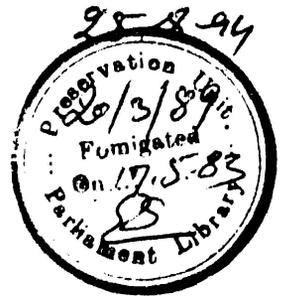


12th February, 1925

THE
LEGISLATIVE ASSEMBLY DEBATES
(Official Report)

SECOND SESSION
OF THE
SECOND LEGISLATIVE ASSEMBLY, 1925



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LEGISLATIVE ASSEMBLY.

Thursday, 12th February, 1925.

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

STATEMENT OF BUSINESS.

The Honourable Sir Alexander Muddiman (Home Member): Sir, I wish to make the following statement with regard to the probable course of Government business in the next week.

The first business on Monday the 16th will be the Demands for Supplementary Grants. On the same day motion will be made for the constitution of departmental Standing Committees. I shall ask for leave to introduce a Bill to amend the Prisons Act, and leave will also be asked to introduce a Bill to amend the Cantonments Act. On the business for Monday it was intended to put down a motion to refer to the Select Committee the Indian Tariff (Amendment) Bill, but I have decided that that motion shall be put down on the 18th instead of the 16th. If we have time on the 16th I shall also move to circulate the Contempt of Courts Bill, the Bill which you gave me leave to introduce yesterday. Either on the 16th or 18th motions will be made for taking into consideration the Indian Merchant Shipping (Amendment) Bill as reported by the Select Committee and also the Obscene Publications Bill as reported by the Select Committee. On the 18th the motion for passing the President's Salary Bill will be made, if agreement has been reached on the form of the drafting of the amendment to be made in clause 2. The House will remember that yesterday we held over that Bill in order to settle the actual drafting of the amendment. A motion will be made at the third reading of the Bill to put into proper form the draft amendment that has passed the consideration stage.

MESSAGES FROM HIS EXCELLENCY THE GOVERNOR GENERAL.

Mr. President: I have received a Message from His Excellency the Governor General:

(The Assembly received the message standing).

"For the purposes of sub-section (1) of section 67A of the Government of India Act and in pursuance of Rules 43, 46 and 47 of the Indian Legislative Rules and of Standing Order 70 of the Council of State Standing Orders, I, Rufus Daniel, Earl of Reading, hereby appoint the following days for the presentation to the Council of State and to the Legislative Assembly of the statement of the estimated annual expenditure and revenue of the Governor General in Council (in the said Rules and Standing

[Mr. President.]

Orders referred to as the Budget) and for the subsequent stages of the said Budget in the Council of State and in the Legislative Assembly, namely :

Friday, February, 20th	...	...	Presentation of the railway portion of the Budget, hereinafter described as Part I of the Budget, in both Chambers.
Monday, February, 23rd	...	...	General discussion in the Legislative Assembly of Part I of the Budget.
Tuesday, February, 24th	...	...	General discussion in the Council of State of Part I of the Budget.
Wednesday, February, 25th	...	}	Voting of demands for grants under Part I of the Budget in the Legislative Assembly.
Thursday, February, 26th	...		
Friday, February, 27th	...		
Saturday, February, 28th	...	...
Saturday, February, 28th, at 5 p.m.	...	...	Presentation of the remaining portion of the Budget, hereinafter referred to as Part II of the Budget, in both Chambers.
Tuesday, March, 3rd	...	}	General discussion in the Legislative Assembly of Part II of the Budget.
Wednesday, March, 4th	...		
Thursday, March, 5th	...	...	General discussion in the Council of State of Part II of the Budget.
Friday, March, 6th	...	}	Voting of demands for grants under Part II of the Budget in the Legislative Assembly.
Saturday, March, 7th	...		
Thursday, March, 12th	...		
Friday, March, 13th	...		
Saturday, March, 14th	...		

(Signed) *READING,*

Viceroy and Governor General."

Mr. President: I have a further Message from His Excellency the Governor General :

"In pursuance of the provisions of sub-section (3) of section 67 A of the Government of India Act, I hereby direct that the heads of expenditure specified in that sub-section shall be open to discussion by the Legislative Assembly when the Budget is under consideration.

(Signed) *READING,*

Governor General."

RESOLUTION RE GRIEVANCES OF INDIANS IN TANGANYIKA.

Mr. E. K. Shanmukham Chetty (Salem and Coimbatore *cum* North Arcot: Non-Muhammadan Rural): Sir, in the unavoidable absence of my Honourable friend, Sir Purshotamdas Thakurdas, and with your kind permission, I beg to move :

"That this Assembly recommends to the Governor General in Council to instruct the representatives of the Government of India at the next meeting of the League of Nations to effectively ventilate there the grievances of Indians in 'Mandated' Territories, especially Tanganyika, and to seek immediate redress thereof."

Sir, before I proceed to enumerate the actual grievances of the Indian settlers in Tanganyika and the redress that we seek for those grievances, I think it will not be out of place if I give a very brief account of the circumstances under which Tanganyika came under the administration of the British Colonial Office and the circumstances under which the grievances

from which these settlers suffer arose in that territory. After the termination of the great war and when the Treaty of Versailles was signed, by Article 119 of that Treaty Germany renounced in favour of the principal allies and associated powers all her control over her overseas possessions including German East Africa; and when the Covenant of the League of Nations was entered into by the various allied powers provision was actually made for the administration of these territories renounced by Germany. Article 22 of the Covenant of the League of Nations provided for the administration of these territories; and I shall read to Honourable Members the relevant portion of Article 22 of the Covenant:

"To those colonies and territories which as a consequence of the late war have ceased to be under the sovereignty of the States which formerly governed them and which are inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world, there should be applied the principle that the well-being and development of such peoples form a sacred trust of civilization and that securities for the performance of this trust should be embodied in this Covenant.

The best method of giving practical effect to this principle is that the tutelage of such peoples should be entrusted to advanced nations who, by reason of their resources, their experience or their geographical position, can best undertake this responsibility and who are willing to accept it, and that this tutelage should be exercised by them as Mandatories on behalf of the League . . .

The degree of authority, control or administration to be exercised by the Mandatories shall, if not previously agreed upon by the Members of the League, be explicitly defined in each case by the Council."

In accordance with the provisions of this Article of the Covenant of the League of Nations, a mandate was given to the British Government to administer the territory of Tanganyika which formerly belonged to the German Government, and the territory is now being administered by the British Colonial Office on behalf of the League of Nations under the specific mandate that has been given to them. According to the census taken in the year 1921, it was found that there are in that territory about 2,500 European and American settlers and about 10,000 Indian settlers. These Indians have been settled in the Tanganyika territory for a very long time and they had been enjoying under the German régime all rights of citizenship in that territory.

In the year 1923 on account of certain financial troubles which the Tanganyika administration had to face, three Ordinances were promulgated to increase the revenue of the territory. These Ordinances are known as the Profit Tax Ordinance, Pedlars' and Live-stock Dealers' Ordinance and the Trade Licensing Ordinance. I do not want to tire the House by giving a detailed account of the various provisions of these Ordinances, but I would only draw the attention of Honourable Members to those relevant portions of the Ordinances on which the Indian settlers feel that they are hard hit. One of the provisions of the Profit Tax Ordinance is that if the merchants in Tanganyika do not maintain their accounts either in the English language or in the Swahili language written in English characters, the assessor may cause the accounts to be translated into English and the expenses of the translation must be borne by the owner of the business. Sir, this is a provision of the Ordinance which hit the Indian community very hard indeed. The Indian community forms practically 90 per cent. of the commercial community in Tanganyika, and most of the Indian merchants are Gujaratis without much knowledge of English, and I would ask Honourable Members to realise the amount of hardship that these Indian merchants would be subjected to by this provision, namely, that if the accounts

[Mr. R. K. Shanmukham Chetty.]

are not kept in English or in Swahili written in English characters, they have to be translated into English and the expenses of the translation to be borne by the Indian merchants. That is the most objectionable portion of this particular Ordinance known as the Profit Tax Ordinance. There is another Ordinance known as the Pedlars' Ordinance. According to the provisions of this Ordinance, if it is anticipated that a pedlar will not keep intelligible accounts, he may be charged profit tax in advance. Any officer is empowered to open and inspect the stock of a pedlar at any time. The licence given to a pedlar is confined to a specified district, and the licence may either be cancelled or withdrawn without any reasons being assigned. Now, Sir, the Indian pedlars there who form a very considerable number naturally feel that these are very severe provisions indeed. But the most serious of all the objections, and one over which the Indian settler has agitated very strongly, is the provision in the Trade Licensing Ordinance which compels every merchant to maintain his accounts only in English or in Swahili written in English characters.

Well, Sir, it is alleged on behalf of the Tanganyika administration that these Ordinances are not meant to be specially applicable to the Indian mercantile community, but that they are applicable to all the communities settled in Tanganyika. But when Honourable Members realise that 90 per cent. of the commercial community in Tanganyika is composed of Indians, most of whom, as I said, are Gujaratis without knowledge of English or Swahili, it will be seen that the net effect of the enforcement of this provision will be the practical extermination of the Indian mercantile community from Tanganyika. When these Ordinances were passed, the Indian mercantile community raised its voice of protest. A deputation was sent to the British Colonial Office, and, in spite of all the representations and vigorous protests that were made on their behalf, both by the deputation and I believe by the Government of India, the Colonial Secretary in reply to a question that was put in the House of Commons in March 1923 said that the Colonial Office could not see its way to amend the provisions of these Ordinances in the manner demanded by the Indian settlers. As a protest the Indian mercantile community observed a *hartal*. They closed their shops for about 50 days; they instructed the merchants of Bombay not to ship any further goods to Tanganyika on account of the crisis that had thus arisen there, and the matter was immediately brought to the notice of the Government of India by the British Indian Colonial Merchants' Association of Bombay, and the Government of India, as usual, replied that they would pay due attention to this and that they had instructed the Trade Commissioner in East Africa to inquire into the matter and send them a report. This was in March 1923. As I said, as a protest against this Ordinance the Indian merchants observed a *hartal* and closed all their shops. The Ordinance came into force on the 1st of April, 1923, and merchants who traded from that day were expected to take a licence under the Trade Licensing Ordinance, and when some of the merchants did not take out a licence under this Ordinance prosecutions were launched upon them. Some merchants, it is said, who continued the trade were prosecuted and fined 10 shillings each and were also imprisoned for ten days, though it was pointed out by the Indian merchants at the time that imprisonment was *ultra vires* under the Ordinance. Eight respectable Indian merchants were sentenced to three months' rigorous imprisonment or 500 shillings fine each for not rendering a profit tax account. The situation was thus very serious

for over 50 days and the trade was practically at a standstill. But in spite of the representation of the deputation to the British Colonial Office not having been successful, the deputation ultimately sent a cablegram to the merchants in Tanganyika to resume business and to take out licences under protest. In accordance with this instruction of the deputation the merchants took out licences under protest and resumed their trade.

Though, as a result of the various representations that have been made to the British Colonial Office, a number of amendments have subsequently been made in these Ordinances; still the crux of the whole problem remains unsolved. The greatest complaint of the Indian mercantile community is against the provision which enforces them to keep their accounts either in English or in Swahili written in English characters. Well, Sir, one noteworthy feature of the new amendment to the Ordinance was that in addition to English and Swahili being allowed as languages in which accounts might be kept, French also was recognised as a language in which the accounts might be kept. This was done in response to the claim of about 5 or 6 Belgian firms that are in Tanganyika. In response to the claim of these few Belgian firms French has been allowed as one of the languages in which accounts might be kept and Gujarati, which forms the language of about 3,500 Indian merchants in Tanganyika, is not recognised as a language for purposes of accounts.

Sir, I said at the beginning that the territory of Tanganyika is administered by the British Colonial Office as the agents of the League of Nations. They administer this territory according to the provisions of a specific mandate that was given to them. Article 7 of that mandate runs as follows:

"The Mandatory shall secure to all nationals of State Members of the League of Nations the same rights as are enjoyed in the territory by his own nationals in respect of entry into and residence in the territory, the protection afforded to their person and property, the acquisition of property, movable and immovable, and the exercise of their profession or trade, subject only to the requirements of public order, and on condition of compliance with the local law.

Further, the Mandatory shall ensure to all nationals of State Members of the League of Nations on the same footing as to his own nationals, freedom of transit and navigation, and complete economic, commercial and industrial equality."

There is thus an explicit veto on any kind of racial bar in Tanganyika territory. The British Colonial Office is bound by the terms of this mandate to give to the nationals of State Members of the League of Nations the same rights as are enjoyed by the nationals of their own State. We know, Sir, that India is an independent member of the League of Nations. According to the terms of this mandate, Indians settled in Tanganyika have got the right to be treated on absolutely the same lines as the nationals of any other State Member of the League of Nations. We are, it must be remembered, an independent member of the League of Nations. We contribute 65 units towards the expenses of the League of Nations out of a total about 982 units contributed by about 55 members of the League. We contribute towards the expenses of the League about Rs. 11 lakhs per year.

This matter, as I said, was brought to the notice of the Government of India as early as March, 1923. As a result of representations made to the Colonial Office, the time when the clause about the language requirement for keeping accounts should begin to operate has been extended.

[Mr. R. K. Shanmukham Chetty.]

to the 1st of April, 1926, so that this clause comes into force in April next year. For the last two years the Government of India have evidently been complaining, cabling, and protesting, I suppose, against the treatment meted out to the Indian nationals settled in Tanganyika, and we have not yet seen even the beginning of a solution of this problem. This Resolution, therefore, asks that the Government of India must instruct their representatives at the League of Nations to bring to the notice of the Council of the League this injustice perpetrated against the Tanganyika Indians by the British Colonial Office. If any member of the League of Nations has got any complaint against the administration of the Mandatory in any of its territories, explicit provision is made in the mandate itself for the redress of those grievances. It is provided :

“ The State Members of the League of Nations may likewise bring any claims on behalf of their nationals for infractions of their rights under this mandate before the Permanent Court of International Justice.”

Suppose France or Japan or China had been the Mandatory in Tanganyika. What would the Government of India have done in these circumstances? Would they not have brought to the notice of the League of Nations these gross injustices that were being done against the Indian nationals in Tanganyika? But because the British Colonial Office is the wrongdoer, are we to be deprived of the right, the international right that has been secured to us by virtue of our membership of the League of Nations? As I have said, in the mandate there is a distinct veto on any kind of racial or colour bar in these territories. Recently it has been brought to our notice that there are attempts at fresh inroads on the privileges of Indians settled in Tanganyika. We hear that a recent notification has been issued in which the territory of Tanganyika is divided into three zones, and what is called zone No. 1 is reserved to houses which will conform only to what is called the European type. Well, Sir, I for one do not know anything about the details of this, but it looks as if it is an attempt at segregation in disguise. I do not make any specific complaint on that point now, but I only say that it is a matter into which the Government of India will do well to inquire. As we are an independent member of the League of Nations, would the Government of India consider our request improper if we ask that we shall exercise the powers granted to us as a result of an international contract and lodge a complaint with the League of Nations about the grievances of the Indians at Tanganyika?

When this territory was taken over from the German Government, the Tanganyika administration openly invited Indian settlers to purchase enemy property in Dar-es-Salam and invited their co-operation in opening up the land and in developing that territory. During the war it is well known that Sir Theodore Morrison made even a proposal that the Tanganyika territory might be reserved for the colonisation of the Indian immigrants. And may I ask what is the reason of this change of attitude that has come over the Tanganyika administration? Is it because they are influenced by the spirit of their neighbour, the Kenya colony? For we cannot explain this change of attitude on any other basis. Of late, people have been discussing about the disruptive forces of the Empire due to the separatist tendencies of the Colonies. But I for one am perfectly convinced that if the disruption of the British Empire were to take place, it would not be due so much to the separatist tendencies of the Colonies as to the prevalence and the spread of the Boer and the Kenya spirit; and

the well-wishers of the Empire must see that if the British Commonwealth is to be preserved this Boer spirit does not permeate the other parts of the Empire.

Sir, I move the Resolution.

Mr. L. Graham (Secretary: Legislative Department): Sir, I think it desirable that Government should be represented at this stage of the debate and I wish to make it quite plain that, though Government are unable to accept this Resolution, the reason why they are unable to accept this Resolution is because they are convinced that it is not in the best interests of the Indian settlers in Tanganyika that this Resolution should be accepted. I yield to no one in my affection for Gujrati; I am a Gujrati myself. It is the language of my adoption though I cannot say I ever tried to keep my accounts in that language, but as an officer of a Court I have very frequently had to deal with accounts kept in Gujrati.

I would like to take objection to the very loose terms in which this Resolution is framed. It says:

"This Assembly recommends to the Governor General in Council to instruct the representatives of the Government of India at the next meeting of the League of Nations to effectively ventilate there the grievances of Indians in 'Mandated' Territories, especially Tanganyika, and to seek immediate redress thereof."

I put it to the House, does that not imply that all the mandated territories are bristling with Indian grievances? The only grievance which has been brought to the notice of the Government of India is the language grievance. The Government of India fully recognise that this is a grievance and they are taking very, very vigorous steps for the removal of that grievance. But, Sir, is it fair to prejudice the interests of these Indians by casting a Resolution in this very wide form? My Honourable friend, the Mover, vaguely suggested that he had heard that there was a proposal before the Tanganyika Government which meant segregation. I asked my Honourable friend on the left (Mr. Bore) at once whether there was any such proposal and he replied in the negative. I submit that the only question we are dealing with now is the grievance of the Indian traders in Tanganyika in respect of the requirement of certain laws there that they should keep their accounts in one of three languages required by that local law, namely, English, French, or Swahili in English characters. It is claimed that Gujrati—I presume it is not in English characters but in Gujrati characters—shall be one of the official languages of Tanganyika; it is claimed as a matter of right under the mandate. I am very anxious, I may say here, that we should not prejudice in any way the success of the negotiations which are being carried on very strenuously by the Government of India for the purpose of assuring to the Indian traders in Tanganyika the concession—mark the word "concession"—of keeping their accounts in Gujrati. Sir, I dislike very much the use of the word "implications" and I dislike the use of the word "mentality." Both these words are frequently heard in this House. But I am going to put it to the House and the Honourable Mover of this Resolution that there are in Tanganyika now, as he says, a large number of Indians, and apparently a very great majority of them are Gujratis and they claim it as a right under the mandate that they should keep their accounts in Gujrati, because India is a member of the League of Nations. I would ask the House to remember how many members there are on the League of Nations. For the moment I should say 55 or it might be 56. How

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many languages are spoken by the members of the League of Nations? I should hesitate to say. India is contributing about 160 and I would put the whole at 300 or 400. Is it really maintained as a matter of right that any member of the League of Nations who goes to trade in Tanganyika should be entitled to have his language recognised as an official language of the country? We are, therefore, Sir, all the time pressing for this as a concession. If the Nationals of China or the nationals of Haiti go to Tanganyika, are they to be entitled to the use of their own language? As I have said, the languages of the country are (1) the native language of the country, Swahili and that is required to be kept in English characters, (2) English and (3) French. In respect of French, my Honourable friend the Mover suggested that this implies gross favouritism to Belgium. I reply that English and French are the official languages of the League. Does my Honourable friend mean to suggest that if Mr. Harchandrai Vishindas, who comes from Sind, and some of his Sindi friends, who are great traders all over the world, set up business in Tanganyika, they have an absolute right to claim that they shall keep their accounts in Sindi? Now there is Baniya Sindi or Shikarpur Sindi and Hyderabad Sindi and the Hyderabad Sindi is unable to understand the accounts of the Shikarpur Sindi. Are we not proposing to put a very very heavy burden on the Mandatory if we are to require it to maintain an administration so polyglot as to be able to deal with practically all the languages of the world? Why is this language test imposed? It is only for administrative purposes. If my Honourable friend goes to England and proposes to submit his account to the income-tax officer in Tamil, Telugu or Gujrati or Canarese or Sindi, would he consider it an outrage and racial discrimination if the form is returned to him for translation into English. I read from the Trading Licensing Ordinance. The object of these books of accounts is to enable the true amount of profits of the business to be ascertained for the purpose of profit tax. It is an administrative necessity that the accounts of all traders should be intelligible to the administration. This is a requirement which is imposed upon all persons:

"No person shall on or after the 1st day of April 1923 carry on in the territory whether as principal or agent any business not being exempted from the operation of this Ordinance except on condition of taking out a licence."

