

7th September, 1925

THE
LEGISLATIVE ASSEMBLY DEBATES
(Official Report)

THIRD SESSION

OF THE

SECOND LEGISLATIVE ASSEMBLY, 1925



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LEGISLATIVE ASSEMBLY.

Monday, 7th September, 1925.

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

MEMBER SWORN.

Mr. Rama Shankar Bajpai, O.B.E., M.L.A. (Officiating Director of Public Information).

QUESTIONS AND ANSWERS.

DISCONTINUANCE OF THE RECRUITMENT OF BURMANS FOR THE INFANTRY.

667. ***Maung Tok Kyi** : 1. (a) Is it a fact that the Government of India have recently passed orders to the effect that in future all Burman units are to be removed from the various Burma battalions ?

(b) Is it also a fact that in future only Karens, Kachins and Chins will be recruited for those battalions ?

(c) If the answers to (a) and (b) are in the affirmative, will the Government be pleased to state the reasons which have led them to pass such orders ?

2. (a) Will the Government be pleased to state whether or not they had consulted the Government of Burma before they took this step ?

(b) If the answer to 2 (a) be in the affirmative, will the Government be pleased to lay on the table the report of the Government of Burma on the subject ?

Mr. E. Burdon : 1. (a) The recruitment of Burmans has been discontinued so far as regular infantry battalions only are concerned, and all Burman soldiers already serving in these battalions have been permitted to take their discharge, if they wish to do so. The Burma Sappers and Miners and the Territorial Force Battalion of the Burma Rifles are unaffected by this decision.

(b) The answer is in the affirmative, as regards regular infantry battalions.

(c) The reasons were that the class of Burmans recruited has been found in various respects unsuitable. They display an obvious distaste for service in the infantry in peace time, and their discipline is not up to standard. They suffer from a relatively high sick rate, and finally, they do not get on well with the other classes which together form the great majority in these battalions.

2. (a) The answer is in the negative ; but the Burma Government have since been informed fully of the reasons for the step.

(b) Does not arise.

COMPOSITION OF THE THREE BATTALIONS OF THE BURMA RIFLES.

668. ***Maung Tok Kyi** : (a) Will the Government be pleased to state the number of battalions that are stationed at present in Burma, showing the strength of (i) Burman units, (ii) Karen units, (iii) Kachin units and (iv) Chin units in each battalion ?

(b) Will the Government be also pleased to state the probable date on which all the Burman units will have been completely removed from these battalions ?

Mr. E. Burdon : (a) I presume the Honourable Member is referring to the Burma battalions only. There are three such infantry battalions in Burma at present—the 1/20th, 3/20th and the 10/20th Burma Rifles. Their composition at the moment is as follows :

1/20th Burma Rifles—

Karens	..	..	..	51
Kachins	..	..	..	189
Chins	..	..	..	184
Burmans	..	..	..	48

3/20th Burma Rifles—

Karens	..	..	..	125
Kachins	..	..	..	332
Chins	..	..	..	120
Burmans	..	..	..	None.

10/20th Burma Rifles—

Karens	..	..	..	282
Kachins	..	..	..	472
Chins	..	..	..	233
Burmans	..	..	..	18

The Honourable Member will notice that there are thus only 66 Burmans left in the whole of the infantry battalions stationed in Burma.

The Burma Sappers and Miners are a class unit of Burmans, and their strength is 296 men. I may mention that there is no difficulty in recruiting Burmans for this unit. Service in the Sappers and Miners presumably because of its technical character appears to be more congenial to Burmans than service in the infantry ; a good stamp of Burmans is readily obtained for the Sappers and Miners, and those recruited are reported to be doing well.

(b) It is impossible to give a definite date, as Burman soldiers who are already serving are not being compulsorily discharged. But it is clear from the figures, which I have cited, that they are eagerly accepting the opportunity offered to them to retire voluntarily.

ENLISTMENT OF BURMANS IN THE ARMY.

669. ***Maung Tok Kyi** : (a) Are the Government aware that competent authorities, like Major Ensiques and others have praised the qualities of the Burman as a soldier ?

(b) Are the Government aware that during the war a District Magistrate in Burma convicted an old Burman under the Defence of India Act and sentenced him to imprisonment for preventing his son from enlisting in the Army ?

Mr. E. Burdon : (a) Yes, but this, I may state, is a matter of individual opinion.

(b) The Government of India have no information of the incident.

Mr. E. G. Fleming : Is it a fact, Sir, that Hindustani has been fixed as the official language to be used in the training of Burmese units, and that officers transferred to Burmese units from other Indian Army units are not required to learn the vernacular languages in which their recruits are usually conversant ?

Mr. E. Burdon : The answer to the first part of the question is in the affirmative. Hindustani has been adopted as the *lingua franca* of the whole Indian Army, with the object of enabling men of all units to converse and co-operate with one another. It is already, of course, the language in use in the majority of units.

As regards the second part, officers of the Indian Army are not compelled to learn the vernacular languages peculiar to the classes enlisted in their units, but they are encouraged to do so, both by the offer of language rewards and otherwise.

Mr. E. G. Fleming : Do the Government not consider that a knowledge of the vernacular languages should be made compulsory for the troops ?

Mr. E. Burdon : The matter has been very carefully considered, but the Government of India on the advice of the military authorities have come to the conclusion that it would not be practicable to do so.

Mr. E. G. Fleming : With regard to the reply to question No. 668, will Government be pleased to state if the Burmese have proved themselves efficient in any other technical branch of the Army besides the Sappers and Miners ?

Mr. E. Burdon : I am afraid I cannot give a definite answer off hand. I should be obliged if the Honourable Member will put down a question on that.

Mr. K. Ahmed : Are the Government aware that Burmese people coming to Bengal, and specially to Calcutta speak the Hindustani and Urdu languages ? (Laughter.)

Mr. E. Burdon : I am afraid I have not understood the purport of the question.

ENLISTMENT OF BURMANS IN THE ARMY.

670. ***Maung Tok Kyi :** Has the present policy of Government in regard to "Burmans and the Army" any connection whatever with the alleged success of the reforms in Burma ?

Mr. E. Burdon : There is no connection between this change in the system of recruitment for the Burma Rifles and recent developments in the civil administration of Burma. As I have sufficiently indicated, the

decision does not represent any general policy of Government in regard to Burmans and the Army, but is merely the outcome of the reluctance among Burmans of the best type to serve in regular infantry battalions.

ABOLITION OF THE LOWER DIVISION IN THE OFFICE OF THE ACCOUNTANT GENERAL, POSTS AND TELEGRAPHS, CALCUTTA.

†671. *Mr. Amar Nath Dutt : (a) Is it a fact that the institution of a 'separate sorters' grade and the introduction of the new comptometers to do the more mechanical portion of the work have in the opinion of the several Deputy Accountants General in their letter No. Calcutta-1279-A. G. G., dated the 21st January 1920, Delhi-E.-84, dated the 24th January 1920, Nagpur-G.-1377, dated the 17th January 1920, and Madras-G. M.-3708, dated the 17th February 1920 as well as the All-India Civil and Postal Accounts Offices Conference held at Lahore in 1925 considerably eliminated the difference between Upper and Lower Division work in the Office of the Accountant General, Posts and Telegraphs, Calcutta ?

(b) If so, are the Government prepared to consider the question of abolishing the Lower Division ?

(c) Is it a fact that the examination for the recruitment of candidates for the Lower Division was stopped with the introduction of " C " Cadre ?

(d) If so, why ?

WORK OF UPPER AND LOWER DIVISION CLERKS IN THE TELEGRAPH CHECK OFFICE.

†672. *Mr. Amar Nath Dutt : (a) Is it a fact that some of the clerks in the Lower Division of the Telegraph Check Office are still performing the work classed for Upper Division and drawing Lower Division pay and some of the Upper Division Clerks are doing Lower Division work and getting pay at Upper Division rate ?

(b) If so, will the Government be pleased to state reasons for the same ?

DISTRIBUTION OF UPPER DIVISION POSTS IN THE TELEGRAPH CHECK OFFICE.

†673. *Mr. Amar Nath Dutt : (a) Will the Government be pleased to state whether the distribution of Upper Division posts in the Telegraph Check Office was conducted on the basis of efficiency in the actual work performed as in other sister Accounts Offices or by a Departmental Examination ?

(b) If so, what is the reason for this differential treatment ?

APPOINTMENT OF SENIOR CLERKS OF THE TELEGRAPH CHECK OFFICE TO THE UPPER DIVISION.

†674. *Mr. Amar Nath Dutt : (a) Is it a fact that some of the senior clerks of the Telegraph Check Office even over 40 years of age and exempt from the Departmental Examination were not appointed to Upper Division posts on the ground of inefficiency ?

(b) Were they given any fair opportunity to prove their merit by being entrusted with Upper Division work, and found unfit ? If not, were any other steps taken to determine their inefficiency ?

† For answer to this question, see answer to question No. 675.

(c) If the answer to (b) be in the negative, are the Government prepared to give them a fair opportunity of proving their efficiency and promote them to the Upper Division, if successful ?

(d) Is it a fact that " Completing " work in the paring section of the Telegraph Check Office has been considered as Upper Division work while " Tracing " in the Message Room Section, which is of the same nature, has been classed as Lower Division work ?

(e) If so, why has " Tracing " not been classed as Upper Division work ?

UPPER AND LOWER DIVISION WORK IN THE TELEGRAPH CHECK OFFICE.

675. ***Mr. Amar Nath Dutt** : (a) Is it a fact that " Cheeking " in the Inland Section of the Telegraph Check Office has been considered as Upper Division work while " Weeks Count " in the Message Room Section which is exactly of the same nature has been classed as Lower Division work ?

(b) If so, why has " Weeks Count " not been classed as Upper Division work ?

The Honourable Sir Basil Blackett : I propose to answer questions Nos. 671 to 675 together. The Government have not the information, and they do not propose to call for it.

MEMORIAL FROM THE LOWER DIVISION CLERKS OF THE OFFICE OF THE ACCOUNTANT GENERAL, POSTS AND TELEGRAPHS, CALCUTTA.

† 676. ***Mr. Amar Nath Dutt** : (a) Have the Government received a memorial addressed to the Viceroy from the Lower Division clerks of the office of the Accountant General, Posts and Telegraphs, Calcutta ?

(b) If so, what action has been taken or what steps do Government propose to take in the matter of the grievance laid down therein ?

TIME-SCALE OF PAY OF THE LOWER DIVISION CLERKS OF THE OFFICE OF THE ACCOUNTANT GENERAL, POSTS AND TELEGRAPHS, CALCUTTA.

† 677. ***Mr. Amar Nath Dutt** : (a) Is it a fact that the revision of the time-scale of pay for the Upper Division clerks of the office of the Accountant General, Posts and Telegraphs, was settled in 1924 on a local basis :

Madras, Rs. 60 to Rs. 175 ; Nagpur, Rs. 60 to Rs. 175 ; Delhi, Rs. 60 to Rs. 200 ; Calcutta, Rs. 60 to Rs. 230 ;

while the Lower Division clerks were not given such consideration and placed in the time-scale of pay Rs. 40 to Rs. 80 in the same year without any distinction of provinces ?

(b) If so, why has the time-scale of pay for the Lower Division also not been settled on a local basis so far as the maximum is concerned in Calcutta ?

GRIEVANCES OF LOWER DIVISION CLERKS OF THE OFFICE OF THE ACCOUNTANT GENERAL, POSTS AND TELEGRAPHS, CALCUTTA.

† 678. * **Mr. Amar Nath Dutt** : (a) Is it a fact that the Upper and Lower Division Clerks of the office of the Accountant General, Posts and Tele-

† For answer to this question, see answer to question No. 679.

graphs, are recruits from the same examination following the same curriculum? If so, why should there be any difference as to their appointment to Upper and Lower Division posts so entirely different from each other in respect of pay?

(b) Is it a fact that of all the successful candidates for the recruitment examination in 1920 some were placed in the Upper Division, some in the Lower Division according to their order of merit, while in subsequent years this rule was not followed and all the successful candidates in 1921 were placed in the Upper Division?

(c) If so, why was the differential treatment accorded to the 1920 candidates and what steps do the Government propose to take to rectify the irregularity in the case of such candidates?

(d) What steps are the Government going to take to remedy the grievance of the Lower Division clerks who are recruits from the same examination as the Upper Division men are?

TIME-SCALE OF PAY OF THE LOWER DIVISION CLERKS OF THE OFFICE OF THE ACCOUNTANT GENERAL, POSTS AND TELEGRAPHS, CALCUTTA.

679. ***Mr. Amar Nath Dutt** : (a) Are the Government aware that the time-scale of pay for the Lower Division of the office of the Accountant General, Posts and Telegraphs, as at present constituted is inadequate even for a living wage?

(b) Is it a fact that the Lower Division clerks get an increment of Rs. 3 and Rs. 2 successively for 5 years each and Re. 1 for 10 years and go on absolutely without any increment to reach the Lower Division maximum of Rs. 80 during the whole period of their service while the Upper Division clerks get an increment of Rs. 8 and Rs. 6 throughout the whole period of their service? If so, are the Government prepared to improve the miserable state of affairs so far as the Lower Division clerks are concerned?

The Honourable Sir Basil Blackett : I propose to answer questions Nos. 676 to 679 together. The Government are inquiring into the points raised and a reply will be sent to the Honourable Member in due course.

ACCESS OF MEMBERS OF THE DEPRESSED CLASSES TO POST OFFICES IN SOME DISTRICTS OF THE MADRAS PRESIDENCY.

680. ***Mr. K. Venkataramana Reddi** : (a) Will Government be pleased to state how many Post Offices are located in rented buildings situate in Agraharams in Madras Presidency?

(b) Are Government aware that 'Untouchables' who have to buy stamps or post letters have to request a casteman to help them, as they are not allowed free access into such Post Offices?

(c) If the answer to (b) is in the negative, will Government be pleased to make an inquiry at once and place a copy of the result of such inquiry on the table of this House?

(d) If the above allegations are substantially true, are Government prepared to undertake the construction of small buildings outside the Agraharams to locate such Post Offices? What other measures do Government propose to remedy the invidious distinctions?

The Honourable Sir Bhupendra Nath Mitra : (a) The required information is not readily available ; but only buildings situated in localities accessible to all classes are rented for head, sub and departmental branch offices.

(b), (c) and (d). The trouble to which members of the depressed classes are occasionally put in obtaining access to post offices in some districts of the Madras Presidency came to notice in 1916. It arises chiefly in respect of village extra-departmental branch offices for which no rent is paid, the agents being required to make their own arrangements for office accommodation. The Postmaster General then took steps to remove such offices to localities accessible to all classes, and as a result 103 post offices were so moved in 1916 and 1917.

The question has continued to receive attention, and since 1917 eighteen complaints of the inaccessibility of extra-departmental offices, and two of the inaccessibility of departmental offices, have been received. Of these complaints 8 proved groundless ; 9 post offices have been removed to accessible localities ; and the 3 remaining cases are still under inquiry. All complaints are inquired into as soon as they are received, and in the circumstances Government do not consider it necessary to make a general inquiry, or to take the other specific step suggested by the Honourable Member.

DEPRESSION IN THE INDIGO TRADE.

681. ***Mr. K. Venkataramana Reddi :** (a) Is it a fact that there is great depression in the indigo trade ?

(b) Will Government be pleased to state (i) the names of countries in which the bulk of artificial dyes are manufactured, (ii) the quantity that India imports, (iii) under what category in the Customs Tariff they come, (iv) the import duty that is at present levied on them ?

(c) If the answer to (a) is in the affirmative, what measures, if any, do Government propose to take to remove the present depression in this respect ?

The Honourable Sir Charles Innes : (a) Yes.

(b) (i). Germany chiefly.

(ii) The Honourable Member is referred to the annual and monthly returns of Sea-borne trade of British India, copies of which are in the Assembly Library.

(iii) Item 92 of the Import Tariff Schedule.

(iv) 15 per cent. *ad valorem*.

(c) In 1918 an indigo cess under the Indigo Cess Act (since repealed) was imposed to obtain funds for carrying on research work in respect of botanical, chemical and bacteriological problems connected with the manufacture of natural indigo. Important and valuable results have been obtained and these have been made available to the industry. A brief summary of them will be found on page 58 of the Review of Agricultural Operations in India, 1922-23. Government do not think that they can usefully take, at present, any further action in the matter.

MEMORANDUM SUBMITTED BY THE INDIAN REPRESENTATIVE TO THE INTERNATIONAL PRISON CONGRESS.

