws for granting subventions or for making it obligatory that coastal traffic should be carried in their own boats. Almost all countries excepting England have reserved their coastal traffic for their own ships. England has not felt the necessity of taking that action because it has practically the monopoly of not only her own coastal traffic, but a greater portion of the coastal traffic of the British Empire. She has, therefore, not found it necessary to have any restrictions by Statute. Yet we find that a committee appointed only recently said that:

'there is a strong feeling among Eastern Lines of Steamers that the Indian coasting traffic be reserved for British ships.'

The feeling there is growing that even in Indian coasts no other foreign ships should be allowed to carry on the coastal traffic. If that is the feeling of Britain, naturally the feeling of India would be that the coasting traffic should be reserved primarily for Indian shipping companies, and secondarily, for British shipping companies. Where it was not possible, in the beginning, for countries to have their mercantile marine attempts were made to create such mercantile marine by the granting of subventions. I will only quote one instance, and that is that of Japan. Japan lays down:—

'Navigation subsidies will be paid at the rate of 25 yens per 1,000 knots navigated per ton of the gross tonnage in respect of vessels having a gross tonnage of 1,000 tons and a maximum speed of 10 knots per hour.'

That is one of the subsidies of Japan. Other countries also have given similar or different kinds of subsidies so that the mercantile marine that is in existence may not be killed by the competition of other countries. My Resolution does not ask for any such concession. It will be quite proper for India to ask for such concessions,—that time may come later on. As it is, evidence is being collected by the Fiscal Commission on this point and some gentlemen connected with shipping companies have given evidence on the subject. Perhaps we may await the Report of the Fiscal Commission before we ask for any concessions.

It may be asked where is the necessity of moving a Resolution of this kind? Cannot Indian companies compete with other companies and fight their way out? Unfortunately, they cannot. In the early stages an infant industry requires a certain amount of protection, and the Indian shipping companies will require certain protection. Here we do not ask for protection. What we ask for is equality of treatment and nothing more, and I daresay that my Resolution will have the support of all, even of those who may be interested in other rival shipping companies. That new companies are and can be killed by competition by old established companies can easily be proved by a reference to the companies that have been taken to liquidation during the last few years. There are three ways of doing this. The old existing companies give rebates. So far, there is nothing objectionable. But the rebates are allowed to accumulate and one of the conditions of the rebate is that the shipper does not at any stage ship with any other company. If the shipper transfers his custom to other companies the accumulated amount of rebate is forfeited. That is one way. A second way is by conference. Big steamer companies will take into conference smaller companies only when they find it is absolutely impossible to crush the latter. It is only then that they take the smaller companies into conference. Till that is done, it is very difficult for a new line to get any business. The third way is by refusing space to shippers even when there is sufficient space to carry goods. They will say

'You have not dealt with us. So we won't give you any space.'

[Mr. Lalubhai Samaldas.]

These are the ways by which the old established companies can and do their best to kill competition. All these three ways are, under the American Act, considered illegal. We have no such Act. Possibly, a time may come when we will have Bills introduced in both the Houses or in one of the Houses and carried by a great majority to have all these activities considered illegal. But it is not so now and at present it is possible for foreign companies to kill competition by any of these three methods. It is because these three methods can be used to kill the smaller Indian shipping companies that we want a sort of guarantee that whenever new shipping companies are started in India they will receive fair treatment at the hands of Government. From Government we have every right to get all support to forward new industries, and the shipping industry ought to be considered as one of the key industries of the country. That the freight paid by Government on Government stores is not a small one will be seen by a reference to the freight paid by the Secretary of State from 1911-12 to 1917-18 for the carriage of Government stores and railway materials from England to India. I need not tire the Council by reading all the figures, but I hope the Council will take my word for it when I say that it varies from Rs. 30 lakhs to 45 lakhs a year. That item goes practically into the pockets of the foreign companies. If there are Indian companies, a part of that item, if they receive fair treatment, should go into the pockets of the Indian companies.

(At this stage the Honourable the President resumed the Chair).

It may be said that it is not possible to give any freight to Indian companies because it is the High Commissioner who makes purchases on behalf of the Government of India in England, and he can only place freight or arrange for freight in England with the English companies. The Stores Purchase Committee appointed a few years ago have recommended that there should be a Director General of Stores in India, and he should be empowered to make all purchases whether in India or in England, and if it was necessary to place orders in England, it should be done through the Stores Branch of the Director General of Stores. That time has not come yet, because we do not know what action the Government of India have taken on that recommendation of the Stores Purchase Committee.

We know as a matter of fact that we have got a High Commissioner;

— 1 P.M. that the High Commissioner in England makes all purchases on behalf of the Government of India; there is a regular department there; and till the purchases are made through the Director-General of Stores in India I want the Government of India to send instructions to the High Commissioner, who I believe is directly under them now and not under the Secretary of State, that in placing orders for Government or railway stores, tenders from Indian companies should be invited, and that if their tenders are approximately equal they should be given preference. It is just possible that objection may be taken to the word 'approximate.' My friend, Sir Arthur Froom, just now said that it was not possible. Let me make that position clear. When I use the word 'approximate' I mean a difference of 1 or 2 per cent.; I do not mean that when the difference is over 2 per cent. Indian companies should be given preference; I do realise that in the interests of the general tax-payer a larger difference should not be allowed; but other things being approximately equal I claim that he should have the first refusal. If the Indian companies offer almost equal quotations as the other companies, they should be given the first opportunity. If the tenders are high, of course the companies which give the lowest tender and are able to work cheapest should be given the chance; that is for the

present; as I said we may come to the House, it may be necessary to have certain legislation to restrict coastal traffic later on to Indian companies; but for the present that demand is not being put forward before this House.

By giving to the Indian companies freight from England, another sort of assistance would be given to such companies. It very often happens that when the Indian companies take cargo from here to the continent or England, they find it very difficult to get return cargoes and they have often to return in ballast. If an arrangement were made with the High Commissioner for chartering these boats for railway materials and other stores these boats will not have to come in ballast, but will come loaded with Government materials. This refers to the carriage of Government stores from ports outside India to Indian ports. Now, I refer to the question of the carriage of railway materials or cargo or coal from an Indian port to an Indian port. Coal to the extent of about 200,000 tons is being carried from Calcutta to Rangoon for the use of the Burma Railways. I will place a particular case before the Council to show how necessary it is to adopt a Resolution of this character. . . . .

The HONOURABLE SIR ARTHUR FROOM: Sir, I rise to a point of order I do not think this matter comes within the scope of the Honourable Member's Resolution. The Resolution is for the carriage of Government and Railway materials from any ports to India and does not refer to coastal trade.

The HONOURABLE MR. LALUBHAI SAMALDAS: May I explain, Sir, that 'from any ports' includes ports in India and also ports outside India to India. I have carefully considered that question. Instead of putting it 'any ports outside India' I said 'any ports.' I hope that explanation will satisfy my Honourable friend.

The HONOURABLE SIR ARTHUR FROOM: The Resolution has reference to Government and railway materials only.

The HONOURABLE MR. LALUBHAI SAMALDAS: Quite so, not to anything else I was referring to railway material, coal required for the Burma Railways. Burma is recognised as a part of India yet, although my Honourable friend opposite does not want it to be part of India later on. Still it is supposed to be part of India now. . . . .

The HONOURABLE THE PRESIDENT: I must point out that India is mentioned in the Resolution and not British India; India means British India and the Native States of India.

The HONOURABLE MR. LALUBHAI SAMALDAS: I am talking of British India. I am referring to the carriage of coal for Burma railways from Calcutta to Rangoon. The shipping company with which I am concerned offered to carry this coal and asked that they should be allowed to tender. They did it in the proper way; they went to the Agent, Burma Railways; they went to the Mining Engineer; they went higher still and yet after a show of sympathy and almost a promise saying 'you will be asked to tender,' the only information that we receive is that the order has already been placed. We have not got any indication; we have not been told at what rate it has been placed, where it has been placed and with whom it is placed, or whether any tenders were invited at all. It is therefore necessary, Sir, that Government should issue instructions to all departments concerned that wherever Government material or railway stores have to be carried, either from ports outside British India to Indian ports

[Mr. Lalubhai Samaldas.]

or from one Indian port to another, tenders should be called for from Indian companies and wherever the quotations are approximately the same preference should be given to Indian companies. I do not ask for anything more than equality of treatment. We want that we should be given an opportunity of quoting, that the Indian companies should be treated as if they were at least British companies and not otherwise. Of course, later on, we may want and we may claim better treatment than English companies, but that is not done now; at present, we want only equality of treatment, that Government should do what the ordinary business-man would do, *viz.*, ask for tenders from all parties concerned and give it to those who are most likely to do it properly whom they want to help. In the present instance, the people who pay the taxes are likely to benefit most by such an arrangement. With these words I commend the Resolution to the Council for their acceptance.

THE HONOURABLE SIR ARTHUR FROMM: Sir, Honourable Members of this House might perhaps be inclined to regard me as an interested person in connection with this Resolution; and I had not intended to intervene in the debate at all. But when the Honourable Member who moved the Resolution states that he is merely claiming equality of treatment, while his Resolution reads that Indian companies should be given 'preference,' I cannot see where equality of treatment comes in.

In his speech the Honourable Member quoted three reasons why some Indian shipping companies failed. The companies he referred to were, I presume, based on Bombay. He quoted three reasons; one was the rebate system, which is in the nature of a contract between shippers and ship-owners, much in the same way as you enter into contracts in any other business you may be pursuing. The second one was Conferences; and the third was that ships with plenty of vacant space refused cargo; the latter I do not believe for a minute. I have never in all my experience heard of any ship which had vacant space turning down any suitable cargo which offered; and I would like to see the Honourable Member's instances he quotes if he has any. I will give you a fourth cause in connection with the failure of these shipping companies and that is, entire bad management. The management of a shipping company is a lifelong education, and the company which I have no doubt he has in mind failed entirely owing to bad management, faulty management, so faulty that it had to be taken into Court. That was the reason. There is no more difficult thing to manage properly than a shipping company. If it is not managed properly and this has nothing to do with rebates or conferences or refusal to accept cargo, it is robbed on all sides. I only wish to put the Honourable Members of this House right on that point.

THE HONOURABLE KHAN BAHADUR AHMEDTHAMBY MARICAIR: Sir, I rise to oppose this Resolution. The Honourable Mr. Lalubhai Samaldas in his speech said that the Indian shipping companies should get fair treatment from the Government. And contrary to it he wants by this Resolution to give Indian companies a preference in their quotation approximate to that of other companies. I think this is a matter which Government should seriously consider. My Honourable Friend has perhaps forgotten the help and assistance which the British India Steamship Company gave Government during the war. . . .

THE HONOURABLE MR. LALUBHAI SAMALDAS: I never referred to any particular company.

The HONOURABLE THE PRESIDENT: I think it will be wise to refrain from referring to particular companies.