I turn to a few general conditions as to mandates. My Honourable friend has read from Article 22 of the Covenant of the League of Nations certain passages. I might perhaps be allowed to supplement. I do not suggest that he has refrained from quoting passages which he should have quoted, but I should like to give the House some idea of the duties of a Mandatory to realise that the Mandatories have undertaken in the interests of civilisation a very very grave burden from which they may hope to obtain neither profit nor reward nor honour of any sort but only criticisms, attacks and arraignment before the bar of the League of Nations. It is laid down in Article 22 of the Covenant with reference to the class of country we are now dealing with, the class of country which is included in what are known as "B" mandated territories—Honourable Members of the House are aware that for the purpose of mandates three divisions were made, "A", "B" and "C". "A" mandated territories are an advanced class of country, a country which can soon hope to attain the status of standing on its own legs, for example, Syria, Palestine and Mesopotamia. In the "B" class you have countries like Tanganyika for instance and

places especially in Central Africa which are in such a stage that the Mandatory must be responsible for the administration of the territory under conditions which will guarantee freedom of conscience or religion subject only to the maintenance of public order and morals, the prohibition of abuses such as the slave trade, arms traffic and the liquor traffic and the prevention of the establishment of fortifications or military or naval bases and the military training of the natives for other than police purposes and defence of territory, and will also secure equal opportunities for the trade and commerce of other members of the League. What reward is the mandatory government to get out of this? It is surely, as I have said before, a very heavy burden in the interests of civilisation, and other members of the League, Sir, I submit, should be very very careful before they bring the Mandatory before the bar of the League of Nations. They should exhaust every possible means of negotiation with the Mandatory, and they should be very very certain of the justice of their case before they go to the League. My Honourable friend has read from, what I think he would claim to be his charter, Article 7 of the mandate for Tanganyika. I may be allowed to read the passage again to the House. Possibly I shall lay stress on a different part of it.

"The Mandatory shall secure to all nationals of State Members of the League of Nations the same rights as are enjoyed in the territory by his own nationals in respect of entry into and residence in the territory, the protection afforded to their person and property, the acquisition of property, movable and immovable, and the exercise of their profession or trade, subject only to the requirements of public order, and on condition of compliance with the local law."

I very much regret to say that the compliance with the local law which was made by the Indian traders in Tanganyika consisted in proclaiming a *hartal*. That local law,—I have already read the provision,—is a local law within the meaning of Article 7.

Diwan Bahadur T. Rangachariar (Madras City: Non-Muhammadian Urban): Made by you?

Mr. L. Graham: Made by the Mandatory. It might be said that the Mandatory has made a law and abused its powers.

Mr. E. K. Shunmukham Ohetty: Can you make a law inconsistent with the provisions of the mandate?

Mr. L. Graham: That is just the point I am discussing. According to paragraph 4 the Mandatory shall have full powers of legislation and administration. I am not going to say definitely one way or the other, because I do not wish to prejudice the progress of the negotiations. The local law says that the accounts shall be kept in English, French or Swahili in English. I put it to the Members of this House that they should be absolutely convinced that there is actually a breach of the mandate by the Mandatories before they could agree to support this Resolution. And that, Sir, is a matter for legal opinion. After very very careful consideration I am not prepared to say now that this provision is a breach of the law. It seems to me that it is not, but I am not prepared to give a definite opinion. It appears to me, Sir, that the administrative needs of the country of the Mandatory must also be considered. If the law means that the Mandatory is required to recognise for official purposes every language spoken by every member of the League, then I say, Sir, that the law is an unfair law to the Mandatory. Personally, at present I am not prepared to say that it is so. The point which I wish to make is that we are supporting this claim on behalf of the traders of

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Tanganyika, as my Honourable friend opposite knows, with very great energy, because we think that the interests of the traders, the Indian traders, in Tanganyika do require that this concession should be made. We think it a fair request on the part of the traders. We are not prepared to say that it is a true legal demand, but because we think it is a fair request we are supporting it; and the point that I want to put to the House is this, that our support of this request to the British Government is a claim for a concession if you like, but not a claim as a right, and our negotiations pressing for the grant of this concession will be very gravely prejudiced if this House takes upon itself to pass this Resolution and demand to go straight before the League of Nations and arraign the British Government there. It is practically equivalent to asking us to break off our negotiations with the British Government. (*A Voice*: "How long have these negotiations been in progress?") The details of the negotiations, Sir, and the success which has to a very large extent already attended them will be laid before the House by my Honourable friend the Member in charge of the Executive Department concerned, Education, Health and Lands.

Finally, Sir, I may be allowed to draw the attention of the Members of this House to a paragraph in the mandate to which, if I may be allowed to say so, my Honourable friend hardly gave sufficient attention. If I understood him aright he read a paraphrase and not the text of Article 13 of the mandate itself, the mandate of Tanganyika.

Sir P. S. Sivaswamy Aiyer (Madras: Non-official): May I know what is the class of mandate here?

Mr. L. Graham: A "B" mandate, Sir. I assume, Sir, that we are dealing only with the grievances of Indians in Tanganyika. The Resolution, as I have said, hints vaguely at grievances all over the world. The Government of India have received no intimation of any grievances outside Tanganyika, and for that reason we on the Government Benches are keeping strictly to the grievances of Indian in Tanganyika. Now, Sir, Article 13 of the mandate of Tanganyika provides:

"The Mandatory agrees that if any dispute whatever should arise between the Mandatory and another Member of the League of Nations relating to the interpretation or the application of the provisions of the mandate, such dispute, if it cannot be settled by negotiation, shall be submitted to the Permanent Court of International Justice provided for by Article 14 of the Covenant of the League of Nations."

Now, Sir, the mandate itself requires negotiation. Government tell you that negotiations are in progress, that they are hopeful of the result of those negotiations. Now don't you think that in moving this Resolution you ask us to tear up the negotiations, to interrupt them and have nothing whatever to do with the British Government. I submit that the procedure is entirely at variance with the procedure laid down in the mandate. The Mandatory, as I have said before, is entitled to every consideration. He has undertaken a very heavy task. His own mandate says that in the first instance every grievance on the part of another nation, a member of the League, shall be made the subject of negotiation with him. My Honourable friend says, "Let us put aside this article altogether; after all it is only something for the benefit of the mandatory and the mandatory is fair game. Put him up before the bar of the League of Nations and take shots at him". Sir, I am reminded of a notice which, I believe, was displayed in a saloon in the west of America in the days when it was known as

the " Wild West ". There used to be an unfortunate man who for the benefit of the rest of the members drinking in the bar used to be set down to play the piano and there was a notice put up above the piano, " Don't shoot the man at the piano. He is doing his best ". Now, Sir, the Mandatory is in very much the same position. He has a very unpleasant task before him from which, as I have said, he is going to get nothing whatever for himself. It is a task which he has undertaken for the good of civilization. Therefore, I say, Sir, he should be given every consideration, and the least consideration which should be given to him is that when a nation has a grievance against him, it should proceed according to the terms of the mandate. If we pass this Resolution to-day, Sir, we shall be prejudicing very gravely those negotiations which are in progress, from which good results have already been obtained, though I think my Honourable friend opposite rather tended to minimise those results; and we shall be proceeding directly in contravention of the terms of the mandate. For these reasons, Sir, I oppose this Resolution, though I do trust the House understands that, in opposing this Resolution, Government are convinced that they are acting in the very best interests of the Indians in Tanganyika.

Diwan Bahadur T. Rangachariar (Madras City: Non-Muhammadan Urban): Sir, I do not know why on this occasion the Government have chosen a dry lawyer to be their spokesman. I am afraid Mr. Graham with his legal instinct has been bringing too much of his legal lore into play in dealing with the most elementary question of justice to Indians in Tanganyika. Sir, my Honourable friend spoke of concessions. Is it a concession, Sir, for a human being to claim " I will speak my own language, I will write my own language "? Is it right for any Government to say, " No, no, you shall not speak your own language; you shall not write your own language " ?

Mr. L. Graham: On a point of order, Sir. I understand that Gujarati is freely spoken in the streets of Tanganyika.

Diwan Bahadur T. Rangachariar: Yes, Sir. But you prevent them writing it. It has come to that, that it is termed a concession that people should be able to use their own language. Sir, it is this conception of the position which I am afraid really stands in the way of the Government of India making that vigorous protest which they are bound to make in this case. I do concede, knowing as I do what has always been going on, that there have been vigorous protests on the part of the Government.

12 Noon. I congratulate them on the stand they have been making. But, Sir, the day is soon coming when this law will be put in force—it is not far. Now, this Regulation was made in 1923, and we have been negotiating and negotiating in this matter ever since. Where is to be the end of these negotiations? Sir, this question acquires added importance if you remember what happened in July 1920 in Viceregal Lodge. A very influential deputation from Africa waited upon His Excellency the Viceroy. They had a small complaint to make about the then administration—the mandate had not come into force then—they had a small objection to make to a particular clause enabling the Administrator to deport undesirables. This deputation made a vigorous representation on that subject, that they feared that Asiatics might be deemed undesirable and got out of the country. His Excellency the Viceroy then, as we see in the press communiqué of the 27th July, 1920, told the deputation this. He read out to the deputation a portion of the draft mandate for the Tanganyika Territory which it was

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proposed that Great Britain should receive from the League of Nations; if this mandate was ratified it would entirely safeguard the rights of India. Sir, far from the rights of India being safeguarded, what has happened since the mandate was established? They have passed a Regulation compelling the Indian population there to keep accounts either in English or Swahili in English characters or in French, and it is a criminal offence not to do so and the offender is liable to a fine which may go up to 2,000 shillings. Sir, the Germans were in charge of this country for years and years and Indians were not required to keep their accounts in any language but their own. Now, Sir, it is a strange irony of fate that when their own Government get charge of the territory, they should be subjected to this added injury that His Majesty's subjects should not keep their accounts in their own language. Can anyone stand up, Sir, to defend such an action on the part of the Mandatory? Does it not rouse the virtuous indignation of my Honourable friend, Mr. Graham? What has happened? Where is the local law, if you make the local law yourselves? There was no local law at the time of the mandate that Indians should keep their accounts in French or in English or in Swahili in English characters. You introduce the local law and say: Now how can this clause in the Mandate apply? Clause 7 of the mandate should be read subject to local law, and I will make the local law depriving you of your right which you have enjoyed for years and years, if not for centuries? If that is the conduct of the Mandatory that is sought to be justified now on the floor of this House, I hope the Government of India are not a party to this justification. It does not do them credit to stand up here to defend the Mandatory who will impose a local law against a usage which has existed in the country for long long years. Sir, Indians form the bulk of the population there. You will find there are nine thousand and over Indians out of 10,950 Asiatics, and there are only 2,447 Europeans, of whom, Sir, 160 only are French and 43 are Belgians. Sir, when this Ordinance was first passed, excluding French, the French Government protested and in five minutes they were able to get the French language recognised as an official language in which the accounts could be kept, and here, Sir, the British Government, the Government of India, with a population of 300 millions odd, have been negotiating and negotiating for three years without effect. How were the French able to get French recognised? Did all these fancy difficulties about Chinese and Sindi stand in the way? Did such difficulties as is Chinese going to be the language, is Japanese going to be the language—did all these fancy difficulties stand in the way of the Mandatory accepting French in five minutes? Sir, France is an independent nation, whereas India is not. That is the truth of it. Here the Secretary of State for India from one Chamber has to go on his knees to the Secretary of State for the Colonies in another portion of the building. That is the real difficulty which lies in the way. Sir, the Indian nation cannot look at it in the same way as Britishers may be inclined to do. I hope, Sir, they will take a firmer stand than the halting stand which has been made on the floor of the House to-day by my Honourable friend, Mr. Graham. Sir, it is an elementary right, I say, and no concession—it is elementary justice. What happened here? Here for purposes of the administrative convenience I know the Madras Government for a time insisted upon the Marwaris trading in Madras keeping their accounts in English. In five minutes, Sir, by interpellation and Resolution in this Assembly, we were able to get the Government of

India to alter this rule. If for administrative purposes you want to impose taxes, it is the duty of the Government to find the necessary machinery and agency and not compel people to keep accounts in a language they do not know. It is an absolute injustice for any Government to do this. It will not be a civilised Government if it did that. It will not be fit for the Mogul, it will not be fit for the barbarians to do so; that is to compel citizens to keep accounts in any language they do not know. They will have to keep accounts in double column and treble column—they are accustomed to keep accounts in their own way. It is the business of the tax-gatherer to employ the necessary agency for checking the accounts. Now, here is a Government which shamelessly imposes this obligation. The people trade with India and Zanzibar, all their correspondence is in Gujarati, and then you compel these people to keep their accounts in English. It appears to me one moment's reflection will convince any just Government that they are imposing an unjust measure. It is against that that Indians protest. It is against that we want the Government of India to take a firm stand. Sir, let not dry questions of law enter into it. Here is a question affecting a large population and not a handful of people. My Honourable friend, Mr. Shanmukham Chetty, has told us that out of the traders there more than 90 per cent. of the commerce is in the hands of the Indians of this country. Very little of it is in the hands of Europeans. There are very few Europeans engaged in commerce there. Still they are able to get their languages recognised for keeping accounts and my Honourable friend justified it by saying they are the official languages of the League of Nations—English and French. What has that got to do in Tanganyika? Then, Sir, let Gujarati be also the official language of the League of Nations if it comes to that. We are paying for the upkeep of this League of Nations. If any benefit is to be derived at all from our being a State Member of the League of Nations, this is the occasion for the Government of India to insist upon our rights. There is a large feeling, as Honourable Members of this House well know, there is a large feeling, that we get no benefit from being a member of the League of Nations. In fact, there was a serious proposal made by Sir Deva Prasad Sarvadhikary that we should cease to participate in the League of Nations. Sir, that feeling will grow if we do not take advantage of our position as an Independent State Member of the League of Nations. Sir, the Mandatory unfortunately happens to be our own Government. They claim to be our trustees. Is this the way a trust is to be discharged, to go and compel your people to keep accounts in a foreign language? Sir, let there be warmth and indignation in the protest. I do not want in any way to spoil the negotiations which may be going on, but let more pressure be put upon the British Government. This is not the sort of lukewarm support which we have seen to-day which we want—we want a wholehearted and vigorous support of this proposal. The British Government will be placed in a most embarrassing position; if to-day the Resolution is not carried, some months hence it will be carried, so this situation has to be faced. Let the British Government be aware of it. In that aspect I give my support to this motion.

Mr. B. Das (Orissa Division: Non-Muhammadan): Sir, this morning when I got hold of my morning paper the *Hindustan Times*, a Nationalist paper of this city, commenting on this Tanganyika Resolution, it concluded in this way:

“The attitude of the Government of India in this discussion will form a test as to the sincerity of its professions with regard to the condition of Indians abroad.”

[Mr. B. Das.]

Sir, many of us already know the attitude of the Government of India in this matter, and the Honourable Mr. Graham, the Member for Gujrat, defined that attitude when he said that the Government of India cannot accept this Resolution. When the Honourable Member for Gujrat spoke so feelingly about the Gujratis—I wonder if the Honourable Mr. Graham keeps his domestic accounts in Gujrati—and said that their domestic accounts are not to be kept in Gujrati but are to be kept in English or in Swahili. But I am thankful to the Honourable Mr. Graham for coming out in the true colours of the Government of India and saying that they cannot accept the Resolution and for his having dealt with the case before us not by means of that long-winding argument to which we are so accustomed from my friend, the Honourable Sir Narasimha Sarma, the Law Member. The Members of this House are very much accustomed to the wisdom of the Leader of the other House. The other House is full of wise men, and naturally the Leader of that House brings to us lots of that wisdom and sometimes expostulates with this House, but somehow, when we go to our own homes and read these long debates of the Honourable Member, we find them without any corn, but full of husk and chaff. In 1923, a Resolution of Sir Deva Prasad Sarvadhikary partially brought this Tanganyika question, already alluded to by Mr. Rangachariar, for discussion before the last Assembly—which was also full of wise men, but we don't find most of them amidst us to-day. That Resolution was replied to by the Honourable Sir Narasimha Sarma in his long winding, flamboyant language to which I have already said we are so accustomed. Referring to this Tanganyika question, what did he say? He did not speak so bluntly as my friend, Mr. Graham. Mr. Graham is not an Indian but an Englishman—a Member of the Executive Government and can adopt the bureaucratic tone and speak bluntly. He therefore says, "the Government of India will not accept, neither will the Colonial Office, who are the Mandatary of Tanganyika, accept any such proposition." But my friend, Sir Narasimha Sarma is an Indian; before he joined the Government Bench he was a public leader and he kept in touch with us, and, when he will return to us after a few months he will have again to keep in touch with us. What did he reply? Referring to this Tanganyika question, he said:

"I maintain that the Tanganyika mandate falls within the second class of the "B." mandates. Now here the British Government are directly responsible for the administration of Tanganyika."

I ask the House to note this British Mandate. Well, of course, the British Government, no doubt, exercise control over the Executive Members of the Government of India in matters which are the concern of the British Government, and the Indian Government must carry out the orders of the British Government because they are the masters of the Indian Government and the Indian Government is a part of that British Government. Referring to the servility of Tanganyika Sir Narasimha Sarma stated:

"Except to this extent that some favour has been shown to the native, the indigenous inhabitant of Tanganyika, I cannot think that Honourable Members can take exception to favours shown under the taxation laws with regard to the indigenous inhabitants of that country whose interests were primarily entrusted to the safe keeping of the British Government."

Remember, we are not part of the British Government. "Barring that, there is no discrimination whatever. Furthermore, there are no disabilities whatever"—mark you this, coming from a responsible Indian leader

The Indians complained of what? "They were asked to keep accounts in English and Swahili, they were asked to take out licenses every year, the taxation was imposed at a time when there was a tremendous trade depression, so forth, and so forth". I will come to his assurance to the House, to the Indian Members—of course the Members of the Legislative Assembly at that time were also full of wise men, many of them were very wise men. The Government of India were asked to interfere and to do all that they could to see that those laws which prejudicially affected the interests of Indians who were settled in that country should be removed, and my Honourable friend, the Law Member, who is always very glad to interpret the Government views to us in this House, said:

"I am glad to say the Home Government have promised such consideration and have authorised the Government of India to state that the question of introducing amendments into the Ordinance will in due course be considered by the Secretary of State in consultation with the Governor."

Of course, they have done nothing; and that year another very wise Member of the Government of India, Sir Tej Bahadur Sapru (I do not know if he was then a Member of the Government) represented us on the League of Nations and also at the Imperial Conference. We thought that wise Member of this House would place the case of India very strongly before the Imperial Conference, but look at the way he placed our case before the Imperial Conference. He said:

"In Uganda Indians are pressing for representation by election rather than by nomination to the Legislative Assembly, and in Tanganyika, which my countrymen helped to win for the Empire, Indians have certain grievances which I understand are at present under the consideration of the Colonial Office, such as the profits tax, the pedler's license, trade license, and may I express the fervent hope that the Colonial Office will give a very sympathetic consideration to those considerations before they arrive at any decision."