682. ***Mr. K. Venkataramana Reddi** : Will Government be pleased to lay on the table a copy of the memorandum, if any, submitted by India's representative to the International Prison Congress and also that of his speeches, if any, made by him there ? What action do Government propose to take on the final recommendations of the Congress ?

The Honourable Sir Alexander Muddiman : As the International Prison Congress was only held in London in the first week of August copies of its proceedings will not be available here for some little time yet. Until they have been received and the Government of India have had an opportunity of examining the recommendations made I am not in a position to say what action, if any, will be taken.

REPORT OF THE COLONIES COMMITTEE.

683. ***Mr. K. Venkataramana Reddi** : Will Government be pleased to state whether any report was submitted by the Colonial Committee appointed by the Government of India to confer with His Majesty's Secretary of State for the Colonies on the position of Indians overseas ? If so, will Government be pleased to lay a copy of such report on the table ?

Mr. J. W. Bhore : The Honourable Member's attention is invited to the reply given by me on the 23rd January 1925 to Khan Bahadur Sarfaraz Hussain Khan's question No. 157 on the same subject.

EXTENSION OF THE ACTIVITIES OF THE ARMY CANTEN BOARD (INDIA).

684. ***Khan Bahadur W. M. Hussanally** : (a) With reference to answer to my question No. 1150, dated 6th March, will the Government please state at what stations in India did the Army Canteen Board commence operations in the first instance ?

(b) When and to what stations were the operations extended ?

(c) Was any inquiry held as to the success of the operations at the first named stations ? If so, will the Government please lay on the table the result of such inquiry ? If not, why not ?

Mr. E. Burdon : (a) and (b). The Army Canteen Board (India) first commenced operations at Rawalpindi. It subsequently extended its activities to all the other stations in the Northern and Western Commands where British units were stationed, with the exception of Nasirabad, in the years stated against the following districts :

Murree	April 1922.
Waziristan	August 1922.
Peshawar	November 1922.
Quetta	April 1923.
Sialkote	December 1923.
Sind-Rajputana District (less Nasirabad)	August 1924.
Remainder Lahore District ..	August and September 1924.

(c) No official inquiry was made by Government but the matter was discussed at a general meeting of the Corporation before the expansion was undertaken.

VALUE OF STORES PURCHASED IN INDIA BY THE ARMY CANTEN BOARD.

†685. ***Khan Bahadur W. M. Hussanally** : (a) What has been the value of the stores hitherto purchased in India by the Army Canteen Board ?

(b) Were these stores got cheaper or dearer than those imported from abroad including freight and other charges ?

(c) Have all stores purchased, whether in India or elsewhere, been paid for by now ? If not, why not ? If only a portion has been paid for, what account still remains to be paid ?

PAYMENT FOR STORES PURCHASED FROM MERCHANTS IN INDIA BY THE ARMY CANTEN BOARD (INDIA).

†686. ***Khan Bahadur W. M. Hussanally** : (a) Have any stores been purchased from abroad by the Army Canteen Board on credit ? If so, for how long ?

(b) If any were so purchased on credit, has any interest been paid or is payable on such purchases ? If so, how much ?

(c) What is the total amount of stores purchased in India on cash and what amount on credit ?

(d) What was the stipulated period of credit for goods purchased in India on credit ?

(e) Was the amount paid within the stipulated period ?

(f) If not, was any interest paid or is it payable for the excess period ? If not, why not ?

(g) Are Government aware that merchants from whom such goods have been purchased in India have been very seriously inconvenienced on account of non-payment of the sums due to them ? Do Government propose to compensate them for this inconvenience ? If not, why not ?

CAPITAL OF THE ARMY CANTEN BOARD (INDIA).

687. ***Khan Bahadur W. M. Hussanally** : (a) What were the reasons which led the Government to require the Army Canteen Board to have an 'extended range of business' when the liquid capital at their disposal was not sufficient to finance the same ?

(b) In reply to my questions it was said :

"The Government of India trust that with this addition to the working capital and with the increased receipts from new business in the Lahore district the Army Canteen Board will no longer find it necessary to trade upon terms of credit extended beyond the usual commercial practice."

Will the Government please state if this expectation has been realized ? If so, how ? Please quote figures in support of the answer.

Mr. E. Burdon : Sir, with your permission I propose to reply to questions Nos. 685, 686 and 687 together by making the following state-

† For answer to this question, see answer to question No. 687.

ment. In view of the numerous complaints against the Army Canteen Board which appeared in the public press during the course of this summer and of complaints which have reached the Government of India from other sources also, it has been decided to institute a thorough expert inquiry into the affairs of the Board, their business methods and their financial position. A preliminary inquiry is being carried out at the moment by the Honourable Sir William Currie and the Honourable Mr. Phiroze C. Sethna who have kindly consented to help Government in this matter. They are themselves being assisted in a consultative capacity by Mr. H. G. Cocks, a Member of this Assembly, whose firm is at present engaged in the annual audit of the Board's accounts. The questions asked by the Honourable Member with which I am now dealing relate mainly to matters which formed the subject of the complaints to which I have made reference and in the circumstances, my Honourable friend will not expect me to reply to these questions categorically and in detail at present. I could not properly do so while the inquiry is proceeding. I will, however, undertake to forward the questions and my present reply to the gentlemen who are carrying out the inquiry.

RATES AT WHICH ARTICLES ARE SUPPLIED TO THE TROOPS BY THE ARMY CANTEEN BOARD.

688. ***Khan Bahadur W. M. Hussanally :** (a) In so far as the Government admit they have a monopoly in the business of the Army Canteen Board, will they state if articles are being supplied to the troops at the same rate as were supplied by contractors or cheaper or dearer ?

(b) Have the Government ascertained if the troops are satisfied with the supplies and the rates ?

Mr. E. Burdon : (a) With very few exceptions, the Board supplies troops at a lower rate than that at which contractors sold prior to the Board taking over management.

(b) In some cases the troops have expressed their satisfaction, in others not. Individual complaints are investigated in accordance with the " Rules for the Management of Garrison and Regimental Institutes " and it is hoped that in course of time greater satisfaction will be the result.

ENCOURAGEMENT OF INDIAN ART.

689. ***Mr. N. M. Joshi :** (1) Will Government be pleased to state whether there was any scheme submitted to them before the 30th of March, 1922, for the encouragement of Indian Art ? If so, who presented it, what was the scheme, why was it rejected ?

(2) Will Government be pleased to state whether the memorandum note on the scheme for the encouragement of Indian art was the work of the Architect of New Delhi alone ? Or, was it the joint result of others beside the Architect ?

(3) Will Government be pleased to state whether the subsequent scheme submitted by the Architect was the result of the joint deliberations of the Architects of New Delhi ? Or, was it the result of the deliberations of the Architect of New Delhi and the Engineer and Mr. Baker only appended his minute of dissent ?

The Honourable Sir Bhupendra Nath Mitra : (1) I am not aware of any such scheme having been submitted to the Government of India before the 30th March 1922.

(2) and (3). I have nothing to add to the reply given by me to the Honourable Member's question No. 1132 on the 6th March 1925.

ARBITRATION AND CONCILIATION BILL.

690. ***Mr. N. M. Joshi :** Will Government be pleased to state when they propose to introduce their Arbitration and Conciliation Bill ?

The Honourable Sir Bhupendra Nath Mitra : Government do not propose to introduce any Bill dealing with trade disputes this Session.

Mr. N. M. Joshi : Will Government introduce it next Session ?

The Honourable Sir Bhupendra Nath Mitra : I am not in a position to commit Government in the matter at present.

Mr. Chaman Lall : What is the reason for the delay, Sir ?

The Honourable Sir Bhupendra Nath Mitra : It is the time taken over the Indian Trade Unions Bill.

PROHIBITION OF THE EMPLOYMENT OF WOMEN UNDERGROUND IN MINES.

691. ***Mr. N. M. Joshi :** Will Government be pleased to state whether they have decided to introduce legislation prohibiting the employment of women in mines underground ? If so, when ? If not, why not ?

The Honourable Sir Bhupendra Nath Mitra : No legislation is necessary to secure the prohibition of the employment of women underground in mines.

Mr. N. M. Joshi : Do Government propose to make any rules ?

The Honourable Sir Bhupendra Nath Mitra : My Honourable friend is fully aware of the position in that respect, having attended a meeting of the Advisory Committee attached to my Department only last Saturday.

Mr. Chaman Lall : May I ask, Sir, if there is any civilised country in the world that allows women to work underground ?

The Honourable Sir Bhupendra Nath Mitra : I am sorry I have no detailed information on the subject with me. If the Honourable Member will put down a question, I shall try my best to answer it. It is quite possible there may be other countries.

Mr. Devaki Prasad Sinha : Do Government propose to take any steps to prevent the employment of women underground in mines in this country ?

The Honourable Sir Bhupendra Nath Mitra : The policy of the Government in the matter, I think, was stated in this House some time ago and we were discussing the matter quite recently in the Advisory Committee attached to my Department of which certainly two Members of this Assembly are Members.

Mr. W. M. Hussanally : Who are they ?

The Honourable Sir Bhupendra Nath Mitra : Am I to answer that question ?

Mr. Joshi and Mr. Chaman Lall. (Laughter.)

STRIKE ON THE NORTH WESTERN RAILWAY.

692. *Mr. N. M. Joshi : (1) Will Government be pleased to state the reasons which led to the North Western Railwaymen's strike in May last ?

(2) Will Government be pleased to state how long the strike lasted and how many men were involved in it ?

(3) Will Government be pleased to state whether they are aware of the grievances on account of which the men struck work ? If so, what were they ? If not, why did Government not ascertain the men's grievances ?

(4) Will Government be pleased to state what steps the Agent of the North Western Railway or the Railway Board took to avert the strike or end it as early as possible after it had been declared ? If not, why not ?

The Honourable Sir Charles Innes : The Honourable Member is referred to the statement issued to the Press on the 17th June 1925 and to the replies to Mr. Gaya Prasad Singh's question No. 36, part (b), and to Diwan Bahadur M. Ramachandra Rao's question No. 133.

STRIKE ON THE NORTH WESTERN RAILWAY.

693. *Mr. N. M. Joshi : (1) Will Government be pleased to state whether it is a fact that the Assistant Secretary of the All-India Trade Union Congress had offered, on behalf of the Trade Union Congress, co-operation to Government in the matter of settling the North Western Railway strike as early as possible ? If so, did Government accept it ? If so, how did they utilise the offer of the Trade Union Congress in ending the strike ? If not, why not ?

(2) (a) Will Government be pleased to state whether they are aware that the Executive Council of the All-India Trade Union Congress had deputed their President, Mr. C. F. Andrews, to the Punjab to take steps to end the strike as early as possible ?

(b) If the answer to (a) be in the affirmative, will they be further pleased to state whether they gave Mr. Andrews any facilities in his mission ? If so, what were they ? If not, why not ?

(3) (a) Will Government be pleased to state whether Mr. Andrews saw in connection with the strike any of the high officials of the Government of India and the Agent of the North Western Railway ? If so, who were they ?

(b) If the answer to (a) be in the affirmative, will they be further pleased to state whether they agreed to any of the suggestions made by Mr. Andrews with a view to end the strike ? If so, what were the proposals to which they agreed ? If not, why not ?

The Honourable Sir Charles Innes : The Honourable Member is referred to the reply to Diwan Bahadur M. Ramachandra Rao's question No. 133 and also to paragraph 4 of the Government of India Press Communiqué on the subject, dated the 17th June last.

RE-EMPLOYMENT OF STRIKERS ON THE NORTH WESTERN RAILWAY.

694. *Mr. N. M. Joshi : (1) Will Government be pleased to state whether the men of their own accord joined their duties after North

Western Railway strike or whether the Agent agreed to take them back upon certain terms ? If the latter, what were those terms and were they accepted by the men ?

(2) Will Government be pleased to state how many of the men that had gone on strike were taken back again and how many were rejected and why ?

(3) Will Government be pleased to state the number of new men that were employed by the Agent of the North Western Railway to the posts of those who had gone on strike ?

(4) Will Government be pleased to state whether they are prepared to take steps to reinstate the old men who are still out of employment ? If so, when ? If not, why not ?

The Honourable Sir Charles Innes : (1) No pressure was brought to bear upon the men to join their duties. The terms granted to such men were stated in Agent's notifications issued from time to time.

(2), (3) and (4). The Honourable Member is referred to the replies to Mr. Abdul Haye's questions Nos. 493 and 499. The Agent, in filling up vacancies, gives every consideration to men who lost their jobs owing to the strike.

Mr. Chaman Lall : May I ask, Sir, the total amount of money out of the funds which has been confiscated by the Government as a result of this strike ?

The Honourable Sir Charles Innes : None, Sir.

Mr. Chaman Lall : May I put another question, Sir ?

Has the gratuity due to these men been confiscated or not ?

The Honourable Sir Charles Innes : I refer the Honourable Member to the rule on the subject which says that absence on strike does not constitute a break in service for the purposes of the gratuity rules.

REMODELLING OF THE VICTORIA TERMINUS AND OF THE REVERSING STATION ON THE GREAT INDIAN PENINSULA RAILWAY.

695. **Mr. D. V. Belvi :** (a) Is it a fact that the Secretary of State for India has been pleased to sanction an expenditure of Rs. 88,00,000 on the remodelling of the Victoria Terminus Station at Bombay and of Rs. 66,00,000 or so on the reversing station on the Great Indian Peninsula Railway on the recommendation of the Railway Board ?

(b) If so, will Government be pleased to lay off the table of the Assembly a copy of the said recommendation ?

(c) When is the execution of these projects expected actually to commence ?

Mr. G. G. Sim : (a) Yes.

(b) The recommendations of the Railway Board in regard to the schemes referred to are contained in memoranda which are being placed before the Standing Finance Committee for Railways and which will be printed in the proceedings of the Committee.

(c) As the execution of both the schemes is a matter of urgency it is proposed to start work on them very shortly. Those portions of the

Victoria Terminus remodelling work which are for the use of the Bombay, Baroda and Central India Railway will not be taken in hand unless and until further investigations, which are now being made, prove their necessity.

GRIEVANCES OF BENGAL FISHERMEN.

696. ***Mr. D. V. Belvi :** (a) Has the attention of Government been drawn to the printed matter under the caption of Bengal Fishermen's grievance published in column 5 on page 8 of the issue of the *Bombay Chronicle*, dated the 21st August 1925 ?

(b) If so, are the alleged grievances true ?

The Honourable Sir Charles Innes : (a) Yes.

(b) The Government of India have no information.

REPRESENTATION OF MUHAMMADANS IN THE INCOME-TAX DEPARTMENT, BOMBAY.

697. ***Mr. M. E. Makan :** (a) What is the number of Musalmans and non-Muslims in the (1) higher, and the (2) lower grades of the Income-tax Department in the Bombay Presidency ?

(b) Do the Government propose to issue orders for the increased representations of Musalmans in the Income-tax Department of the above-mentioned Presidency if efficient candidates are available ?

The Honourable Sir Basil Blackett : (a) The information is being obtained and will be furnished to the Honourable Member.

(b) General instructions as to the representation of different communities in the public service have been issued to the Commissioners of Income-tax.

RETURN TICKETS ON THE BOMBAY, BARODA AND CENTRAL INDIA AND THE OUDH AND ROHILKHAND RAILWAYS.

698. ***Mr. M. E. Makan :** (a) What is the reason for stopping the issue of return tickets on the Bombay, Baroda and Central India and the Oudh and Rohilkhand Railways ?

(b) Taking into consideration the convenience of the passengers, do the Government propose to order the issue of return tickets on the Railways mentioned above ?

Mr. G. G. Sim : A reference has been made to the Railway Administrations concerned and the result will be communicated to the Honourable Member in due course.

Dr. K. G. Lohokare : Will these replies be included in the proceedings of the day ?

Mr. G. G. Sim : No, Sir.

Dr. K. G. Lohokare : If they are not to be included, how is the information to be made available to other Members ?

Mr. G. G. Sim : Any Honourable Member who desires may get a copy of the information.

Mr. Gaya Prasad Singh : All of us will desire a copy, Sir.

Dr. K. G. Lohokare : Is it not a fact, Sir, that these questions are more for the sake of public information than for the information of individual Members ?

Mr. G. G. Sim : No, Sir.

Dr. K. G. Lohokare : I would request the Chair to give attention to this matter.