The HONOURABLE KHAN BAHADUR AHMEDTHAMBY MARICAIR: I think my Honourable Friend has forgotten the assistance which the foreign companies gave the Government during the great war at very cheap rates, and that none of the Indian companies came forward to help Government to carry their arms and ammunition. The foreign companies have made great sacrifices in helping the Government in time of need and Government in their turn are expected to make some concession to these companies in the carriage of Government and railway materials. If this House brings forward a Resolution to say that Indian companies should be given preference as against the foreign companies who have sacrificed so much during the war it is most objectionable. I do not think this Resolution can be accepted by this House, and so I oppose it.

The HONOURABLE MR. SETHNA: Sir, I rise to support this Resolution. The Honourable Mover has explained that in different parts of the world Governments have tried to help the shipping industry as best they can. The latest recruit in this line amongst Governments is, as perhaps this Council knows, the Government of the United States of America. The United States Government were always opposed to Government interference in matters of enterprise, commercial or industrial. But since the war they have been controlling the mercantile marine of that country which runs to nearly seven million tons, and although it is some years since the war is over, they are still maintaining this control.

Sir, I must confess I was somewhat surprised at the Resolution when I read that the Honourable Mover asked for an 'opportunity to be given to Indian companies of quoting for the carriage of Government and railway materials.' Surely, Sir, I should have thought there was no necessity for asking for permission to quote and that it was perfectly open to him to do so if he were the agent of a company . . . .

The HONOURABLE SIR ARTHUR FROMM: Exactly so.

The HONOURABLE MR. SETHNA: My Honourable Friend, Sir Arthur Fromm, interjects by saying exactly so, but as the Honourable Mover has explained, and I think to the satisfaction of the Council, that an opportunity was absolutely denied to him by the Burma Government. If that be the case, then I say, Sir, it is for the Government of India to see that the Railways which have anything to do with the Government of India should avoid such pin pricks. It is these pin pricks under which Indian merchants and others labour and which are most annoying, and I am sure my Honourable Friend, Sir Arthur Fromm, himself will be the first to agree with me that the procedure of the Burma Railway, as explained to us by the Honourable Mover, was absolutely incorrect. Surely it was left with them to place the order with the lowest tenderer or not, but it was most impolite and unbusinesslike on their part not to have given him even an opportunity to tender. I, therefore, now understand the reason of the Resolution being worded in the manner as it appears on the agenda paper.

The Honourable Mr. Lalubhai Samaldas has explained that there are three methods by which new companies can be crushed out of existence. My Honourable Friend, Sir Arthur Fromm, has named a fourth, namely, entire bad management, and he further added that for the successful management of a shipping company, a lifelong knowledge of the trade is required. I entirely agree with my friend, Sir Arthur Fromm. I believe

[Mr. Sethna.]

that he will also agree with me that infant concerns if properly managed, do require encouragement and help from Government, if possible. In addition to the reasons for the failure of companies already given, I would also give one more and explain it by quoting an instance and no one will remember it better than my Honourable Friend, Sir Arthur Froom, himself. There is a company in Bombay known as the Bombay Steam Navigation Company, a powerful organization now in the hands of Europeans, at one time in the hands of some prominent Indians. That company studiously made an effort to drive out competition from anybody else. The newly started rival companies were managed well but yet had to suffer.

Take the case of the competition between the Peninsular and Oriental of which my Honourable Friend, Sir Arthur Froom, is the head in Bombay and the Nippon Yusen Kaisha, which took place many years ago when both were trying to cut each other's throats, but as both were very rich and powerful organizations they found it to their advantage to combine after a time which they did to the detriment of the merchant exporters from Bombay to the Far East. To return to the Bombay Steamship Company. What did they do against even well managed concerns? First of all, they cut down the passenger rates from Bombay to ports at a distance of 100 or 300 miles to which their boats went. They did not rest there, because the new companies were also prepared to cut down their rates. Will the Council believe when I say that the stronger of the two, because it was longer in existence and had large reserves, in order to drive out the other company from competition not only carried passengers free of charge, but also presented them with a free coloured handkerchief. (Laughter).

I think Government ought certainly to help new concerns by every means possible if as Sir Arthur Froom lays down they are well managed. The argument of my Honourable Friend, Sir Arthur Froom, was that only badly managed shipping companies go to the wall. I have shown that well managed concerns, because they got no encouragement or support from Government, which they would have got if they were under other Governments, have also had to close their doors . . . . .

The HONOURABLE SIR ARTHUR FROOM: Not the British Government.

The HONOURABLE MR. SETHNA: My Honourable Friend again interjects by saying 'not the British Government.' Let there be equality of treatment extended by the British Government which the Mover asks for. But does the Government of India give equality of treatment in these matters? Does my Honourable Friend, Sir Arthur Froom, forget the discussion that we had on the question of the purchase of Railway Stores in September last in the Council of State at Simla. I was then able to point out from the evidence of Sir William Meyer before the Acworth Committee that the British Government were well aware that their Head Commissioner for India in London, with a view to protect vested interests in England, was compelled to give preference to the extent of 10 per cent. to British manufacturers. Now is that equality of treatment, may I ask?

The HONOURABLE MR. E. S. LLOYD: It was in the interests of India.

The HONOURABLE MR. SETHNA: It was not in the interests of India, because India has thereby lost crores of rupees, and I condemned such an arrangement then, and I most emphatically say to-day again that it has worked very injuriously and to the detriment of this country . . . . .

The HONOURABLE SIR ARTHUR FROOM: It has nothing to do with shipping.



The HONOURABLE MR. SETHNA: My Honourable Friend, Mr. Lalubhai Samaldas' contention is absolutely correct. My friend is asking for equality of treatment not in regard to the goods which private firms may ship by those boats, but in regard to the material which the Government of India want for themselves. Surely, Sir, Indians have a right to expect the Government of India to show some regard for new concerns trying to make some headway in the shipping trade by asking for a share of the patronage which Government have in their hands.

For these reasons I think my Honourable Friend has made out a strong case in support of his Resolution.

The HONOURABLE SIR EDGAR HOLBERTON: Sir, I should like, if I may, to say a word or two with reference to the speech of the Honourable Mr. Sethna. He is evidently in the first place under a misunderstanding as to the terms on which the Burma Railways Company buys its coal. I know no instance of a large dealing in coal being made in Burma in which freight has been paid by the buyer. The freight, as far as I know, according to the custom of the trade, is fixed in Calcutta by the people who sell the coal. Therefore, the unfortunate Burma Railways . . . .

The HONOURABLE MR. LALUBHAI SAMALDAS: It is not so.

The HONOURABLE SIR EDGAR HOLBERTON: My knowledge is different. I have had different quotations for coal supplies and all the quotations have been inclusive of freight. That being so, the Burma Railways can hardly be blamed in all cases for not accepting or listening to tenders from certain shipping companies.

Secondly, with reference to the Honourable Mr. Sethna's reference to the Stores Committee, we must be very careful because I think he was supporting a statement of his own in this debate by a reference to a similar statement of his own in a former debate. I think it is a little difficult to accept as a strong support of any statement that any Member may make in the debate here a similar *ex parte* statement which he himself may have made in a previous debate on a similar subject. However, I only rose to clear up the position about the Burma Railways. But what I would suggest to my Honourable Friend is, that he should ask leave to divide his motion into two. I think he will surely find the House with him as far as the words 'from any ports to India,' but I think there will be a difference of opinion as to whether it would be for Government's advantage to give a preference to any Company, Indian or otherwise, who can give a rate approximately as good as that available in other quarters.

The HONOURABLE MR. H. A. F. LINDSAY: Sir, the terms of this Resolution are precise, but the discussion on it seems to have become rather discursive. I should like to go back to the actual terms of the Resolution and clear up one or two points on which Honourable Members are suffering under some misapprehension. The first point refers to the instructions to the Departments concerned. The House must not think that the Departments concerned, the local purchasing Departments, have any control whatever over freight . . . .

The HONOURABLE MR. LALUBHAI SAMALDAS: Not in the case of the High Commissioner?

The HONOURABLE MR. H. A. F. LINDSAY: The High Commissioner's is not a consuming Department. The consuming Departments have got no control over freights. The purchase of stores for the Departments of the Government of India is centralised chiefly in two hands. In the first place, there is the High Commissioner in London who controls the purchase of stores for shipment to India, and, in the second place, there are the stores required by Railway Companies in India, chiefly coal, which is shipped to them by the Mining Engineer from Calcutta. Now, Sir, the procedure followed has been quite clearly explained in the report of the Stores Procedure Committee. The following note has been given by the Director General of Stores on this very subject which explains exactly what happens, and if I am allowed, I shall read a sentence or two from that report.

'All stores, from whatever source obtained, are shipped by the Stores Department which engages the necessary tonnage by direct contract with ship-owners.'

And then again,

'Acceptance of freight tenders is subject generally to the same rules as those governing the acceptance of tenders for stores.'

Now, the rules governing the acceptance of tenders for stores are, as we all know, the Stores Rules, which are intended to govern all purchases of Departments of the Government of India and local Departments, and the underlying principle of those rules is acceptance of the lowest satisfactory tender . . .

The HONOURABLE MR. LALUBHAI SAMALDAS: At a not unfavourable rate, under the latest rules.

The HONOURABLE MR. H. A. F. LINDSAY: That is exactly the same thing—the lowest satisfactory tender. Now, this expression is not used by the purchasing officers in any way as a screen to enable them to choose any particular commodity they like from any particular firm or (as applied to the present case) to place their freight with any particular company. They have absolute discretion, but this general principle of acceptance of the lowest satisfactory tender governs all their purchases. In the case of freight for stores required for India, the phrase has a very special and particular meaning. It means in the first place that ship-owners—I am referring particularly to stores purchased in London—waive their claim to exemption from liability for loss or damage to cargo in the course of shipment. I might explain this more fully by referring to the practice of Government not to insure its stores. That is to say, Government must insist before it gives a freight contract that the ship-owner shall accept full liability for loss or damage to stores. That is one of the conditions on which the tender becomes satisfactory. The second condition is that no claims for demurrage or any subsidiary or contingent claim shall be put in a general case. Of course a special case may arise in which demurrage is claimed, but demurrage is frequently waived. And finally,—and this is a most important point—the lowest satisfactory tender is nearly always considerably below the open market rate of freights.

I think the House will understand from this explanation that it is not a very lucrative business to tender for the carriage of Government stores, and the tendency is undoubtedly to place the contracts with companies which have large fleets and are able to meet Government in those particular conditions which I have explained. At the same time Government recognise that the grant of these contracts is profitable to this extent that they give a security of tenure, a security of conditions, and they realise that Indian shipping companies must have full opportunity to take advantage of

these conditions. I may say at once that Government have no intention whatever of depriving Indian steamship companies of this opportunity. My Honourable Friend has quoted a particular instance in which he says he was deprived of that opportunity. He asked to be allowed to tender, but unfortunately the contract had been previously given. I do not think that he will find that in cases in which the contract is still open he will have any difficulty in lodging his tender. The Government are perfectly prepared to accept the terms of this Resolution, on the understanding that the usual Stores Purchase conditions of the acceptance of the lowest satisfactory tender is bound to govern all the offers made to the Stores Department.