Look at the defence which our Honourable Member makes. It is all wisdom, they always talk in the language of wisdom, they do not press our point, they always speak conveniently and mildly, and beg and agitate with the Colonial Office. Well it is something of course, but not all. Our delegate Sir Tej Bahadur Sapru might have received his instructions from my Honourable friend, Sir Narasimha Sarma, as probably he was in charge of this question then.

Well, my friend, the Mover of this Resolution, usually when he takes up any Resolution, presses hard and hits hard, but to-day he was in a very begging attitude; he asked for certain favours from the Government of India, from the League of Nations, from the British Government. Do you expect any favours from the League of Nations? What is that body? A body of old wise men, thinking of universal co-operation and humanitarian principles, formed that League of Nations. But who joined that League of Nations? One of the founders of that League of Nations, Mr. Wilson, is dead. Why did he die? (Laughter.) It is the failure of the League of Nations that killed Mr. Wilson. It is the imperialistic policy of Britain that killed Mr. Wilson. The poor man died heart-broken. That was why Mr. Wilson died a premature death. Another member of this League of Nations, Lord Robert Cecil, has received a medal from the United States for his good intentions towards the League of Nations. And we Indians, what interest have we in the League of Nations, although we pay lots of money every year? At first we were a first class member but now we are a second class member. We pay to the tune of 12 lakhs of rupees. We have no representatives on the League. Who will be our representatives? My friend Mr. Graham will say that the people of India can have no representation, that the Government do not think that India is

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fit to sit side by side with other nations in the League of Nations. Sir Ali Imam once represented India in the League of Nations. He pressed the Indian point hard in regard to representation of India on the Labour Organisation of the League and told them that 60 millions of people in India are labourers. But have the Government of India done anything? Is there any Indian who represents us on the Labour Organisation? Of course the Government of India may send as the representative of India one of the members of the executive Government or one representative from amongst the Ruling Princes of the Native States—those they want to give a holiday in Europe. But do they represent the people of India or do they represent the executive Government of this country? We do not want the executive Government of this country to be the representative of India in the League of Nations. It is the people of India who must be represented in the League.

Mr. L. Graham: On a point of order, Sir, the Honourable Member is speaking on the amendment which, I think, you will rule out of order.

Mr. B. Das: Sir, my friend, Mr. Rangachariar argued the very thing. I therefore say that my friend Mr. Chetty has put his demand very moderately. But I say whether the Government accept this Resolution or not, I do not expect anything will come out of it, because the Government of India are committed to the principle to which my friend, Mr. Graham, referred this morning.

On a point of order, Sir, can I move my amendment?

Mr. President: The Honourable Member's amendment is clearly outside the scope of the Resolution.

Mr. B. Das: Then I will conclude my speech. Mr. Chetty's Resolution was ably seconded by Mr. Rangachariar and it has my hearty support. But I still say it is a very modest demand and a moderate demand and I hope when the Honourable the Law Member discusses this subject, he will give us an idea as to what will be our future representation in the League of Nations; whether we will go there as sightseers or whether there will be actual representatives of the people of India who would have a voice, who will really represent the feelings of the people of India.

Mr. J. W. Bhore (Secretary, Department of Education, Health and Lands): Sir, before the House decides to commit itself to the acceptance of this Resolution, I think it ought to have before it a clear and dispassionate statement of the position, so far as the facts are concerned, in regard to the offending Tanganyika Ordinance. From the speech of the Honourable Mover I gathered that it was this Ordinance and more particularly the requirement that traders' accounts should be maintained in English, French or Swahili that has induced him to move the House to take the unusual, the drastic and—I hope to show—the inopportune step recommended in this Resolution. Sir, when the Honourable Mr. Shanmukham Chetty takes the floor of this House, we are growing accustomed to expect from him a speech of more than ordinary distinction and I am sure the House will agree that he has not disappointed us to-day. But I would not like the real issue to be clouded by his eloquence. I propose, Sir, to state the simple facts of the case and I ask the House on those facts to come to the conclusion that the right course, the only possible course to adopt is not that recommended in the Resolution but that which the Government of India have pursued and which they are pursuing

at the present moment. Sir, the grievances of Indians in Tanganyika flow from what has been called the Trades Licensing Ordinance, which has been objected to universally in the territory concerned, and in regard to which we ourselves have made most earnest representations to the Colonial Office. Now, Sir, what is it in this Ordinance to which exception has been taken? I would like the House to be perfectly clear on this point and on the nature of the grievances. Indians in Tanganyika have laid stress on two grievances in respect of this measure. The first, Sir, is the necessity for the yearly renewal of trade licenses which places traders at the mercy of the officials every year. The second is the requirement that accounts should be maintained in English, Swahili or French, which will inflict an intolerable burden on them. Now, Sir, on both these points we have pressed the Indian case. With what result? I know, Sir, it has been suggested that our intervention has been impotent and barren of results and that we have only succeeded in wasting time. Sir, I am content to place the results achieved before the House and leave the decision to its judgment. Now, Sir, in regard to the first grievance we have been able to get the categorical assurance from the Secretary of State for the Colonies that the apprehension lest the licensing authority might raise difficulties or make conditions when application is made for further renewal of a license is groundless. This will not be possible and licenses will be renewed as a matter of course on payment of the fee. I think, Sir, the House will agree that we could have obtained no more satisfactory assurance on that point. So much, Sir, for the first grievance. Now, let us come to the second. In our representations on this matter we made it clear that while the language requirement in the matter of the maintenance of accounts would operate very hardly on everyone generally, it would operate with exceptional hardship on the small trader. Sir, the Secretary of State for the Colonies, who, I may say, received all our representations with the utmost courtesy and the utmost consideration, was able to see eye to eye with us on this matter of the small trader. In order to afford relief to the small trader it was directed that no one whose profits did not exceed £150 a year should be required to maintain any accounts at all; and, Sir, it was further ordered that the language provisions of this Ordinance should not come into force until the 1st of April 1926. There, Sir, the matter rested, until the Colonial Office added French to the list of languages in which accounts might be maintained. Then, Sir, we again took the matter up and, taking advantage of the presence of our Colonies Committee in London, we utilized their able advocacy to again press our case. How did the Colonial Office meet us? They did not say to us this is a *chose jugée* and we cannot go into the matter at all. On the contrary, Sir, they expressed their readiness to re-open the question. And I am able to announce that the new Governor of Tanganyika has been instructed to re-examine the whole position. That, Sir, is, in brief, the history of the case and it is at this juncture that this Resolution is moved. Sir, I know that it has been suggested that we have been unduly patient in this matter. Sir, patience is the badge of all our tribe on this side of the House. It is perfectly true that negotiations have been protracted. But in our very natural anxiety to see that a quick and rapid settlement is reached in this matter, let us not forget the fact that in the circumstances of this case delay is inevitable. The parties to these negotiations live in three separate continents thousands of miles away and the House will recognise that physical conditions alone impose an almost insuperable obstacle to a quick and rapid settlement. Then, again, Sir, it

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has been suggested that negotiation as a weapon of settlement has failed. Sir, I deny that absolutely. Is it nothing that in regard to our first grievance we have been able to get a most satisfactory solution? Is it nothing that we have been able to get a material restriction of the application of the Ordinance itself? Is it nothing that we have been able to get for the small trader total exemption from the application of this Ordinance? Is it nothing, Sir, I ask, that we have finally been able to get from the Colonial Office the assurance that the matter will be re-opened and that the whole question re-examined? Sir, I ask this House to consider whether, in view of all that has been obtained by patient negotiations with the Colonial Office, it is now prepared to discard rudely this method of settlement? Sir, I can conceive of no more inopportune moment for pressing this motion. We are practical men and we are striving by practical means to secure some practical measure of relief for our nationals abroad. I do ask this House most earnestly to endorse unequivocally the action and the course which we are taking and I do appeal to my Honourable friend the Mover not to press his motion.

Mr. Devaki Prasad Sinha (Chota Nagpur Division: Non-Muhammaddan): Sir, I could not understand the point of view of my Honourable friend Mr. Graham when he stood up to deliver the official reply to this Resolution. He told us that the demand of the Indians settled in Tanganyika was a fair request, a claim for a concession, and he emphatically asserted that it could not be described as a legal demand for their right. I was surprised, Sir, how, considering the demand of the Indians to be only a request for a concession, the Government of India could press for a recognition of this demand. The administration of the mandated territories is carried on according to the provisions of the Covenant of the League of Nations, which explicitly lays down that the administration of the mandated area is to be carried on for the development and well-being of the people of that area. If, therefore, the demand of the Indians settled in Tanganyika is merely a claim for a concession or a fair request, I submit, Sir, that it would not only be unbecoming of the Government of India to do so, but would also be contrary to the provisions of the Covenant to press for this demand. I, therefore, take it, Sir, that in pressing for the recognition of the demands of Indians settled in Tanganyika the Government of India realise that it is not merely of the character of a fair request or a claim for a concession but it has some of the attributes of a demand for a right. Now, Sir, if it is a demand for a right and if the Government of India realise that the disabilities imposed upon Indian settlers in Tanganyika by the linguistic and fiscal obligations are a violation of their rights to trade freely in that country, then the Government of India are bound by that Article of the Mandate which the Honourable Mr. Graham himself read out to the House. I shall refer only to the last portion of it. It says:

"The Assembly will also secure equal opportunities for the trade and commerce of other Members of the League."

Next, Sir, it has been pointed out to us by the Honourable Mr. Bhore as well as the Honourable Mr. Graham that this is not the proper way of handling the situation. The Government of India consider that much benefit can accrue from prolonged negotiations carried on through the Colonial Office in England. Sir, going through the report of the sessions of the League of Nations one is struck by the fact that things even much less important than the one which we are discussing to-day have been

the subjects of discussion before the Assembly of the League of Nations. I take, Sir, the report of the Assembly for the year 1928 published by the British Branch of the League of Nations. On page 44 of that report we find:

"Into such matters as labour conditions, the proportion of the local budget devoted to education, the control of the arms and drink traffic, the investigation was often searching, with results which inspire generally much ground for confidence."

Sir, I had an opportunity of discussing the question of Indians settled in the mandated territories, particularly Tanganyika, with a gentleman who shall be nameless for the time being, but who had watched the proceedings of the Assembly of the League of Nations from year to year. If I may be permitted to mention a remark which he made to me in this connection I may say, Sir, that the gentleman informed me that it was curious how the representatives of India for the last two years—mind you, it was only for the last two years—did not consider it their duty to go into the details of the reports submitted by the Mandates Commission to the Assembly of the League of Nations. My Honourable friend from Orissa, my immediate colleague to the right, has ventilated the grievances of this Assembly against those eminent Indians who have represented the Government of India in the Assembly of the League of Nations. I may here mention, Sir, something which would go a little contrary to that suspicion which seemed to inspire the thoughts of my friend. The gentleman, whom I have referred to just now, told me that the only effective advocacy of the rights of Indians settled in the mandated territories that he had heard at the various sittings of the League of Nations was from that eminent Indian patriot who sits within the walls of this Assembly, namely, Sir Sivaswamy Aiyer. We also find in the report of the Assembly published in the year 1922 by the British Branch of the League of Nations the following lines:

"When it fell to the Assembly to debate the Sixth Commission's report, a spectacle was provided which two years ago would have seemed incredible. For not only were the actions of that majestic institution, the British Empire, called publicly in question by delegates from countries of a couple of million inhabitants or less, but representatives of one branch of the Empire did not hesitate to mount the platform and censure the policy of another in the eyes of the world."

Then, Sir, the Report goes on to describe the speeches made by the various representatives of the British Empire, and the relevant portion runs as follows:

"There came next Sir Sivaswamy Aiyer, leader of the Moderate Party in the Indian Legislative Council, who took occasion to make some observations in reply to Sir Francis Bell (New Zealand), and also passed various strictures on the methods of South Africa as a Mandatory."

Sir, the information which I could gather from the gentlemen who had attended more than three sessions of the Assembly of the League of Nations was that since the time of Sir Sivaswamy Aiyer the case for India was not at all placed before the Assembly of the League of Nations. Sir, we know that the Government of India are fond of negotiating only through the Colonial Office in England, but we have experience of the assistance and the helping hand offered by the Colonial Office in questions that affect the rights of Indians in other countries. We know, Sir, that there is very little hope which we can entertain from the Colonial Office in England. I have heard from people who have worked in the Colonial Office that the interest which they take in the affairs of Indians abroad is merely the interest arising from ordinary courtesy. There is

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another and more effective way of handling the situation, another and a speedier course for bringing the difficulties of Indians to the light of publicity, and that is by raising the question through the proper channels, by instructing the representatives of India who attend the Assembly of the League of Nations, to ventilate our grievances there. What this Resolution suggests, Sir, is by no means an unusual course. On the other hand it is regarded by those who have experience of the League of Nations as the most appropriate course. In a little book published by the League of Nations called "Reconstruction since the war: a Survey of four years' work by the League of Nations, 1920-1923," we find the following passage on page 28:

"The Mandates Commission is thus merely advisory to the League Council, but in course of time must become a valuable body with highly varied expert knowledge on administrative problems all over the world.

The Council and Assembly can exercise no direct authority over a Mandatory, but through them the principles and practice of the Mandatory's administration are brought quickly and directly to the bar of the world's public opinion. The result can hardly fail to be beneficial."

Therefore, Sir, in the opinion of those who have studied the constitution and the working of the League of Nations, the best method to follow in this case is to place the case of India before the bar of public opinion by ventilating it at the Assembly of the League of Nations.

Sir, in the course of the discussion of this Resolution I have found that too much emphasis has been laid on the linguistic obligations imposed by the three Ordinances referred to by my Honourable friend Mr. Chetty in his opening speech. Sir, I hope I shall not be accused of any want of patriotism if I differ from Mr. Chetty or from my other Honourable colleagues who have preceded me on this question. I fear, Sir, that we in India and our Indian countrymen in Tanganyika have been laying rather undue emphasis on the linguistic obligations imposed by the Ordinances. I realise that the problem of Indian settlers in Tanganyika as well as in other Colonies, the difficulties created there in the way of our countrymen enjoying full rights . . .

Diwan Bahadur T. Rangachariar: In what respect do they not enjoy full rights in Tanganyika?

Mr. Devaki Prasad Sinha: There are fiscal obligations besides the linguistic obligations imposed by the Ordinances. I regard, Sir, the fiscal obligations and the obligation to get their licenses renewed from year to year as far more humiliating than the obligation imposed on them to keep their accounts in Swahili or in English. And my reason is this. As I was just saying, the situation which our countrymen in various countries and in colonies abroad have to face, the situation which gives to them certain difficulties, is due more to economic causes than to political causes, and if our countrymen who go to other places and to other colonies of the world try to assume the roll of aggressors there, our position as inferior members in this bargain would become still more difficult. As I said, Sir, I speak with a great deal of hesitation on this question, but I honestly feel that if on going to another country Indians do not try to identify themselves with the interests of that country and to appreciate the thoughts and the sentiments and the feelings of those people among whom they have to live and to die, the position of Indians will, I am sure, continue to be difficult. It is our duty to take an interest in

our countrymen settled abroad to see that their standard of life is raised, to see that they undertake to make themselves adaptable to the conditions of the country in which they have to settle down, but at the same time we must not forget that it is our duty to fight for the rights of those of our countrymen who are settled abroad—the rights of citizenship and the rights of freedom of association and freedom of speech—if those rights are at all sought to be violated. I want to make a distinction between the linguistic obligations imposed by the Ordinances and other kinds of obligations which interfere with the trading facilities given to all citizens. I consider, Sir, that it is far more important for us to agitate for the removal of other disqualifications in the way of carrying on trade in Tanganyika. It is far more important for us to agitate that the obligation which an Indian citizen there is subjected to of renewing his license from year to year should be cancelled rather than that we should be fighting merely on the sentimental ground of gaining the right of writing our accounts in Gujrati. Sir, I hope I shall not be misunderstood, but I do hope that the efforts of the Government of India and those of our leaders in this country who are anxious to see the lot of Indians in the colonies improved, may not be limited merely to a discussion of this question in this Assembly or in the Assembly of the League of Nations. It is our duty also to carry on some kind of propaganda in those countries where our countrymen are settled as colonisers, propaganda with a view to giving them a stimulus for increasing their own standard of life and for showing to the world that so far as business capacity is concerned, so far as the capacity for developing the undeveloped resources of these colonies is concerned, our countrymen are in no way inferior to the other white colonists. With these words, Sir, I support the Resolution.

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban):* Sir, after I listened to the speech of Mr. Graham and the speech of Mr. Bhore, I remembered what the late Mr. Gokhale said. He said that the Government of India in personnel were foreign, but he wished that in spirit they were Indian. Sir, in those days the personnel of the Government was almost entirely foreign. Now it is a mixture of foreign and Indian, almost half and half; but I regret to find that the spirit is still not Indian. There is something magical, something extraordinary, some sort of witchcraft at work, so that when you are translated to that Bench you seem to forget the Indian feeling and the Indian spirit. Mr. Bhore, for whom I have very great respect, in his able speech, if I may say so, put the case very clearly and he appealed to us not to embarrass the Government. Sir, it reminded me of one set of beggars asking another set of beggars not to do something which might destroy "our interests." No doubt the Government of India are merely a subordinate branch of the British Government. No doubt they are afraid that in the course of the negotiations that are going on, if we pass this Resolution, the Colonial Secretary will at once say, "We are not going to discuss any more." And Mr. Bhore is mightily afraid that, if this Resolution is passed, the negotiations will come to an end. Well, Sir, although I recognise his advice that we ought to be practical—and I am not one of those who does not believe in the wisdom of negotiations and compromises, I believe in them fully,—still, let us examine the situation. We have been at it for the last two years. It is perfectly true, as Mr. Bhore has pointed out to us, that the Government of India have succeeded in making the position of the Indian traders more satisfactory with regard to the licenses. I also concede that with regard to the small

* Not corrected by the Honourable Member.