CONSTRUCTION OF WAITING ROOMS AND GOODS SHEDS AT IMPORTANT STATIONS ON THE BAROOCH-JAMBOOSAR BRANCH OF THE BOMBAY, BARODA AND CENTRAL INDIA RAILWAY.

699. ***Mr. M. E. Makan :** (a) Are the Government aware of the inconvenience and the loss caused to the public on account of there being no waiting rooms and goods sheds on the Barooch-Jamboosar Branch of the Bombay, Baroda and Central India Railway ?

(b) Do the Government propose to issue orders for the building of waiting rooms and goods sheds at important stations of the above-mentioned railway line ?

Mr. G. G. Sim : (a) and (b). Government are not aware of the inconvenience and loss complained of. A copy of the question and the answer will be sent to the Agent for such action as he may consider necessary.

EXEMPTIONS UNDER SCHEDULE I OF THE INDIAN ARMS RULES OF 1924.

700. ***Baba Ujagar Singh Bedi :** (a) Will Government be pleased to state some canon for the persons and the classes of persons, who are exempted under Schedule (1) of the Indian Arms Rules of 1924, for taking licenses for arms ?

(b) If any of the persons, mentioned in Schedule (1) in its clauses 1 up to 7, desires to purchase a new weapon, is he entitled to do so ?

Mr. H. Tonkinson : (a) and (b). I am not sure whether I have understood the Honourable Member's question correctly, but the position of exemptees in the matter of the purchase of new weapons is as follows :

Exempted persons (other than those included in entry 1 of Schedule I to the Arms Rules) are exempt only in respect of arms and ammunition up to the limits prescribed by the various Local Governments under the powers conferred on them in column III of the Schedule. Their right to purchase a new weapon depends therefore in the first instance on whether they are already in possession of the full number of weapons covered by their exemptions, and, if they are already in such possession, then on the grant of a licence for the weapon which they desire to purchase.

Baba Ujagar Singh Bedi : Supposing an exemptee disposes of any of his arms, is he entitled again to purchase straight off, without a licence, the weapons ?

Mr. H. Tonkinson : Yes.

SUPERSESSION OF BABU NANAK CHAND, A STATION MASTER ON THE NORTH-WESTERN RAILWAY.

701. ***Baba Ujagar Singh Bedi :** (a) Is it a fact that one Babu Nanak Chand, the present station master at Chhanga Manga, Lahore Division, North Western Railway, was promoted to the Special Class in November 1922, and was posted to Kolpur and was again reverted to " C " class, in May 1923, for no fault of his but on account of economy, and was again given promotion to the Special Class and was ordered to be posted to Peshawar City Station ; but the vacancy was withdrawn and he could not be promoted then ?

(b) Is it a fact, that since then vacancies occurred at Montgomery, Gujranwala and Campbellpur and were filled up by the juniors of the said Babu Nanak Chand, namely, S. Sampuran Singh, B. Kirpa Ram and B. Hari Chand respectively, in spite of the fact that they had not worked before as special class station masters, while Babu Nanak Chand is senior to them in grade and pay and has also worked for six months as special class station master ?

(c) If so, what are the reasons for his non-promotion and his supersession by his juniors ?

(d) Do Government propose to consider his case ? If not, why not ?

Mr. G. G. Sim : Government have no information.

ALLOTMENT OF QUARTERS TO MEMBERS OF THE INDIAN LEGISLATURE AT DELHI AND SIMLA.

702. ***Baba Ujagar Singh Bedi :** (a) Will Government be pleased to explain the criterion or the canon, by which the allotment of cottages and quarters for the residence of Members of the Legislature takes place both at Delhi and at Simla ?

(b) Is it that those whose applications are received first get precedence, or is it through the ballot, or is it at the sweet will of the officer in charge of the said accommodation ? If the last mentioned is the case, why is this autocratic principle in force ?

(c) Do Government propose to hold the allotment in future by ballot according to the applications for the grant of such quarters, bungalows, houses, rooms, etc., for the Members of the Legislature ?

Mr. L. Graham : (a) and (b). Members are informed by circular of the accommodation available and are requested to state their requirements by a certain date. All applications received by that date are considered together and the principle which directs the officer making the allotment is the desirability of securing the greatest convenience of the greatest number.

(c) Government do not consider the ballot to be a suitable method for governing the distribution of quarters, but if it is the general wish of Honourable Members of both Houses of the Legislature that this method should be followed Government have no objection.

Baba Ujagar Singh Bedi : Is it a fact, Sir, that there has been a general complaint with regard to the allotment of quarters both at Simla as well as at Delhi ? Will it not be possible to make allotments by having a Joint Committee of both of the Houses, namely, the Council

of State and the Legislative Assembly, or to make allotments of quarters the subject of ballot ?

Mr. L. Graham : In the first place, I do not agree with the Honourable Member that there is general dissatisfaction. As regards the second point raised by the Honourable Member, I would like to refer him to a separate question which has been put down by him.

Khan Bahadur W. M. Hussanally : May I inquire, Sir, whether the Government are aware that it is impossible to satisfy every one ?

Baba Ujagar Singh Bedi : That is why I suggest a ballot.

THE LOCAL CLEARING OFFICE (ENEMY DEBTS).

703. *Maulvi Muhammad Yakub : (a) Will the Government be pleased to state when the " Enemy Debt Clearing Office " was established ?

(b) Although the war came to an end in 1918 what is the reason that the Department has not yet been able to wind up its work ?

(c) What is the supervision which the Government of India exercise over this Department and what is the amount of annual expenditure incurred in maintaining the Department ?

Mr. L. Graham : I apologise for the length of this answer, Sir.

The reply is as follows :

(a) Local Clearing Offices for the settlement of enemy debts were established :

for Germany on the 12th July 1920 ;

for Austria on the 23rd April 1921 ; and

for Hungary on the 26th July 1923.

(b) These offices were created by the various India Treaty of Peace Orders, which were issued by His Majesty's Privy Council on 2nd July 1920, 15th February 1921 and 1st June 1923 respectively.

Besides the settlement of debts arising out of pre-war transactions between British nationals in India and subjects of Germany, Austria and Hungary, the Local Clearing Office is entrusted with the disposal under the terms of the Treaties of the proceeds of liquidation of enemy property in India and also deals with all other matters relating to the Treaties, for example, reparation claims.

The date finally settled for the receipt of enemy debt claims was 1st May 1924, but, under the terms of agreements concluded between the respective Powers, in certain special cases claims are still admitted and are still being received.

The files of the office comprise some 10,000 cases, many of them of great complexity.

In the matter of enemy debt claims progress is entirely dependent on the expedition with which the opposite Clearing Offices reply to references made to them, a matter over which the Local Clearing Office has no control.

As far as the Government of India are aware, none of the Clearing Offices established in allied countries or the British Dominions have yet concluded their labours. The Local Clearing Office in India is at present sanctioned up to 31st March 1927.

(c) The Local Clearing Office works in conjunction with the Central Clearing Office in London through which office alone it can communicate with the opposite Clearing Office. In purely Clearing Office matters the work is supervised and assisted by the Central Clearing Office.

All matters of importance affecting India not expressly provided for in the Peace Treaties are referred by the Controller to the Government of India for orders. The Clearing Office accounts are audited half-yearly by the Accountant General, Central Revenues.

The annual expenditure incurred in maintaining the office is Rs. 85,900 but in this connection it may be stated that the Local Clearing Office holds, until the conclusion of its labours, a sum of over three crores representing the proceeds of liquidation of ex-enemy property the use of which the Government of India are enjoying. This may be taken as equivalent to an income of 15 lakhs per annum calculating interest at 5 per cent. Under the terms of the India Treaty of Peace Orders the balance of this sum will have to be made over to the Central Clearing Office when all India's claims against it have been met.

Mr. B. Das : Have Government made any allotments out of the Rs. 25 lakhs that were granted by this Assembly in 1923-24 and again in 1924-25 to those Indian subjects that suffered through enemy action ?

Mr. L. Graham : I submit, Sir, that that does not arise out of the question.

Mr. B. Das : Did not the Honourable Member refer to the Reparation Committee ?

Mr. Chaman Lall : May I ask your ruling on this question, Sir ? Is it competent for a Member to get up and say that a question does not arise ? That is really a matter for the Chair.

Mr. President : Any Member is at liberty to submit whether a particular question does or does not arise out of the original question.

Diwan Chaman Lall : Does the Chair accept the suggestion. ?

Mr. President : Maulvi Muhammad Yakub.

APPOINTMENT OF INDIANS AS DEPUTY SECRETARIES IN THE COMMERCE AND FINANCE DEPARTMENTS.

704. ***Maulvi Muhammad Yakub :** In view of a Resolution passed by the Council of State about the increased appointment of Indians in the Imperial Secretariat, did the Government of India definitely consider the possibility of appointing Indians to fill up the vacancies in the posts of the Deputy Secretaries of the Commerce and the Finance Departments ? If so, why were Indians not appointed ?

The Honourable Sir Basil Blackett : The reply to the first part of the question is in the affirmative. The officers with the most suitable experience were selected.

ADEQUATE REPRESENTATION OF MUHAMMADANS IN GOVERNMENT POSTS AND ON ELECTED BODIES IN AJMER.

705. ***Maulvi Muhammad Yakub :** (a) Has the attention of the Government been drawn to an article published in the *Muslim Outlook*, dated the 16th August 1925, under the heading "Hindu Raj at Ajmer" ?

(b) Is it a fact that in the Province of Ajmer the population of the Musalmans is about one-half in the urban and about one-fourth in the rural areas ?

(c) Is it really a fact that out of 46 important Government posts, enumerated in the article mentioned above, only one is held by a Muslim, two by Christians, one by a Parsi and the remaining 42 by the Hindus ?

(d) Is it also a fact that although the number of the Muslim members of the Ajmer Municipality is only 4, there has never been a Musalman nominated member in the Municipality ?

(e) Is it true that ever since the time the district of Ajmer has come into the hands of the British Government, the posts of the Registrar of the Honourable the Chief Commissioner and the Commissioner's Superintendent have never been filled by a Musalman ?

(f) Is it also true that nearly one-fourth of the house-property in the city of Ajmer, which once belonged to the Musalmans, has changed hands and now belongs to the Hindus ?

(g) Taking the above facts into consideration do the Government propose to take early steps in order to remove the grievances of the Musalmans of the Province of Ajmer and ensure their adequate representation in all the Government posts as well as on elected bodies ?

(h) If qualified Musalmans are not available in the Province of Ajmer, do the Government propose to import capable and qualified Musalmans from outside in the best interests of administration ?

(i) Are the Government prepared so to amend the rules that the representative of that Province in the Legislative Assembly should alternately be a Hindu and a Musalman ?

Sir Denys Bray : The information is being collected and will be furnished to the Honourable Member in due course.

NUMBER OF POSTS IN WIRELESS STATIONS THROUGHOUT INDIA AND BURMA HELD BY INDIANS.

706. ***Mr. Harchandrai Vishindas :** Will the Government be pleased to state :

(a) the number of posts in wireless stations throughout India and Burma ?

(b) how many such posts are held by Indians ?

- (c) whether Government has given effect to the Lee Commission's recommendations regarding the percentage of Indians to be employed in this department ?

The Honourable Sir Bhupendra Nath Mitra : (a) 167.

(b) 65.

(c) Government are giving effect to the recommendations of the Lee Commission regarding the percentage of Indians to be employed in this department as vacancies arise.

NUMBER OF INDIANS APPOINTED TO THE WIRELESS DEPARTMENT.

707. *Mr. Harchandrai Vishindas : Will the Government be pleased to state :

- (a) the number of applications received since January 1925 for posts in the Wireless Department ?
- (b) how many applicants were given such posts ; and what was the number of Indians amongst them ?

The Honourable Sir Bhupendra Nath Mitra : (a) 20 ; of which three were from qualified persons.

(b) None.

RECRUITMENT OF PERSONNEL FOR WIRELESS STATIONS.

708. *Mr. Harchandrai Vishindas : Will Government be pleased to state :

- (a) Whether it is a fact that Indians qualified in Europe for Wireless have been refused posts in spite of vacancies ?
- (b) Whether it is a fact that all wireless stations in India are under military authorities ?
- (c) Whether there are any controlled by the Posts and Telegraphs Department ?
- (d) What is the method of recruitment of candidates for stations mentioned in questions (b) and (c) ?

Mr. G. P. Roy : (a) and (b). No.

(c) Civil wireless stations are controlled by the Post and Telegraphs Department.

(d) Personnel for the wireless stations are recruited principally from the Traffic Branch of the Department. They are trained in Wireless under departmental arrangements. A certain number of men who had been trained in wireless and employed as wireless operators in the Royal Navy, Army and Royal Air Force were recruited for service as operators after passing a test.

Mr. B. Das : Am I to understand that Government have received no application from Indian engineers qualified in wireless engineering ?

Mr. G. P. Roy : They have, Sir.

Mr. B. Das : Were their applications considered ?

Mr. G. P. Roy : Fully considered.

REVISION OF THE PAY OF ACCOUNTANTS OF THE PUBLIC WORKS DEPARTMENT.

709. ***Mr. Harchandrai Vishindas** : Will Government be pleased to state :

- (a) When they intend to revise the pay of the Accountants of the Public Works Department ?
- (b) What will be the scale of pay at such revision ?
- (c) Whether the revised pays will have retrospective effect and to what extent ?

The Honourable Sir Basil Blackett : The question of revising the rates of pay of Divisional Accountants is at present under consideration, in consultation with Local Governments ; and it is not at present possible to say what the decision will be or when it will be arrived at.

PROMOTION OF TICKET COLLECTORS ON THE NORTH WESTERN RAILWAY.

710. ***Mr. Harchandrai Vishindas** : (a) Is it a fact that in the North Western Railway a ticket collector's chances of promotion are blocked as soon as he attains to Class B and it is very rarely that he is promoted to Class C ?

(b) Are ticket collectors promoted to the rank of travelling ticket examiners ?

(c) If not, why not ?

Mr. G. G. Sim : Government have no recent information but an inquiry will be made.

GRIEVANCES OF INDIAN GUARDS ON THE EAST INDIAN RAILWAY.

711. ***Mr. Amar Nath Dutt** : (a) Has the attention of the Government been drawn to a letter published in the *Forward* of the 11th August about the East Indian Railway Indian guards regarding their grievances about running rooms and the dismissal of an Indian guard ? If so, will the Government be pleased to state whether they propose to provide Indian guards with running rooms ?

(b) Will the Government be pleased to state whether the station master of Burdwan acted as complained of in the letter ? If so, do the Government propose to take steps to prevent the recurrence of such incidents in future ?

(c) Will the Government be pleased to state whether the Indian guard has been dismissed under circumstances mentioned in the letter ? If so, are the Government prepared to reconsider the case after taking the explanation of the guard ?

Mr. G. G. Sim : (a), (b) and (c). The Honourable Member is referred to the answers given to questions Nos. 304 and 631 on this subject by Mr. S. C. Ghose and Khan Bahadur Sarfaraz Hussain Khan.

TREATMENT OF EX-QUEEN THEBAW.

712. ***Maung Tok Kyi** : 1. Has the attention of the Government been drawn to the wide-spread dissatisfaction felt in Burma over the kind of treatment that is being meted out to the ex-Queen Thebaw in Rangoon ?

2. (a) Are the Government aware that the Burma Nationalist Party made representations to the Government of Burma to accord the ex-Queen such treatment as is befitting her position as the Chief Queen of Burma ?

(b) Will the Government be pleased to state whether the Government of Burma have forwarded these representations to the Government of India ?

(c) If the answer to (b) be in the affirmative, will the Government be pleased to state what steps the Government have taken in the matter ?

Sir Denys Bray : 1 and 2 (a) and (b). No, Sir. Thus 2 (c) does not arise.

UNIFORMITY IN THE RULES AND CONDITIONS FOR THE ENROLMENT OF VAKILS AND ADVOCATES IN THE DIFFERENT HIGH COURTS.

713. ***Mr. Devaki Prasad Sinha :** (a) Will Government be pleased to state when they propose to take steps on the recommendations of the Indian Bar Committee ?

(b) Will Government be pleased to make a statement showing the steps so far taken on the recommendations of the Indian Bar Committee by the different High Courts and the steps proposed to be taken in future by the Government of India ?

(c) Are Government aware that the rules framed by the different High Courts in pursuance of the recommendations of the Indian Bar Committee are not uniform in their effect and that as a consequence of this the status and rights of High Courts Vakils differ from one High Court to another ?