The HONOURABLE SIR DINSHAW WACHA: Sir, I generally agree with the spirit of the Resolution which the Honourable Mr. Lalubhai Samaldas has put before you. I think the time has come, when young industries are rising in India, and particularly the development of these rising industries which is, of course, acknowledged by the Government itself that some support is essential, at least for the first few years, till they can stand on their own legs. The Indian shipping companies have of late been more in prominence. It may be that owing to bad management some of them go to the wall; but there are other companies which are strong enough and in a position to compete with companies which have been long established. So far as I understand, my friend's Resolution he suggests that equal treatment is necessary. The Honourable Mr. Lindsay has, of course, explained to us that there is nothing in the Government rules and regulations which says that equal treatment should not be given and that every tenderer has a right to tender consistent with the rules and regulations in regard to shipping of stores of Government. True; but what happens is this. Whatever may be the rules and regulations of the Government, after all it is the executive head who has to administer or interpret those rules, and it is left to his absolute discretion. And more or less sometimes it happens that there is bias or prejudice or self-interest, or some such motive comes in the way. Then what happens is, that there is not that equal treatment which the Government think we ought to have. There lies the difficulty. It is in the practical application of the rules that the unequal treatment is involved, and it is that differential treatment which the Indian shipping companies feel most, notwithstanding the principle laid down by Government. That principle is not observed by those who have to administer the rules. That is our difficulty, and I am quite sure that after the discussion that has taken place in this House, the Honourable Member for Commerce will see his way to circularise all the Heads of Departments who have in their hands the administration of the Stores and Freight and other cognate matters that they do give that equal treatment and equal opportunity to tender which is presently particularly denied, although, in the abstract, it is of course there. The difference is between the abstract and the practical, and my friend, the Honourable Mr. Lalubhai Samaldas' Resolution clearly implies that the *spirit* is sadly wanting. Very often these things happen. I may say that in one instance the Mining Engineer did promise that everything would be done in the proper time and a fair opportunity would be given to tender. The Honourable Mr. Innes himself showed me the draft of a brief letter requesting the Mining Engineer to give the opportunity sought for. Yet when the actual opportunity occurred and we asked the Burma man, he said, 'No, no, the contract has already been made' ! That is the procedure against which we protest telling one

[Sir Dinshaw Wacha.]

thing to a tenderer and raising expectations and then doing another. This is a procedure which is most annoying and exasperating. It suggests that Government is not honest. To lay down one thing in principle and allow those who have to carry it into practice to wholly ignore it. Is that right? It is this wrong which the Indian shipping companies suffer from which has got to be righted; and I hope that the Honourable Member for Commerce will see that nothing of the character I have pointed out happens in the future. With these words I certainly support the Resolution the spirit of which is right and proper.

THE HONOURABLE MR. LALUBHAI SAMALDAS: I am thankful to my Honourable Friends who have supported me and I am equally thankful to my Honourable Friends, Sir Arthur Froom and Sir Edgar Holberton, for trying to put their point of view before the Council. Sir Arthur Froom said that I was referring to one company which was badly managed. I may tell him that I was not referring to one company. I have a list with me which I will pass on to him if he likes, and if the Honourable Member for Commerce requires, I can show that 15 or 20 companies have been crushed out of existence by the larger companies whom I won't name. Then as regards the surplus space, there also I find actual complaints from shippers saying that—

'because we shipped with you the larger companies would not take our goods although they have got space.'

I am prepared to pass them on to Sir Arthur Froom. As regards the actual case that I referred to, Sir Dinshaw Wacha has made it quite clear and we felt that there was a grievance. My Honourable Friend, Mr. Lindsay, says that he is prepared to accept the Resolution on the clear understanding that the new Stores Rules, whether it is 'lowest satisfactory tender' or 'not unfavourable rate,' whatever those new Stores Rules are, should govern the Resolution. I am prepared to accept this understanding that this Resolution will be given effect to in the light of the new Stores Rules and nothing more. I was perhaps not quite clear when I used the words 'Departments concerned.' I meant, of course, not the consuming Departments, but the purchasing Departments. I thank the Government for accepting this Resolution on the understanding they have mentioned and I hope the House will accept it.

THE HONOURABLE THE PRESIDENT: I will put the Resolution in two parts. The question is that the following Resolution be adopted:—

'This Council recommends to the Governor General in Council to issue instructions in the Departments concerned to give Indian Shipping Companies an opportunity of quoting for the carriage of Government and Railway materials from any ports to India.'

The motion was adopted.

THE HONOURABLE THE PRESIDENT: I will now put the remaining part of the Resolution:—

'and to give them preference if their quotation is approximate to that of other Companies.'

The House proceeded to divide.

THE HONOURABLE MR. SETHNA: I rise to a point of order. Will it be competent to Members of this Council who are also Members of the

Fiscal Commission before whom this question is, I understand, being discussed to vote on this question one way or the other?

The HONOURABLE THE PRESIDENT: Most decidedly; the duty of a Member of this House to the House is superior to all other duties save his duty to his God and his King.

The second part of the Resolution was adopted.

The Council adjourned for Lunch till a quarter to Three of the Clock.

The Council re-assembled at a quarter to Three of the Clock, with the Honourable the President in the Chair.

### RESOLUTION *RE* IMPROVEMENT OF MINOR PORTS.

The HONOURABLE KHAN BAHADUR AHMEDTHAMBY MARICAIR: Sir, the Resolution that stands in my name runs as follows:—

‘This Council recommends to the Governor General in Council to take steps to contribute, out of the Customs Revenue, a portion of the expenditure incurred by the Local Governments for the improvement of the Minor Ports.’

In moving this Resolution I beg to make the following observations:

This is a question, Sir, that affects greatly the seaborne trade of Southern India in the Madras Presidency. This Presidency has been peculiarly situated and has as many as 15 minor ports. I do not think any other Province in India has as many minor Ports as that of Madras. For example, Bombay has only 7 minor ports, Bengal 1, Bihar and Orissa 3, and Burma 5. In the Presidency of Madras, there are no protected Harbours with the exception of Madras and the steamers have to anchor in open sea between 3 to 5 miles away from shore. Landing and shipping of cargoes have been conveyed by barges and boats between shore and steamer and *vice versa*, which is being done only during the high tide. In all these minor ports free communication from shore to steamer has become impracticable owing to the silted condition of the Bar especially at Negapatam. Various efforts have been made to remove the silt by means of hand dredging and steam dredging, which has become a failure. The Madras Government have done all that they could to help the minor ports financially, but everything proved futile.

On the frequent representations made by the several minor ports of the Presidency, the Government of Madras have arranged to examine the whole question by getting the opinion of the expert Engineers, and accordingly communicated with the Home Government and with the help of the Secretary, Public Works Department, India Office, Messrs. Sir John Wolfe Barry Lyster and Partners were asked to go to India and examine the several ports of the Madras Presidency. Accordingly, they have sent a Special Engineer, Lieutenant-Colonel DuCane, to go to Madras and inspect the important ports in the Province and report their conditions. As a result of the investigation a report has been submitted to the Government of Madras on the 28th February 1920 recommending the improvements of the Ports of Tuticorin, Negapatam, Mangalore, Malpe and Cocanada.

[Khan Bahadur Ahmedthamby Maricair.]

I shall first deal with the port of Negapatam where the suggested improvements have been taken in hand. In paragraphs 78 and 79 in page 19 of the Report, the expert Engineers recommended the construction of two break-waters, and the cost of constructing the same comes to about Rs. 6 lakhs. The annual recurring expenditure if the proposed works are carried out will come to Rs. 52,100.

The Landing and Shipping Fees Committee of Negapatam have recently increased their charges to the highest maximum and also levied tolls on passengers embarked and disembarked. With all these increased taxations the expected revenue is about Rs. 40,000 showing a deficit of Rs. 12,100. During the visit of His Excellency the Governor of Madras to Negapatam, the Landing and Shipping Fees Committee, otherwise called the Port Trust Committee, have requested His Excellency the Governor to visit the Port and His Excellency was kind enough to comply with the request and had the pleasure of seeing the condition of the Bar personally when the Committee presented the arguments of the Port Deputation wherein they have made a special suggestion in paragraph 9, clause (2), which is as follows:—

'As the Customs Revenue will naturally benefit and increase in proportion to the increased volume of trade that will pass through the Port consequent on the improvements to be effected and as the Landing and Shipping Fund with all the enhanced rate of dues could not afford to bear all the expenses on the improvements suggested in the report of Sir John Wolfe Barry Lyster and Partners, to make a free grant of at least half the estimated cost of improvements, as already applied through the Presidency Port Officer—*vide* Presidency Port Officer's No. 500-2155-P., dated 7th September 1920, or recommend payment of a moiety of the cost of Port improvements about to be taken in hand from the Customs Revenues controlled by the Government of India, as they do not spend any money out of the Customs Revenues towards the improvements of this Port for the encouragement of the sea-borne trade.'

On inspecting the Bar and hearing the appeal of the Deputation, His Excellency the Governor of Madras was convinced of the necessity for the improvement of the Port and expressed his whole-hearted sympathy towards the scheme.

On the face of the recommendations by Sir John Wolfe Barry Lyster and Partners, the Government of Madras have appointed a Special Harbour Engineer, one Mr. Bristow, who has since taken over charge of all the minor ports.

The Landing and Shipping Fees Committee have sanctioned in its meeting held in January a preliminary scheme that has been suggested by the Harbour Engineer, Mr. Bristow, at a cost of about one lakh of rupees and the work as already said has now been commenced. To complete this work as suggested by Sir John Wolfe Barry Lyster and Partners, we require a capital of Rs. 5 lakhs more. It will not be possible for the Government of Madras to give any contribution in this direction, nor will it be feasible for the Port Trust to borrow loans as it will not be in a position to repay. Further, it will not be desirable to increase any more taxation on goods as the highest maximum rate has already been reached.

Under these circumstances, I recommend that a portion of the expenditure incurred in this direction for the improvements of the Ports be contributed out of the Customs Revenue. Besides Negapatam there are four more Ports, *viz.*, Tuticorin, Mangalore, Malpe and Cocanada which also need

improvements. As per report submitted by the Harbour experts the estimated cost for the improvement of each of these Ports is as follows:—

									Lakhs.
Tuticorin	...	...	...	...	...	...	...	nearly	150
Mangalore	...	...	...	...	...	...	...	...	6
Malpe	...	...	...	...	...	...	...	...	106
Cocanada	...	...	...	...	...	...	...	...	3

and the works could not be undertaken, unless the Government came forward with their helping hand. I am afraid it will not be possible for the Port Trust to complete this work out of their revenue.