[Mr. M. A. Jinnah.]

traders the representations of the Government of India have borne some fruit; but remember even they have got to pay the translation fees in order to enable the officials to examine whether they come under the taxable amount of their income or not. Sir, what is the question about which we have been negotiating for the last two years with His Majesty's Government and the Colonial Secretary? It is a simple question. Do I understand that the Colonial Secretary or His Majesty's Government is so incompetent as not to understand this simple question? Does the grievance exist or does it not? Is it a just one or is it not a just one? And does it require two years and do you want still more time to understand it? After Mr. Bhore's strenuous efforts, after the heroic efforts of the Government of India for the last two years, where do we find ourselves now? The Colonial Secretary has graciously consented to re-open the question, says Mr. Bhore. I ask you, does not that show the utter impotency of the Government of India? And you ask us now to do what? To wait. For what and for how long? Sir, in spite of this strong feeling, in spite of this strong opinion that I hold, I would have willingly agreed to meet the Government but for this difficulty. The League of Nations is going to meet in July. (*A Voice*: "In September.") Well, in September, if you like, at least this year. This Ordinance will come into force in April 1926, and supposing nothing is done and the sittings of the League of Nations are over. This Ordinance will come into force in April 1926. Before whom, then, can we go except that final Court of Appeal which is open to us? And, Sir, how is it going in any way to prejudice the position of the Government of India? The position of the Government of India is quite clear. As my Honourable friend Mr. Bhore said, I am sure the Government of India are doing their very best, notwithstanding the speech of Mr. Graham which, to my mind, was one which ought to be condemned. He talked of concessions. He spoke as if it was a favour. He talked and adduced arguments which, to my mind, were really disingenuous arguments. Why? He himself said that he did not want to say anything which would prejudice the interests of Indians in Tanganyika, and the whole of his speech from top to bottom was intended to convey the impression that he would try and get a concession as if it was merely a concession. Now, Sir, what I want to ask the Government of India is this. How is it going to prejudice you if this Resolution is passed? Your position is very clear. You have been negotiating, and I frankly admit that, so far as the Government of India are concerned, they have been doing their best. I do not doubt it for a moment, although I regret the speech of Mr. Graham and its tone. Sir, I again ask, how is the position of the Government of India going to be prejudiced? Their position is this. They say: "For the last two years, we have been negotiating; we are still willing to admit that there is a just and a reasonable grievance which should be removed." Please remove it. But if you do not remove it out of sheer justice, out of sheer fairness to India, you, as the Government of India, will have to place the matter before the League of Nations which is the final tribunal, and we in this Assembly desire you to do so if you fail in your negotiations. Therefore, Sir, I fail to understand how this is going to embarrass the Government of India, and I am not at all convinced by the arguments of Mr. Bhore that we should not press this Resolution to a division if necessary.

Sir P. S. Sivaswamy Aiyer (Madras: Nominated Non-Official): Sir, when I came this morning, I had no intention of participating in this debate, but after hearing my Honourable friend, Mr. Graham, I think it

is very undesirable that the observations which he made as to the legal position should go unchallenged. We have all had the advantage of hearing Mr. Bhore, and the appeal he made to us not to embarrass the Government of India in their negotiations with the Home Government. I fully appreciate the force of that appeal, and I have no desire whatever to cause any embarrassment to the Government of India in the negotiations which they are said to be carrying on with the Home Government. But at the same time I wish to make it perfectly clear that we have a remedy under the Covenant of the League of Nations. At any rate the

1 P.M. doubts which Mr. Graham feels seem to me to be due to an exceedingly narrow interpretation of the Covenant of the League of Nations and it is very desirable that the Government of India should be braced up in their understanding of the legal position. That there is a grievance will hardly admit of any doubt. That these 10,000 Indian settlers have been in the habit of keeping their accounts in their own vernacular even during the German regime has not been questioned. That there has been a law now made requiring all these people to keep their accounts in either English or Swahili is also a fact. The only question is whether there is a remedy open to the Indian settlers and if so a remedy only by way of representation to the Home Government or by action under the Covenant of the League under this mandate. It is not necessary for me to make any observations upon the remedy by way of a representation to the Home Government. The real question now before us is: have we or have we not a right under the mandate which has been conferred upon Britain with regard to this territory? Now Article 7 of this mandate distinctly lays down that the Mandatory shall secure to all nationals of States, Members of the League of Nations, the same rights as are enjoyed in the territory by his own nationals in respect of entry into and residence in the territory, the protection afforded to their person and property, the acquisition of property, movable and immovable, and the exercise of their profession or trade, subject only to the requirements of public order, and on condition of compliance with the local law.

The first question is whether this Article speaks only of legal rights or of moral rights and claims as well? The suggestion that it is confined to purely legal rights does not seem to me to be well warranted. Has any person any right of entry into a piece of foreign territory? I am not aware of any legal right in any person to enter the territory of a State of which he is not a subject. There is distinctly recognised by this Article the right of subjects of other States to enter the mandated territory. It is not a legal right but a purely moral right that is recognised by this Article. Similarly, the right to carry on a profession or trade may be a perfectly legal right in the country in which a person resides but I am not aware that a person has got a legal right to go and enter any country in the world to carry on his profession or trade. It may be a natural right, it may be a moral claim. But all the rights that are recognised here of the nationals of other States who are members of the League of Nations to enter the mandated territory or to acquire property there or to exercise a profession or trade are all rights not of a strictly legal character, not recognised by any municipal law but recognised only by perhaps international law or perhaps not even that but only by considerations of expediency and international relationship. The argument therefore that only legal rights are contemplated by this Article seems to me to be not well founded. The right to keep a person's accounts in his own language is to my mind

[Sir P. S. Sivaswamy Aiyer.]

incidental to the exercise of his profession of trade and the right is subject only to two limitations, namely, the requirements of public order and the condition of compliance with local law. The requirements of public order cannot certainly be stretched to cover this regulation that he must keep his accounts not in Gujrati which is his vernacular but in some other language. It refers rather to considerations of the character of police regulations. The words are certainly inappropriate to a regulation of this character requiring accounts to be kept in a different language.

Then as regards the condition of compliance with the local law, is it some local law already existing or some local law to be made hereafter? Supposing that the words "local law" are to be construed in a very general way so as to include local laws which may be made in future as well, and that the Mandatory with regard to Tanganyika made a law that no person not acquainted with the Swahili language should enter Tanganyika territory, would you say that it was a mere local law or would you say that it went further? A provision that no person shall enter Tanganyika territory who was not acquainted with the Swahili language might from one point of view be considered to be a local law. In fact, any law that is made by the Legislature of any particular country can be said to be a local law. I do not think, however, that the words "local law" can be interpreted so as to mean a law of this general description. If it is interpreted so as to include any and every law made by the Legislature of that country, the Legislature may make laws which would have the effect of completely cancelling all the rights which are recognised and conferred by this Article 7. It seems to me that the Article has to be interpreted in a reasonable way in accordance with the spirit in which it was framed, and so as not to destroy the rights recognised by it. Having regard to the intentions of the framers of the Act it seems to me that in this particular instance at any rate there can be no doubt that the rule that the accounts of 10,000 settlers out of 12,000 shall not be kept in their own vernacular but in another language was not a reasonable law to pass.

Then, Sir, if there is a violation of a right conferred by Article 7, there is a remedial right conferred by Article 13 of making a representation to the League of Nations and any question of the interpretation or application of the Articles of the mandate is a matter for the Permanent Court of International Justice. Article 13 provides:

"The Mandatory agrees that if any dispute whatever should arise between the Mandatory and another Member of the League of Nations relating to the interpretation or the application of the provisions of the mandate, such dispute, if it cannot be settled by negotiation, shall be submitted to the Permanent Court of International Justice provided for by Article 14 of the Covenant of the League of Nations."

We certainly have a case for taking before the League of Nations and the Permanent Court of Justice in regard to the manner in which this Article has been interpreted or applied. I wonder whether the spokesmen on behalf of Government contend that we have absolutely no case whatever to take before the League or that there is no reasonable doubt as to the interpretation or the application of the provisions of the mandate. The Government spokesmen seem to labour under the impression that they are bound to strain the Articles against our own nationals and that they are bound to interpret or apply these provisions of the mandate as far as possible against ourselves. Instead of giving the benefit of doubt to our own nationals they seem inclined to give the benefit of doubt, if any,

to the Mandatory who has proceeded in a manner so utterly unreasonable and so contrary to the spirit of the terms of the whole mandate. I think it is at least a case in which there is reasonable room for a difference of opinion as to the interpretation or application of the provisions of the mandate which we are entitled to submit to the League. Of course, it does not prevent us from seeking the other remedy of a representation to the Home Government. I do not wish to place any impediments in the way of the adoption of that course. By all means let the Government of India pursue that course, but if we fail, let us have recourse to the other remedy also which is provided by the terms of the mandate.

Mr. E. K. Shanmukham Obetty: Sir, when a person is driven to the last extremities he generally goes to a lawyer and the Government of India were evidently in that position when they briefed Mr. Graham to reply to the Resolution that is now before the House. But unfortunately, Mr. Graham also was in the position of a lawyer who was conscious of the fact that he had a very bad case, indeed, to defend. After the very able speech of my Honourable friend Mr. Jinnah in which he exposed the utter untenability of the position taken up by the Government, there is not much for me to say by way of reply.

Sir, so far as I can see, Government can oppose this Resolution on one of three grounds; firstly, that they have no case to take up before the League of Nations; secondly, that it is not proper to lodge this complaint at this stage because here is still hope of coming to a settlement by negotiation; or thirdly, that the Government of India are not in a position under any circumstances to lodge a complaint against the British Colonial Office. It is only on one of these three grounds that Government can oppose this motion. If I have understood my Honourable friend, Mr. Graham, rightly, his position was the first one. He is doubtful whether we have got a proper case to take before the League of Nations. Sir, he said that the Government of India are trying their utmost to get a concession in favour of the Gujarati merchants. I emphatically protest against the use of the word "concession". So far as I am concerned, and so far as this House is concerned, there is absolutely no doubt that the provisions of this Ordinance enforcing the use of only English, French or Swahili as languages for commercial accounts are a serious infringement of the legal right conferred upon the Indian settler by the terms of the mandate given to the British Colonial Office. If we are convinced of that position, we have certainly got a case to be taken up before the League of Nations and, if necessary, before the International Court of Justice.

The second position was taken up by my Honourable friend Mr. Bore. He fortunately took up an attitude of sweet reasonableness which I welcome. His position comes to this: We have been carrying on negotiations with the British Colonial Office for the last two years and we are not hopeless of the result of our negotiations. Sir, the Government of India are the most optimistic body in the world. They are never hopeless of anything in the world. This matter was brought to the notice of the Government of India as early as March 1928 and in a letter received by the British Indian Colonial Merchants Association dated 17th March 1928 the Government said:

"I have been desired by the Honourable Mr. Chadwick to acknowledge the receipt of your telegram of the 17th instant and to inform you that the Indian Trade Commissioner in East Africa has been asked to report the facts to the Government of India by telegram."

[Mr. R. K. Shanmukham Chetty.]

Negotiations therefore began practically on the 17th March 1923; and then in a letter, dated the 3rd May 1924, to the same Association the Government of India took the very strange position in which they stated:

"In the opinion of the Government of India it would be difficult to press a proposal which involved large expenditure unless possible objection on this score could be met and they would be glad to have the views and suggestions of your Association in the matter."

Evidently during the course of the negotiation the Government of India had to face the serious onslaught of the British Colonial Office and they, like my Honourable friend Mr. Graham, began to doubt whether they can press this claim of the Indian merchants on the British Colonial Office. I strongly deprecate that attitude taken up by Government. If Government are absolutely convinced that we have got a very good case and that the legal right of the Indian settler in Tanganyika has been seriously infringed by this Ordinance, then we in this House can cherish still some hopes of these negotiations terminating favourably; but if the Government of India are going to take up this kind of attitude that after all they are doubtful whether it would be advisable to press this claim in view of the financial position in which the Tanganyika administration is involved, then there is absolutely no hope of a solution. We know the results of the Government of India's negotiations even when the Government of India take up a very firm attitude and we can realise what will be the result of the negotiations if the Government are going to take up this half-hearted attitude. Even if my Honourable friend Mr. Bhore is very optimistic as to the results of the negotiations, I for one cannot understand how the Government's case would be prejudiced by accepting this Resolution or by having this Resolution passed in this House. On the other hand, I should say that it will considerably strengthen the position of the Government. As my Honourable friend Mr. Jinnah pointed out the next meeting of the League is in August or September this year and if no solution is arrived at before that date, then the mischief will have been done in April 1926 and, when once the mischief has been done, we know by practical experience that it will be very difficult to find a remedy. But now the Government of India with the strength of this Resolution behind them can very well tell the Colonial Office "Look here, we are now asked by the Legislative Assembly to take this action. If you cannot arrive at a solution of this problem before September next, we will have no other course open to us but to bring this matter to the notice of the League of Nations. I should rather think that the acceptance of this Resolution by this House would considerably strengthen the position of the Government of India in their negotiations with the Colonial Office. Therefore, Sir, even on the second ground I do not think how Government can oppose it. I venture to ask whether the opposition of Government is on the ground that as a subordinate government, under no circumstances can they lodge a complaint against the British Colonial Office? So far no spokesman of Government has said anything on this point. But Sir, if the attitude of the Government is going to be one of subordination even in this respect then it will expose to the world the utter hollowness of the fact of our being an independent member of the League of Nations. The other day in answer to a question asked in this House by my Honourable friend Mr. Chanda, my Honourable friend Mr. Graham said:

"The Government of India must dissociate themselves from the Honourable Member's insinuation that India derives less benefit from her membership of the League than do other members thereof."

Well Sir, here is a practical test to show to the world whether India derives benefit at all from her membership of the League of Nations. We do not ask for any favours. Here is a legal right given to us by virtue of our membership of the League of Nations and by virtue of our having been a party to a contract whereby a mandate has been given to the British Colonial Office. Are we or are we not going to exercise that right? And if the Government of India cannot see their way to exercising fully the rights of membership given to us by international contract, then I think the sooner the Government of India withdraw from the membership of the League of Nations the better. But, Sir, if that contingency were ever to happen, I for one would be very sorry indeed.

Mr. L. Graham: Sir, may I start with a word of personal explanation. It has been suggested apparently that the task of replying to this Resolution has been put upon me because it is a thoroughly unpleasant task. If you want to dispose of a thoroughly unpleasant task you put it on a lawyer. The task of replying to this Resolution falls on me as Secretary in the Legislative Department. My Honourable friend Mr. Rangachariar knew that already, although he was the first to take that point against me. There is, I expect Honourable Members are aware, a distribution of business among the different Departments of Government, and it so happens that League of Nations work is allotted to the Legislative Department.

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): May I rise to a point of order. Is the Honourable Member entitled to speak after the Mover of the Resolution has replied. I understand it is only the Member of the Government under the Standing Order?

Mr. President: Under the definition clause of Assembly procedure Mr. Graham is a member of the Government of India. He is not a "Member" of the Governor General's Council but he is a member of the Government of India.

Mr. L. Graham: Has the Honourable Member read the definition?

Mr. M. A. Jinnah: I do not object. I only wanted to establish a ruling.

Mr. L. Graham: I should have been very glad not to have been obliged to reply, I confess freely. But, as I have said before, this falls to me as Member in charge and as Secretary in the Legislative Department to which the work of the League of Nations is assigned. I, Sir, shall be the first to express my very sincere regret to the House if anything I have said has conveyed to the House the impression that I am not very strongly in support of the claim of the Indian traders in this respect. The difference between Government on this side and the Mover of the motion is solely on a matter of method. We say that we are already pursuing one method in which we see very good hopes, and that if this House insists on the adoption of another method, that second method being inconsistent with the first method will ruin the prospects which we expect from the first. I do not understand how any Member of this House, after having heard Mr. Bhoré's speech, can say that our first method has been unsuccessful. Sir, it has been favoured with a very considerable degree of success already, and we have not yet finished. (*A Voice:* "When will that finish?") My Honourable friend, Sir Sivaswami Aiyer tackled me on the legal point, although I thought I had made plain in my speech that I did not take the legal point. I said that it is a

[Mr. L. Graham.]

point that might arise; but we were going on with the question generally of the merits of the claims of this large section in Tanganyika to be allowed to keep their accounts in Gujarati. The question will arise eventually as to whether a local law made by a Mandatory is inconsistent with the terms of the mandate—I never deny that for a moment. There is only one more point I wish to take—the somewhat mercenary attitude of this Assembly towards the League of Nations. I have had in the course of this session to reply to a number of questions on the extent of our contribution. It is always being suggested that India is not getting her money's worth out of the League of Nations. Now, Sir, neither India nor any other country should adopt that sort of attitude towards the League of Nations. The League of Nations is not a commercial transaction, the League of Nations is not a gilt-edged security. I regard the League of Nations, Sir, as a speculation, perhaps the most glorious speculation ever entered on by mankind, and it does distress me very much that Members of this House should get up and say, "Let us get out of it, we are not getting our money's worth."

Mr. R. K. Shanmukham Chetty: On a point of personal explanation. I did not want to convey the impression that we must get our money's worth. I said that, if we are unable to exercise our legal right conferred by international contract, let us get out of it.

Mr. L. Graham: Sir, there were other references besides that of my Honourable friend. At that moment, I was dealing with the question of the contribution. In conclusion, Sir, I have only to say that the matter is one of method alone; and I am convinced that my Honourable friend, Mr. Bore, has put his case in such a strong way that no one who has not started with a prejudice against any activities of the Government of India on behalf of Indians will possibly fail to appreciate it. I am afraid the Government must persist in their attitude towards this Resolution.

Mr. President: Resolution moved:

"This Assembly recommends to the Governor General in Council to instruct the representatives of the Government of India at the next meeting of the League of Nations to effectively ventilate there the grievances of Indians in 'Mandated' Territories, especially Tanganyika, and to seek immediate redress thereof."

The question is that that Resolution be adopted:

• The motion was adopted.

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

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

RESOLUTION *RE* GRIEVANCES OF THE POSTAL STAFF.

Mr. Bipin Chandra Pal (Calcutta: Non-Muhammadan Urban): *Sir, I move the Resolution that stands in my name. It runs as follows:

"This Assembly recommends to the Governor General in Council that a committee to inquire into the grievances of the postal staff be constituted to be composed of 9 members of whom 3 shall be chosen from among the non-official Members of the

* Not corrected by the Honourable Member.

Legislative Assembly, 3 to be Government officials and 3 to be elected by the Executive Council of the All-India (including Burma) Postal and R. M. S. Union, the chairman of the committee being a non-official Member of the Assembly."

Now, Sir, by the freaks of the ballot box this Resolution has fallen on my head. When I was approached to put my signature to the notice of this Resolution, I did not imagine that this tremendous responsibility would fall on my poor shoulders instead of on the strong shoulders of Mr. Jinnah, the President of the Postal Union for the year, who sits by me, or on the earlier President of the Postal Union. They enjoyed the hospitality of the Postal Union; they had been garlanded by them, feasted by them I hope also, and it was only just and proper that this work should have gone to them. They are better posted in the grievances of the post office people than I myself can pretend to be. But when this Resolution was placed in my hand for signature, I said that it was an appeal on behalf of employees to their employers to secure better pay, minimum living wages for the employees, and to improve their general economic, and with the economic their general intellectual and social, position. And I, Sir, have been an employee, not the employee of big clients, but the employee of poor press people, and I have naturally a sympathy for under-paid wage earners all over the world; and that sympathy led me to put my signature to this Resolution. I have been impressed, a little painfully impressed, Sir, by one fact, and it is that this Assembly of ours is becoming in its mind more and more an employers' association, because, whenever any question comes up for the improvement of the lot of employees, we always claim that we have been generous enough to them. We say, "Leave it to our good sense; it is as much, perhaps more, to our interest to see to the welfare of our workmen as it is to the interest of the workmen themselves; trust us; believe in us." We had that argument when we had the Maternity Bill in this House, and when I was listening to that debate, particularly to the speeches of my friends opposite, I wondered whether they still remember the old motto of Sir John Falstaff: "Nothing on compulsion." That was the whole argument in that debate. But it impressed me that we were becoming a little too partial to the employers, and it was quite time that the employees had a little say on the subject.