(d) Do Government propose to take steps for bringing about a uniformity in the rules and conditions for the enrolment of Vakils and Advocates and also in the matter of robes prescribed for Advocates of all classes ?

(e) Are Government aware that the Patna High Court does not allow the Vakil Advocates to put on Advocate's bands while the High Courts of Calcutta and Allahabad allow them to do so ?

(f) Will Government be pleased to state whether or not they propose to take steps with a view to remove all distinctions between Vakils and Barristers appearing on the Appellate Side of all High Courts ?

Mr. H. Tonkinson : (a), (b), (d) and (f). The Honourable Member is referred to the answer to Seth Govind Das's question No. 539 on the 2nd September 1925 as regards the action to be taken on the recommendations of the Indian Bar Committee and to the statement of the Honourable the Leader of the House on the 1st September during the discussion of the Legal Practitioners (Amendment) Bill. Government hope to move for leave to introduce a Bill on the subject shortly. In regard to the rules framed by the High Courts, he is referred to the answer to Mr. Gaya Prasad Singh's question No. 32 on the 25th August 1925, and to the reply to his own question on the 18th March 1925 on the same subject. I may add that the Calcutta High Court have since issued revised rules which were published in the Home Department notification No. F.412/25-Judl., dated the 11th June 1925.

(c) Yes.

(e) The Government of India have no information.

Mr. Devaki Prasad Sinha : Do the Government of India propose to collect the information referred to in (e) ?

Mr. H. Tonkinson : No, Sir.

ABOLITION OF THE ARMY CANTEN BOARD (INDIA).

714. *Khan Bahadur W. M. Hussanally : With reference to question No. 2312, Part " D " replied to on 22nd September 1924, will the Government be pleased to state whether, in view of the general complaints of British troops, the Government proposes to take any steps to abolish this system ? (The Army Canteen Board) ?

Mr. E. Burdon : Sir, with your permission I propose to answer questions Nos. 714, 716 and 722 together.

My reply to these questions must be the same as that which I gave to-day to starred questions Nos. 685—687, asked by the same Honourable Member.

DEFALCATIONS COMMITTED BY EMPLOYEES OF THE ARMY CANTEN BOARD (INDIA) FROM THE 1ST AUGUST, 1924, TO THE 31ST JULY 1925.

715. *Khan Bahadur W. M. Hussanally : Will the Government be pleased to state the details of the defalcations and misappropriations which have been made by the servants of the Army Canteen Board in the whole area in which they are operating from 1st August, 1924, to 31st July, 1925 ?

Mr. E. Burdon : It is not possible at present to give accurate details for the period mentioned as the accounts for the month of July have not yet been completely audited, but I lay on the table a statement giving details of the defalcations that have come to light during the period August 1924 to June 1925 and showing the action taken in each case.

Statement giving details of defalcations during the period August 1924—June 1925 and showing the action taken in each case.

1. *Manager, Institute No. 401, Razmak Hut, Waziristan.—*

	Rs.	A.	P.
Embezzlement in August 1924	480	7	0
Embezzlement in September 1924	3,711	6	6

The man was prosecuted and on the 5th June 1925 in the Court of Additional Magistrate, Bannu, was convicted and sentenced to :

1 year's rigorous imprisonment on first count and 4 years' rigorous imprisonment on second count.

Each sentence to run consecutively.

2. *Manager, Institute No. 402, Razmak, Manager, Mineral Water Factory and Cinema, Razmak.—*

Institute Assistant, Institute 402, Razmak, Waziristan.—

Theft of money of the Army Canteen

	Rs.	A.	P.
Board (India) to the extent of	2,960	2	0
Less recoveries on conviction ..	2,441	10	6

The men were prosecuted and on the 20th May 1925 were convicted in the Court of the 1st Class Magistrate at Bannu and sentenced to 6 months' rigorous imprisonment each.

3. *Manager, Institute No. 606, Lahore Cantonment.*—

	Rs.	A.	P.
This man absconded on the 21st			
June 1925 with	1,200	6	8
Less pay due	130	12	0
			<hr/>
			1,069 10 8
			<hr/>
Total			5,779 15 8

The police are endeavouring to trace the man but up to date nothing has been heard of him.

UNSATISFACTORY WORKING OF THE ARMY CANTEN BOARD (INDIA).

†716. ***Khan Bahadur W. M. Hussanally** : Will the Government be pleased to lay on the table the various complaints and suggestions the Army Headquarters have received from Commanding Officers Units, Brigade and District Commanders, regarding the unsatisfactory working and delay in the payment of rebates by the Army Canteen Board and to state what action has been taken thereon?

OBJECTS OF ORGANISING THE ARMY CANTEN BOARD.

717. ***Khan Bahadur W. M. Hussanally** : Is it not a fact that the object of the Government in organizing the Army Canteen Board. was two-fold, namely :—

- (a) That the troops would get efficient and organised service during war.
- (b) That the troops should get all foodstuffs and other requirements of superior quality at most reasonable prices (no way higher than bazar rates) and that whatever profit this organization will earn will go to further the comforts and benefits of troops?

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

(b) This is not quite correct. The object was, and is, to supply only good quality foodstuffs for the supplementary rationing of the Army and their extra luxuries and necessities at the lowest possible rates. There was never any intention of comparing the bazar rates for old and deteriorated commodities with those supplied by the Army Canteen Board (India). With regard to the latter part of this question, the profits will be placed at the disposal of His Excellency the Commander-in-Chief.

REPORTS MADE ON ARMY CONTRACTORS BY ARMY OFFICERS DURING FRONTIER EXPEDITIONS OR THE AFGHAN WAR.

718. ***Khan Bahadur W. M. Hussanally** : With reference to the reply given to question No. 62 (e) by Sir Godfrey Fell on 26th September 1921, will the Government be pleased to lay on the table any reports made by the Commanding Officers or Brigade Commanders during Indian

† For answer to this question, see answer to question No. 714.

Frontier expeditions or the Afghan War for or against the Army Contractors ?

Mr. E. Burdon : At this interval of time I have been unable to trace any such reports.

CATERING FOR THE ARMY BY MESSRS. MADAN AND CO., OF CALCUTTA DURING THE AFGHAN WAR.

719. ***Khan Bahadur W. M. Hussanally :** (a) Is it not a fact that Army Headquarters appointed one Messrs. Madan and Co., of Calcutta to cater for the whole Army engaged in the Afghan War in the North West Frontier and that they failed ?

(b) Will the Government be pleased to state whether Messrs. Madan and Co., had any previous practical experience in catering for the British troops and also if Government invited applications from other experienced and well known firms of Army Institute Contractors before engaging Messrs. Madan and Co., for the Afghan War ?

Mr. E. Burdon : (a). Messrs. Madan and Company ran canteens on the North West Frontier during the Afghan War but not in Baluchistan. I am not prepared to say that this firm failed in the task required of them. They continued to carry on their contract until it could be taken over by canteen sections opened by Government though they had asked to be relieved of it before.

(b) The answers to both parts of the question are in the affirmative.

TRANSFER OF THE FURNITURE OF THE ARMY INSTITUTE FUND TO THE ARMY CANTEEN BOARD (INDIA).

720. ***Khan Bahadur W. M. Hussanally :** Will the Government be pleased to give a detailed statement for all Army Institute Fund furniture handed over to the Army Canteen Board in the area operated by them, showing prices charged and also what amount has been paid and how the balance is to be realised; and what amount of hire per man quarterly is charged by the Army Canteen Board to the regiments in their area.

Mr. E. Burdon : The Army Canteen Board (India) are trustees for the Army Institute Fund in Northern and Western Commands (excepting Nasirabad) and the property of the Army Institute Fund did not pass to the Board nor is it shown as an asset in the Board's accounts. No amount, therefore, has been paid and no balance remains to be paid.

One rupee per man per quarter is charged throughout India to all British troops below the rank of Sergeant and this amount is credited to the separate Army Institute Funds concerned.

NET LOSS INCURRED BY THE ARMY CANTEEN BOARD (INDIA) SINCE ITS ESTABLISHMENT.

721. ***Khan Bahadur W. M. Hussanally :** With reference to the question asked by Major C. R. Attlee in the House of Commons and the reply given by Earl Winterton that " His information was that the operations of the Board now gave general satisfaction ", have the Government sent to the Secretary of State for India, for his information, the copies

of all reports received by Army Headquarters from the Commanding Officers Units, Brigade and District Commanders regarding the working of the Army Canteen Board together with its balance sheet up to 31st July 1925, showing the net loss incurred by the Army Canteen Board since its establishment after deducting the profit accrued ?

Mr. E. Burdon : So far as the first part of the question is concerned, the answer is in the negative. With regard to the second part, the balance sheet for the year ending the 31st July 1925 will be sent when ready. I may, however, inform the Honourable Member that the Secretary of State has received the last published balance sheet and generally speaking has been kept informed regarding the affairs of the Board. A further report will be sent to the Secretary of State when the inquiry now in progress has been completed.

TOTAL AMOUNT OF DEBTS OF THE ARMY CANTEEN BOARD (INDIA).

†722. ***Khan Bahadur W. M. Hussanally :** Is it a fact that the total amount of debts the Army Canteen Board owes to its creditors other than the Imperial Bank of India is over Rs. 30 lacs ; if not will the Government be pleased to state the exact amount of this debt ?

SEPARATION OF JUDICIAL AND EXECUTIVE FUNCTIONS IN THE UNITED PROVINCES.

723. ***Mr. C. S. Ranga Iyer :** Will the Government be pleased to state what action they have taken on the Resolution which was adopted by the United Provinces Council in October 1923 on the separation of judicial and executive functions ?

Mr. H. Tonkinson : I would refer the Honourable Member to the replies already given by the Honourable the Leader of the House on this subject this Session.

Mr. C. S. Ranga Iyer : Do Government propose to separate judicial from executive functions at all ? Are Government aware that agitation in that direction has been carried on in this country for the last 40 years ? (*An Honourable Member :* " More than that.")

Mr. H. Tonkinson : I think it has been carried on for a good deal longer.

APPOINTMENT OF THE PUBLIC SERVICES COMMISSION.

724. ***Mr. K. C. Neogy :** (a) With effect from what date approximately will the Public Services Commission begin to work ?

(b) What arrangements are being made for the organisation of an office for the Public Services Commission, and when is it likely to begin spade work for the Commission ?

(c) Will the said office have the status of a Secretariat Department ? If not, why not ?

Mr. H. Tonkinson : (a) I would refer the Honourable Member to the answer given by the Leader of the House to Diwan Bahadur Ramachandra Rao on the 26th August. (b) and (c) The strength and status of the office for the Public Services Commission are under consideration and I am not in a position at present to make any definite statement on the subject.

† For answer to this question, see answer to question No. 714.

Mr. B. Das : Is it not a fact that the Home Department has appointed a special officer to go into the question of the Public Services Commission ?

Mr. H. Tonkinson : No.

SALARIES OF EUROPEAN AND INDIAN DRIVERS ON THE EASTERN BENGAL AND OUDH AND ROHILKHAND RAILWAYS.

725. *Mr. Amar Nath Dutt : With reference to the Government reply to starred question No. 1214 asked by Mr. W. M. Hussanally in the Assembly on 4th June 1924 regarding the salaries of European and Indian drivers, that steps were being taken to try and remove the difficulties and apply the same principle on the Eastern Bengal Railway as exists on the North Western Railway and the Oudh and Rohilkhand Railway, that the matter, however, was under inquiry and that Government would see what could be done about it, will the Government now be pleased to state what has since been done ?

Mr. G. G. Sim : There is now no distinction with respect to nationality.

GRANT OF HOUSE ALLOWANCE TO EMPLOYEES OF THE EASTERN BENGAL RAILWAY.

726. *Mr. Amar Nath Dutt : (a) With reference to the reply by Mr. Hindley to starred question No. 1216 asked by Mr. W. M. Hussanally on 4th June 1924, will the Government be pleased to state if the rate of Rs. 10 per mensem as house allowance to employees whose pay is Rs. 60 or upwards is correct ?

(b) If so, will the Government be pleased to state why the Eastern Bengal Railway authorities have refused to grant house allowance to their staff on the aforesaid scale ?

Mr. G. G. Sim : (a) Yes. The grant of this allowance in lieu of free quarters is under the rules left to the discretion of the Agent.

(b) The Government have no information on the matter.

LIMITATION OF THE HOURS OF WORK OF EMPLOYEES OF THE EASTERN BENGAL RAILWAY.

727. *Mr. Amar Nath Dutt : With reference to the reply by Mr. Hindley to starred question No. 1241 asked by Mr. K. G. Lohokare on 4th June 1924, will the Government be pleased to state if the Eastern Bengal Railway Administration has limited the working hours of its employees to 60 hours per week as laid down in article 10 of the Draft Convention of the Washington Conference and, if not, why not ?

Mr. G. G. Sim : As stated by Mr. Hindley in reply to question No. 1241 in this Assembly on the 4th June 1924, Government issued orders to State lines limiting the working hours to 60 hours per week for staff other than that employed in connection with the working of trains, and they have no reason to believe that those orders are not given effect to by the Eastern Bengal Railway Administration.

PROCEDURE WITH REGARD TO THE GRANT OF LEAVE ON MEDICAL CERTIFICATES
ON THE EASTERN BENGAL RAILWAY.

728. ***Mr. Amar Nath Dutt** : Is it a fact that the Eastern Bengal Railway authorities do not consider applications for long leave on medical grounds when recommended by their own railway doctor or medical officer unless the employee is examined either by the District or Chief Medical Officer ? If so, will the Government be pleased to state reasons for it ?

Mr. G. G. Sim : The Government do not know the exact procedure followed. But if it is as the Honourable Member says the Government see no objection to it. The Honourable Member may compare the provisions of Rule 228 of the Supplementary Rules.

PROVISION OF TROLRIES FOR RAILWAY MEDICAL OFFICERS.

729. ***Mr. Amar Nath Dutt** : (a) Will the Government be pleased to state if it is a fact that the travelling railway doctors are not provided with trollies to attend patients outside their headquarters and that they cannot attend all calls for want of trollies or timely trains ?

(b) If so, are the Government prepared to reduce the numbers of trollies allotted to every officer and allot some of them to travelling railway doctors to facilitate their work ?

Mr. G. G. Sim : Government are aware that it is not usual to allow railway medical officers the use of trollies which are not required for the performance of their duties. If the Honourable Member will specify which railway he refers to, a copy of his question will be sent to the Agent.

INADEQUACY OF THE HOUSE ALLOWANCE OF EMPLOYEES OF THE EASTERN
BENGAL RAILWAY.

730. ***Mr. Amar Nath Dutt** : (a) Are the Government aware that many of the Eastern Bengal Railway staff are without quarters at Saidpur, Lalmanirhat, Dacca, Mymensingh, Calcutta, Chitpur, etc., and the house allowance allowed to them is in many cases inadequate in consideration of the rent they have to pay for occupying private quarters ?

(b) If so, will the Government be pleased to state if the Agent, Eastern Bengal Railway, has increased the rate of house allowance to such staff and if not, why not ?

Mr. G. G. Sim : The Government have no information. If the particular men whom the Honourable Member has in mind think that they have a grievance they should address the Agent.

RECRUITMENT OF ASSISTANT ENGINEERS AND ASSISTANT TRAFFIC SUPER-
INTENDENTS FOR STATE RAILWAYS.

731. ***Mr. Amar Nath Dutt** : Are the Government aware that the Railway Board has recently published advertisements in the local newspapers inviting applications for recruitment of covenanted Assistant Engineers for State Railways and recruitment of Assistant Traffic Superintendents ? If so, will the Government be pleased to state why the vacancies

have not been filled up by deserving men from the subordinate service of the Engineering and the Traffic Departments of State Railways ?

Mr. G. G. Sim : Government are aware of the advertisements referred to. The number of vacancies in the Transportation Department is in addition to those to be filled up by promotion of deserving subordinates. The engineers referred to are being recruited on short term contracts for the execution of special works and the promotion of men from the permanent subordinate service would not have met the case.

ALLEGED REFUSAL OF THE TRAFFIC MANAGER, EASTERN BENGAL RAILWAY, TO GRANT JOINING TIME TO EMPLOYEES TRANSFERRED FROM ONE STATION TO ANOTHER.

732. *Mr. Amar Nath Dutt : (a) Will the Government be pleased to state if the State Railway employees are considered as Government servants and if the Civil Service Regulations are applicable to regulate their leave, etc. ?