Now, Sir, I shall explain how the Department of Sea Customs are profiteering under the shelter of the Port Trust. They spend no money whatever in the improvement of the Port, but derive maximum benefit with the minimum cost or, if I may be permitted to say, with no cost at all.

Sir, I would like to ask the Government: Is it fair, is it justifiable and is it equitable that this Department of Sea Customs which is thriving as a parasite on the Department of Port Trust will not bear even a portion of the expenses in keeping these ports in their proper condition so as to give every facility for landing and shipping? In this connection I should like to cite a case which will prove to this House whether this modest demand on the part of the Port Trust Committees are justifiable or not. Sir, if a bag containing nuts valued at Rs. 100 is landed at a Port, the Port authorities can charge at the most one anna, which was previously charged quarter anna in the form of landing and shipping fees, whereas for the same bag of nuts if consigned from the foreign country, the Government of India through their Customs Officers charge Rs. 15 as duty. Is it not an injustice that the Customs Department who do not contribute even a farthing towards the improvement of the Port, is allowed to collect such an exorbitant revenue. On the other hand, the poor Port Trust who spend lakhs and lakhs of rupees get only one anna.

Lastly, Sir, I beg to conclude with one more point which was submitted by the Port Trust Deputation before His Excellency the Governor of Madras during his recent visit to the Port of Negapatam and which runs as follows:—

‘The prosperity or otherwise of the Port of Negapatam depends upon the stable conditions of the Bar which impedes the entrance to the river and is constantly shifting its position according to the wind, weather and season of the year. At times it is favourable to navigation and at times it is much the reverse. Inside the river between the mouth and landing quays, silt and sand is constantly being deposited owing to insufficiency of tidal water scour from the river. The result has been that, when conditions are most unfavourable, boats have the greatest difficulty in getting in and out, and often have to wait for hours before doing so. In consequence of these adverse conditions, merchandise landed and shipped at this Port is subject to considerable damage by sea water, with the result that the Insurance Companies have declined to accept risks over such cargo for the Port of Negapatam, whereby merchants suffer serious handicap and trade is discouraged.’

I would like further to refer the Hon'ble Members to paragraph 74 in page 18 of the Report of Sir John Wolfe Barry Lyster and Partners where it is stated as follows:—

‘It was also pointed out that at the present moment the port is on the black list with the Insurance Companies owing to the amount of cargo damaged or lost in crossing the Bar.’

[Khan Bahadur Ahmedthamby Maricair.]

From the aforesaid statements it will appear that the commercial public is being put to a serious loss in their cargoes being damaged by the sea water for which no Insurance Company accepts liability.

With a view to protect the interest of the sea-borne trade it is only proper and just that every facility be given in all the minor ports of the Presidency to have free communication from shore to steamer and *vice versa* and a portion of that expenditure should be met by the Customs Revenue.

With these few words I commend my Resolution for the acceptance of the House.

The HONOURABLE SIR MANECKJI DADABHOY: Sir, the Madras Presidency has an excellent and a very enthusiastic advocate in our friend, the Honourable Khan Bahadur Ahmedthamby Maricair. He has fought battles for Madras very often in this Council with great ability and skill, but I am afraid he is carrying his enthusiasm a little bit too far when he asks this Council that the Imperial Revenues of State should be appropriated for the improvement of the minor ports in his Presidency. It is, therefore, only on principle that I am standing to oppose this Resolution. I quite appreciate the force of his argument that the ports in his Presidency are in a very inefficient and unsatisfactory condition. But that is no argument why the Imperial revenues—the Customs duties which are Imperial revenues—or even a part of it, should be appropriated for the benefit of a particular province. My friend is aware that all the provincial minor ports are allowed to collect all its revenues and its other charges. It is purely a provincial matter. All the port charges are recovered by the Provinces, and therefore every province should bear its financial burden in this matter. Take, for instance, the Bombay Presidency. What is the position of Bombay to-day? The Port Trust of Bombay, by raising loans, by making improvements, by adopting a bold and courageous policy, has made Bombay an enviable port to-day. Why should not the Madras Presidency follow suit? Why should not Madras with its statesmen, with its merchant class, with its big business men like my Honourable friend, Khan Bahadur Maricair, go in for a similar policy? My friend also said something about the sea customs. But as far as I am aware—and I speak subject to correction—the sea customs are not separately classified. They all come, as I understand, under one general head of Customs revenues, and you cannot separately allocate those revenues. The Resolution, I submit, in nature and character represents purely a provincial grievance. The matter ought to be taken before the Madras Council, and they would know how to meet a grievance like this. I think it is hardly fair and proper for my Honourable friend to ask this Council to sacrifice a part of the Customs duties when the Government of India is so badly in need of every pice it can get hold of at present. When fresh and heavy taxation has been called for this Session,

3 P.M. when the customs general tariff has been unsparingly increased from 11 per cent. to 15 per cent. at the detriment of the consumer, it is monstrous to ask that a portion of this money should be appropriated for the improvement of the minor ports in which the Presidency of Madras is interested. I, therefore, hope that my Honourable Friend will see his way not to press this motion on the Council.

The HONOURABLE MR. C. M. BAKER: I think the last speaker went rather too far when he said that minor ports were an entirely provincial matter. It must be remembered that every improvement of the ports increases the customs revenue and indirectly the income-tax revenue as



well. But unfortunately there is one difficulty in the way of this Resolution, namely, that in the distribution of subjects and revenues minor ports have been allotted as a provincial subject, and it is, therefore, not open to the Central Government to spend any money on them; nor do I think it is open to this Council to vote a Resolution that they should do so. On the other hand, I do not think that would debar me from asking the Central Government not to give a subsidy, but to refrain from taking one. It is a fact that at present they do take a subsidy from the Bombay minor ports; it takes the form of a contribution of Rs. 10,000 a year towards the pay of the officers of the combined Salt and Customs Department who do the work of minor ports—a perfectly fair charge, but one which the Central Government can very well afford to forego. We have some reason for asking for consideration, because although the Bombay minor ports are supposed to finance themselves, practically during the last ten years they have found it impossible to do so, and the Provincial Government has been put to a certain amount of expenditure, direct and indirect, in assisting them to keep going. I, therefore, hope that the Government of India will give the subject such consideration as is possible consistent with the present allotment of subjects.

The HONOURABLE MR. SETHNA: I too agree with the Honourable Sir Maneckji Dadabhoy in the point that he has made clear in this Council that you cannot expect the Central Government to devote a portion of its customs revenue to the purpose to which the Honourable Mr. Maricair would like to divert it in the Provinces. The Central Government is not expected to help the Provinces with any portion of its contributions except under very exceptional circumstances. If for example, because of their being confronted by a serious famine, or by financial crisis or by political disturbances they are unable to meet their expenditure, it will be right and proper for them to approach the Central Government for a monetary grant; otherwise I agree with Sir Maneckji Dadabhoy that the proposition should not be supported. Further, my Honourable Friend, Mr. Maricair, forgets that under the Reforms Scheme we are pledged to the gradual abolition of the provincial contributions to the Central Government. Therefore, the Provincial Governments will have considerably more money in the near future to devote to the purpose for which the Honourable Mover wants help.

But, Sir, the Honourable Mr. Baker has raised a fresh point upon which I should like to say a word or two. Mr. Baker says that while the Central Government will not contribute money on the minor ports they ought not also to levy a subsidy from those minor ports. That leads me to a very important question, and I wish my Honourable Friend had moved a Resolution to that effect instead of the one which he has brought forward to-day. So far as I know, in most countries the control of ports does not lie with the Provincial Governments, but with the Central Government. In fact, if I remember rightly, the Acworth Railway Committee in its Report have made the recommendation that the control of the different ports in this country should be handed over to the proposed new Railway Administration in this country. If that were done, Mr. Maricair's request would be met because the Central Government would then take charge of both the major and minor ports, and also Mr. Baker's point that there should be no contribution to the Central Government and that there ought to be no subsidy from the minor ports to the Central Government. I am, therefore, not inclined to support the Resolution of Mr. Maricair, but if Mr. Maricair himself or any other Member brings a Resolution to the effect that

[Mr. Sethna.]

the control of all ports in India should vest hereafter in the Central Government, such a Member will find in me a hearty supporter.

The HONOURABLE SIR DINSHAW WACHA: Sir, as more than one objection has been taken to the Honourable Mr. Maricair's proposition, assuming that the Central Government comes to the aid of those Madras ports he mentioned what will happen? Bombay, which can claim a large number of ports will come and say: these should also be improved and taken over by Government; Calcutta and Karachi may make a similar demand. Where will the Central Government then stand? Because once the demand is conceded, a precedent will be established; and upon that precedent all the other Presidencies and Provinces which have got large seaports and minor ports will demand the same. Therefore, on that principle alone, I think the proposition cannot have the support of this Council. There is another point. The Honourable Mr. Maricair said that a part of the customs duties might be assigned for the improvement of this particular port mentioned by him. Granted. Madras is one of the five ports which collect customs import duties. There is Bombay, there is Calcutta, Madras, Sind, and Rangoon. Look at the trade returns and you will find that Madras contributes the least customs duties, only a little over  $\frac{1}{3}$  of the total. Even Karachi has a better trade than Madras; Rangoon has also better trade; and, of course, Bombay and Bengal have the largest imports. Therefore, it is Bombay and Calcutta that pay the largest amount of the duty, and how is it possible in equity to say that a part of the customs dues which are so largely contributed by Calcutta and Bombay, Sind and Rangoon should go to Madras? That will not do. I, as a Member from Bombay, will protest against any transfer of customs duties to a province like Madras which contributes the least. I think the only way for Madras is that it should either be content with the kind of port that it has got now, or, if Madras, has got private enterprise, let its private enterprise come forward. Let it go before the Government and ask for concessions:

'We will do this improvement ourselves. Let the Government give us a concession to collect the dues for 20 or 25 years.'

and in the meantime let Madras go on with private capital and improve the port and earn a big revenue from that port. That is the right and proper business way of doing this thing, and that is the way on which private enterprise can help Madras and benefit itself. I think if my Honourable Friend goes to Government with that sort of private enterprise and tells the Government:

'Here we have a capital of 25 or 30 lakhs. Let Government give us the concessions to this effect and that effect, and we are prepared to hand over the port after so many years.'

Such an offer is most likely to be accepted as it will benefit Madras and stimulate private enterprise at the same time. But to ask the customs duties, partly no doubt, to be devoted to the improvement of a small port is hardly reasonable. The Honourable Mr. Maricair also pointed out that ports like Cocanada, Negapatam and others would require an amount for their respective improvements which may exceed three crores! For Government to concede to so preposterous a request is out of the question. Where will the Central Government stand? We know that we are going to be saddled with very heavy taxation, and in these circumstances, is that possible? I hope the House will certainly reject this proposal.