Now, Sir, coming to this matter, what is it that I want, what is it that the postmen want? They say they do not want any increment in their wages at once; they do not ask you to spend anything on them. All that they say is, "We have certain grievances and we come to you praying you to look into our grievances. Give us a hearing and we shall be satisfied for the nonce if you give us a hearing. If after giving us a hearing you find that we have not a case in favour of our demands, we shall be satisfied." That is what this Resolution says. Some one pointed out that this Resolution ought to enumerate the grievances of the postmen. I think the postmen or those who are behind the postmen in voicing their condition do not make any reference to grievances, because when we talk of grievances it sets up the backs of some people all the world over who say, "Let not the poor talk of their grievances. Let them pray and we shall listen." And the poor postman comes here to pray and I hope the Assembly and the Government Benches will listen. They say, "Give us an inquiry." The Government will say "Why, we gave you an inquiry only five years back. The Imperial Legislative Council asked for an inquiry into the grievances of postmen, postal clerks and others and we gave them an inquiry only five years back and we improved their pay only five

[Mr. Bipin Chandra Pal.]

years back, and it was not a very insignificant improvement." But what the postmen say is that immediately upon the publication of the report of that Committee the postal unions all the country over expressed their dissatisfaction with the findings of that Committee. More than that they said: "We are not bound to accept the conclusions of this Committee because we had no voice in the committee itself; you did not appoint any of our men or any of our representatives to plead for us on equal terms with the other Members of the Committee and secure for us the just redress of our grievances. That was our first complaint; that was the complaint which we urged upon you from the very beginning of the institution of that inquiry." Then the second argument was this—I want to appeal to the Honourable President that our request to have a clock on the other side has not yet been attended to—the second argument which the postmen advance is this: "You say you gave us a Committee in 1920 and you cannot give us another Committee so soon after. What about the telegraph people? We work together; we are practically under the same overlordship, because we have got only one Director-General of Posts and Telegraphs combined, and the telegraphists had an inquiry sometime in 1920. Just before the Postal Committee a Telegraph Committee had been appointed and that Committee made certain recommendations to improve the prospects and the status of the men in the telegraph service. In 1921 again a fresh Telegraph Committee was appointed to inquire into the further demands of the telegraph staff; we have waited over five years." Of course a telegram goes quicker than a postal letter (*A Voice*: "Not always.") and therefore perhaps it was in the fitness of things that the telegraphists having had an inquiry in 1920 could have another inquiry in 1921. Now, we want an inquiry after five years. But there is another cause also. The telegraphists are better organised. They have been better organised. Mr. Barton who is the President, or rather the General Secretary of the Telegraph Union happens to be one of the nine hundred and odd masters I have in Calcutta, and I owe my place here to that extent to him and to the influence which he exercised over his fellow men. But I must say that Mr. Barton is fully competent to protect the rights of his fellow workers, while our postal people are not so competent. I remember, Sir, there was some trouble with the telegraph men some time ago. Many many years ago there was a strike and it lasted, I think, for quite a fortnight. During the war they tried to create trouble, and there is one thing in common between me and my friend, Mr. Barton, that both of us came to be temporarily cared for by the Government. Mr. Barton was interned, I believe, during the war for trying to create trouble in the telegraph department, and I think that gives the key to the whole situation, while the telegraphists having got an inquiry in 1920, got another inquiry in 1921, and they got practically everything. Mr. Barton was a member of the Telegraph Inquiry Committee, and the whole inquiry was conducted upon the memorandum which he himself presented to that Committee. We, Sir, had no representative of ours on the Postal Committee that you appointed in 1920. We could not present with any authority a memorandum of our grievances before that Committee. On the contrary, the Committee worked upon the memorandum presented by one of the postal officials and it was the official case which the Committee considered more or less to the neglect of our case. Was it right, Sir? Was it proper?

Then the next question is this. That there are grievances of the postal service, no one can deny. Even the Committee which was appointed admitted really the difference between the postal and the other services under the Government.

I read in the Report of the Postal Committee :

“ Conditions of service of postal clerks differ very much from those of the ordinary clerks in a Government office. Their hours of work are longer, much more irregular, beginning in some cases at 5 A.M., and ending as late as 10 P.M. They get no holidays to speak of, and they have considerable pecuniary responsibility. In confirmation of this view, we quote the following from the minutes of a meeting recently convened at Simla to discuss certain matters connected with the pay of clerical and menial establishments.”

I am happy to note that among the Members of that Committee was my distinguished friend Sir Bhupendra Nath Mitra, and that Committee put it on record thus :

“ On the other hand, in the postal department the clerical service is unpopular, and its duties are harder than those of ordinary clerical establishments.”

If that be a fact, Sir, then it is only meet and proper that the grievances of the postal people should receive greater consideration, more tender consideration, more urgent consideration, than the grievances of the other departments of the public service. The Postal Department is one of those departments of the Government of India against which we have nothing to say. It is the most efficient, the most hard worked, and I am proud to be able to say, the most honest department under the Government of India. (Hear, hear.) These poor people get from Rs. 25 to Rs. 30 a month, and they handle day in and day out thousands and thousands of rupees; they handle very very valuable articles, and every Postmaster-General knows it and testifies to it. And I know the present Director General will not be slow to testify to the fact that he has got in the postal service a set of men more honest than whom, more hard-working than whom, more deserving than whom, it will be difficult to find any public service in any part of the world. Our post office people differ in some respects from the post office people in other countries. For instance, they not only deliver your letters, they not only do the ordinary duties of postal peons—I am talking now, Sir, of postal peons, delivery peons—they not only do that but they deliver to you money orders. Those of you who have been in England and those who belong to England know it is not a very easy thing to get a money order from a British post office. They simply send you a notice that a money order has come for you. They don't tell you from whom it has come. You have to go to the post office and answer many questions. Who has sent it? What is the amount or the value of the money order? And unless you can satisfy the post office clerk or the post office man—or woman it is now more than the post office man—you cannot get your money order. But now I sit at home and the money order comes to me. If I am away, the money order is delivered to my people at home, if they know that they are my people, and these people carry on this responsible business from year's end to year's end. On what pay? In Bombay they get, I think, from Rs. 27 to Rs. 45. In Madras from Rs. 22 to Rs. 35. (Mr. A. Rangaswami Iyengar: “ That is in the city.”) I am talking of the city. I am not talking about other places, because it is in the city that there is a very large transaction in these money orders every day. And every time that they go out, if you look at the numbers of money orders that they have in their hands you will find that they carry on them

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cash to the extent of perhaps sometimes the total of their ten years' pay. Sometimes it may come to that even. Now, this is the state of things. What are you going to do with regard to these people? Are you going to leave them discontented? That is the whole question. Or do you want a contented body of servants in this matter? More than that, Sir. Times are very hard. Times are growing harder and harder every day. (A Voice: "No.") (Mr. K. Ahmed: "Would you pay your bearer like that?") Yes, Sir, if my friend Mr. Kabeerud-Din wants me to answer that question—I don't keep a bearer, I don't call him my bearer or my servant—I say those who help me get their pay in proportion as I get mine. That is if there is any increase in my income they always share that increase proportionately with me. (Mr. M. A. Jinnah: "I should like to be a Government servant.") But the Government is not Bipin Chandra Pal. But that is neither here nor there. The question is this. Times are harder. My friend says: "No, they are not harder." Now, I will tell him from Government statistics. Take the cost of living. Has the cost of living gone down? No, the cost of living has increased. We had an inquiry into the cost of living conducted by my friend, Krishna Lal Dutta. (Mr. A. Rangaswami Iyengar: "The I. C. S. people; they will tell you.") And what do I find? The Committee of which he was President disclosed that

3 P.M. there was a general rise in the cost of necessaries of 41 per cent. in the year 1912 above the normal prices—that is, the prices of the previous period—and we know that these things have got a knack of never coming down again. When the cost of living goes up once, when the prices of things go up once, very rarely do they come down again. The increase in the cost of necessaries continued steady with occasional fluctuations till July, 1914, when the war broke out. Publications of the Department of Statistics, Government of India, show that at the end of December, 1918, there was an average rise of 129 per cent. in the prices of necessaries as compared with the prices of July, 1914. This gives a rise of 181.9 per cent. in the cost of necessaries at the end of December, 1918. Since then prices have mounted up much higher still. It would be no exaggeration to say that the prices of necessaries all taken together are above 250 per cent. higher than what Mr. K. L. Dutta's Committee regarded as normal prices; it may or may not be so.

Khan Bahadur W. M. Hussanally (Sind: Muhammadan Rural): What is the date of that Report?

Mr. Bipin Chandra Pal: This is Mr. K. L. Dutta's report. The report was published before the war. After the war we have come to the new world which the war was meant to create, the new earth and the new heaven, but prices have not gone down. If you take 1910 as the index number I think you will find that the prices to-day have gone up nearly 200 per cent. Unfortunately, Sir, we have no statisticians under the Government of India, or if we have any, they do not apply themselves to this work and we have got no index number so far as the Government of India are concerned. If we had an index number as they have now in England then we could have tested all these calculations more accurately. In the absence of that index number, going by what we experience every day, we are entitled to claim that prices have gone up nearly 200 per cent. above what K. L. Dutta's Committee regarded as normal prices. What about our own position? What have we got? With the index that we

have from this last committee it comes to this. We have got a rise of an average of about 88 per cent. The last committee recommended certain improvements and as a result of their recommendations being accepted by the Government, our pay including war allowance and grain allowance, all combined, has gone up by 88 per cent. of the previous wages while the cost of living has gone up nearly 250 per cent. That is the position, Sir. If it has not gone up, let the Committee inquire and say it has not. What is the good of my saying that it has gone up and some of my friends here saying "No, it has not"? Let us have an inquiry, an open, a careful, an expert inquiry. An inquiry is all that we want. Our postmen have been, as I said, very efficient. We have complaints against all the other Departments of the Government of India, but very few complaints really against the Postal Department. As I said, and I repeat it, and I am proud to be able to repeat it, we have in the postal service a body of men the most hard-worked and the most honest that we could have in this country and I think I may add with some justification the least-paid compared to their responsibilities. I will not anticipate what my Honourable friends on the opposite benches will say on the subject. I will have an opportunity of answering them later on. With these few words I move the Resolution that stands in my name.

Mr. N. M. Joshi (Nominated: Labour Interests): Sir, I have great pleasure in supporting the Resolution moved by my Honourable friend from Calcutta. I do not wish to wipe out the favourable impression that may have been created by the eloquent speech of my Honourable friend, by speaking long on this subject. He has described the lot of the postal employees in his masterly fashion.

We all know that the postal employees are very hard worked. The Committee themselves have admitted that some postmasters have to work from 5 o'clock in the morning till 10 o'clock at night. The Bombay postmen have to go up four stairs or even five stairs and visit several such buildings in one morning. Moreover, the work which the postal employees have to do is more responsible than that which the clerks of several other Departments of the Government of India have to do. They have to deal with money and it is a very responsible task. Personally, I always hate to deal with money, I am always afraid of it. I therefore feel that the Government of India by entrusting the work of distributing money orders, sometimes to illiterate people in the villages, have thrown a very great responsibility upon the postal employees. Although they work under very difficult circumstances, although they have to work very hard and although the responsibility is very great, still there is hardly one here who will not recognise that the postal employees have given the fullest satisfaction to the public of India. Sir, I have seen the postal deliveries and the work of the postal departments in some of the countries on the continent and even in England, and I can say this much that the postal department in our country is conducted as efficiently as in any other country that I have seen.

Sir, the grievances which the postal employees have are many and I do not wish to deal with them in detail. The Government of India themselves will admit that the postal employees are paid less than what is paid in several other departments in the various provinces. I do not say that they are paid less than in every other department, but I have no doubt that they are paid less than in many other departments of the Government. There was a time when the postal employee was not as well educated as the employees of some of the other departments but that time

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has gone. At present every clerk of the Postal Department has to pass at least the matriculation test of examination. There are hardly any employees now who do not pass that examination in the clerical grade. I therefore do not know why the Government of India should make any difference between the clerks of their several departments. Moreover the employees of the Postal Department have very few holidays compared with the employees of other departments. I recognise that it is not very easy to give all holidays to the postal employees, but what I want to impress upon the House is this that, if we want the postal employees to forego their holidays, we must at least pay them better than the employees of other departments. It is no good saying that the postal clerks and postal men are getting the same pay as the clerks of other departments get. The postal clerks have very few holidays and the Government of India must compensate them for the loss of their holidays.

Then, Sir, there is one thing that generally creates some sort of bitterness in the minds of the postal employees and that is the great difference which the Government of India make between the postal employees and the employees of the Telegraph Department. The department, as my Honourable friend Mr. Bipin Chandra Pal has pointed out, is under the control of the same Director and I cannot understand why they should make such a great difference between the salaries and the other conditions which are given to the telegraphists and those given to the postal employees. Not only are the telegraphists given better salaries but they are provided with houses. The postmasters are sometimes given houses but in many places they are not given houses. I therefore want to impress upon the House that this inquiry is very necessary, because the discrimination made between the telegraphists and the postal employees is causing a great deal of bitterness in the Postal Department. I do not wish to go into greater detail as regards these grievances. These grievances, as I have said, are many and I want this House to approve of the proposal of my Honourable friend Mr. Bipin Chandra Pal for the appointment of a committee.

There are many people who feel that as the postal employees are asking for their salaries to be increased and their conditions of service to be improved, there would be some other employees of some other departments coming forward to ask for better salaries. When we consider this question there should be only one consideration before our mind and that consideration is whether our employees are paid what they deserve to be paid. There are many people who may argue that the Postal Department may not have sufficient funds and if there are funds those funds must be utilised for the reduction of the postal rates. I am very anxious for the reduction of the postal rates but I am equally anxious to do justice to the postal employees. It is not the business of the postal employee to inquire whether you are making profits or not. What he is concerned about is to see that he is properly paid and this House should be concerned only with this. If the Postal Department does not make a profit, then let the Government increase the rates. I do not think that an increase of rates will be necessary. Nobody has yet shown that an increase of rates will be necessary, but, even if an increase of rates is necessary in order to improve the conditions of these men, it will have to be done. Fortunately, that position has not arrived and I am quite sure that if we look into the financial position of the Postal Department we shall find that it is not

very difficult to satisfy the demands of the postal employees to the extent to which a committee like the one which is proposed recommends. Sir, I am very glad that recently the Director General of Post Office has sanctioned some increase in the salaries of the postal clerks in the city of Bombay. But, Sir, even there he has made some discrimination. He has not yet done full justice to the clerks in the Dead Letter Office. Somehow or other the Heads of the Department always want to make some distinction between the Dead Letter Office and the other post offices in order I suppose that these postal employees should not combine themselves in a solid body. Then, Sir, the Director General of Post Offices I am told has sanctioned increases only for clerks, and the humble postmen and other subordinate employees, or, as they are called, the men of the inferior services, have derived no benefit from the increases which have been given.

Sir Geoffrey Clarke (Director-General of Posts and Telegraphs): Sir, may I rise to a point of explanation. The Director-General of Post Offices has no power to sanction these very large increases of pay in Bombay or anywhere else. These are matters placed by the Government of India before the Finance Committee to be laid before the House for final sanction.

Mr. N. M. Joshi: I am sorry, Sir, I laid the blame on the wrong shoulders. I thought the Honourable Member was quite ready here to represent the Government of India, but if he is not I am quite willing to transfer the burden to the shoulders of the Government of India. Sir, I have heard Government Members maintaining in this House that they are in India because they want to protect the weaker sections of the population against the stronger sections. But, Sir, when I examine the action of the Government of India I find that they are always willing to support the stronger sections and on many occasions neglect the interests of the weaker ones. That is the case in the present instance. I am told they have sanctioned an increase of salary for clerks but they are unwilling to give increases to the postmen and other inferior employees of that Department. I cannot understand why the Government of India should make this difference of treatment between the clerical and the other subordinate sections of postal employees. I hope therefore that the Director General of Post Offices will give some attention to this question at an early date. I feel, Sir, that if the postal clerks in the city of Bombay get an increase, and I believe they have got that increase very deservedly, there will be great bitterness in the minds of the postmen and other inferior servants in the city of Bombay. These inferior servants in the Postal Department have many special grievances. They do not get leave which other postal employees get. They cannot even get casual leave unless they give a substitute. If they want privilege leave they must also produce a substitute and give their salary to the substitute. And as regards pension, these inferior servants hardly get any pension at all till they have served 30 years, and the rate of pension is very small. I know, Sir, that the conditions of service of inferior servants in all departments are the same and it may be difficult for the Postal Department to change the conditions of service for the inferior servants which are common to other departments. Sir, I want the Director General of Posts and Telegraphs to represent strongly to the Government of India that he cannot make any distinction between what is known as inferior servants and superior servants as regards the granting of leave and the granting of a pension. As I have said in this Assembly several times, in the case of the inferior servants there is a greater necessity for a pension than in the case of superior servants. Superior servants can save something, they are

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educated men, they are better paid; but in the case of inferior servants, they are hardly educated and their salary is so low that they cannot save. If, therefore, there is any need for discrimination in this respect, there is a need for discriminating in favour of inferior servants and not against them. Sir, the postmen have many other grievances. In the city of Bombay I am told that postmen die in larger numbers,—earlier than other employees even of the Postal Department. Once I asked the Government to make an inquiry into this complaint, but the Government of India refused. I do not know why they should be so careless about the health of their employees. The postmen in Bombay especially are asking for a provident fund in place of pension because they have found that there are very few people who live long enough to enjoy their pension and therefore they want a provident fund in place of pension. Unfortunately, the Government of India have not yet taken their demand into consideration. In Bombay the employees of several departments are given quarters by the Government. The police is being housed properly by the Government, but, Sir, the postmen are not properly housed by the Postal Department.

I do not wish to go into all these grievances, but there is only one more which I would like to mention, and it is this. The Government of India have passed a Workmen's Compensation Act. It was urged that the Government of India should include the runners and the village postmen in the scope of the Workmen's Compensation Act. It has been proved that these runners and village postmen undergo a great risk to their life and to their limb during the course of their duty, and it is necessary that the advantage of the Workmen's Compensation Act should be given to them. Unfortunately, the Government of India have not yet seen their way to do that. I know, Sir, that the Government of India give some compensation to the family of a man who is killed during the course of duty. But, Sir, I feel that there are many cases in which a man may not be killed, he may be injured, and such a man should get the benefit of the Workmen's Compensation Act. I therefore urge upon the Government to look into the grievances of the postal employees very carefully and give them their best consideration.

Sir, before I close, I would like to say one word, and it is this, that I fully recognize that the Postal Department, especially under its present head, Sir Geoffrey Clarke, has been very sympathetic to the employees. (Hear, hear). He has always given his sympathetic consideration to grievances whenever they were placed before him. He has treated the organizations of the postal employees with great courtesy: and I therefore hope that this demand of the postal employees will meet with a very sympathetic consideration from Sir Geoffrey Clarke and Sir Bhupendra Nath Mitra. Sir, although I recognize that the Director General of Post Offices and the Department generally are sympathetic towards the employees of the Department, my fear is that the Postal Department itself is too much in fear of other Departments, namely, the Finance Department (*The Honourable Sir Bhupendra Nath Mitra*: "We all are.") Sir, I appeal to the Director General and to Sir Bhupendra Nath Mitra not to be browbeaten by Sir Basil Blackett. Let them stand to their guns in the fight for the employees of the Department, and I am quite sure both the Department and the public will reap ample benefit.

Khan Bahadur W. M. Hussanally (Sind: Muhammadan Rural): Will I be in order, Sir, if I move an adjournment of the debate at this stage

until after the Budget? If I am in order, I shall propose it and give my reasons for it.

Mr. President: I will consider that.