(b) If so, will the Government be pleased to state if the Traffic Manager, Eastern Bengal Railway, Calcutta, has got any special power to make any addition and alteration to the existing rules of the Civil Service Regulations regulating the question of leave rules ?

(c) If not, will the Government be pleased to state if the Traffic Manager, Eastern Bengal Railway, issued orders that no one shall be allowed any preparatory leave on transfer from one station to another within the district, and are the Government aware that his action practically puts the employees to great difficulties ?

Mr. G. G. Sim : (a) They are Government servants, and for the present the Fundamental Leave Rules apply to them.

(b) The answer is in the negative.

(c) The attention of the Agent, Eastern Bengal Railway, will be drawn to the Honourable Member's question and, if any irregular orders have been issued by the Traffic Manager, steps will be taken to revise them.

REFUSAL OF THE EAST INDIAN RAILWAY TO LEASE A PLOT OF LAND TO MESSRS. HARNARAIN SHYAMSUNDER, COAL MERCHANTS OF AGRA.

†733. *Pandit Harkaran Nath Misra : Will the Government kindly state if it is a fact :

(a) that one Messrs. Harnarain Shyamsunder, coal merchants of Agra, applied for the lease of a plot of land to them, from the East Indian Railway Company at Hathras Killah, District Aligarh, on 1st August 1922, and the Acting District Superintendent informed them from Tundla that no plot was available there ?

(b) that on 19th September 1922 the said merchants informed the District Superintendent that in fact a plot had been allotted to one firm even after their last letter of 24th August 1922 that some plots were still vacant, and they were told, after repeated reminders on 22nd February 1923, that no plot was available then ?

† For answer to this question, see answer to question No. 735.

- (c) that on 9th May 1923 the said merchants again informed the District Superintendent that three plots were still available there, but received no reply, and that as a result of their complaint to the General Traffic Manager at Calcutta sent by them on 1st June 1923 and lastly to the Agent on 21st December 1923, they got the amazing reply from the Coal Manager on 8th May 1924, that as they had received no consignment of coal during the last six months, so no plot could be allotted to them ?
- (d) that in December 1924 or early January 1925 a plot of land was allotted to the Graphite Coal Company at Agra City station although not a single consignment was received by them up to that date at Agra City while Messrs. Harnarain Shyamsunder did actually receive some consignments of coal at Hathras Killah the place where they wanted the plot of land and that they brought these facts to the notice of the railway authorities ?

If the reply to the above points be in the affirmative, do the Government propose to take any steps to do justice to the said firm of coal merchants and to take disciplinary action against the railway employees concerned ?

ENHANCEMENT OF RENT FOR A PLOT OF LAND LEASED BY MESSRS. SHYAMSUNDER, COAL MERCHANTS OF AGRA, FROM THE EAST INDIAN RAILWAY.

† 734. *Pandit Harkaran Nath Misra : Are the Government aware :

- (i) (a) that one Messrs. Shyamsunder Coal Merchants of Agra are holding a plot of East Indian Railway land at Agra City Station at Rs. 12 per year on an agreement executed on 22nd August 1922, and that they have paid the rent of this plot up to 31st August 1925, holding a receipt for the same ?
- (b) that all of a sudden on 8th November 1922 they were asked by the railway authorities to pay Rs. 4 a month for these plots ?
- (c) that on 8th April 1924, the District Superintendent of Tundla wanted Rs. 5 a month from them payable from 1st January 1925 ?
- (d) that on 24th February 1925 the Divisional Superintendent of Allahabad asked them to pay Rs. 6 a month ?
- (ii) If the replies to the above be in the affirmative, will the Government state :
- (a) if there are any rules guiding the settlement of these rents, and if so, what ?
- (b) if they are prepared to inquire into this matter and remove the grievance ?

DESPATCH BY THE RAILWAY DIVISIONAL SUPERINTENDENT, ALLAHABAD, OF AN INSULTING LETTER TO MESSRS. HARNARAIN SHYAMSUNDER.

735. *Pandit Harkaran Nath Misra : Are the Government aware that on 23rd May 1925, the Railway Divisional Superintendent, Allahabad,

† For answer to this question, see answer to question No. 735.

sent a very insulting letter to Messrs. Harnarain Shyamsunder ? If the reply to the above be in the affirmative, will the Government kindly :

- (a) Lay a copy of that letter on the table of the Assembly ;
- (b) Do the Government propose to take any steps in the matter ?

Mr. G. G. Sim : With your permission I propose to answer questions, Nos. 733—35 together.

The Honourable Member is referred to the reply given on 25th August 1925 to unstarred questions Nos. 57 and 58 on the same subject.

INSUFFICIENCY OF ACCOMMODATION FOR MEMBERS OF THE INDIAN LEGISLATURE. AT SIMLA.

736. *Baba Ujagar Singh Bedi : Having regard to the fact that the Members of the Indian Legislature come up to Simla with their families and that the accommodation reserved for them is not sufficient to meet the demand, do Government propose for the future not to allot the main building of the Longwood to any other person than the Members of the Indian Legislature ? If not, why not ?

The Honourable Sir Bhupendra Nath Mitra : It was decided in December last, after careful consideration, that the accommodation at Longwood, Simla, should be divided between the Members of the Indian Legislature and Government officials as follows :

Members of the Legislature.	}	1. The new block ;
		2. The Range quarters ; and
		3. The cottages.

Government officials.

The old block.

In addition to the accommodation referred to above, there are quarters at Summer Hill for Members who live in European style.

In view of the facts that in previous years the accommodation reserved for Members was not fully occupied and that quarters both in the new block at Longwood and at Summer Hill are lying vacant this year, Government do not consider that the accommodation provided for Members is insufficient to meet the demand, and do not accordingly propose to make any change in the existing arrangements at present.

Baba Ujagar Singh Bedi : Is it not a fact that certain applications for Cottages at Longwood from Members coming up with their families to Simla have not been acceded to only on the ground that there is a paucity of accommodation in Longwood ? If so, seeing that Longwood Hotel was purchased exclusively for the Members of the Imperial Legislature, will Government agree not to allot the main building or the other buildings to outsiders till the whole of the requirements of the Members of the Legislature have been fully satisfied ?

The Honourable Sir Bhupendra Nath Mitra : I am sorry the Honourable Member's question is so long that I have lost the hang of it. I shall be obliged if he will put a question on the agenda paper.

Baba Ujagar Singh Bedi : Will the Honourable Member take this as a notice ? I am sure the Government Reporter will hand him a copy of my question.

The Honourable Sir Bhupendra Nath Mitra : I shall be obliged if due notice is given.

Mr. T. C. Goswami : Are Government aware that the reason why some of these quarters are not occupied is that they are not fit for decent habitation and that you cannot expect people to live in the Assembly slums erected by Government on the Cart Road ?

The Honourable Sir Bhupendra Nath Mitra : This question has no reference to the Cart Road quarters. It refers to the quarters at Longwood and in Summer Hill.

Mr. T. C. Goswami : Some of these are sufficiently bad.

Khan Bahadur W. M. Hussanally : Are Government aware that the quarters in Summer Hill are very distant and not suited to the requirements of the Members of the Legislature, and therefore they are not in demand ?

The Honourable Sir Bhupendra Nath Mitra : Government have no information on that point.

Khan Bahadur W. M. Hussanally : Will Government be pleased to inquire into the matter ?

The Honourable Sir Bhupendra Nath Mitra : I would suggest that the proper course would be for the Members aggrieved to make complaints to Government.

Mr. K. Ahmed : In view of the fact that there is a great demand for the quarters in the Longwood Hotel do Government propose to give facilities to Members to occupy these quarters rather than those which are not liked by them ?

The Honourable Sir Bhupendra Nath Mitra : As I said, I am not aware of the demand. In fact, my information is that the quarters which are reserved for Members of the Legislature at Longwood and in Summer Hill are not fully occupied.

Baba Ujagar Singh Bedi : May I suggest that the Honourable Member should ask the Secretary of the Legislative Department to furnish him with information on this particular point, namely, how many applications for Cottages in Longwood have not been acceded to on account of lack of accommodation ?

GRIEVANCES OF THE EMPLOYEES OF THE GREAT INDIAN PENINSULA RAILWAY.

737. ***Maulvi Muhamad Yakub :** (a) Has the attention of the Government been drawn to a printed circular letter issued by Mr. S. H. Jhabvala, Honorary General Secretary, Great Indian Peninsula Railway Workmen's Union ?

(b) Do the Government propose to consider the grievances of the Great Indian Peninsula Railway employees with regard to their gratuity, reduction, holidays, equal pay for equal work, sickness, leave, railway passes, promotion and the recognition of their union, and remove the grievances in an effective manner ?

The Honourable Sir Charles Innes : (a) Yes.

(b) The Honourable Member's attention is invited to the latter

part of the answer given to a similar question No. 336 asked on 1st September 1925.

†738.

†739.

†740.

†741.

†742.

†743.

EMPLOYMENT OF INDIANS IN BURMA.

744. ***Mr. E. G. Fleming** : With reference to my starred question No. 814 of the 9th February last, regarding the employment of Indians in Burma, and the reply of the Honourable the Home Member that the subject was under correspondence with the Local Government, will the Government be pleased to state whether they are now in a position to make any further pronouncement on the subject ?

Mr. H. Tonkinson : The views of the Government of Burma on the subject have been communicated to the Secretary of State and are under his consideration.

CREATION OF A NEW APPOINTMENT OF DEPUTY SUPERINTENDENT, EAST INDIAN RAILWAY.

745. ***Mr. M. K. Acharya** : Will the Government be pleased to state :

- (a) whether on the amalgamation of the Oudh and Rohilkhand with the East Indian Railway the Railway Board have abolished the place of Superintendent of Watch and Ward, Oudh and Rohilkhand Railway on Rs. 600—50—1,000 and created the appointment of a Deputy Superintendent, East Indian Railway on Rs. 1,000—50—1,750 ?
- (b) whether the said appointment of Deputy Superintendent was included in the Budget sanctioned for 1925-26 ; and if not so included, whether the sanction of the Railway Standing Finance Committee was obtained before making the appointment ?
- (c) what the grounds were for creating this new appointment, whether it was done on the recommendation of the outgoing Agent of the Oudh and Rohilkhand Railway or on the requisition of the Agent of the East Indian Railway ?
- (d) whether the sanction of the Secretary of State had been obtained before creating the appointment in question as required by section 75 of the Civil Service Regulations ?

Mr. G. G. Sim : (a) Yes. The pay of the Deputy Superintendent is Rs. 1,500—50—1,750.

(b) The reply to both parts of the question is in the negative. It is not the practice to refer separately to the Standing Finance Com-

† Will be answered on Tuesday, the 8th September, 1925.

mittee for Railways unimportant changes in the scales of pay of individual appointments.

(c) The Watch and Ward Department was for some time in charge of a subordinate officer of the Police Department. After a period of trial this arrangement was found unsatisfactory and it was decided by the Railway Board to put the Department under the charge of a superior officer.

(d) No : the creation of the appointment was within the powers of the Government of India.

Mr. M. K. Acharya : Does the Honourable Member consider that the new appointment that has been created is an unimportant thing ?

Mr. G. G. Sim : Yes.

Mr. A. Rangaswamy Iyengar : May I know whether for the creation of these posts, carrying a salary of over Rs. 1,000, the sanction of the Secretary of State is necessary ?

Mr. G. G. Sim : I have already said, Sir, that it does not require the sanction of the Secretary of State.

QUALIFICATIONS OF THE DEPUTY SUPERINTENDENT, WATCH AND WARD AT LUCKNOW.

746. ***Mr. M. K. Acharya :** Will the Government be pleased to state :

(a) whether the old Superintendent of Watch and Ward at Lucknow was a statutory Indian, and the new Deputy Superintendent of Watch and Ward at Lucknow is a European ?

(b) what the qualifications including past service are of the officer now appointed as Deputy Superintendent of Watch and Ward at Lucknow ?

Mr. G. G. Sim : (a) Government have no information.

(b) He is a Superintendent in the Indian Police Service and has put in about 18½ years service in the Police Department.

Mr. M. K. Acharya : Will the Honourable Member kindly answer how this new officer is an officer senior to the one whom he replaced ?

Mr. G. G. Sim : The officer who has been returned to the Police Department was a police subordinate and I have already explained that the new officer is a Superintendent of Police in the Indian Police Service and has put in 18½ years in that service.

Mr. M. K. Acharya : Is seniority determined only by the amount of pay that is being drawn ?

Mr. G. G. Sim : I wish to make this point perfectly clear. One reason for the change in the appointment was due to the action taken by the Police Department itself in the United Provinces. The Inspector General of Police himself explained that the arrangements made by the Railway Department were inadequate and in the annual report he stated that :

“ on the Oudh and Rohilkhand Railway a new Watch and Ward Department has been started under a Deputy Superintendent of this Province. It has yet to prove its utility but, in the meantime, I regret to report that the relations between this

Department and the Government Railway Police are anything but satisfactory. I am not in a position to say who is responsible for this unfortunate state of things but I cannot help thinking that the Railway would have been wiser had they appointed, as their Watch and Ward Superintendent, an officer of higher status and one with a wider knowledge of administrative affairs."

DISCUSSION IN THE LEGISLATIVE ASSEMBLY OF THE NEED FOR THE CREATION OF THE NEW APPOINTMENT OF DEPUTY SUPERINTENDENT, EAST INDIAN RAILWAY.

747. *Mr. M. K. Acharya : Will the Government be pleased to state whether Government will afford sufficient opportunity to the Legislative Assembly for discussing the need for the creation of an appointment of Deputy Superintendent on the East Indian Railway involving very large additional expenditure not included in the Budget for 1925-26 ?

Mr. G. G. Sim : The Honourable Member's attention is invited to the answer to part (b) of his question No. 745. Government do not consider the question of sufficient importance for discussion in the Legislative Assembly.

Diwan Bahadur M. Ramachandra Rao : May I know whether the necessity for the creation of this new appointment was discussed in the Finance Committee ?

Mr. G. G. Sim : There is no new appointment. One officer has been returned to the Police Department and another senior officer has been taken in his place.

Mr. A. Rangaswamy Iyengar : Is it a fact that the man who has been reverted to the Police Department is a statutory native of India, an Anglo-Indian, and that he has been sent away to provide for a European on a higher salary ?

Mr. G. G. Sim : I have already said that I have no information on this. Both these officers were borrowed from the Police Department. There is no question of a statutory Indian losing a post to provide for a European, because the gentleman who has been replaced has simply been reverted to his department.

Mr. A. Rangaswamy Iyengar : Is it a fact that a higher post carrying a higher salary has been created to provide for a European ?

Mr. G. G. Sim : We have not created a higher post. The Police Department said that it was necessary that we should have an officer of higher status.

Mr. A. Rangaswamy Iyengar : Does higher status imply the appointment of a European ?

Mr. G. G. Sim : No.

GRANT OF OUT-STATION ALLOWANCES TO SORTERS OF THE FOREIGN MAILS DIVISION.

748. *Mr. B. Das : (1) Will Government be pleased to state if it is a fact that sorters of the Foreign Mails Division are required :

(a) to work continuously in the train for 28 hours or more ?

(b) that they are required to work for 6 hours at the sorting station before starting on their journey ?

- (c) that the 30 hours spent by them on their return journey are not considered part of their duty ?
- (d) that they are continuously away from their homes for 84 hours ?
- (e) that they are required to travel third class because intermediate class accommodation is not available on certain railways ?
- (f) that they get neither daily allowance nor any other compensation for expenses incurred on their journey ?

(2) If the answers to the above be in the affirmative, are Government prepared to consider the necessity of sanctioning some out-station allowance in the case of these sorters ?

The Honourable Sir Bhupendra Nath Mitra : The information is being collected and will be supplied to the Honourable Member.

ENCOURAGEMENT OF INDIAN ART.

749. ***Mr. B. Das :** (a) Will Government be pleased to state whether their attention has been drawn to the scheme for the encouragement of Indian Art published by the Prize of Delhi Committee ?

(b) Do they propose to take any action in the matter ?

The Honourable Sir Bhupendra Nath Mitra : (a) No copy of the scheme has been received officially by Government.

(b) Certain suggestions for the establishment of a Central Art School at Delhi are being considered by Government.

ESTABLISHMENT OF A CENTRAL MUSEUM AT DELHI.

750. ***Mr. B. Das :** (a) Will Government be pleased to state whether any proposals have been submitted for a Central Museum at Delhi ? If so, what are they ?

(b) Do they propose to take any action in the matter ?