The HONOURABLE MR. E. S. LLOYD: Sir, I agree with what has been said by several Members, namely, that it is rather difficult to see how we can deal with this matter while the distribution of subjects between the Provincial and Central Governments remains what it is. It seems to me that a proper solution of this question is rather the one hinted at by the Honourable Mr. Sethna. It is possibly open to question whether ports should be divided into minor and major ports, or whether there should be another line of demarcation. It is possible that this is travelling beyond the exact bounds of the Honourable Mr. Maricair's Resolution, but it seems to be open to us to say that what should be done is that the Government of India should take over all ports, at any rate, the administration of the ports, and leave to the Landing and Shipping Committee the petty matters of what may be called the harbour administration as distinguished from port administration. As far as I understand, the position is this; these Landing and Shipping Committees have no statutory position at all at the present moment. They cannot raise loans and really have no defined position. Under the Landing and Shipping Act, which is a local Act, it is merely left to an officer of Government to collect certain fees on goods, passengers and cargo. I do not think these committees in the smaller ports are constituted under any Act at all. It seems to me that the proper line on which to approach the question would be to alter these local Acts and allow small committees as local bodies to raise fees on the cargo and possibly on passengers who land in any port, and on the strength of those fees to raise loans, while the Government of India themselves as the central authority would attend to the general administration of the port and take to themselves all the fees which may be charged under the Ports Act on the tonnage of the vessels thus concerning themselves with the sea part of the matter as distinguished from the land part. That is a line of approach which I believe has already been suggested to the Government of India. I do not know whether possibly the Honourable Member who will reply for the Government of India will be able to enlighten us as to whether that is a possibility. But I quite see that at present with the allocation of subjects such as it is under the present Devolution Rules, it is hardly possible to expect the Government of India to make direct contributions in aid of the minor ports, especially out of a particular source of revenue. I believe it is one of the maxims of finance that no particular head of revenue is ear-marked for any particular purpose; it all comes as revenue, either central or provincial, as the case may be; it does not become revenue out of which particular heads of expenditure should be financed. Therefore, what really seems to be wanted is, that possibly some alteration of the Devolution Rules should be arrived at which will relieve the present difficulty; but while things remain as at present the only thing to be done seems to be that the Local Governments should strengthen their own local Acts and give these shipping committees power to raise loans which may be taken from the Government of India. Then while the Government of India can finance these committees by way of loan, at the same time they might possibly see their way to formulate a policy under which anything to do with shipping shall fall on the central revenues, and anything to do with landing shall fall on the provincial revenues. I would go further and say that these committees should be left almost entirely to themselves and develop very much on the lines of taluk and district boards keeping their own accounts and managing their own affairs with the minimum of interference by Government in matters which are merely of local importance.

The HONOURABLE DIWAN BAHADUR V. RAMABHADRA NAIDU: I think, Sir, the Honourable Mr. Lloyd has told the Council the difficulties

[Diwan Bahadur V. Ramabhadra Naidu.]

of dividing major and minor ports. I quite sympathise with him in all that he said. It will be better so far as the port department is concerned that the control is taken over by the Central Government. Now, as it is, the control of minor ports, so far as customs are concerned, is with the Central Government and the Provincial Governments lose a good deal. It is not possible to get loans from the Central Government. It is not possible consequently to improve the minor ports. In these circumstances I quite endorse the opinion of Mr. Lloyd.

The HONOURABLE MR. H. A. F. LINDSAY: Sir, I join with the majority of the previous speakers in asking the House to oppose this Resolution, not for want of any sympathy with the aims and aspirations of the minor ports, but on general principles. You will find that the Government of India Act and the Devolution Rules have laid down certain general principles which have been working satisfactorily, and of which we want to have full experience before making any alteration. The principle of demarcation is that the major ports shall be the concern of the Central Government and the minor ports shall be the concern of the Provincial Governments. We must not imagine, therefore, though we might imagine from the speech of my Honourable friend, the Mover, that these minor ports have been left in the air to look after themselves, nobody's children. They have been provided with the care and maintenance of the Provincial Governments, from provincial revenue so far as such revenues are available.

This leads me to a further point. I have yet to find it established that ports require customs revenue for their development. The ports must surely aim at becoming going concerns and they must maintain themselves by the fees they levy on their shipping. The more they look to Government subsidies for their support, the weaker they are bound to be in the end.

Now, there is a further point which has not, I think, been made quite clear so far, a purely constitutional point. However much the Government of India might desire to help the minor ports, there is nothing in either the Government of India Act or the Devolution Rules which empowers them to do so. In fact it is not permissible for the Government of India, under the law as it stands at present, to incur from central revenues any expenditure on provincial subjects. The question of the maintenance of ports and the control of ports has been divided into two halves, major ports under the Central Government and minor ports under the Provincial Governments; and therefore the answer to the Resolution of the Honourable Mover is, that the future of the minor ports lies in the hands of Provincial Governments until such time as they show by their development and their appeal to shipping that they are qualified to come under the ægis of the Central Government.

And there is a final objection which will, I am sure, weigh considerably with this House. The Honourable Mover might quite well say that it is still open to the Government of India to notify certain minor ports as major ports and take them under their protection. Sir, this argument will weigh very little, I am afraid, with the House in the present financial position. Those Members who were present when the Budget was discussed the other day know perfectly well that, so far from any Government revenues being available for subsidising minor ports, it is very doubtful whether major ports will receive any support beyond that which the shipping industry can afford them. The Honourable Mr. Lloyd suggested a different division of

the subjects; that instead of making the major ports come to the Central Government and minor ports to the Provincial Government, the division should be by sea and land. I am not quite certain, Sir, how it would work out in practice; but I doubt if it is really a principle which would commend itself to the Government of India.

The HONOURABLE KHAN BAHADUR AHMEDTHAMBY MARICAIR: Sir, in pressing my Resolution I wish to make a few observations in reply to the remarks which fell from some of my Bombay friends. I could at once see the object of their opposing my motion, as my Honourable Friend, Sir Maneckji Dadabhoy, said . . . .

The HONOURABLE SIR MANECKJI DADABHOY: I am not a Bombay Member.

The HONOURABLE KHAN BAHADUR AHMEDTHAMBY MARICAIR: Their argument was that the Port of Madras is not so flourishing as the Port of Bombay. I know, as a matter of fact, that they do not like to see the Port of Madras flourish in any way and compete with Bombay. I know very well that if this scheme is carried through in all the coast ports, Madras will be the best port in India . . . .

The HONOURABLE SIR DINSHAW WACHA: By all means make it.

The HONOURABLE KHAN BAHADUR AHMEDTHAMBY MARICAIR: So I see their object is to place an obstacle in my way. There is one important point, Sir, which is lost sight of both by the Government as well as by the Members who have opposed my motion, and it is this. If my motion is not accepted of improving the minor ports in the Madras Presidency, the British Government stand to lose a good deal of the customs revenue which they are now deriving. The situation of the Madras Government so far as their ports are concerned, unlike Bombay, is very dangerous. Madras has two foreign ports such as Pondicherry and Karikal. Both are at a distance of about 60 and 10 miles from Madras and Negapatam, respectively. Both Pondicherry and Karikal are French ports and they are doing their level best to divert to their ports all trade from the British ports. As a matter of fact, in Pondicherry they have provided a pier for landing and shipping goods and they have electric and hydraulic machinery to handle cargo both for export and import. It is a very fine port, and I am afraid all the trade which is now done at the British ports will be diverted to that port. I therefore warn the Government of India to develop the British ports, otherwise in a few years all the ports in the Madras Presidency will become silted and it will not be possible to have any communications, with the result that the French ports will capture the whole trade. That is the point which I had reserved for my reply.

The next point is about the washing away of the hands of the Government of India. The Bombay Members suggested that this is a matter entirely for the Local Government. Now I ask how far is it possible for the Local Government to pay? How many ports has Bombay got, and how many ports has Calcutta got? Look at the number of minor ports which Madras has got. They have as many as 15 ports. Is it possible to expect the Madras Government to pay contributions to so many minor ports?

The HONOURABLE MR. C. M. BAKER: In Bombay there are 52 minor ports.

The HONOURABLE KHAN BAHADUR AHMEDTHAMBY MARICAIR: There are only 7 minor ports in Bombay, Bihar and Orissa 3 and Burma 5. I got this information from a very reliable source.

The HONOURABLE MR. E. S. LLOYD: May I point out that there are 71 ports in Madras?

The HONOURABLE KHAN BAHADUR AHMEDTHAMBY MARICAIR: I have only calculated the number of ports at which steamers are actually touching and where most business is done. With regard to the policy of paying a contribution to the Local Government by the Central Government, if there is a will there is a way. If the Government of India wish to help the minor ports so that they make them major ports, they may do so. If the Government of India really want to assist the trade, they can do so only if they have the will to do it. The other day we had a dismal budget and Government want to tax the people. Why do they do it, because they find it necessary to tax the people to make up the deficit in the budget. Similarly, because I find that the Madras Government cannot afford to pay, I appeal to the Government of India to make a contribution to them. If the Government of India pooh pooh my request, what can I do? I thought the Central Government is the proper authority before whom all people lay their grievances. With that object I brought forward my Resolution to-day. The Honourable Sir Maneckji said:

‘Oh, Mr. Maricair is always pleading for Madras.’

I have not got much experience of Bombay or Calcutta. The Members from those places always plead for their own provinces, and I plead for Madras which province I represent. It is my duty, I think, to come here and represent the difficulties of my constituency, and so I maintain that I am entirely in order in pleading to safeguard the interests of my province.

There is only one other point which I should like to refer to, and that is about the remark which my Honourable Friend, Sir Dinshaw Wacha, made that we should start a private enterprise. The Madras Presidency is not so forward as the Bombay Presidency (Hear, hear) in the matter of industrial enterprise to promote limited liability companies and to develop the minor ports in the presidency. And so it is not possible that his suggestion will meet with the approval of our people. I hoped Honourable Members of this Council would not be prejudiced against my suggestions and that they will give their unanimous support to my Resolution. On the contrary I find that some of the Bombay Members are against it. It may be so, Sir, but I have done my duty and I leave it to the discretion of the Council. I therefore commend my Resolution for the acceptance of the Council.

The HONOURABLE THE PRESIDENT: The question is that the following Resolution be adopted:

‘This Council recommends to the Governor General in Council to take steps to contribute, out of the Customs revenue, a portion of the expenditure incurred by the Local Governments for the improvement of the minor ports.’

The Resolution was rejected.

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## RESOLUTION *RE* RECIPROCAL RIGHTS AND DISABILITIES OF INDIANS AND COLONIALS

The HONOURABLE MR. G. S. KHAPARDE: Sir, the Resolution which I propose runs as follows:—

‘This Council recommends to the Governor General in Council that when rights and disabilities are conferred or imposed on Indians by the laws of any Colony, legislation be undertaken to confer or impose the same rights or disabilities on the subjects of that Colony in British India.’