Mr. H. G. Oocke (Bombay: European): Sir, one good result of this Resolution coming forward is the fact that I understand the revenue of the Telegraph Department is improving every minute. Telegrams keep on arriving urging the cause of postal employees and I see near me a very large bundle. But, Sir, from every other standpoint, I deplore this Resolution, just as I deplored the Resolution in connection with railway grievances. To my mind you have got to treat a business department of Government in a business way, and although Committees were appointed after the war in connection with the readjustment of pay, it does not follow that it is desirable to have such Committees again. The circumstances were special. There was an absolute upheaval in prices and it was necessary for Committees to be held to readjust wages to the altered conditions. But I do not think any good purpose will be served now by having new Committees to look into these matters. There is a proper way of bringing grievances up, and, as we all know, and as Mr. Joshi has just said, we have a very sympathetic man as the Director General, who is always ready to listen to grievances and to adjust them wherever possible. From every standpoint this should be regarded as a business discussion and as a discussion upon a matter upon which you have got to consider the results—the profits or losses—of the department. It is absurd to go and appoint a Committee and to find that there are recommendations put forward for pay, which you simply cannot meet without increased postage rates. I am sure the public of India will not listen to increased postage rates, and I therefore say that it is very much better not to run any risk of a Committee of this sort. It is very unfortunate, I think, that all these telegrams should be coming in and that the Members of this Assembly should have papers and pamphlets sent to them daily by interested parties asking for their support and suggesting that they should not speak or take part in a Resolution timed to come before this one, in order that this Resolution might have ample time. In fact, a suggestion was made that Sir Purshotamdas Thakurdas should either not move his Resolution put down for to-day, or that in any case the debate on it should be hurried up. That sort of thing I do not think will go down this Assembly and I hope that Members will show their disapproval by refusing to be pushed into accepting a Resolution of this sort.

The Honourable Member who proposed this Resolution referred to the fact that the Government of India possessed no statistician who could be relied upon to give correct figures of food costs and so forth. That may be true of the Government of India, but in any case it is not true of one of the chief Local Governments, who have made a study of local conditions and prices of food-stuffs and who publish the results every month. The figures of the *Bombay Labour Gazette* certainly do not bear out the figures which the Honourable Member gave the House this afternoon. As the Honourable Sir Charles Innes said the other afternoon in discussing railway grievances, very roughly it may be taken that the pay of subordinates in railways, and I believe this also applies to the post office, has increased by 100 per cent. or more; in many cases by as much as 150 per cent; whereas the cost of living, according to the *Bombay Labour Gazette*, has increased about 60 per cent. as compared with July

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1914. Those are Bombay figures, but reference is also made in the Gazette to Calcutta figures and I understand the rise there has been slightly less. So that I am quite sure that the more one looks at the figures and takes the trouble to study the *Labour Gazette*—and I suggest that my Honourable friend should subscribe to it forthwith—the more will one be impressed by the fact that prices are on a downward trend. That being so—and it is admitted to be so—the appointment of this Committee is all the more unnecessary.

One other point. The Honourable the Mover started by a reference to the fact that he was proposing this Resolution owing to a freak of the ballot box. Well, Sir, I can only say that I am very sorry the ballot box has not performed still more freaks. This Resolution, I think, is particularly unfortunate, as also the similar Resolution in the case of Railways, and I wish these Resolutions had been loaded with lead and remained at the bottom of the ballot box.

Mr. N. O. Kelkar (Bombay Central Division: Non-Muhammadur Rural): I rise, Sir, to support the Resolution proposed by my Honourable friend Mr. Bipin Chandra Pal. But in supporting it I must begin by saying that somehow I do not like the grudging spirit in which he moved his Resolution. Somehow, he seemed to be out of spirit. Possibly he was, in the first instance, weighed down by the thought of his grievance against his employer, but in that case, I think so long as my friend wields the useful and ready pen that he does, there is time enough for him to square up with his employer of the press. But I believe it is as well that he was in that dissatisfied state of mind, because it is only then that he could realise the wisdom of the saying that "social sorrow loses half its pain when it lends itself to easy commiseration with others." Perhaps it is because he was in that state of mind that he took up this Resolution easily. But he seemed to grudge that the heavy responsibility of moving the Resolution fell upon him, whereas there were others who were Presidents of the Unions and who were garlanded and feasted. In that respect also, I think, this matter could be put right within a short time. If my Honourable friend thinks that the touch of the presidential chair in any conference or meeting or assembly certainly opens up the gates of knowledge, then within a very short time the whole flood of the light of knowledge will begin to shine upon my friend also. My point is this that no one need grudge the limited knowledge of the subject that he may possess in a matter like this. After all, let us look at the thing in the proper perspective. When we go to the ballot with so many signatures upon one Resolution, it only means that we are putting a curb upon the play of the provoking deity, the ballot. By that means we are simply trying to check the provoking freaks of the ballot box. Otherwise all of us who sign the Resolution are as anxious to move it as each one of us can be. For instance, at Simla last time I myself might have had the good fortune to move the Resolution if I was not crowded out for want of time. My point is this that Mr. Pal might certainly regard himself as fortunate in being the winner of the ballot.

Mr. Darcy Lindsay (Bengal: European): Sir, are we discussing the ballot or are we discussing the postal grievances?

Mr. N. O. Kelkar: I have been saying this only because I wanted my friend Mr. Pal to put more zest and gusto in to the advocacy of the cause he has in his hand.

The case is a simple one whoever takes it up. The case is, I think, briefly put in one or two sentences. The grievances of the postal people existed to a large extent before 1920, before the first Inquiry Committee was appointed. Then a committee was appointed after some agitation, and the grievances were partly redressed. But then they were not wholly redressed. In the meanwhile another committee was granted to the Telegraphic Department people, and now our case on behalf of the postal employees is that a similar committee should be given to them in order that a full inquiry may be made into their grievances as well. That is the simple case. If you look at the different amendments on the paper, you will find there is not much difference of opinion among those who have proposed the amendments on the real principle of the Resolution, that is to say, an inquiry by some sort of a committee. But before I touch on that subject,—and even when I go into it I will not go, I promise the House, into tedious details of Rs. 10 and Rs. 15 or Rs. 20, or applying the calculus. I shall not speak of small ratios and differences of pay and so on, because these details are likely to be regarded as tedious. But the main proposition stands correct and sound, that the employees have grievances and they must not be denied a proper inquiry into the matter. But before proceeding to that, I would like to say one word about an undercurrent of thought that seems to run in this House, and which was given expression to the other day during the discussion of the railway grievances by my friend Sir Charles Innes, I am sorry he is not in the House to-day. I am referring to those remarks, but of course I shall not be taken directly to criticise that speech, but to be criticising only the general idea that underlay the speech. He seemed to be out to give this Assembly a kind of minatory warning that it is a dangerous game to go into the details of administration of any department. And I refer to that matter here because in this inquiry also some people's minds may be swayed by the idea that, in discussing small matters like this, the small pays, pensions and local allowances of postal men, we are really going into details of administration which really we ought not to do. But I want at once to state the reason why we do this. The State is a great employer, but we also want the State to be a good employer, and it is our business in this Assembly, representing as we do a number of electors, among whom also there are postmasters and others who are voters, to look into the administration of the postal and similar departments, at least from the point of view of policy, and in generally discussing policy of course we cannot very well avoid small details at times. But that does not mean that we come here ready with briefs on individual grievances of grievance mongers. I would certainly deprecate any attitude assumed by any Member of this House that he was an advocate in this Assembly for any personal individual grievance. But an individual grievance is sometimes an unmistakable symptom of a wrong policy. I felt really very sad when in his speech the other day Sir Charles Innes went the length of even suggesting that this inquiry into administrative details on the part of the Assembly Members might lead to corruption. He said, quoting somebody's words, that politics might corrupt railways and railways might corrupt politics. Possibly some other Member on behalf of Government—I do not mean to say that the present Director General will say that—I know him by repute, though not personally, too well to suppose that he is of that frame of mind; and if I seem in this matter to speak better of one than of another it may be realised that after all servants of the Crown are not rival beauties so that the praise of one means disparagement of the other. I refer to that matter

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in particular because it is a question of principle and we must come to close grips with that principle some time or other, and therefore I take this opportunity to go into that matter, because I really took it to heart the other day during the discussion of railway grievances that Sir Charles Innes should have thought fit to remind us of a possible danger that inquiry into the details of the administration might lead to corruption. Possibly his mind was harking back to the early traditions of his own British Parliament. We all know that the first Prime Minister of the Parliament was well-known for his maxim that every man has his price; and by realising the importance of that maxim he was the first Prime Minister of England—and ruled it. All students of history know that. But I want to go a little step further. The other day when I was just looking over the duties of a Whip—because I am myself a whip—I came across this precious piece of information relating to the duties of a whip and for the sake of enlightening the House I shall read that extract:

“The post of the whip was originally created for the corruption of members in a criminal sense of the word. Ministers bought their majority by payment of actual cash; they had a window in the House itself where members came to be paid for their votes after the division. The Political Secretary to the Treasury was called the Patronage Secretary, because in his capacity of agent of corruption he disposed of the patronage. Places in the custom house, Post Office and Excise were the small electoral change which the Government distributed. The Patronage Secretary had to supply the Government with a majority as cheaply as possible.”

I do not know whether Sir Charles Innes had that function of the whip in his mind when he solemnly warned us against corruption. Corruption means one of two things. It means demoralisation or actual pecuniary corruption. I have already spoken of the second thing. Even as for demoralisation I would say that we are not such intellectual fools as to go astray by the sheer necessity of having to look into the details of administration of any department. Now, we put several questions on behalf of these employees. Why do we do so? Are our questions personal in any subjective or objective sense? Certainly they are impersonal. In most cases, I think from my own experience, I can say that we cannot even imagine the physiognomy or colour or voice of the man concerned for whom we are putting a question. I mean they are so apart from us. The questions, therefore, I say are impersonal both subjectively and objectively. That applies similarly to any Resolutions that we propose for them. (*Mr. K. Ahmed*: “What about the Tatas? The rumour is that you have got two lakhs of rupees from them.”) My reply to that is easy; I shall tell my Honourable friend the reply which sometimes I give to the accusation against the Swaraj Party in the mufassil when they are asked as to how much the Swaraj Party got from the Tatas. I say the share of those who hold the patronage must have been much greater than what the Swaraj Party is alleged to have got; when they ask as to the amount of money that has changed hands I say go and ask Government. However, I do not want to pursue that matter further. (Laughter.) I only touch that subject here because I really want to fight against that notion which seems to have taken possession of the mind of some Members on the other side that we concern ourselves in any personal sense or manner with the grievances that we place before this House. The Postal Department is such a department that we really love it. I may at once say that it is the one department in the administration of the Indian Government which we really love. It is the most innocent department and the most useful department in the whole gamut of

administrative departments under the Government of India, and therefore we love it. It is a matter of every day use to us. Its usefulness radiates equally into the rural and urban areas, and there is hardly any other department which really does so much work, and therefore we stand up here not merely to represent its cause and to testify to the practical beneficence and the practical usefulness of the postal service. We stand up here to support its cause as enthusiastic advocates of its proper claims, whatever they may be. But when I speak of proper claims, I am not prepared to go at once into the duties of the men, nor to discuss the emoluments of a clerk here or a clerk there, or the pay of a postmaster in the Bombay city or Poona city, and so on. All that I am prepared to leave to a proper tribunal of inquiry. As I have said, our heart goes out to these postal people, and in that respect I have on my side the testimony of other eminent people also. I will just read to the House what one of the greatest poets of England, Rudyard Kipling, himself thinks about the menial—of course he means the postal menial—who runs the Royal Mail.

Diwan Bahadur M. Ramachandra Rao: There is Cowper also, if you like.

Mr. N. C. Kelkar:

“Is the torrent in spate? He must ford it or swim
Has the rain wrecked the road? He must climb by the cliff
The Service admits not a but, nor an if,
While the breath's in his mouth he must bear without fail
In the name of the Emperor—the Overland Mail.”

Now, I ask the House, if we stand up here in the name of this mail bearer, the bearer of the Royal Mail, the Emperor's Mail, to put forward his claims for better consideration, are the Government going to tell us in return that our attention, our devotional attention, to administration is going to corrupt this Assembly?

Then I will read another extract from the Director General's own book upon the post office. Therein he has given a picture of what sort of a man the postmaster is, and how many duties he has really got to perform:

“From being merely an agency for the conveyance and distribution of letters and light articles, the post office has gradually undertaken an enormous amount of what may be called non-postal work. It deals with vast numbers of money orders, collects the price of goods for tradesmen, pays pensions, sells quinine, deals in Government loans and is the poor man's bank. It is to be hoped that no new line of business is going to be taken up in the near future, such as the sale of railway tickets which was once seriously proposed, or else the principal duty of the department may be forgotten in the turmoil of the side shows.”

That is a quotation from the Director General's own book. It will show to this House what view he takes of the busy character, of the varied character, of the work which a postmaster has got to do.

Then I will refer to one point, and that is about the supposed rivalry between a postman and a telegraphist. I am not prepared to put that point in the manner that my Honourable friend Mr. Bipin Chandra Pal put it. I do contend that we do not advocate the cause of the postman in a spirit of bitter rivalry. I think it is not a spirit of bitter rivalry but a spirit of hopeful rivalry. The hope lies in the fact that because the telegraphist has got redress of his grievances, therefore the postman also may hope to have his grievances redressed similarly. That is the only point of view from which we look at the grievances of the postman. And then naturally the question comes as to who is the more efficient or who

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is the more necessary agent of this kind of work. And in that respect I must say in my own judgment the telegraphist; though of course he enjoys his share of technical skill he does not certainly require that capacious mind and that steady devotion to duty that a post manial or a postmaster does. I will just read out a few lines in which the duties of a postmaster are described again:

"If the telegraphist is a highly technical good man, it is very correct to say that a postal official,—at least that man who is in charge of a post office at busy towns not less than a Taluka or Tahsil town—is a highly practical and smart business man. On one side he is accepting money orders, insured articles worth thousands of rupees, and on the other, he is giving instructions to his postmen or other menials about delivery or classing mails, or to the half a dozen men standing at the counter, each with a different kind of transaction—one customer asking for packets of commercial envelopes and offering five rupee notes for the transaction; another, asking to send his money order or his parcel free of customs charges to a city in China; a third asking to transfer his Savings Bank's account along with his cash certificates and Government securities to Aberdeen; a fourth man offering a telegram for despatch to the Archipelago; a fifth man inquiring why his letter from Brazil has taken so many days to reach him, and so on. Is not the knowledge of this official, who is expected to give prompt and correct information to the above members of the public and complete their business, highly technical?"

Therefore his business can be called technical as well as practical. The other point of view has already been put and therefore I need not go into it. That is that the postman bears a very heavy pecuniary responsibility, which the telegraphist does not have to bear on his shoulders. The telegraphist's work to my mind, while of course it is responsible work and calls for efficiency I admit, is not that kind of difficult work which the postman has to do. His is not that sort of responsibility. His work is like that of the typist, a kind of mechanical work, whereas the postman's work requires greater suppleness of mind also. These being the facts of the situation, it is certainly legitimate for the postmaster or the postman or the post manial or the post clerk, whoever he may be, to put forward his claim boldly, with the full consciousness of justice being on his side, that at least a committee of inquiry should be appointed. I do not stand here with definite proposals as to how the present grievances should be redressed. I am even willing to agree with some of those who want a little change in the personnel of the Committee. I will be even satisfied if the Director General gives an open assurance that he will sit down with two of his Assistants, two of the Indian Postal Superintendents, and give these people and their representatives a full hearing and a proper hearing for two or three or four days, so that he may personally speak to his subordinates face to face and satisfy himself and thus give them a pleasure which otherwise they can never hope for. I therefore don't stand here for any particular method of inquiry or for any particular personnel of the inquiry committee. I stand here only for an inquiry and I think for that inquiry a case can be made. I will end my remarks by just reminding the Director General of what he said in reply to the Resolution which was moved in 1919 by my friend, Mr. G. S. Khaparde; and Mr. Patel also moved a Resolution that year. He said in his reply to that Resolution:

"Let us have a committee. Let us have the non-official members and the staff represented and go into the matter thoroughly. As Members of this Council are anxious about this affair, let us have a committee to go into the question."

I assure him that not only the menials, not only the postal people, are waiting for this inquiry, but I may tell him that the same reason to which

he attached so much importance before exists even now, namely, that the Members of this Assembly are anxious about this affair, and I request him to give us the same reply, "Let us have a committee to go into the question".

The Honourable Sir Bhupendra Nath Mitra (Industries Member): Sir, when I came to this House this afternoon I thought that I would hear from my friend Mr. Bipin Chandra Pal, and the other Members of this House who would support his Resolution, adequate grounds for asking for a fresh committee of inquiry at this stage. Well, Sir, I am sorry to say that I have been disillusioned. We have heard about various matters but nothing very relevant to the point at issue. I had no idea that my friend Mr. Bipin Chandra Pal was so ignorant of recent history relating to the matter on which he had undertaken to speak. It is therefore with a feeling of deep regret that on behalf of Government I cannot help opposing this Resolution. My opposition is not due to any inherent wickedness on the part of the bureaucracy. As was mentioned the other day by my Honourable friend Mr. Acharya, and has been mentioned again to-day by my Honourable friend Mr. Kelkar, in March, 1920, the bureaucratic Government responded readily to a demand voiced in the Imperial Legislative Council for an inquiry similar to that now demanded by Mr. Bipin Chandra Pal. Nor is my opposition actuated in any way by a want of sympathy with the large body of men employed in the subordinate services of our Postal and Telegraph Department. On the other hand, I can assure the House that I have the greatest sympathy with all reasonable grievances of all subordinate services, for the simple reason that in the earlier years of my service I had the honour of being a member of one of those services, and I probably know more than any Member of this House of the hard lot of these low-paid men who form a valuable element of the various branches of the public service in India. My opposition to the Resolution now before the House is dictated by a conviction—a conviction which has been intensified by the speeches I have listened to—of the futility of the inquiry recommended by Mr. Pal; and I have not the slightest doubt that if Government were to agree to the proposed inquiry, no practical advantage would be derived therefrom in any way commensurate with the labours of the committee.

As I have already said, in March, 1920, Government agreed in deference to the wishes of Mr. Patel and other Members of the Imperial Legislative Council to appoint a committee composed of officials and non-officials and representatives of the staff to inquire into the conditions of service and pay of the subordinate postal staff and certain classes of the subordinate telegraph staff. The terms of reference to the Committee were:

"To inquire into the conditions of service of the non-gazetted, supervisory, clerical and certain delivery and menial establishments employed in the postal branch and such subordinate establishments of the telegraph branch including the telephone staff as have not been dealt with by the recent Telegraph Staff Committee, with special reference to the rates of pay and allowances, the hours of duty and the principles which have been laid down for fixing the strength of the staff."