Mr. J. W. Bhore : (a) Yes. Proposals have been submitted to Government for the construction of a permanent museum at Delhi, for the housing especially of Central Asian and Indo-Sumerian antiquities. The total cost of the building, exclusive of furniture, is estimated at Rs. 25 lakhs. But for the present it is proposed to construct only a portion of it, namely, one complete wing and portions of the two adjoining ones, at a cost of 11 lakhs of rupees.

(b) The matter is now under consideration.

Mr. B. Das : Have Government considered the advisability of utilising the Viceregal Lodge at Delhi or the New Secretariat for this Museum ?

Mr. J. W. Bhore : If the Honourable Member is making a suggestion I can assure him that it will be considered.

Mr. B. Das : I convey my suggestion to the Honourable Member.

Kumar Ganganand Sinha : Has any site been fixed for this ?

Mr. J. W. Bhore : I am not sure but I think a site has been provisionally fixed in the New Capital at Raisina.

NUMBER OF MEETINGS HELD BY THE EXTERNAL CAPITAL COMMITTEE.

751. ***Mr. B. Das** : (a) Will Government be pleased to state the number of sittings that the External Capital Committee have held so far ?

(b) When will they be in a position to place the report of this Committee before the House ?

The Honourable Sir Basil Blackett : (a) Three.

(b) It is hoped that the Committee will be able to conclude its deliberations and to present its report before the end of the current Session.

ESTABLISHMENT OF A RATES TRIBUNAL.

752. ***Mr. B. Das** : (a) Will Government be pleased to state if the Central Advisory Board for the Railways held a discussion on the Rates Tribunal ?

(b) If the answer be in the affirmative will Government be pleased to inform the House of the decision of that body on the appointment of Rates Tribunal ?

(c) Have the Government addressed any further communication to the Secretary of State on this subject ?

The Honourable Sir Charles Innes : The matter was discussed with the Central Advisory Committee and a further reference on the subject has been addressed to the Secretary of State.

Mr. B. Das : Will the Honourable Member let us know what was the advice of the Central Advisory Board on this matter ?

The Honourable Sir Charles Innes : Not at this stage.

TRAINING OF INDIANS AS WIRELESS OPERATORS, ETC.

753. ***Mr. N. M. Joshi** : With reference to the remarks about the Wireless Section made in the Ryan Committee's Report, will Government please state :

(a) What is the total number of permanent operators in India and how many of those posts are held by :

(i) Indians,

(ii) Anglo-Indians, and

(iii) Europeans ?

(b) What is the number of (i) Indians, (ii) Anglo-Indians, and (iii) Europeans, holding posts carrying a pay of over Rs. 400 a month ?

(c) What steps, if any, are being taken to increase the percentage of Indians in the posts referred to in (a) and (b) ?

(d) What percentage of the total number of operators and mechanics is held by European ex-military service men, and whether any special privileges as regards initial pay and increments are given to them ? If so, what ?

(e) At what places in India are wireless stores stocked ?

- (f) Are any sets of apparatus, engines, spare parts, etc., lying idle ?
If so, what steps, if any, are being taken to bring them into use and prevent waste ?

The Honourable Sir Bhupendra Nath Mitra : (a) 86.

(i) 12.

(ii) 21.

(iii) 51.

(b) (i) Nil.

(ii) Two in the Upper Subordinate Engineering grades.

(iii) Twenty.

(c) A scheme is under consideration for the recruitment and training of a number of Indians.

(d) 35 per cent.

They were recruited on an initial consolidated pay of Rs. 250. No special privileges as regards increments were given to them.

(e) Principally in the Telegraph Storeyard at Calcutta. A small quantity is kept in the Telegraph Store Depôts at Karachi and Bombay for convenience.

(f) Yes, but most of them are obsolete. Arrangements are however being made to utilize them as far as possible.

PROVISION OF A MOTOR SIDING AND WATER TAPS AT PAKPATTAN STATION ON THE NORTH WESTERN RAILWAY.

754. ***Baba Ujagar Singh Bedi :** Will Government be pleased to state what action, if any, the Agent of the North-Western Railway has taken with reference to my question No. 978, dated 23rd Feb. 1925 with regard to providing motor siding at Pakpattan station and question No. 979, dated 23rd Feb. 1925, with regard to water taps at the same station which were forwarded by the Government to the said Agent for consideration ?

Mr. G. G. Sim : The Government understand that the motor siding is being provided by the Agent of the North Western Railway. They have no information with regard to water taps at this station and do not propose to call for it.

PAY OF TYPISTS IN THE OFFICE OF THE ACCOUNTANT GENERAL, POSTS AND TELEGRAPHS, CALCUTTA.

†755. ***Mr. Amar Nath Dutt :** Is it a fact that typists doing mere copying work under the Accountant General, Posts and Telegraphs, Calcutta, have been granted a higher scale of pay than that of the Lower Division men performing audit work ? If so, why ?

PAY OF RAILWAY MAIL SERVICE SORTERS.

†756. ***Mr. Amar Nath Dutt :** Is it a fact that R. M. S. sorters doing mere sorting work of a purely mechanical nature have been granted a higher time-scale of pay than that of the lower division men, doing audit work in P. A., M. O. and S. B. Departments ? If so, why ?

† For answer to this question, see answer below question No. 775.

**PAY OF LOWER DIVISION CLERKS IN THE OFFICE OF THE ACCOUNTANT GENERAL,
POSTS AND TELEGRAPHS.**

†757. *Mr. Amar Nath Dutt : Will the Government be pleased to state :

(a) Why the higher scale of pay, namely, Rs. 60—6—210 in case the classification be maintained, has not been sanctioned during the recent revision in 1924 for the Lower Division under the A. G. P. and T., in spite of the fact that in reply to the memorial submitted by the Lower Division men, the Auditor-General in India assured them in his letter No. 91-E. K.W.-1228-31, dated the 15th January 1923, that he “ will see to this in time of revision ” ?

(b) When they propose to sanction the said higher scale of pay for the Lower Division ?

**SAVINGS EFFECTED BY THE INTRODUCTION OF THE COMPTOMETER MACHINE
IN THE OFFICE OF THE DEPUTY ACCOUNTANT GENERAL, POSTS AND
TELEGRAPHS.**

†758. *Mr. Amar Nath Dutt : Will the Government be pleased to state what saving is made every year by the introduction of the comptometer machine, and the appointment of “ C ” class men on a lower scale of Rs. 30—50 for M. O. sorting work in the office of the D. A. G. Postal branch, Calcutta ?

**PROMOTION OF MR. HIRALAL MULLICK TO THE UPPER DIVISION IN THE OFFICE
OF THE ACCOUNTANT GENERAL, POSTS AND TELEGRAPHS.**

†759. *Mr. Amar Nath Dutt : Is it a fact that experienced hands were placed in the Upper Division, on the basis of the recommendations by their Superintendents ? If so, (a) why was Mr. Hiralal Mullick not placed in the Upper Division though highly recommended by the Superintendent Mr. Lalit Mohan Mustaphi as fit for the Upper Division, on the strength of the former's considerable experience which has been admitted by the Honourable the Finance Member as per his reply to question No. 755 (*vide* letter No. D.151/F.E., Finance Department, dated 20th February 1925) to be the basis of distribution of the Upper Division ?

(b) Do Government propose to promote him immediately to the Upper Division ? (c) If not, why not ?

**SCALES OF PAY IN THE UPPER AND LOWER DIVISIONS OF THE OFFICE OF THE
ACCOUNTANT GENERAL, POSTS AND TELEGRAPHS.**

†760. *Mr. Amar Nath Dutt : Is it a fact that over 50 per cent. of pay of the Upper Division has been increased during the recent revision in 1924, while below 20 per cent. of pay has been increased in the case of the Lower Division, under the A. G. P. T. ? If so, why this difference ?

**CASE OF BABU ASWINI KUMAR BHADRA OF THE OFFICE OF THE ACCOUNTANT
GENERAL, POSTS AND TELEGRAPHS.**

†761. *Mr. Amar Nath Dutt : Is it a fact that Babu Aswini Kumar Bhadra securing more marks than Babu Sourindra Mohan Bose in the recruitment examination in 1920, was placed in the Lower Division, while the latter was placed in the Upper Division ? If so, why ?

† For answer to this question, see answer below question No. 775.

REVISION OF THE PAY OF LOWER DIVISION CLERKS IN THE OFFICE OF THE ACCOUNTANT GENERAL, POSTS AND TELEGRAPHS.

†762. *Mr. Amar Nath Dutt : Is it a fact that the minimum of the Lower Division was raised in 1922 from Rs. 30 to Rs. 40 only and in consequence the maximum in 1924 from Rs. 70 to 80 ? If so, (a) where is the revision of the Lower Division scale under the A. G. P. and T. ? (b) Do Government propose to revise the Lower Division scale without delay and to grant an *ad-interim* relief till it is done ? (c) If not, why not ?

PAY OF REFERENCE CLERKS IN POSTAL ACCOUNTS OFFICES.

†763. *Mr. Amar Nath Dutt : Is it a fact that the duties of the reference clerks are of the same nature in all Account Offices ? If so, (a) why did Government fix one scale for the reference clerks of the Account Offices and another higher scale for those of the other Civil Account Offices ? (b) Do Government propose to fix the same scale for the reference clerks of the Postal Accounts Office and fix the efficiency bar at Rs. 124, 110 and 100 like the other Account Offices ? (c) If not, why not ?

PROMOTIONS TO THE UPPER DIVISION IN THE OFFICE OF THE ACCOUNTANT GENERAL, POSTS AND TELEGRAPHS.

†764. *Mr. Amar Nath Dutt : Are Government aware that in the office of the A. G. P. and T., some grave injustice has been done by some Superintendents in not recommending some competent assistants as fit for the Upper Division ? If so, are Government prepared to make an early inquiry into the matter ?

EXAMINATIONS FOR MEN IN THE LOWER DIVISION OF THE OFFICE OF THE ACCOUNTANT GENERAL, POSTS AND TELEGRAPHS.

†765. *Mr. Amar Nath Dutt : (a) Is it a fact that in the office of the A. G. P. and T., most of the Lower Division men have been attached to one department only for years ? If so, why are the candidates sitting for the departmental examination for promotion to the Upper Division examined in two departments instead of in one only ? (b) Do Government propose to have them examined henceforth in one department only instead of in two ? (c) If not, will the Government please state reasons ?

ADOPTION OF A UNIFORM SCALE FOR THE CLERICAL ESTABLISHMENT EMPLOYED UNDER THE ACCOUNTANT GENERAL, POSTS AND TELEGRAPHS.

†766. *Mr. Amar Nath Dutt : Are the Government now considering the advisability of adopting a single uniform scale for the clerical establishment under the A. G. P. T., Calcutta, on the basis of the strong recommendations by the Deputy Accountants General in their letters quoted in my question No. 599 (b) of the last Session ? If not, why not ?

EFFICIENCY BAR FOR LOWER DIVISION CLERKS IN THE OFFICE OF THE ACCOUNTANT GENERAL, POSTS AND TELEGRAPHS.

†767. *Mr. Amar Nath Dutt : (a) Is it a fact that there is an efficiency bar at Rs. 124 in the case of the Upper Division men under the A. G. P. and T. ?

† For answer to this question, see answer below question No. 775.

(b) If the reply be in the affirmative, do the Government propose to adopt a single uniform scale by abolishing the Lower Division and fix the bar at Rs. 124 ? If not, will the Government please state reasons ?

TRANSFER OF LOWER DIVISION CLERKS TO DEPARTMENTS DOING UPPER DIVISION WORK IN THE OFFICE OF THE ACCOUNTANT GENERAL, POSTS AND TELEGRAPHS.

†768. *Mr. Amar Nath Dutt : (a) Is it a fact that in an office order in 1924, it has been announced by the A. G. P. and T. that " as a rule " Lower Division men should not be transferred to the Departments, doing upper grade work ?

(b) If so, where is the ample opportunity of passing the recruitment examination, as stated in the Government reply to my starred question No. 600 (c) asked in the winter Session of the Assembly ?

PROMOTION TO THE UPPER DIVISION OF MR. SATI BHUSAN CHAKRAVARTY.

†769. *Mr. Amar Nath Dutt : (a) Is it a fact that Mr. Sati Bhusan Chakravarty performed Upper Division (S. B.) work for several years under the D. A. G. Postal Branch, Calcutta ?

(b) If so, why has his claim for the Upper Division been overlooked ?

(c) Do Government now propose to promote him to the Upper Division ? If not, why not ?

PAYMENT TO LOWER DIVISION CLERKS OF THE UPPER DIVISION RATE WHILE DOING UPPER DIVISION WORK.

†770. *Mr. Amar Nath Dutt : With reference to Government's reply to question No. 599 (c) of the last Session (*vide* Government's letter No. D.151/F.E., Finance Department, dated 20th February 1925), will the Government be pleased to state :

(a) The names of the two clerks who are in such a position that they are compelled to do Upper Division work for Lower Division clerks' pay ?

(b) Why they should not be paid at the Upper Division rate, while smoothly discharging Upper Division work ?

PROMOTION OF CERTAIN CLERKS TO THE UPPER DIVISION IN THE OFFICE OF THE ACCOUNTANT GENERAL, POSTS AND TELEGRAPHS.

†771. *Mr. Amar Nath Dutt : With reference to Government's reply to my question No. 600 (c) of the last Session (*vide* Government's letter No. D.151/F.E., Finance Department, dated 20th February 1925), will the Government be pleased to state whether they propose at an early date to promote Babu Debendranath Ghose, Harendranath Ganguly, Jatish Chandra Banerjee, W. A. Ramey, Manmathanath Mitra, Ramesh Chandra Roy and others who have gained considerable experience by performing Upper Division work for a long time ? If not, will the Government please state reasons ?

† For answer to this question, see answer below question No. 775.

SUSPENSION OF MR. GANESH CHANDRA MITTRA OF THE OFFICE OF THE DEPUTY ACCOUNTANT GENERAL, TELEGRAPH BRANCH, CALCUTTA.

†772. ***Mr. Amar Nath Dutt** : Are Government aware that one Mr. Ganesh Chandra Mittra of the office of the D. A. G., Telegraph Branch, Calcutta, has been suspended on some allegations, though there are no tangible proofs against him ? If so, why should he not be immediately allowed to join his post ?

SENIOR COMPTOMETER OPERATOR IN THE OFFICE OF THE DEPUTY ACCOUNTANT GENERAL, POSTAL BRANCH, CALCUTTA.

†773. ***Mr. Amar Nath Dutt** : Is it a fact that an outsider has been given his first appointment on Rs. 84 as senior comptometer operator in the office of the D. A. G., Postal Branch, Calcutta, while, in the Department there are many comptometer men with University qualifications and with considerable speed in the comptometer ? If so, why ?

STOPPAGE OF INCREMENTS OF CLERKS IN THE OFFICE OF THE DEPUTY ACCOUNTANT GENERAL, POSTAL BRANCH, CALCUTTA.

†774. ***Mr. Amar Nath Dutt** : Are Government aware that Mr. Joygopal Bhandari, M.A., D. A. G., Postal Branch, Calcutta, stopped the increments of a good many clerks simply for their late attendance not exceeding even 18 days a year ? If so :

- (a) Under what authority of the Government has he done so ?
- (b) Do Government propose to take any steps in the matter ?
- (c) Will Government please also state what is the limit of late attendance excusable per month, as laid down in the Postal Account Codes ?

GRANT OF LEAVE TO SUBORDINATES IN THE OFFICE OF THE DEPUTY ACCOUNTANT GENERAL, POSTAL BRANCH, CALCUTTA.

775. ***Mr. Amar Nath Dutt** : Is it a fact that higher officers in the office of the D. A. G., Postal Branch, Calcutta, often decide leave cases simply on the basis of their subordinate Superintendents' findings without using their own discretion ? If so, what steps do Government propose to take in the matter ?

The Honourable Sir Basil Blackett : I have every desire to furnish the Honourable Member and the House with any information that may reasonably be demanded for the purpose of assisting the House to discharge their public functions. But I do not think that the time and expense involved in preparing replies to these questions which cover in considerable minuteness most of the detailed arrangements in Postal Accounts Offices would be justified by the results.

APPOINTMENT OF MUHAMMADAN ENGINEERS BY THE RAILWAY BOARD.

776. ***Maulvi Muhammad Yakub** : Is it a fact that out of 13 engineers recently appointed by the Railway Board only one is a Musalman ? How many qualified Musalmans applied for the posts ?

† For answer to this question, see answer below question No. 775.