I believe that the terms of this Resolution are quite clear. It only means that if any particular British Colony imposes any particular disability upon us or confers any rights upon us, then we should do the same thing that they have done to us. This Resolution is intended to consolidate the British Empire or rather—it is perhaps highly impertinent for me to say that I am going to consolidate the British Empire—it is a means or a step towards doing it. Ours is a very large Empire in all the continents of this world. It comprises possibly all climates and nearly, I believe, all the races, and all civilisations also. We have got all things in the British Empire. Nearly all samples are to be found there. There is a sample of all climates, and a sample of all the civilisations. In fact everything is there. This idea of consolidation arose as early as 1911. It is not entirely a product of the war. English statesmen saw early that this broad Empire should be brought together by certain ties and relations, and for that purpose they made an endeavour. In the Imperial Conference of 1911, Lord Crewe moved a Resolution, or rather submitted a memorandum and made a speech. I have got a part of the speech here, but I do not propose to read it. It is needless to take time over it. So, this idea occurred to Lord Crewe in 1911. Then, for a few years, nothing happened. But in 1917, India was invited to this Imperial Conference, and Sir Satyendra (now Lord) Sinha was one of the Members invited to that Conference. He submitted a memorandum to the Conference. That memorandum was discussed and I believe Mr. Chamberlain, then Secretary of State, supported it. There was a long discussion and ultimately the Conference accepted the principle. They said:—

‘The Imperial War Conference, after examining the memorandum on the position of Indians presented by the Indian representatives to the conference accepts the principle of reciprocity of treatment between India and the Dominions, and recommends the memorandum to the favourable consideration of the Governments concerned.’

So that, this idea was conceived in 1911, and it was more or less formulated in 1917. In the subsequent year, 1918, that idea was again put forward. Here it was accepted. Again, Lord Sinha happened to be there and he put in a further memorandum and a further Resolution, and that Resolution was also accepted after long discussion. The great peculiarity of this discussion is that nearly all the Colonies agreed to it. Even General Smuts did not dissent, but merely expressed some doubts on some points. Otherwise he was favourably disposed, and it was on both occasions unanimously carried. I shall read only the opening part of the Resolution of 1918. It is a long Resolution, and it is enough to read the first part of it only.

‘The Imperial War Conference is of opinion that effect should now be given to the principle of reciprocity approved by Resolution 22 of the Imperial War Conference in 1917.’

They go on to lay down further things. It will thus be seen that this principle of reciprocity, which I have endeavoured to paraphrase in the words of my Resolution, was accepted in the year 1917 and directed to be carried out in the year 1918 by the Imperial War Conference, or rather the Imperial Conference, as I should call it. In pursuance of that, it is mentioned by Lord Sinha himself that a Bill was drafted. But unfortunately that Bill has never been introduced, and therefore I could not trace it anywhere, either in the Library here or anywhere else. We do not know what that Bill was. Very likely it was designed, as the author himself says, to carry out this principle of reciprocity. From that time, i.e., 1919, up to the present day, the history is obscure. I tried to get hold of the blue books for all these years, but unfortunately they are

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not available here. Therefore, I have got to leave it there. But fortunately for me, the other day I read in the papers—it is only a paper report and may be a mere rumour—that the Right Honourable Srinivasa Sastri, when he goes out to the Colonies, will have some work to do in connection with this. It is very tempting to mention the grievances and all those things, but I do not propose to mention them now, and I do not care to mention them to-day for the simple reason that what I am asking is merely reciprocity, and that is a very simple rule, and very wisely adopted, not only by the Imperial Conference but even by the League of Nations. It is, after all, Sir, the old rule of 'Do unto others as you would be done by.' If you receive a particular treatment, then you had better give that treatment to others also, or to take it back to my own idea and assimilate it to my own way, it comes to this. My original idea is that we are like tenants in common—the undivided family of the Hindus. We keep adjoining pieces of land. We will live together. We, of course, call them our own lands, but with all that, we endeavour to keep what is called the group soul—one soul that will govern all these people. The endeavour in the Imperial Conference was to develop what in Indian language we should call a group soul for the whole of the British Empire, a group soul meaning that we have, all of us, one great object in view. To attain that object the best course will be that we should have all the same means and that we should all keep the same way, and adopt every step which is universally approved. That will be the best course. But in this imperfect world the best is not always attainable. It may, therefore, happen that in doing good to the whole of the British Empire, our means may sometimes differ and some people may have one set of means, and other people some other method. Some people may have one set of means and other people some other means. All the same we may have one mind to think about it and this mind should carry it out, and the best way of carrying it out after all comes back to the golden rule of doing unto others what you would like to be done by. We have this in the Indian philosophy which is as follows:

*Ye yatha mang prapadyante tanstahaiba bhajamyaham.*

Even in the twentieth century we have got nothing more than that to offer. So it comes back to this proposition. Lord Crewe once remarked, and with your permission I will read only one sentence from what he said:

'It does not appear to have been thoroughly considered that each Dominion owes a responsibility to the rest of the Empire for ensuring that its domestic policy shall not unnecessarily create an embarrassment in the administration of India.'

It practically means that we have got to recognise that they have got their rights and they have got to recognise that we have got our rights, and as my liberty is limited by the liberty of my neighbours, similarly the liberty of the colonies is limited by the liberty of the other portions of the British Empire and so on. That, after all, is the application of the old golden rule, and as the Government of India, I believe, is in sympathy with these ideas and, as I said, the Right Honourable Mr. Sastri is likely to be deputed to go into these matters and look into them, I shall not elaborate this part of the argument by adducing reasons for it. It is sufficiently clear that we do want to consolidate this British Empire. We do want to knit ourselves together by ties of friendship and affection. In fact, we endeavour that we should be so well impressed with each other that we should like to work together and we should not consent to part. That is the test of it. In a joint family all people care so much that they like to remain together and they



do not like the idea of separating. Then we say that they have got one soul or that it is an undivided family, and we want the British Empire to be so much of one mind and so fond of being together and so unwilling to part that we shall endure for ever. That is the real idea at the bottom and to further that idea the League of Nations has formulated various rules. Our Imperial Conference has recommended this idea. It is not retaliation at all. I am afraid some of my friends might forget or might mistake my argument for saying that we want to retaliate. That is not so. The Imperial Conference itself says that it is not a measure of retaliation, but it is really a measure intended to secure a recognition on the part of the other colonies about the existence of India and about the Indians having some rights. It was necessary to do so, because in some of the colonies, I do not want to name them, the Indians were known not as Indians but as coolies. I had a very amusing experience of it personally myself. I lost the train and I got down at a wrong station. This was in England. I asked the station master and the other people there as to what other trains were there, going about in my Indian turban. One gentleman told me that he was very glad to see me. I said, 'I never knew you before.' He said, 'I saw your performance in the White City.' 'My performance in the White City? I never went there,' I said. He said, 'You never went there? I saw your performance there.' I said, 'I never did any performance there.' Then he looked at me and said, 'Perhaps it was somebody else.' I said, 'What do you mean?' He said, 'were you not performing on the trapeze?' I said, No. That is their idea of an Indian, performing on the trapeze and such other things. Lord Crewe insisted upon this that it has to be brought home to all the colonies that India has got a civilisation, that Indians are civilised people, that they have got certain rights, that they should be treated as people having certain rights, and they should not be judged merely from our emigrants, most of whom really go out to eke out a living. Lord Crewe thought that way, and in my own humble way I think in the same manner. We do not want to take aggressive steps at all. All that we need do at present is to collect the laws of these colonies to see which colony has imposed what disabilities, also to make a list of what political rights and privileges have been given by one colony and also what disabilities have been imposed by the same colony. If we make a complete list of that, that will help us in knowing what is happening and has happened. We may send a copy of it to the Secretary of State, and whenever we send our representatives to the Imperial Conference we may supply them with a copy and they will be able to show to the representatives of the other colonies:

'You have done this, you have done that and if you go on doing so, we shall be obliged to enact similar laws in our own country. If you exclude me I shall have to exclude you and that is not a very friendly feeling.'

Lord Sinha himself said these words. I shall read out that portion only which relates to this topic . . . . .

The HONOURABLE SAIYID RAZA ALI: Cannot we take that as read?

The HONOURABLE MR. G. S. KHAPARDE: We had better not. I do not think I will express it so well as it has been expressed by better people and higher people. After proposing all these alternatives, he said:

'If a Dominion is determined to exclude these two classes of immigrants from India, India should be free to do the same as regards that Dominion. It would be clearly recognised that this exclusion in their case was not actuated by race considerations, but was the outcome of our different economic conditions.'

[Mr. G. S. Khaparde.]

Further, he goes on to explain that it is to be attributed to the motive of securing a recognition of further rights, not retaliation but only the seeking of further rights. This then being the object of the Resolution and there being no retaliation concerned in it and this being designed to bring together this large mass of humanity which has been brought together by Providence under one Crown, it is best to cultivate good relations between them and you cannot impose any rule better than that of saying;

'Look here. You behave with your neighbour as you want yourself to be treated by him. If you do not do it, the other neighbour may retaliate and do something worse.'

I ask for no immediate action being taken, because the Council remembers I have used the words "legislation may be undertaken". To undertake legislation means a great Secretarial operation. First of all, you collect facts together, then you sit down and write long notes over it. Proposals are then framed and then they are sent for opinion to the different Local Governments, local bodies and other persons, and ultimately they materialise as a Bill. And then when the Bill comes here then we again refer it to Select Committee and it has to go through all that trouble. That is a matter which will take a long time and what I say now is that the Secretarial action had better be undertaken now and hereafter as time goes on and occasion arises we shall go on with it. Very likely no occasion will arise. The mere fact of our being engaged in this task will induce the colonies to remove all their restrictions, or at any rate bring them down to reasonable limits and then we shall not have all this trouble to go through at all. So my Resolution asks for no immediate action beyond Secretarial work, i.e., collecting materials for doing something; and I believe it is harmless, it will do no harm to anybody at all and it will secure the solidarity of the Empire. So I recommend my Resolution to the acceptance of this Honourable Council.