The Committee was presided over by Mr. Heseltine, who had himself started his official career in one of the subordinate services, had
 4 r.x. risen to one of the highest appointments in the Indian Finance Department and at the time of his appointment as President of the Committee had retired from Government service and was consequently a non-official. He had no axe to grind and his previous associations fitted him eminently to hold the scales evenly between the claims of the staff and the interests of

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the tax-payer. The members of the Committee were Rao Bahadur B. N. Sarma, who, before he fell from grace and joined the bureaucracy, was as vigorous a member of the opposition benches as Mr. Bipin Chandra Pal, two non-official Europeans, Sir Henry Ledgard and Mr. Doran, a retired Postmaster General, and two representatives of the staff, namely, Rao Bahadur Srinivasa Rangachari, President of the Bangalore Postal Union, and Khan Sahib Eshan Azim, a Superintendent of Post Offices and the only official on the Committee, though he was actually representing a certain section of the subordinate staff. Mr. Bipin Chandra Pal apparently did not even take the trouble to examine the composition of the Committee. (Mr. Bipin Chandra Pal: "I did.") The Committee, as I have pointed out, was practically a purely non-official body and on it were represented the staff. In fact, one of the representatives was the President of a postal union. The pay and conditions of service of the rest of the subordinate telegraph staff were also examined in 1920-21 by two successive Committees composed largely of non-officials and the representatives of the staff, the second of these Committees being presided over by my Honourable friend, Diwan Bahadur Rangachariar. Each of these various Committees submitted unanimous recommendations and in this respect there was no difference of opinion between the representatives of the staff and the other members. If my Honourable friend Mr. Bipin Chandra Pal and the other Members who have taken part in this debate had carefully studied the report of the Postal Committee,—and from the speeches to which I have listened here this afternoon I have reason to doubt whether they have done so—they would have recognised the thoroughness with which that Committee examined the question of improvement of pay and conditions of service of the subordinate postal staff. The Committee examined not only the then existing rates of pay and allowances, but also how these compared with the prevailing rates for similar employees in other branches of the public service. They took into account the various disabilities under which the staff laboured, as compared with similar employees in other departments, in regard to hours of work, split duty, paucity of holidays, etc.; and to the extent that it was not possible, with due regard to the public convenience, to wholly remove such disabilities they made allowance for them in determining the rates of pay recommended by them. I do not propose to waste the time of the House by detailing to them the various recommendations of the Committee on the subject of the improvement of pay or of the improvement of the conditions of service. Mr. Bipin Chandra Pal has himself admitted that the effect of the recommendations was to give the staff, on the whole, a rise of 88 per cent. over their pre-war rates of pay. The House is also fully aware, in spite of statements made by Mr. Bipin Chandra Pal, that the improvement in rates of pay took place in 1920, that is, at a time when the level of prices had reached its peak. The Incheape Committee of 1922-23 drew attention to this point and expressed the opinion that in view of the fall in prices in recent years, the time had arrived for making the whole question of the pay and allowances of subordinate services the subject of an inquiry. No such inquiry has yet been undertaken by the Government of India, or by any of the Provincial Governments, and the rates of pay sanctioned for subordinate services in 1920 are still in force. The improvement made in the pay and conditions of service with reference to the recommendations of the Postal Committee of 1920 has, however, failed to give satisfaction to the staff or rather to a certain section of it,—a misguided section which is apt to waste its energies in voicing imaginary grievances rather than in making use of those energies more profitably and establishing their

claims to the higher prospects which the Department undoubtedly offers to the more efficient class of its employees. I make this qualification deliberately and with reference to my personal experience as a former member of a subordinate service and to my subsequent and long association with those members of that service to whom I shall always be indebted for the assistance I received from them in the successful organisation of a machinery for dealing with war accounts. No sooner were the orders of Government issued on the Postal Committee's report than the vocal section of the subordinate postal staff characterised the committee's recommendations as extremely disappointing. The specific criticisms were originally directed against certain anomalies connected with matters of detail, for example, the determination of the initial pay to be assigned to individuals in the time scale rates recommended by the committee, etc., the apathetic or summary treatment of mail overseers and Inspectors of Post Offices. But in 1923 the demands crystallised into an irreducible minimum of pay for clerks, sorters, postmen, menials, etc.; and there have also been placed before the Director General from time to time no fewer than over 100 grievances requiring prompt redress. These grievances include improvement of rates of pay and allowances in various directions; a re-examination of conditions of service so as to remove certain disabilities, a matter which as I have already stated was fully gone into by the Postal Committee of 1920, and to the extent that the disabilities could not be remedied with due regard to public convenience were duly allowed for in fixing the rates of pay recommended by them; the grant of concessions in regard to leave and pension, not enjoyed by corresponding employees in other branches of Government service; the overruling of audit decisions; and a host of other matters. I do not for a moment say that there is anything wrong in the subordinate employees bringing to the notice of the head of the department or of the Government of India their just grievances; and, as a matter of fact, the Director General and the Government of India have already taken action to remedy such of the grievances that have been found to be reasonable. Unfortunately, a large mass of these grievances is of such a nature that it is impossible to take any action on them even if they are backed up by a committee of the type recommended by Mr. Bipin Chandra Pal. I have already referred to the demand for an irreducible minimum of pay. It has been calculated by financial experts that the acceptance of these demands would cost the tax-payer no less than 3 crores of rupees a year. On the face of it is there any justification for this inroad on the tax-payer's purse? If it were the case that the rates of pay, etc., of subordinate employees in the Postal Department were generally less than those of the corresponding body of Government servants in other departments, I admit it would have been difficult for the tax-payer to ignore for any length of time his liabilities in the matter. But what are the facts? The Director General has furnished me with certain figures comparing the present rates of pay of clerks in the Postal Department with those drawn by corresponding servants of Provincial Governments. I find that in every case the rates of pay of the postal clerks are not lower, but as a matter of fact in regard to the maximum pay higher, than those that are drawn by clerks in various district offices. I understand that the position in regard to the other subordinate employees in the Postal Department is generally the same. I have been told by Mr. Bipin Chandra Pal and others that the clerks in the post offices have got a specially responsible class of work inasmuch as they have to handle cash. Have not the clerks in tehsil offices also got to handle cash? I do not

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quite see where the difference between the responsibilities of the two come in.

Mr. Bipin Chandra Pal: I did not refer to the clerks. I referred to the postmen in regard to this matter.

The Honourable Sir Bhupendra Nath Mitra: Well, I am coming to that. Does Mr. Bipin Chandra Pal seriously urge that the rates of pay of postmen should be higher than the rates of pay, say, of police constables in the provinces? (A Voice: "Certainly.") I am afraid I cannot subscribe to that proposition. (Pandit Shamlal Nehru: "Look at the income of the constable.") As it is, the rates of pay of the subordinate services in the provinces were fixed after detailed investigation undertaken by the Provincial Governments with reference to the rise in the cost of living. It is not for me to say whether these rates of pay for the subordinate services in the provinces, on which the postal rates of pay are based, do or do not constitute a living wage. If there is any doubt in the minds of Members of this House on this particular point, they will have to ask for a much wider inquiry, and the matter will no doubt be dealt with by my colleague the Finance Member in consultation with Provincial Governments. My point, however, is this, that so long as we give these subordinate employees of Provincial Governments a certain rate of pay it would be impossible for the tax-payer to agree to a higher rate of pay for the subordinate staff in the post offices which was fixed in 1920 by a committee largely composed of non-officials after taking into careful consideration not only the rates of pay given in the provinces but also the various and special disabilities attendant on the conditions of service of the postal subordinates.

My friend Mr. Bipin Chandra Pal was kind enough to say that he shares his increase in income proportionately with his servants. Now, I shall put this question to him. Has the tax-payer of India grown so rich since 1920 that he is in a position to give away more money to his servants of various classes? If so, the implication, of course, is that the tax-payer must pay more taxes into the exchequer to enable Government to meet the cost of the increase in the pay of these various subordinate services. (Mr. Bipin Chandra Pal: "Re-distribution of what he pays.") I wish my friend Mr. Pal had explained what he meant by that. If he had done so, I might have been able to give him a more adequate answer.

Mr. Bipin Chandra Pal further quoted from an old report of 1918 to show that there has been a very large increase in the cost of living. Well, it is admitted on all sides that the cost of living went on increasing after the war up to a certain stage. But thereafter there has been a fall. In fact, the fall was referred to by the Incheape Committee whom I have already quoted; it was referred to by Mr. Cocke and I have got here the relevant figures of the *Bombay Labour Gazette*. Taking the average pre-war figure of the cost of living at 100, the average rose to 183 in 1920. The figure has since gone down and it now stands at 157. On these figures, does Mr. Bipin Chandra Pal still say that an increase of pay of 88 per cent. over the pre-war rates is inadequate to meet the rise in the cost of living? Does not the course of the figures clearly indicate that the Incheape Committee were fully justified in the observation they made in their report, namely, that the time has come for re-examining the pay of all the subordinate services with the object of securing a reduction in the rates sanctioned in 1920? (A Voice: "The subordinate services!") I am simply quoting the Incheape Committee

Mr. Bipin Chandra Pal and Mr. Kelkar have also produced this argument. They said, it was true that the matter was examined in 1920 by a Committee at the request of the Imperial Legislative Council; they then went on to say, but where was the harm in having another Committee, and they quoted as a precedent the second Telegraph Committee. Now, Sir, I have got before me the terms of reference to the second Telegraph Committee which was presided over by my friend, Diwan Bahadur Rangachariar. The terms of reference were these: "To inquire into the questions set out in the memorandum submitted by the deputation of the Indian Telegraph Association to the Honourable Commerce Member on the 19th February and its annexures, excluding all claims for re-revision of rates of pay which were revised in 1920. Claim of Second Division on retrospective effect from 1st December 1919 and method of bringing on to new scale will not be regarded as re-revision, but will be considered by Committee." Government definitely refused to touch the general question of re-revision of pay. The Committee was asked to look into certain questions of detail, including the method of bringing on to the new scale the clerks of the Second Division.

The objection to having another Committee until this House is fully satisfied that there is a case for re-investigating the matter has already been brought out by my friend, Mr. Cocks.

Mr. N. C. Kelkar (Bombay Central Division: Non-Muhammadan Rural): May I interrupt my friend for a minute. Was it one of the terms of reference to that Committee to inquire what rates of pay and allowances were suitable?

The Honourable Sir Bhupendra Nath Mitra: My friend, Diwan Bahadur Rangachariar, is already shaking his head. I have simply quoted from the printed terms of reference to the Committee. (*Diwan Bahadur T. Rangachariar*: "It was concerned with the readjustment of the differences in the rates of pay.") Until we are in a position to admit that there is a case for raising the rates of pay of these postal subordinates, and that the rates of pay are to be raised irrespective of what the consequences may be, that is, irrespective of the source from which we are to meet the extra cost, I say that no practical advantage will be derived by the appointment of the Committee which Mr. Pal has asked for. *Per contra* the appointment of such a Committee would have a very harmful effect, and it is particularly with reference to this aspect of the case that I began my remarks by saying that it was with a certain amount of regret that I had come to the conclusion that the Committee proposed cannot be supported by the Government. The appointment of a Committee would immediately give rise to an impression in the minds of these misguided people that they were probably going to get some increase in pay. I have already in the last two days received about 50 telegrams asking for my personal support to the appointment of a Committee. Now just think what will be the state of mind of these people while this Committee is making its investigations—what these investigations will be directed to I really do not yet understand. There will be a considerable amount of turmoil which will certainly make it very difficult for the men to devote their whole energies to their work. And what will be the effect when probably after a year's deliberation the Committee comes to the conclusion that there is no case for an improvement or worse still if this House decides that in view of the more urgent need for reducing rates and giving relief

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to the larger body of tax-payers instead of to a limited body of their servants, to throw out any recommendations made by the Committee for improvement in pay or conditions of service? I submit, Sir, therefore that no case has been made out for the appointment of a Committee and that it would be extremely injudicious for this House to approve of the appointment of a Committee.

I shall now proceed to deal with certain minor matters referred to by Mr. Joshi. Here again the very first item that Mr. Joshi wants to have is an increase in the rates of pay of the Dead Letter Office clerks at Bombay, (*An Honourable Member*: "Everything for Bombay") it may be in the rates of pay of Dead Letter Office clerks universally. Now, this question of the rates of pay of Dead Letter Office clerks was gone into carefully by the Committee of 1920 and they definitely recommended that the rates of pay of these clerks should be on a lower scale than those of the other clerks. It is possible that the matter does not involve any large question of principle. If so, it does not also require the appointment of a Committee, and if Mr. Joshi or this particular class of people will bring to the notice of Government through the Director General their reasons for asking for this increase, the matter will be most carefully considered.

Mr. Joshi then referred to the leave and pension of postal menials. Here, as I have already stated, the matter is not one which affects the postal menial alone, and Mr. Joshi himself admitted it. The leave of the menials in the Postal and other Departments is regulated by what are known as the Fundamental Rules—rules framed by the Secretary of State under the provisions of the Government of India Act and on the advice of the Finance Department. The pension also is regulated by rules of general application promulgated with the approval of the Secretary of State. If it is the desire of this House that the conditions of service of menials in Government service as a whole should be improved, they will have to ask for a Committee of wider scope than the one proposed by my friend Mr. Bipin Chandra Pal. So long as there is no improvement in the general conditions of service of menials as a whole, the Committee which he advocates will not be in a position to deal with the question of the grant of better terms of leave and pension to menials in the Postal Department only. Mr. Joshi then referred to the introduction of a system of provident fund. That, again, is a general question which I believe is engaging the consideration of the Department over which my colleague on my left presides.

Mr. Joshi's next point was the provision of house accommodation. I am quite in sympathy with him that we ought to provide house accommodation wherever it is needed; but here again we can do so only to the extent that we can make funds available for the purpose. Those Members of this House who are also members of the Standing Finance Committee must have noticed that we have asked for a larger grant for this purpose in the budget of 1925-26.

Mr. Joshi's next specific point was the application of the Workmen's Compensation Act to the runners of the postal department. The other day in reply to a question in this House I stated that these men are not eligible for the benefit of the Workmen's Compensation Act, but that they are entitled to pensions under the provisions of the Civil Service Regulations. The effect of the rules now applicable to them is actually

to give them a higher benefit than they would have got under the Workmen's Compensation Act. Mr. Joshi practically admitted that this would be the position in regard to the runners who were actually killed in the execution of duty. He seemed to doubt whether the same would be the position in regard to the runners who were injured. I must say I fail to understand his point. A runner, if he is injured in the execution of his duty and is obliged to take leave on medical certificate, gets a certain amount of leave allowance and that itself would not, I understand, be less than the compensation admissible to him under the Workmen's Compensation Act.

Most of Mr. Joshi's points, and some of them are good points, are moreover points of detail for which, as I have already said, we do not want a committee of the type proposed by my friend Mr. Bipin Chandra Pal. They are matters which, if they were brought up to the notice of Government or to my personal notice, through the Director General, would be looked into and if remedies were really needed they would certainly be afforded.

Sir, in view of what I have stated I do not see the utility of the committee proposed by Mr. Bipin Chandra Pal and I must repeat what I have already said that on behalf of Government I must oppose it.

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): *Sir, the reason which compels me to intervene in this debate is that I happen to occupy the position of a President of the Postal Union for this year. It was said that those who were feasted and garlanded should champion the case of the Postal Union. Sir, I can assure this House that if there was any bribe offered to me it was much less than what the highest officials are entitled to take, namely, flowers and fruits.

Pandit Shamlal Nehru (Meerut Division: Non-Muhammadan Rural): The Telegraph Department made quite a lot of money in the shape of telegrams!

Mr. M. A. Jinnah: Therefore, I think the House will take me as a person who has really no interest in this matter. I assure the House that I do not hold any brief for the Postal Union. I have tried to the best of my ability to understand their point of view and I assure you that I was very anxious to hear the point of view of Government.

Sir, I will place a few facts before the Honourable Member in charge, who said that no case was made out. As far as I understand, Sir, the grievances are these. I do not agree with the proposition—and I do not think it need be seriously discussed—which was put forward by my Honourable friend Mr. Bipin Chandra Pal that he pays his servants according to the increase or the decrease of his income. I do not think it is beneficial either to the servant or to the master, and it might prove very serious indeed. The principle that I wish to bring forward—and I do not think the Honourable Member opposite will deny it—and to which the Postal Union has also adhered is that all they want is a living wage and fair conditions in which the work is performed. Now, the first and foremost grievance which the Union make is that you appointed a Committee in 1920 with the personnel of which they were not satisfied. That may be a questionable matter, but they say that the recommendations made by that Committee were not fair and adequate recommendations. It

* Not corrected by the Honourable Member.

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is no use therefore saying that we appointed a committee in 1920. That committee made certain recommendations, and again now you come forward in 1925 and you want another committee. Therefore, the question really is this, were the recommendations made by that committee fair or were they not? Well, on this point the position which is put forward by the Union is this. They take the case of their co-workers in the Telegraph Department. In the Telegraph Department the pay of men of similar qualifications, clerks, was Rs. 40 before the committee. In 1906 it was raised to Rs. 50, and without a committee in 1919 it was raised to Rs. 75, rising to Rs. 200, and after the committee of 1920, they got from Rs. 80 to Rs. 250, to be reached in 18 years, with free and furnished house accommodation or house rent ranging between Rs. 25 and Rs. 50.

The Honourable Sir Bhupendra Nath Mitra: They are not clerks at all; they are telegraphists, skilled labour.

Mr. M. A. Jinnah: Skilled labour, and what are the persons you employ in the post offices, are they not skilled?

The Honourable Sir Bhupendra Nath Mitra: They are comparatively less skilled. I shall deal with that matter later on.

Khan Bahadur W. M. Hussanally: If the pay of the Telegraph Department is higher, it is a case for reducing it, not increasing that of the Postal Department.

Mr. M. A. Jinnah: That is a very good suggestion, but if I am right that the class of people that you employ are almost the same, it is no use saying that there is special skill required. The class of people you employ are almost the same, and this is the pay given to the Telegraph Department, but the best you can give to the Postal employees is Rs. 35 rising up to Rs. 120 as a maximum. What did you do recently in the Audit Office? Are they also skilled workers? My Honourable friend points to the Finance Member. It is the Finance Member that is always the trouble everywhere. What did he do in the Audit Department? This is what happened. (*Diwan Bahadur T. Rangachariar:* "Postal Audit?") The pay of employees of the Audit Office, which was almost the same as that of postal clerks, has been raised from Rs. 60 to Rs. 230. Now, whether it is the Finance Member or whether it is my friend Sir Bhupendra Nath Mitra in charge of Telegraphs and the Post Office, Government is the employer and when you find under the same employer these invidious distinctions made, surely the Postal Union is entitled to say, "Why do you make these differences, and why do you starve us?" That is grievance number one. Now the answer is given by Government in this way, that the telegraphists are skilled men.

Mr. A. Rangaswami Iyengar: What is the skill?

Mr. M. A. Jinnah: I do not know what the skill is. Now that is the point in dispute. If you have a committee we shall have the representatives of the Government on that committee; we shall also have the representatives of the Postal Unions (*Mr. W. M. Hussanally:* "Judging his own cause"). My Honourable friend says "judging his own cause". Are not the Government judging their own cause? Government is the employer and the post office subordinate is the employee, and why should not the employee be entitled to sit on a committee with the employer?

Surely my learned friend has forgotten the first maxim of fair play when he says that. Why is he not entitled to go and say "I want my representative to be on the Committee to place all the facts before you, so that at least those who are not interested either way will hold the scales even between the two"? In every committee you must have the interests represented. What is the good of saying "judging his own cause"? (Mr. W. M. Hussanally: "Government have no personal interest.") My learned friend, this is really the limit. "Government have no personal interest"? Of course they have no personal interest; but they represent the tax-payers and they are entitled to plead the case of the tax-payers and they are not bound to pay more than what is necessary; if they did, my Honourable friend would get up and at once accuse Sir Basil Blackett, the Finance Member. What is the good of saying they are not interested? They are interested to this extent, that it is their business to see that they do not pay a single pie more than what is necessary.

Then, Sir, we get to the next point. I do not want to take up the time of the House, but I really thought that the Honourable Member knows it perfectly well. The Postal Union have published their grievances broadcast. I am sure he has got all the copies in his file and therefore it is really no use saying that the Honourable Member does not know what the grievances are. But he said so, as he wanted somebody to state them in the House. I know he knows everything in detail—at least he ought to; every one of us is flooded with printed documents, typewritten documents; and when we poor mortals here, who have no power, are supplied with all the information, can I imagine for a moment that the Government Member has not got all this information?