Mr. G. G. Sim : Applications were received from 24 Muslims, but of these only one was considered suitable and he has been offered an appointment.

APPOINTMENT OF MUHAMMADANS AS DEPUTY DIRECTORS, RAILWAY BOARD.

†777. ***Maulvi Muhammad Yakub :** What is the number of the Deputy Directors under the Railway Board and how many of them are Musalmans ? Are any Musalman Deputy Directors under orders for transfers ?

APPOINTMENT OF MUHAMMADANS AS DEPUTY SECRETARIES UNDER THE RAILWAY BOARD.

778. ***Maulvi Muhammad Yakub :** Were the claims of any Musalman considered for the appointment of a Deputy Secretary under the Railway Board ? If so, why was a non-Musalman appointed in preference to any Musalman whose claims were considered ?

Mr. G. G. Sim : I propose to reply to questions Nos. 777 and 778 together. There are at present 7 Deputy Directors in the Railway Board's office, of whom 2 are Muslims. Certain measures of retrenchment of expenditure in the cost of the Railway Board's establishment have been made owing to the reduction by the Assembly of the Demand for the Railway Board. One of these measures is to hold in abeyance 3 posts of Deputy Directors, two of which are held by Muslims, who will be retransferred to Railway Administrations.

It is proposed to create a temporary post of Deputy Secretary and to appoint an officer with the required qualifications and training.

Maulvi Muhammad Yakub : Is it not a fact that this post has not been abolished in reality, but has been given to another officer who will draw a big salary, one-third of which will be given by the Railway and two-thirds by the Railway Board ? Is it not a fact that this post has not really been abolished but has been changed into some other post, the functions being the same ?

Mr. G. G. Sim : May I inquire which particular post the Honourable Member is referring to ?

Maulvi Muhammad Yakub : The post of the Deputy Director of Technical Work.

Mr. G. G. Sim : There is a proposal to provide for a portion of the cost by sharing it between the Railway Administration and the Railway Board but that has not yet been definitely settled.

NUMBER OF MUHAMMADAN ASSISTANTS IN THE OFFICE OF THE RAILWAY BOARD.

779 ***Maulvi Muhammad Yakub :** How many assistants are there under the Railway Board and how many of them are Musalmans ?

The Honourable Sir Charles Innes : There are 32 Assistants in Railway Board's office. Of these one is a Musalman.

NUMBER OF MUHAMMADANS IN THE DEPARTMENT OF EDUCATION, HEALTH AND LANDS.

780. ***Maulvi Muhammad Yakub :** Is it a fact that out of 13 appointments made in the Education Department only two were given to

†For answer to this question, see answer to question No. 778.

Musalmans ? Is it also a fact that two persons appointed in the Education Department have not passed the prescribed qualifying examination ?

Mr. J. W. Bhore : Twelve men have been permanently appointed to posts in the Department of Education, Health and Lands during 1924 and 1925. Of these three are Muhammadans. All except one, namely the Assistant Librarian, are men approved by the Staff Selection Board. The post of the Assistant Librarian was with the consent of the Staff Selection Board filled by a man who has not passed the prescribed examination on account of his special training in library work. He was considered the best of the candidates offering themselves for appointment in response to an advertisement in the papers. A thirteenth man nominated by the Staff Selection Board, who is not yet fully qualified, has been employed as a provisional measure until the beginning of the next year.

PERCENTAGE OF MUHAMMADANS IN CENTRAL SERVICES.

781. *Maulvi Muhammad Yakub : (a) What efforts are being made to give effect to the assurance given by the Honourable the Home Member that one-third of appointments will be given to Musalmans ? How many posts were given to Musalmans since this assurance was given ?

(b) What is the proportion of Musalmans in the Central Services under the Government of India ? What is the method proposed by the Government of India to raise the proportion of Musalmans to one-third ?

Mr. H. Tonkinson : (a) I would refer the Honourable Member to the statement in another place by the Honourable the Leader of the House on the 2nd March 1925 and the reply given in this House on the 24th March 1925. I must explain however that no assurance was given that one-third of the appointments would be given to Musalmans but that one-third of appointments would be reserved to redress communal inequalities. The Honourable Member asks how many posts have been given to Musalmans since this assurance was given. If he will inform me of the services in regard to which he requires the information I shall be glad to supply it so far as services under the control of the Government of India are concerned.

(b) I am obtaining the information in regard to the proportion of Musalmans in the Central Services and shall supply it to the Honourable Member in due course.

RESOLUTION REGARDING GRIEVANCES OF RAILWAY EMPLOYEES.

782. *Khan Bahadur W. M. Hussanally : Will Government please state what action they have taken or propose to take upon the Resolution of the Assembly last Session recommending that a committee be appointed to make an inquiry into the grievances of railway employees ?

The Honourable Sir Charles Innes : The Honourable Member's attention is invited to the answer given to a similar question No. 336 asked by Mr. M. K. Acharya in this Assembly on the 1st September 1925.

GRIEVANCES OF THE EMPLOYEES OF THE GREAT INDIAN PENINSULA RAILWAY.

783. *Khan Bahadur W. M. Hussanally : (a) Have the Government perused a printed letter issued by the Great Indian Peninsula Railway

Workmen's Union, dated 15th August 1925 ? If not, will Government receive a copy from me ?

(b) Are the grievances therein mentioned real or imaginary ? If they are real, what steps do Government propose to take to remove the same ?

The Honourable Sir Charles Innes : The Honourable Member is referred to the answer just given to a similar question asked by Maulvi Muhammad Yakub.

GRANT OF GRATUITIES TO RAILWAY EMPLOYEES.

784. ***Khan Bahadur W. M. Hussanally :** (a) Is there a rule that railway men receive gratuity after a service of 15 years ?

(b) If so, is it a fact that in actual working several obstacles are placed in the way of the workman which not in a few cases deprive him of his hard-earned reward ?

Mr. G. G. Sim : (a) Yes.

(b) The answer is in the negative.

GRANT OF GRATUITIES TO RAILWAY EMPLOYEES.

785. ***Khan Bahadur W. M. Hussanally :** Is it a fact that even after the completion of 15 years of service the railway workman does not acquire the right of claiming gratuity and that it is entirely left to the option of the company and in this case the company is represented by the foreman ?

Mr. G. G. Sim : Yes, gratuity cannot be claimed as a matter of right, and its grant lies entirely at the discretion of the railway company. But for this purpose, the company is not represented by the foreman.

GRANT OF GRATUITIES TO RAILWAY EMPLOYEES.

786. ***Khan Bahadur W. M. Hussanally :** (a) Is it correct or false to say that even if a railway man has put in 30 years' service he is liable to be dismissed by the foreman even for the slightest mistake and in some cases for no reason whatever, and that this makes him forfeit his right to gratuity ?

(b) Will Government place on the table a statement showing dismissals of men having a service of more than 5 years on all State Railways during the last 5 years with the reason in each case ? And also state whether in each case the gratuity was withheld or paid ?

Mr. G. G. Sim : (a) The statement is not correct.

(b) Government have not got the information nor are they prepared to call for it. The grant of a gratuity is contingent on continuous service for 15 years of a good, faithful and efficient character. When these conditions are present the gratuity is always given.

GRANT OF GRATUITIES TO RAILWAY EMPLOYEES.

787. ***Khan Bahadur W. M. Hussanally :** Is it true or false to say that the grant of the gratuity simply depends upon the whims of the fore-

man who is given very wide powers and that the dismissed railway man is not given even a chance of explaining his conduct and clearing his reputation ?

Mr. G. G. Sim : It is not true.

ALLEGED BRIBERY AND CORRUPTION AMONG FOREMAN, ETC., ON RAILWAYS.

788. ***Khan Bahadur W. M. Hussanally :** (a) Has it been represented to the Government that in the railways the *makadum*, the foreman and others of his kind either demand money from a new man admitted into the workshop or ask for small monthly gratifications ?

(b) Is that statement true or false ?

(c) If Government have no information upon the subject, will they make an inquiry and place the result on the table ?

Mr. G. G. Sim : (a) No.

(b) Does not arise.

(c) If the Honourable Member will produce any evidence of the existence of the alleged practice at any particular place, Government will make inquiries.

EUROPEAN, STATUTORY INDIAN AND INDIAN FOREMEN EMPLOYED ON STATE RAILWAYS.

789. ***Khan Bahadur W. M. Hussanally :** (a) Will the Government place on the table a statement showing the number of Europeans, statutory Indians and Indians employed as foremen on the State Railways in India ?

(b) Are Government prepared to employ more Indians as foremen ?

Mr. G. G. Sim : The Honourable Member's attention is drawn to a somewhat similar question No. 161 asked by Mr. D. V. Belvi on the 27th August, 1925, and the reply which was then given.

GRANT OF HOLIDAYS ON FULL PAY TO EMPLOYEES IN RAILWAY WORKSHOPS.

790. ***Khan Bahadur W. M. Hussanally :** Is it a fact that the men working in railway workshops are not given any holidays except holidays without pay or wages ? If so are Government prepared to consider a scheme of granting them a few holidays on full pay ?

Mr. G. G. Sim : The reply to the first part of the Honourable Member's question is in the negative ; the second part of the question therefore does not arise.

WAGES OF FOREIGN WORKMEN EMPLOYED ON INDIAN RAILWAYS.

791. ***Khan Bahadur W. M. Hussanally :** Is it a fact that foreign workmen on Indian Railways are given more wages than Indians for equal work ? If so, why ?

The Honourable Sir Charles Innes : If the Honourable Member refers to certain Chinese workmen employed on the Great Indian Peninsula Railway I would refer him to the reply given to part (2) of question

No. 257 asked by Mr. R. K. Shanmukham Chetty on the 31st August 1925.

INCREASE IN THE FREE ALLOWANCE OF LUGGAGE OF RAILWAY PASSENGERS.

792. ***Baba Ujagar Singh Bedi** : Do Government propose to increase the weight of the luggage now admissible to passengers to carry with them on their tickets, according to the ratio of the increase in the present fares ? If not, why not ?

Mr. G. G. Sim : The Honourable Member is referred to the discussion on the subject of overcrowding in third class carriages in this House on the 28th February last, when the subject of luggage allowances was brought up.

INCOME TAX OFFICERS IN THE PUNJAB.

793. ***Lala Duni Chand** : (a) What is the proportion of Hindu income-tax assesseees to Muslim assesseees in the Punjab and what is the proportion of income-tax derived from Hindus to that derived from Muslims ?

(b) Is it a fact that the bulk of assesseees consists of Hindus and that Hindu merchants and shopkeepers generally keep their accounts in *Lunda* and *Mahajani* characters ?

(c) Is it a fact that one of the main qualifications and duties of all the Income-tax officers is to check the accounts of the assesseees and that the men are required to read *Lunda* characters and to be efficient in vernacular system of accounts, in addition to other necessary qualifications ?

(d) What is the number of officials in the Income-tax Department, Punjab, who have not yet passed the prescribed examination in *Lunda* and vernacular accounts and when do the Government propose to replace them by more suitable men ?

(e) Do the Government propose to issue instructions to the Commissioners of Income-tax that proficiency in accounts and knowledge of *Lunda* should be considered essential qualifications for admission into the Department ?

The Honourable Sir Basil Blackett : (a) In 1923-24 the proportion of assesseees was :

Muslims	..	..	..	1,945
Non-Muslims	..	..	..	21,418

The information for 1924-25 is not at present available.

(b) The answer to both the parts of the question is in the affirmative.

(c) The answer to both the parts of the question is in the affirmative.

(d) Six Inspectors in the Punjab have so far failed to pass the departmental examinations in all subjects, and have been warned that their services will be dispensed with if they fail to pass.

(e) No Income-tax Officer or Inspector is at present confirmed in the Department until he has passed the prescribed departmental examinations which include papers on book-keeping and the reading of *Lunda* accounts.

Lala Duni Chand : The Honourable Member has given the number of assesseees, but he has not given the amount of taxes paid. Will he please do so ?

The Honourable Sir Basil Blackett : I answered the question which was put down, but I shall be quite prepared to answer any more if they are equally interesting.

Mr. K. Ahmed : Are the Government of India aware that the money-lenders, the Lalas and Baniyas and such people derive their income from Muhammadans who are their victims ?

The Honourable Sir Basil Blackett : I take that information from the Honourable Member.

EMPLOYMENT OF MUHAMMADANS IN THE INCOME-TAX DEPARTMENT, PUNJAB.

794. ***Lala Duni Chand :** (a) Is it a fact that some instructions have been issued or are about to be issued from the Government of India to the Commissioner of Income-tax, Punjab, to increase the number of Muslim officials in the Department ?

(b) Is it also fact that the Commissioner of Income-tax, Punjab, has not so far been able to get a sufficient number of Muslim candidates suitable for the Department in spite of his best efforts on account of the fact that Muslim candidates possessing the required qualifications are not forthcoming in sufficient numbers ?

(c) If the reply to (a) be in the affirmative, will the Government state if the Commissioner has also been informed that this proportion, if at all to be taken into consideration, should be based on the number of Hindu and Muslim assesseees instead of the population of the province ?

The Honourable Sir Basil Blackett : (a) No special instructions had been issued by the Government of India to the Commissioner of Income-tax, Punjab and North-West Frontier Province.

(b) A sufficient number of Muslim candidates with the necessary qualifications is forthcoming but they find greater difficulty in qualifying in Lunda accounts than the Hindu candidates, especially those drawn from the trading classes.

(c) The answer is in the negative. The Government do not see the relevancy of the number of Hindu and Muslim assesseees.

PUBLICATION OF THE REPORT OF THE FIJI DEPUTATION.

***Sardar V. N. Mutalik :** With your permission, Sir, I shall put a question of which I have given private notice.

Will the Government be pleased to state :

(a) Whether Earl Winterton stated in reply to Mr. Scurr in the House of Commons that definite proposals with regard to Indians in Fiji were now on their way to the Government of India and that therefore the publication of the report of the deputation to Fiji of 1922 might not be necessary ?

(b) What are the definite proposals and whether they would be placed on the table ?

(c) Why is the publication of the report of Fiji deputation unnecessary ?

(d) Why does the Home Government propose to interfere with the publication of the report of the deputation of the Government of India ?

(e) Do the Government propose to publish the report of the deputation without any further delay ?

Mr. J. W. Bhore : (a) The reply is in the affirmative.

(b) The proposals were the result of representations made by the Colonies Committee on the subject and since the Government of India did not regard them as entirely adequate and negotiations are still proceeding they are not yet in a position to make any announcement on the subject.

(c), (d) and (e). The Honourable Member's attention is invited to my reply to Mr. Gaya Prasad Singh's question No. 298 on the same subject on the 1st September 1925.

SPEECH OF THE CHANCELLOR OF THE EXCHEQUER REGARDING ADOPTION OF THE GOLD STANDARD.

***Mr. C. B. Chartres :** Has the attention of the Government of India been drawn to the following passage in the Report in the London "Times" of August 6th, 1925, of the speech of the British Chancellor of the Exchequer on the gold standard in the House of Commons on August 5th :

"General money rates had eased since the gold standard was adopted. Equilibrium had been established with the Exchanges of Australia and South Africa. India had determined the rate at which she should stabilize the rupee."

Is this a correct report of what the Chancellor of the Exchequer said ?

The Honourable Sir Basil Blackett : No, Sir. The report in the London "Times" is a condensed summary and does not correctly represent what was actually said by the Chancellor of the Exchequer regarding India. The words actually used by him were :

"India has been considering at what sterling rate she can stabilise her rupee."

Mr. B. Das : Does our Chancellor of the Exchequer agree with the other Chancellor in this matter, Sir ?

The Honourable Sir Basil Blackett : Very probably, Sir.

UNSTARRED QUESTIONS AND ANSWERS.

CASE OF GHULAM NABI, INVESTIGATION OFFICER ATTACHED TO THE OFFICE OF THE POSTMASTER GENERAL, PUNJAB.

105. **Mr. S. Sadiq Hasan :** 1. (a) Are the Government aware that Ghulam Nabi, Investigating Inspector attached to the office of the Postmaster General, Lahore, in the Rs. 100—5—175 grade was in due course, offered promotion to the Rs. 175—10—225 grade in January 1921, and that the said Ghulam Nabi declined to avail himself of this promotion consequent upon a recommendation made by the Postmaster General to the Director General to the effect that "as a special case due to this officer's exceptional detective abilities he may be given a personal allowance (Rs. 150 per mensem), and that Ghulam Nabi's services would be thrown away if he were promoted and posted to a post office" ?