The HONOURABLE MR. BOROOAH: Sir, this Resolution puts me, at least, in a rather awkward position, for I find it somewhat difficult to select a course. When I first saw the notice of this Resolution I was quite inclined to support it. In fact, I went a bit further; I met the Honourable gentleman, the Mover, and told him that I would support the Resolution only with a very slight modification; but I am sorry to observe that since then further considerations have made it necessary for me to change my views. Sir, I fully appreciate the feelings that have led my Honourable and most esteemed friend to move this Resolution and I fully sympathise with him in all those feelings. It may appear at first sight, I quite admit, somewhat strange, or even unfortunate that after about 200 years of British rule, after being taught for about 200 years to value and appreciate the high ideals and standards of British policy, after acquiring and imbibing a taste for British institutions and British ways of doing things, we find it at last necessary, in the year of grace 1922, to have recourse to an old and abandoned policy of the British people of ancient times; I mean their crude and primitive policy of an eye for an eye and a tooth for a tooth. I quite admit, Sir, this appears rather unfortunate. But who is to blame for this? We cannot certainly blame the Government of India; we know that it is not in their power to help us in this matter. We know that the Government of India cannot be the masters or the dictators in the houses of other people. On the other hand, we are profoundly grateful

to that Government for their very earnest and honest attempts to help us in this direction. Then if we look up to the Government of His Majesty, we are told that inasmuch as these colonies are self-governing countries, the Imperial Government cannot find their way to interfere. What else can we do then? What other course can we adopt? What other alter native is there for us? It will thus be seen, Sir, that we have been driven by extreme necessity to propose measures which form the subject-matter of this Resolution; and if anybody is to blame for this, it is not ourselves; it is not very much the Government of His Majesty; most assuredly it is not the Government of India; but it is the Colonial Governments and the Colonial Governments alone.

After all, Sir, what is it that we ask for? We know that they have the first rights in the colonies; we do not ask them to give us all the rights and privileges that they enjoy there; we simply ask them to treat us like human beings; we simply ask them to treat us like civilised people; we simply ask them to treat us as British subjects; and we do not ask even for that, without doing a great deal towards developing the colonies, towards making them what they are to-day. I think, Sir, our self-respect as the inheritors of a great and glorious civilisation demands it. I think, Sir, our birth-right as the citizens of the great British Empire fully entitles us to make this claim. Do we then ask for too much? Can any impartial and unbiassed critic ever declare that we are asking for too much? Can he declare this, when he looks at the fact that we have got Aryan blood running in our veins? Can he ever declare this when he looks at the fact that we have at our back, a literature, a philosophy, a civilisation, which are admitted to be as ancient, as our rocks, which are universally regarded with the greatest wonder and admiration all over the world? And finally, can he ever declare this when he finds that we have been within the glorious British Empire for nearly 200 years? Sir, the treatment which is being accorded to my countrymen in many of the colonies is, I should say, a disgrace to the Indian people; a disgrace to the Government of India; a disgrace to the Government of His Majesty; it is a disgrace to the British nation; and finally, it is a disgrace to the peoples and the Governments of the colonies. In a word, it is the blackest disgrace to the British Government, the dirtiest spot that soils its fair name and fame.

Sir, I know it is feelings like these that have prompted my friend to propose this Resolution in this House, and I fully share these feelings with him. But, what I fear is, that this Resolution cannot serve any practical purpose, it cannot do us any practical good; it cannot carry us too far. Supposing we pass this Resolution unanimously, supposing this Resolution meets with the unanimous approval of this House, what will be its effect? If we want to confer a right or impose a disability, upon the subjects of a colony, residing in British India, as contemplated in this Resolution, if we want to do that to-morrow, we shall have to introduce a Bill in either of the two Houses first of all; we shall have to discuss it and we shall have to fight for it, and we shall have finally to get it sanctioned by both the Houses of the Legislature; and we shall have to do all this, in spite of this Resolution. In other words, when the time comes for conferring or imposing any such right or disability we shall have to adopt all the procedure and to go through all the formalities which are required for making a new law. What, then, is the use of this Resolution? What is the good of proclaiming to the world beforehand that in case such and such things take place we shall take such and such steps? By all means take your proper steps, at the proper time when the occasion arises for them. But I do

[Mr. Borooah.]

not think you can gain much by making an advertisement in advance. It will in some cases do you probably more harm than good.

Still, Sir, I am glad for the introduction of this Resolution. It will undoubtedly have one great effect; and it will have that effect, even if the Honourable Mover ultimately withdraws his Resolution. Sir, my point is this. When a great leader, the veteran hero of a thousand and one debates,

4 P.M. a cool, calculating, cautious and careful public man, in short, when a gentleman like the Honourable Mr. Khaparde stands before this august assembly with such a Resolution, it should serve as a sure indication of the gravity of the situation; it should be regarded as the most unmistakable index of the extent to which the feelings of the sedate and moderate Indians, the feelings of the thoughtful and educated Indians have been stirred, have been exasperated, have been wounded — which I hope the Colonies and the Governments of the Colonies will do well to take note of.

With these few words, Sir, I beg to request the Honourable Mover kindly to see if he finds it possible to withdraw the Resolution. But I must make it clear before I sit down that, in spite of all that I have said, I keep quite an open mind, and that I have not yet decided which way to vote, in case there is a division in the House.

The HONOURABLE COLONEL SIR UMAR HAYAT KHAN: Sir, every Indian is naturally jealous of the rights of his own countrymen, and thus the idea which occurred to my Honourable Friend, the Mover, is present in every mind. The other day when speaking on this subject, it was for this reason I said that we should do something more—whether it is non-cooperation or anything else I don't mind. But the thing is that, though we are parts of one whole Empire, it is very unfortunate that one part should try and impose on us restrictions and hamper our growth. Perhaps they are right, and if it is so, let us also reciprocate. No doubt, we may pass this Resolution, but how are we going to reciprocate in this matter? There are many Colonialists in this country who will say: 'Oh, we belong to England, our houses are in England.' They may just go to England and work there temporarily as some of them work here. How are we going to deal with them? England will be very angry. If effect can be given to this Resolution at all, I am for it, but I do think that it will not be feasible for us to do anything more, and, if it is only talk, I am not for talk alone.

The HONOURABLE SAIYID RAZA ALI: Sir, I rise to speak to the Resolution not without a feeling of considerable reluctance. The Resolution recommends what has come to be known in these days as a policy of direct action which has its own advantages, but it would be difficult to deny that it has also on the other side its counter-balancing disadvantages. In any case, the policy is one of direct action which should not be resorted to unless an extreme case has arisen which cannot be met by having recourse to other expedients. If I felt sure or even if I felt persuaded that we would after all be able to influence the people of the self-governing Dominions to treat us fairly and to extend to us the same treatment as we accord to the people of those Dominions in our country, I for one would have asked, as one of the previous speakers said, the Honourable Mr. Khaparde not to press this Resolution to vote. But, Sir, knowing as I do the history of this unfortunate question, the efforts that have been from time to time by Indian publicists of the highest order, and also the endeavours that have been made

in our behalf both here and in England by the incumbent of the office of the Secretary of State, I feel that the time has come for us at least to indicate in no ambiguous terms as to what our attitude on this important question is going to be. I do not agree with my Honourable Friend, Mr. Boroah, that whatever we have got to do, we should do without indicating in the slightest manner as to what we have in contemplation. I think that would be a policy of secrecy and deep secrecy to which I at least would be no party. If we are quite clear that the time has come that some action should be taken by us against the people of the Colonies, it behoves us to place on record our views and indicate to those Colonies what action we propose to take. This is a fair proposition, for we should be indicating to them our line of action and we should be enabling them to consider how far they are prepared to meet our claim in this direction.

Now, Sir, as I have pointed out, the policy has far-reaching consequences; but having known the failure that has met all our representations in this matter, I with a heavy heart would decide to vote in favour of my Honourable Friend, Mr. Khaparde's Resolution, unless a re-assuring statement on the subject is made by the Honourable Member in charge on behalf of Government. I quite realise, Sir, that holding out idle threats will not advance our cause. In fact, as I pointed out, one of the disadvantages of direct action is that it stiffens the back of the adversary, and that should certainly be avoided as far as possible. But without meaning any threat in the slightest degree, I for one would be prepared to recommend to my Honourable Colleagues in this Council that unless as a result of the representations of the Government of India and of His Majesty's Government the Colonies decide to give us the same rights as we have given to them in our country, I think we shall be perfectly justified in carrying this Resolution, and after that to devise means to give practical effect to the recommendation contained in it. As I have pointed out, it is no pleasure to anybody to take action in that direction, but if there is no other course left, then I think, Sir, that we will be justified in taking action on the lines indicated in the Resolution.

**THE HONOURABLE MR. B. N. SARMA:** Sir, I fully understand and appreciate the feeling of deep dissatisfaction and resentment under which the Indian community is labouring at the treatment accorded to Indians in many of the self-governing Dominions and Colonies abroad, a feeling which is voiced in this Council by Mr. Khaparde in moving the Resolution we are discussing this evening. I think the object he has had before him has been achieved and I also fully appreciate the full force of the arguments advanced by Mr. Raza Ali and others that as a counsel of despair they may be forced to take some such step as has been advocated in this Resolution unless there is some indication of a hope that we shall achieve by other means the object all of us have in view. Mr. Khaparde has premised that his object is to consolidate and unify the Empire and to prevent any disruptive tendencies appearing therein, and he thought that if the Colonial Governments could be taught that there is a limit to the forbearance of the Indian people, perhaps that object will be better promoted than by a policy of silent acquiescence. While I sympathise fully with the object that he has in view, namely, that we should do all that lies in our power to consolidate and unify the Empire and not to encourage any disruptive tendencies, I think that the means he has suggested in this Resolution is likely to have exactly the opposite effect of what he desires to achieve. There are two points we shall have to bear in mind in considering the problem which is really a very perplexing and intricate problem, and a distressing problem too at that. We

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have to see that we do safeguard the interests of about a million Indian residents abroad, but we should also see that we do nothing here in anger or sorrow or as a result of despair which is likely to inconvenience, embarrass and make more difficult the position of our Indian brethren in foreign and distant possessions, both within the Empire and outside. We have them dispersed in 33 or 34 countries, if not more. Many of them are settled in Crown Colonies or Possessions which do not enjoy self-governing powers, and I think we may dismiss from our consideration, as I think Mr. Khaparde also had not in mind that particular part, the Possessions which are not self-governing, because His Majesty's Government has not delegated to the subordinate Governments the power to dictate policy, and to initiate principles as to how those Colonies shall be composed, what shall be the laws and the mutual and reciprocal rights of the various parts of the Empire therein. Confining our attention to the self-governing Dominions, then, we must remember that in South Africa alone, and Natal, in particular there is a very large Indian population—there are altogether about 150,000 Indians. There are numerous settlers in various other self-governing Dominions. The principle of reciprocity is admitted and there is no going back upon it. The Government of India stands by it, and I do not think that any self-governing Dominion objects to it. There is common agreement that each component part—I am speaking of the Self-governing Dominions—and India shall determine for itself the nature and composition of its population. That was the stage at which the matter stood in 1917 and 1918 to which period Mr. Khaparde was alluding when he was speaking of a Bill which was suggested by Mr. (now Lord) Sinha and supported by the then Secretary of State. There is nothing in the Bill except the enunciation of a principle of reciprocity which does not carry us very far. But we have gone one stage further than that which we reached in 1917 and 1918. Be it remembered that all these self-governing Dominions, with the exception of South Africa, have acknowledged the principle that in so far as Indians are lawfully settled within any of those Dominions, they should be permitted to have exactly the same rights as His Majesty's other British subjects living within those Dominions. It is true that those principles which have been accepted by all those self-governing Dominions have not yet been translated into practice. They will have to be placed before the Parliaments of the respective countries for adoption and ratification. But still there is no denying the fact that we have advanced a stage further than we did in 1918 and 1919, and I think our thanks are due to the indefatigable efforts of the late Secretary of State, the Right Honourable E. S. Montagu, backed up as he was by our representatives, the Maharao of Cutch and the Right Honourable V. S. Sastri. Government propose, if the finances permit and the money can be found by the Assembly, to depute the Right Honourable V. S. Sastri to those Dominions which have invited him to go over there to press the matter home before the heat cools down and to induce those Governments to adopt in practice the principles for which there was common agreement in June 1921. I would ask the House, is this an opportune time, when such negotiations are about to be begun, when there is every hope held out by the Ministers that an amicable and satisfactory settlement will be arrived at, that we should pass a Resolution of this description? Whatever may be our feelings on the subject, I would respectfully ask the Council to say 'No.'