The Honourable Sir Bhupendra Nath Mitra: On a point of personal explanation, Sir. I never said that I had no information about these grievances; all I said was that I wanted to know from the Mover of the Resolution what his reasons for the appointment of a fresh committee of inquiry at this stage were, and I received very little light on the subject.

Mr. M. A. Jinnah: I entirely agree. (Laughter.) But the Mover of the Resolution gave some credit to the Honourable Member who has got all the information in his file in front of him; and if he wants me to repeat it as the President of the Union I shall repeat it here; I shall do so in two minutes, Sir, and shall not take up more time than that:

- (1) Suitable scales of pay for all classes of officials in the subordinate service.
- (2) The number and pay of supervisory staff.
- (3) Duty and local allowances.
- (4) House accommodation for the staff.
- (5) Increase of staff and reduction of hours of duty.
- (6) Increase of holidays.
- (7) Suitable buildings for post office and rest-houses.
- (8) Increase in number and accommodation of mail vans.
- (9) Split duty.
- (10) Suitable uniforms for those doing outdoor duty.
- (11) Over-time allowances.
- (12) Recruitment and station allowances for Railway Mail Service officials.

Well, Sir, those are the grievances. Now, I do ask the Government to consider this question from this point of view. You must remember

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you have a large body of men—I believe over several lakhs. You must remember that this Union itself has got 70,000 members. You must remember that they feel that some of these grievances are serious and you must remember that it is your duty to give them some satisfaction. It is no use saying “We oppose this Resolution.” It is no use saying “We cannot do anything.” It is no use saying “We have not got money.” I quite agree that you may not have money and that you may have your difficulties. (*Pandit Sham Lal Nehru*: “What about the suggested reduction?”) But I do ask you to consider this carefully and I believe Honourable Members here would not mind if the Government were themselves to take some steps and inquire into what at least they consider serious grievances. I can tell the House this much, that I presided over this Union not very long ago. A large body of men were present there. They are loyal and staunch workers. Remember that. They hold Sir Geoffrey Clarke in great regard, and I almost envied him when I looked at the diary which they published the other day, his photograph is published first and mine second. I thought that the President had always a precedence. In this case the men regard him with great affection, and I do assure him that their complaints and grievances are not without foundation. I would therefore plead with the Government most earnestly on their behalf. I said to them at that meeting that they have a great power, they were seventy thousand in their Union, they had the sinews of war, and they could use their organization as well as abuse it; I also emphasised the fact that they must use and not abuse their Union. And I assure you they are all loyal and staunch workers, and I am satisfied to this extent that they have grievances but to what extent they are all just I cannot say; but I am satisfied to this extent that they all feel they have grievances. I do ask the Government, therefore, to give this House an assurance that they will look into this matter and give it their careful and anxious consideration and meet such of the grievances as they can. Under those circumstances, I think my Honourable friend Mr. Bipin Chandra Pal will allow the motion to be adjourned till the September session.

Maulvi Mohammad Shafee (Tirhut Division: Muhammadan): Sir, before I move the motion which stands in my name, I have to acknowledge a clerical error which has crept in, and it is this. After the words “grievances of the Postal Staff,” the words “with reference to” were omitted by mistake, and they may now be inserted. My amendment will therefore run as follows:

“That after the words ‘grievances of the Postal Staff’, the following be inserted:
‘With reference to

1. Suitable scales of pay for all classes of officials in the subordinate service.
2. The number and pay of supervisory staff.
3. Duty and local allowances.
4. House accommodation for the staff.
5. Increase of staff and reduction of hours of duty.
6. Increase of holidays.
7. Suitable buildings for Post Office and rest-houses.
8. Increase in number and accommodation of mail vans.
9. Split duty.
10. Suitable uniforms for those doing out-door duty.
11. Overtime allowance.
12. Out-station allowance.’”

Sir, I do not want to take up the time of this House after the learned speech of the Honourable Mr. Jinnah, as I think that he has made out a strong case for an inquiry into the grievances of the postal staff. Now we have got two cases before us. One is the case placed before us by the Government Benches, and the Honourable Sir Bhupendra Nath Mitra says that the Postal Committee which sat in 1920 did full justice to the case of the post office people, and the other is the case put before the House on behalf of the postmen themselves. I have seen myself hundreds of these people, and they are all very loyal and staunch men. I should also say they are all very sincere in putting forward their grievances and in attending the meetings of their Unions in the districts and provinces. I also find from the reports which I have read during the last fortnight that, soon after the Report of the Postal Committee of 1920 was out, all the postal men from different parts of India put forward a very strong opposition and they declared it from all corners of India that it was wholly unsatisfactory. We further find that soon after that the first Postal and R. M. S. Conference took place in September 1920 in this city for the purpose of criticising the recommendations which were made by that Committee. After that, it appears, Sir, that throughout India, every province and every district had some sort of association for the purpose of ventilating their grievances through the proper channel. And I know that there are annual district conferences, annual provincial conferences and all-India conferences held for the purpose of getting the grievances redressed. And there are further signs of there being very serious agitation over this matter, for I find Government themselves have on some occasions admitted that there have been very many mistakes committed in the first Postal Inquiry Committee and anomalies have arisen on that account. I am told, Sir,—I don't vouch for the correctness of the statement—but I am told that more than 300 communications have been received by the Government and the Director General to rectify the anomalies, and even now the initial pay has not been fixed in all cases. Therefore, we have got the two versions before us—the one on behalf of the Government and the other on behalf of the postmen themselves. Government, of course, have put their case very strongly but the postmen have also got their conferences, associations and unions which have been incessantly held for these five years since the committee sat and which has now culminated in bringing forward this Resolution before the House. Now, we, who represent these men, do not know whether the facts are as stated by Sir Bhupendra Nath Mitra in this House or whether they are as stated by the Postal Subordinate Service. Now, I do not know, Sir, how there can be any difficulty in instituting an inquiry and satisfying the House that the grievances of the subordinate staff are merely imaginary. If the grievances are imaginary, we are certainly not here to advocate a cause which does not exist.

With these words I move my amendment.

Diwan Bahadur M. Ramachandra Rao (Godavari *cum* Kistna: Non-Muhammadan Rural): Sir, I beg to express at the outset of the few remarks that I intend to make that I have considerable sympathy with the large class of public servants whose work has received so much commendation in this House. At the same time, I feel a little hesitaton to commit myself at this sage to an inquiry. Sir, I believe it was my friend Mr. Bipin Chandra Pal who said that this House is showing tendencies of becoming an employers' association. I think, Sir, that it is also necessary to state that we should not constitute ourselves as the mouthpiece of the employees.

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There are wider considerations in regard to this matter and I should think, Sir, that the general view of the tax-payer has not received in this debate that attention that it deserves. Sir, Honourable Members are aware that since the increase of postal rates in 1922, there has been considerable agitation throughout the country that these rates should be reduced. None of the speeches made to-day has made any reference to that aspect of the case.

Mr. A. Rangaswami Iyengar (Tanjore *cum* Trichinopoly: Non-Muhamadan Rural): It is irrelevant.

Diwan Bahadur M. Ramachandra Rao: If my Honourable friend Mr. Rangaswami Iyengar thinks that this is irrelevant, I think I ought to tell him at once that if the demands which have been made to-day on behalf of the postal subordinates are to be met either by an inquiry or otherwise, an estimate of those demands which has been made by the Honourable Sir B. N. Mitra shows that Rs. 3 crores would be required. If any portion of their demands are complied with, this House will have to find the money.

Mr. O. Duraiswami Aiyangar (Madras ceded districts and Chittoor: Non-Muhamadan Rural): How did they find 1½ crores for the Public Services on the Lee Commission's recommendations?

Diwan Bahadur M. Ramachandra Rao: My Honourable friend seems to think that I am answerable for the Public Services Commission and for the increases that have been sanctioned in accordance with their Report. That inquiry must be made to somebody else. I will not deviate from the remarks which I wish to make by the interruption of my Honourable friend. The first point to which I should like to invite the attention of the House are the figures which have been furnished to us during the current session in answer to one of the interpellations, and that is the extent to which postal facilities which were enjoyed since 1920-21 have been withdrawn on account of the enhancement of the rates. Sir, if Honourable Members will turn to page 209 of our proceedings for the current session they will find that prior to the increase of the rates, the number of letters that passed through the Post Office was 612,213,587. Since the increase the number has come down to 519,939,442, that is, there is a drop of nearly 100 million letters since the increase has been made in 1921-22. The number of post-cards that passed through the Post Office in 1920-21 was 630,401,432 and since the increase the number has come down in 1923-24 to 531,906,208, or a drop of nearly 100 million. I ask my Honourable friends whether they do not regard this as a most serious aspect of this question, namely, the withdrawal of postal privileges on account of the enhancement of rates. I would ask Honourable Members who are supporting this motion to make up their minds as to whether they would not bring forward during the next Budget discussion any proposals for the reduction of rates.

Mr. A. Rangaswami Iyengar: Why not?

Diwan Bahadur M. Ramachandra Rao: My Honourable friend says, "Why not?" Amongst the numerous telegrams that I have received after coming to this House there are some addressed to me from various parts of the country that the public are anxious for the reduction of postal rates.

Mr. A. Rangaswami Iyengar: Let us have both. We are not inconsistent.

Diwan Bahadur M. Ramachandra Rao: My friend appears to think he can do both. Reduction of the postal rates and an increase in the pay of all post office officials are not compatible with one another. If my friend does not see any inconsistency in it, I do. If the rates are reduced beyond their present level, we cannot maintain even the existing scales of pay to the large body of subordinates who are affected by this Resolution. Some Honourable Member—I believe it was my friend Mr. Pal—said there may be some re-arrangement of expenditure of telegraphists and the post office section of the Department.

Mr. Bipin Chandra Pal: And other departments.

Diwan Bahadur M. Ramachandra Rao: That is a comprehensive question very much beyond the limits of the present Resolution. It is quite a different subject altogether. I feel that the first matter for the consideration of this House is to see whether they could persuade Government to reduce the postal rates. If consistently with that you can meet the demands, the legitimate demands, the just grievances of the postal subordinates throughout the country, I shall be only too happy to support such a proposal.

Mr. M. A. Jinnah: Otherwise, just grievances are not to be redressed?

Diwan Bahadur M. Ramachandra Rao: That is an inquiry that ought to be addressed to Honourable Members on the opposite Benches. So far as I am concerned, my first consideration is the interest of the tax-payer. The tax-payer wants a reduction of the postal rates, and if Honourable Members bring forward proposals for the reduction of these rates they will be certainly met with the argument that having proposed an increase of the pay of the post office staff we cannot ask for the reduction of the rates.

Mr. M. A. Jinnah: No. Just grievances.

Diwan Bahadur M. Ramachandra Rao: My Honourable friend, Mr. Jinnah, says just grievances should be looked into. I entirely agree. I am certainly willing to support the proposal which he has made at the end of his speech that this debate should be adjourned and that the Government should themselves go into the just, legitimate grievances of the postal staff which have been placed before them in the numerous memorials and resolutions of the conferences that have taken place throughout the country. That is entirely a different proposition. I fully agree with my Honourable friend that you cannot have a large body of public servants—70,000 of them—discontented, and that the time has come when all that has been said on their behalf should be looked into and that the Honourable Member in charge of this Department and the Director General should consider and redress these grievances. During the last two years many schemes for the increase of pay of subordinate services have come up before the Standing Finance Committee and afterwards before this House. Each department puts forward scales of pay for its own men and there is a kind of competition between the departments to bring up their scales as near each other as possible. We had schemes this year, last year, from the various departments of the Central Government to increase the pay of the subordinate services and the menials. These scales differ very widely. The pay of a clerk in Calcutta is Rs. 50. The pay of a clerk in Madras is Rs. 40. The pay of a clerk in Bombay is Rs. 50. The scales differ with reference to the local conditions and each of these departments come forward and ask that their scales of pay should be revised. We have also the Local Governments who have made their own scales and they have been protesting that the Central Government should

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not increase the pay of their subordinate officials as it would affect their scales of pay. Honourable Members will realise that the question of raising the pay of subordinate servants in any one particular department bristles with difficulties. If this is done in one department it raises expectations in other departments and, as my Honourable friend on my right says, it is very contagious. Therefore the whole question is bristling with difficulties, and I believe that the only solution of this problem is a proper wages board to be constituted to examine the pay of all the subordinate services and to fix them not in relation to one department but generally to give them a living wage and to fix them for all the departments under the Central Government and to revise the scales from time to time. Unless some such step is taken you will

5 P.M. be faced with an agitation from the other departments of the Central Government. The officials of the Postal Department have the finest and the most organised trade unions in this country. They have sent us a lot of literature; they have flooded us with telegrams. We have information supplied to us such as we are accustomed to in the profession of law. I think, Sir, that, unless you take care to see that we have a contented body of public servants, this contagion would spread to other departments. I therefore think it is due to this House that the Honourable Member in charge of the Department and the Director General should make a further statement as to whether the suggestion of my Honourable friend Mr. Jinnah is acceptable to them, namely, that the just grievances of these postal subordinates should immediately be looked into.

Pandit Shamlal Nehru: May I know if the Honourable Member is speaking for the Resolution or against it?

Diwan Bahadur M. Ramachandra Rao: You can judge it for yourself. I think, that this debate should be adjourned, as suggested by my friend Mr. Jinnah, and that the Government should go into this matter as early as possible. Unless you do that I am afraid that matters would be certainly much more difficult hereafter than they are now.

The Honourable Sir Bhupendra Nath Mitra: I rise to reply to the specific questions put to me by my friend Mr. Jinnah and my friend Diwan Bahadur Ramachandra Rao; but before doing so I think it is necessary to elucidate a certain matter to which reference was made by Mr. Jinnah, and that is the unequal treatment of certain employees in the Telegraph Department and the signaller-clerks in combined postal and telegraph offices. I do not want to waste the time of the House by a long dissertation on the relative duties of what is known as the departmental telegraph office and what is known as the combined office. Briefly speaking the position is as follows: The departmental offices are what may be called zone or sub-zone centres. Their chief function is the collection of traffic from the combined offices and the circulation of the same by high-speed apparatus over the longest lines of the country. They are fed by the combined offices whose function simply is to transmit and receive the local traffic to and from the nearest departmental office. A combined office does not transmit a telegraph message which it accepts to its destination, but it passes the message to one of these departmental offices which collects the traffic and distributes it over the various long lines which are at its disposal; and in making this distribution it has to pay particular attention to the state of any one of these lines,—its congestion or otherwise. The postal signaller in the combined office is required for a comparatively simple class of work. He is trained, after he is recruited at the age of

about 25, in signalling on the simplex Morse system at a speed not exceeding 20 words a minute and that is about all he can do. He is also trained to make the simplest adjustment of the keys and sounders of his machine. The departmental telegraphist is a much more skilled man. He is generally taken on at ages varying from 16 to 20, when he is more adaptable to acquire the higher speed at which he is required to work. He is thereafter given a more intensive and technical training than the postal signaller, before he is employed in the departmental offices. He has to learn to use the duplex or quadruplex Morse circuits which not only work at a much higher speed than combined office circuits, but require for their maintenance a considerable amount of technical knowledge.

I know that it is one of the grievances of the postal clerk that he should be given the higher training which is given to the departmental telegraphist, and the object is obvious, because once he gets the training he can certainly claim the higher pay. But, Sir, for these departmental offices we want a limited number of departmental telegraphists. On the other hand, it is a waste of money to give the postal signaller in the combined office the same training and then to give him the same rate of pay. I make this observation simply because Mr. Jinnah raised the point.

Now, Sir, coming next to the specific question put to me by Mr. Jinnah and Mr. Ramachandra Rao, the Member in charge of Industries and the Director General are always willing to consider any reasonable grievances placed before them by their subordinate employees. As a matter of fact it is done from day to day. If this House wants me and Sir Geoffrey Clarke to go personally into these complaints again, we are quite willing to do so. At the same time, I may remind the House of this pertinent fact, namely, that the grievances which Mr. Jinnah read out and to which I did refer in my previous speech are the precise grievances to examine which the Postal Committee of 1920 was appointed. The Postal Committee of 1920 after examining those very grievances made certain recommendations. As the result of those recommendations, increases were allowed in the then existing rates of pay. Improvements have also been made in certain other conditions of service. Now, what is the point at issue? We are told that we must have another committee because a large body of subordinate employees are discontented. Very well, Sir. Let us assume that we appoint another committee to go over the same ground which was explored by the committee of 1920. Two years hence when most of the present Members of this House may have ceased to sit here—I hope they will not, but that contingency may arise—these subordinate employees will again get hold of your successors and say that the committee which was appointed in 1925 at the demand of this House did not look into their grievances properly and they, therefore, want another committee. Is this process of committee after committee going to continue? (*Diwan Bahadur T. Rangachariar*: "Have a general wages board.") Well, Sir, I have said in my previous speech that if such an inquiry is to be made it must be a bigger affair altogether, an examination into the conditions of service of all the subordinate employees of Government. But that is not the proposal made by my friend, Mr. Bipin Chandra Pal. If this House expresses a desire in the direction of a wider inquiry I dare say the Government of India will deal with it, and the Honourable the Finance Member will probably be able to place before the House some interesting observations on the general question of the standard of living and so forth.

As to the precise question put to me by Mr. Jinnah and Mr. Ramachandra Rao I have already said that I, as Member in charge of the

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Department of Industries and Labour, and Sir Geoffrey Clarke are quite willing to examine, in consultation with a representative of the subordinate employees, all their grievances. But beyond that I am not prepared to commit myself to anything.

As Diwan Bahadur Ramachandra Rao pointed out, the question is one which bristles with difficulties. As it is, I have read the document which Mr. Jinnah was marshalling. It is absolutely silent on the question of a possible reduction in postal rates. It says that any surplus which is available must go towards increasing the pay and conditions of service of the subordinate staff and it adds probably to placate this House—that additional funds may be devoted to the extension of rural facilities. That is all that the men are willing to concede. We do not yet know, Sir, whether in the budget for next year there will be any surplus at all available in the estimates of the Posts and Telegraph Department to be utilised for any purpose. I know that this year the Department is going to close with a deficit of something over 10 lakhs; but I do not yet know what the position next year will be.

Khan Bahadur W. M. Hussanally: Is it on the combined Post and Telegraph Department?

The Honourable Sir Bhupendra Nath Mitra: That is so.

Khan Bahadur W. M. Hussanally: The Department as a whole? If so, from which part does the main deficit come?

The Honourable Sir Bhupendra Nath Mitra: I do not know. I have already said that full details will be given in presenting the Budget for 1925-26.

Khan Bahadur W. M. Hussanally: Then I would say, separate the Telegraph Department from the Post Office.

Diwan Bahadur M. Ramachandra Rao: May I ask whether the Honourable Member would be willing to receive a deputation of these men?

The Honourable Sir Bhupendra Nath Mitra: I am quite willing to receive deputation of these men.

Mr. C. Duraiswami Aiyangar: May I ask the Honourable Member whether Government would be prepared to ask the Ryan Committee to go into this question?

Mr. M. A. Jinnah: Sir, the Honourable Member has made so many statements that the important portion is not quite clear. The question with which I am concerned immediately is this. I understand that the Honourable Member in charge as well as Sir Geoffrey Clarke, the Director General, are willing to discuss and consider the grievances of postal men and that they will give them an opportunity of sending their representation or a deputation to wait upon them, and to consider their grievances sympathetically, not in the spirit that everything has been done already and that nothing can be done. On that assurance, Sir, from the Government, I formally move that this debate be adjourned till the September session.

Mr. President: Motion moved:

"That this debate be adjourned till the September Session in Simla."

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Monday, the 16th February, 1925