Then, again, I acknowledge that so far as South Africa is concerned, the position is not so satisfactory, because no such assurance has been given. But the Government of India do not despair even there. They have sent a

Despatch to the South African Government and we believe that no legislation would be undertaken of any character which would be unsatisfactory to the Indian Government during this Session (Hear, hear), and be it also noted that the South African Government, notwithstanding the pressure of certain component parts of that Government, have vetoed two Bills last year which further attempted to restrict the privileges and rights of our fellow subjects in Natal. That is an indication that the South African Government is beginning to realise its responsibility towards the Empire as a whole, and I do not think that we should do anything now to embarrass that Government, especially when it is in the throes of a labour revolution. I think, Sir, that even with regard to South Africa the position would improve slowly, and there is absolutely no reason why we should not win in the end the privileges which have been promised us by the other self-governing Dominions and why South Africa would not come into line with the other self-governing Dominions. Therefore, I submit that the moment is inopportune and that we should not do anything to embarrass the position of the South African Government, especially at a time when they are likely to take into consideration our Despatch and view it as favourably as possible.

Honourable Members will also remember that if we analyse the situation, the position is not quite so easy as may appear to some on the surface. These various restrictive laws do not directly attack the Indian community, as such, but are couched in such euphemistic language as not to wound the feelings of anybody but provide tests which I think are effectual in practice. But by the adoption of similar tests we shall not be able to make any advance whatsoever in the direction in which we hope to make an advance. The Governments have already conceded—you may say it is not much, but still they have conceded,—the right of all merchants, of all traders, of all students, of all tourists, of all temporary visitors who wish to go, to go freely without being subjected to any humiliation or discrimination whatever in the various Dominions, and I think they also wish to encourage the growth of mutual intercourse between the various component parts of the Empire. But before they can do all that we desire they have to overcome prejudices notwithstanding their agreement with the Government of India and His Majesty's Government in the principles which should govern action, and those prejudices have got to be broken down and rendered powerless and ineffective. Therefore, the position stands thus, that so far as one class is concerned, there is absolutely no difficulty. The colonials do not want to come and settle down here. They do not wish to own land here. They do not wish to come here as petty traders, and therefore any laws, any disabilities which you may seek to impose here would not be very effectual in practice, because no European from any self-governing Dominion cares to settle down here, no European would care to own property here, no one comes here to compete with you in small trades. The Dominions have imposed no restrictions on the import or export trade other than what are common to the whole world, and consequently you cannot retaliate under the terms of this Resolution because there is no corresponding disability which you can impose. Even if you go further, you will only be hitting yourself hard because your exports are greater than the imports, and I do not see how you will be improving your financial position, or your economic position by any retaliation of that character. Then, again, there were only about ten persons from South Africa in the Civil Service here according to the figures for 1915 available so far against the 150,000 settled down in South Africa—there will not be much that you can gain except to irritate and to make the position of our fellow subjects there more difficult, because

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the moment you attempt to pass legislation of this character, it is sure to stiffen their backs and to make the position of our brethren there more uncomfortable, whereas all of us here desire to make it more easy, to educate them and to enable them to be assimilated in the country in which they have settled down. I, therefore, submit that even on an analysis of the whole question you will find yourself confronted by difficulties of a peculiarly embarrassing nature. You would have to have laws which would have to vary with reference to each country, laws which would not be effective laws, which would require the employment of an agency in every port in British India, which means a large immigration establishment, otherwise you cannot carry out your policy of putting an embargo on immigration—we have at present no such immigration prohibitions and consequently we have to embark on that large expenditure without any concrete result. I am not saying for a moment that some of these administrative difficulties would not have to be overcome if as a last resort that is the only alternative. I am not suggesting for a moment that at no time whatsoever would India not be forced to adopt means in order to maintain its self-respect, but I would suggest, and I do so with great emphasis, that we shall only be doing incalculable harm and no good whatsoever by threatening reprisals of this character when negotiations of a delicate nature are being undertaken or will be undertaken, and when there is every hope that we shall be able to consolidate the position of the Empire by peaceful and rightful means. There are various other administrative difficulties which I shall not enter into because the problem is not a question of practical politics at present. We have examined that question and we have found that there are numerous difficulties confronting us at every stage which I shall not allude to further at the present moment. In conclusion, I would suggest that the problem is narrowed down to the self-governing Dominions and that our position with regard to them except in South Africa is extremely hopeful from the fact that they have accepted the main principle for which we have been contending, that in regard to South Africa also there is absolutely no reason whatsoever as to why our position would not be accepted by them on a cool and mature consideration, and a Despatch has gone for the purpose, and that we should not do anything to embarrass either the Government at Home or the self-governing Dominions at this juncture. Finally, I would ask as to whether all the permanent conquests of Asia over the rest of the world have not been when she undertook the mission to preach the gospel of love and brotherhood of man, and why should we in this instance alone despair that we shall not be able to bring home to the people in the self-governing Dominions the truth that Indian culture has points of excellence in it, and that they as well as we would be the richer for more mutual intercourse and better understanding, that the Empire would be strengthened thereby, and that wiser counsels would not ultimately and in the end prevail? (Loud cheers).

THE HONOURABLE MR. LALUBHAI SAMALDAS: Sir, I rise to appeal to my Honourable friend to withdraw his Resolution and I do it for one particular reason. The Honourable Member for Government has stated the case very fairly and lucidly. If we merely wanted to stand on our self-respect I think all of us should support this Resolution moved by my Honourable Friend, Mr. Khanarde. But there is another factor to be taken into consideration, and that factor is the condition of our brethren in South Africa. As the Honourable Mr. Sarma has said the position in other colonies is hopeful; the difficulty is about South Africa. I am not giving



out a secret, Sir, when I say that a few representatives from South Africa have come down to Bombay and they are coming very shortly to Delhi. They were consulted on the subject and they have said that it would be better if they are allowed to take a deputation to His Excellency the Viceroy so that they may put their case before him. They say it would not do to put up the backs of the Government in South Africa. As it is, their position is now becoming rather awkward; they have still hopes that if negotiations which we as the Government of India are now allowed to carry on directly with the South African Government under the new Resolutions the League of Nations were carried on, they are still hopeful that the proposed legislation for restricting the rights either in Natal or in interprovincial immigration may be stopped or vetoed. Are we going to make that position impossible? We from here cannot render much help to those people excepting by representing their case here or as has been suggested by taking a deputation to present the representation to His Excellency the Viceroy. But if we are going to carry out this Resolution, which, as my Honourable Friend, Mr. Sarma, has said, is more out of despair than in hopefulness, then the position may be very bad for our brethren there. It is in their interests and it is more to safeguard these interests that I would ask my Honourable Friend, Mr. Khaparde, to withdraw his Resolution. He was good enough to say that he did not want retaliation; although unfortunately he did use that word at the end of his speech; but he was quite clear on the subject; he said he did not want retaliation. His speech perhaps will not be sent by cable to South Africa; but the Resolution will be sent by cable and the Resolution as it stands says 'impose same disabilities'—I am dropping the idea of conferring rights. Now, if that is not retaliation, or does not mean retaliation, I do not know what it means. If it means retaliation and if the people and the Government of South Africa take it as a direct challenge, they may purely to spite us or to harm our people there, pass laws for which our countrymen there will have to suffer, and for which we from here will not be able to render much assistance to them. For his sake, Sir, I ask my Honourable Friend, Mr. Khaparde, to withdraw his Resolution.

The HONOURABLE LALA RAM SARAN DAS: Sir, the advice given by the Honourable Mr. Sarma seems to us very sound and quite in keeping with the traditions of India. India, as all the world knows, has been famous for its spiritual supremacy, for its sacrifice and for its magnanimity. India had a glorious civilisation at a time when civilisation was unknown to other parts of the world. Our object now is to increase the sphere of our fraternity and not to give cause to any of the Colonies to enforce the law which some of them ill-advisedly might like to have. Once we start on the principle of retaliation which the Honourable Mr. Khaparde advocates, I think it quite probable that in all Colonies they will soon welcome this principle; they will say 'Well; we do not go to India and Indians should not come to our Colony.' Prevention is always better than cure. What we all wish is that all British Colonies should be freely open to Indians and, as far as that principle is concerned, I think our adopting the principle which the Honourable Mover's Resolution advances will be a mistake. With these observations, I shall ask my Honourable Friend, Mr. Khaparde, to kindly withdraw his Resolution.

The HONOURABLE MR. G. S. KHAPARDE: I have noted, Sir, four objections that have been taken to my Resolution and I shall only speak a few sentences, two for each objection, or about eight sentences in all. The first objection was that this Resolution would do no good. To that

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my reply is, that my Resolution does not ask you to do anything at this moment, but only to prepare what I call the secretarial portion. So that objection loses its force. The next is as I tried to make it clear that there was no retaliation in the Resolution at all, that the principle of reciprocity must prevail, and therefore I read out from the reports at the risk of being dilatory, turning pages of reports wherefrom I borrowed the words, as we often do in Courts from the language of the Judges. So that objection also fails. The third objection is, is this the proper time? That really is a difficult objection to meet because my knowledge is rather limited, and my Honourable friend, Mr. Sarma, as a Member of the Government, probably knows more about it than I do, and I am, therefore, disposed to take his advice and not to press the matter further. With these remarks, if the Council will permit me, I will withdraw my Resolution, only telling them that there is an Honourable Member here who told me that he would oppose it. I shall now see whether he opposes it or not.

The HONOURABLE SAIYID RAZA ALI: By way of personal explanation I may say that I was under the impression that Mr. Khaparde was not going to move his Resolution at all; that is why I said 'If you do so I will oppose' I never objected to his withdrawing it.

The Resolution was, by leave of the Council, withdrawn.

The Council adjourned till Thursday, the 16th March, at Eleven of the Clock.