(b) Are the Government further aware that after Ghulam Nabi's refusing the promotion he was neither granted a personal allowance, as recommended by the Postmaster General, nor any other compensation, and that he was retained as Investigating Inspector on his own pay until 8th October when, as a last resort, he asked for promotion to the said grade of Rs. 175—10—225 which was granted ?

2. If the answer to 1 be in the affirmative, do the Government propose to reconsider Ghulam Nabi's case and see their way to make an adequate compensation for the loss of money as well as of position in the gradation list which he suffered during the 32 months—January 1921 to October 1923—the period for which he was retained as Investigating Inspector by the Postmaster General, after promotion was first offered to him ?

Mr. G. P. Roy : (a) Mr. Ghulam Nabi was Investigating Inspector attached to the office of the Postmaster General, Punjab and North West Frontier, in January 1921 when he was offered promotion to the grade of Rs. 175—225 in the general line. He however refused the promotion of his own accord and it is not a fact that the refusal was consequent upon any recommendation made for the grant of a personal allowance to him.

(b) Does not arise.

2. Does not arise.

PAY AND ALLOWANCES OF MEMBERS OF THE INDIAN TERRITORIAL FORCE.

106. **Mr. S. Sadiq Hasan :** Does Rule 17, Pay and Allowances, Part IV of the rules under the Indian Territorial Force Act, 1920 (XLVIII of 1920), provide that every person enrolled shall for any period during which he is called out or embodied for training be entitled to such allowances and pay as are for the time being admissible to corresponding ranks of His Majesty's Indian Forces ?

Mr. E. Burdon : Yes, except for persons enrolled in a University Corps.

OFFICERS OF THE INDIAN TERRITORIAL FORCE.

107. **Mr. S. Sadiq Hasan :** Does a Territorial officer hold an honorary King's commission by virtue of his having enlisted in the Indian Territorial Force and does his promotion as King's commissioned officer also depend on the length of service in the Indian Territorial Force ?

Mr. E. Burdon : An officer of the Indian Territorial Force holds his honorary King's commission by virtue of his having been enrolled and appointed an officer in that Force. He receives an honorary King's commission simultaneously with the grant of a Viceroy's commission. Promotion in the honorary King's commissioned rank follows the time scale of promotion in force in the regular Indian Army, and depends on an officer possessing the necessary qualifications for promotion one of which is the requisite length of service in the Territorial Force.

PAY OF AN HONORARY LIEUTENANT IN THE INDIAN TERRITORIAL FORCE.

108. **Mr. S. Sadiq Hasan :** (a) Does an honorary Lieutenant in His Majesty's Indian Forces receive the same pay as is admissible to a regular Lieutenant ?

(b) If so, will the Government be pleased to declare why an honorary Lieutenant in the Indian Territorial Force is not and has not so far been allowed the same pay as is drawn by his corresponding rank in His Majesty's Indian Forces in direct contravention of the provisions of Rule 17 under the Indian Territorial Force Act of 1920 ?

Mr. E. Burdon : (a) No. He receives pay based on his rank as a Viceroy's commissioned officer.

(b) This question does not arise, but I would explain that the term "corresponding ranks of His Majesty's Indian Forces" refers to substantive rank held by the officer and not to his honorary rank. Honorary rank, as the term implies, is in all cases unpaid.

EAST INDIAN RAILWAY COMPANY SCHOOLS.

109. **Haji Wajihuddin :** 1. Did the East Indian Railway Company when in existence maintain for the benefit of its employees any schools partly from its own revenues and partly from grants received from the various Provincial Governments in whose jurisdiction these schools were situated ?

2. Did not these schools automatically pass over to the Government of India together with the rest of the undertaking when the East Indian Railway was taken over by the State on the 1st of January 1925 ?

3. Are these schools still maintained ? If so, how many of them are for Europeans and Eurasians and how many for Indians ?

4. Are not these schools maintained entirely from Government revenues, partly from those of the Central Government received from the Railway Budget through the East Indian Railway administration and partly from provincial revenues received through the Educational Departments of Governments in whose jurisdiction the schools happen to be situated ?

5. Are not these schools, maintained as they are from Government revenues only, Government institutions ? If so :

(i) Are they Central Government institutions ? or

(ii) Are they Provincial Government institutions ?

If the former, are they managed and controlled by the Educational Department of the Government of India or any special Department of the Railway Board ? Are the employees of these institutions railway servants or Government of India servants ? Please state the rules governing the appointments, dismissals, discharges, leave, pay and allowances of the staff employed in these institutions and also to whom they have to appeal in cases of injustice ?

If the latter, are they treated just as other teachers in Provincial Government schools or differently, and if differently, please state the rules governing their appointment, discharge, leave, pay, increases and allowances, etc. ?

Mr. G. G. Sim : Government have not the information but will make inquiries.

EXTRA RATE CHARGED BY THE GREAT INDIAN PENINSULA RAILWAY ON GOODS BOOKED FROM OR TO KURDUWADI.

110. Dr. K. G. Lohokare : 1. Will Government be pleased to say if the Great Indian Peninsula Railway has put on an extra rate at Kurduwadi station for goods booked from or to this station, and if the rates for corresponding classes of goods are more advantageous from the next stations up and down the Barsi Light line ?

II. If the replies to the above be in the affirmative, will Government kindly say what are the reasons for such an extra rate for booking goods at Kurduwadi and how long are the extra rates being charged ?

III. Will Government be pleased to say if they know that

- (a) peasants and traders near Kurduwadi are thus made to take their goods to the next station on the Barsi Light Railway ;
- (b) the Barsi Light Railway Company has been paying a dividend of over 9 per cent. to their shareholders ?

IV. Will Government kindly say if they are prepared to remove this extra rate ?

Mr. G. G. Sim : Inquiry has been made and the result will be communicated to the Honourable Member in due course.

PONTAGE CHARGES LEVIED BY THE BARSİ LIGHT RAILWAY.

111. Dr. K. G. Lohokare : Will Government be pleased to state :

- (a) If the Barsi Light Railway has been allowed pontage on any of the bridges on the line now being or about to be constructed by them.
- (b) If so, (i) on what bridges, at what rate and for what traffic ; (ii) whether it affects the right of the Company to take the maximum rates for each class of traffic ?
- (c) If the Railway Advisory bodies or the Legislature or the local bodies and revenue officials of the districts through which the line passes had been consulted before allowing such an extra charge ?
- (d) If they are aware that the public and the Bombay Legislative Council have resented such a pontage charge over and above the maximum rates laid down—in the cases of pontage charge for Pandharpur bridge on the same line ?
- (e) If they are prepared to dispense with the idea of such fresh pontage charges on the line ?

The Honourable Sir Charles Innes : The Barsi Light Railway was allowed a pontage charge over the Bhima River bridge but this was withdrawn in 1923 and no pontage charge is now levied on that railway.

PROTECTION OF THE INDIAN MATCH INDUSTRY.

112. Haji S. A. K. Jeelani : (a) Are the Government aware that large quantities of aspen wood suitable for the manufacture of matches are being

imported into India since the duty on undipped splints and veneers for match boxes was raised from 1st March 1924? Will the Government be pleased to state whether there were any imports of aspen wood for the purpose of match manufacture into India before 1st March 1924 and if so, what was the quantity imported as well as its price?

(b) Will the Government state whether they have received any representation from Indian indigenous match industry pointing out the danger to its existence owing to the import of foreign wood and requesting the Government to tax the same heavily?

(c) Have the Government made any investigations to ascertain whether the fall in the value of imports of matches from Rs. 1,45,91,813 during 1923-24 to Rs. 88,88,611 during 1924-25 is mostly due to the heavy imports of logs of wood for match manufacture in India?

(d) Will the Government state whether they propose to consider the question of taxing adequately the import of foreign wood used for the manufacture of matches in India both to safeguard their revenue as well as to protect the interests of the indigenous Indian match industry?

The Honourable Sir Charles Innes : (a) 8,487 cubic tons of logs have been imported during January to July 1925. The Government have no precise information how much of this quantity is aspen wood. Complete information regarding logs imported prior to January 1925 is not available.

(b) Yes.

(c) The differences to which the Honourable Member draws attention are also contributed to by a fall in the declared price of matches imported and by the import of splints and veneers.

(d) The Government are watching developments.

REFERENCE OF THE QUESTION OF THE PROTECTION OF THE MATCH INDUSTRY TO THE TARIFF BOARD.

113. **Haji S. A. K. Jeelani :** Will the Government state if they received any application from the Indian match factories to refer the subject of the match industry to the Tariff Board for investigation? If so, do they intend directing the Tariff Board to take up this matter immediately after they complete their present inquiry?

The Honourable Sir Charles Innes : The answer to the first part of the question is in the affirmative and to the second part in the negative.

LARGE IMPORTS OF MATCHES AT BEDI BUNDER IN KATHIAWAR.

114. **Haji S. A. K. Jeelani :** (a) Will the Government be pleased to state the number of cases of foreign matches transhipped from the ports of Karachi and Bombay to Bedi Bunder in Kathiawar every year separately from 1st April 1916 to 31st March 1920 when there was an import duty *ad valorem* and from 1st April 1921 to 31st March 1925 when the duty was raised? Have Government inquired into the cause of such large imports of matches at Bedi Bunder?

(b) Are Government aware that these matches are despatched in carts to places on or near the border of British India whence they are sold and

ailed at prices much below the wholesale cost price of large importers of matches in Bombay ?

(c) If they are aware of this, what steps do the Government propose to take to safeguard their legitimate revenue from foreign matches ?

The Honourable Sir Basil Blackett : (a) The number of cases of foreign matches transhipped from Bombay and Karachi to Jamnagar and Bedi Bunder is as below :—

	1922-23.	1923-24.	1924-25.
Bombay	1,334	4,925	555
Karachi	Not available	..	1,750

The Government have no figures for earlier years. The figures given do not of course include transhipments from ports outside British India, such as Colombo. It is believed however that such traffic was relatively negligible in extent before the duties were raised, i.e., in 1921 and 1922. The reply to the second part of the question is in the affirmative.

(b) The answer is in the negative. The Government are, however, aware that large consignments are despatched by rail direct from Bedi Bunder and other ports to destinations in British India.

(c) I cannot say more at present than that the matter is being very seriously considered by the Government of India.

APPEAL OF THE MADRAS PROVINCIAL POLICE OFFICERS.

115. **Haji S. A. K. Jeelani :** Will the Government be pleased to lay on the table a copy of the appeal preferred by the Madras Provincial Police officers to the Government of India, and the correspondence ending with the Government of Madras G. O. No. 816-Judicial, dated 30th June 1922 ?

The Honourable Sir Alexander Muddiman : The appeal has not yet reached the Government of India through the regular official channel and has therefore not been considered by them. I regret that I cannot lay a copy of it on the table.

APPOINTMENT OF THE PUBLIC SERVICE COMMISSION.

116. **Mr. N. C. Kelkar :** (a) Have Government formulated their proposals about the inauguration of a Public Service Commission for India ?

(b) Will Government place on the table all papers on the subject ?

(c) Will Government give the Assembly an opportunity to discuss and express its opinion upon the proposals, if any, before they are finally adopted ?

The Honourable Sir Alexander Muddiman : I would refer the Honourable Member to the answer given by me to Mr. B. Das and Diwan Bahadur Ramachandra Rao on the 25th August 1925, and to Mr. R. K. Shanmukham Chetty on the 31st August 1925.

RECRUITMENT PROPAGANDA CARRIED ON BY LORD MESTON IN ENGLAND.

117. **Mr. N. C. Kelkar :** (a) Will Government state whether they had supplied any definite instructions to Lord Meston for the speeches he made in England on the question of recruitment to the Services in India ?

(b) Will Government state if they accept responsibility for the facts and observations made by Lord Meston in his speeches ?

The Honourable Sir Alexander Muddiman : The answer to both parts is in the negative.

EXPENDITURE ON ART DECORATIONS OF THE IMPERIAL BUILDINGS IN THE NEW CAPITAL AT DELHI.

118. **Mr. N. C. Kelkar :** (a) What is approximately the amount of expenditure proposed on art decorations to the Imperial buildings in the new capital at Delhi ?

(b) Will Government state in what manner is the amount proposed to be spent and what is the scheme of decoration ?

The Honourable Sir Bhupendra Nath Mitra : The Chief Engineer, Delhi, will be glad to give any information regarding the decorations of the Imperial Buildings if the Honourable Member will apply to him stating exactly what class of decoration he wishes information about.

PURCHASE OF LOCOMOTIVES FOR STATE RAILWAYS.

119. **Mr. N. C. Kelkar :** (a) Are Government aware that English prices of locomotives and other material are much heavier than those in some other countries in Europe and America ?

(b) Will Government state the policy they have been pursuing in the matter of purchasing locomotives for State Railways ?

The Honourable Sir Charles Innes : (a) In all cases of locomotives and other materials required by Railways from abroad, the Director General, India Store Department, London, gives American and Continental manufacturers every opportunity of tendering for their supply. In many cases, the lowest satisfactory tender from American or Continental firms is lower than the lowest British tender, but the former is not invariably lower than the latter.

(b) The policy pursued by Government in purchasing locomotives for State Railways is to ensure that they are purchased in the best market. The Director General, India Store Department, London, in the case of State-worked Railways and the Government Director, on the Home Boards of Company-worked Railways, have instructions that the lowest satisfactory tender should be accepted in the case of railway requirements of all descriptions irrespective of the country of origin.

DEMANDS OF EUROPEAN OFFICERS OF NON-INDIAN DOMICILE.

120. **Mr. N. C. Kelkar :** Will Government lay on the table papers on the subject of the demands of the men of non-Indian domicile in the Provincial Services and the action which Government may be contemplating with regard to those demands ?

The Honourable Sir Alexander Muddiman : The Honourable Member will find an answer to this question in the correspondence published in the White Book entitled "East India (Lee Commission Complaints of British officers)", copies of which have been placed in the Library.

REFUSAL OF THE P. AND O. STEAM NAVIGATION COMPANY TO ACCEPT SOME BAGS OF BAR GOLD FOR SHIPMENT FROM MARSEILLES TO BOMBAY.

121. **Mr. N. C. Kelkar** : Will Government state the facts so far as they know about the reported refusal, a few months ago, of the shipping company at Marseilles of the gold on its way to India from America ?

The Honourable Sir Bhupendra Nath Mitra : In March last the Director General, Posts and Telegraphs, received intimation from the General Post Office, London, to the effect that the P. and O. Steam Navigation Company had rejected about 350 bags of bar gold from New York to Bombay which they had received on 27th February 1925 for embarkation on the S.S. *Nurkunda* at Marseilles.

The risk of carrying numerous mail bags packed with gold was so great that not only the P. and O. Company but every other Steamship Company to which they were offered at Marseilles refused to accept them with the result that after a few bags had been sent to India *via* Colombo by a Dutch steamer, 300 bags were returned to America by the French Post Office.

EXPENDITURE ON THE PARSIK TUNNEL BETWEEN KALYAN AND THANA.

122. **Mr. N. C. Kelkar** : Will Government state :

- (1) What is the total amount spent up to date on the Parsik tunnel between Kalyan and Thana ?
- (2) What were the benefits calculated at the time of sanctioning the tunnel to result from the work ?
- (3) What is the average saving actually realised per year during the last three years owing to the tunnel in terms of the working charges on the section of the railway in question ?

Mr. G. G. Sim : The information asked for is being obtained from the Railway Administration concerned and will be furnished to the Honourable Member when received.

WORKING HOURS OF RAILWAY MAIL SERVICE SORTERS.

123. **Mr. N. C. Kelkar** : (a) Is it a fact that the R. M. S. workers have to spend about an hour in active duty and attendance before the starting of the train carrying mails under sorting and sometimes an hour or two after the train reaches its destination ? If not, then what is the departmental estimate of the time required for such duty and attendance ?

(b) Is this period of duty at either end included and given credit for in applying the time test to these workers ?

(c) Are they paid any extra allowance for this overtime duty ?

(d) Is it a fact that railway guards and drivers are paid *bhatta* for all overtime attendance and duty not actually covered by the running of trains or shunting duty in the yard ?

(e) Will Government state their reasons for discriminating between concessions so given to their railway servants and refusing the same to the R. M. S. workers ?

The Honourable Sir Bhupendra Nath Mitra : (a) No. The time required ranges from 15 to 30 minutes.

(b) The Honourable Member is referred to the reply to his starred question No. 4 given by me on the 22nd January 1925.

(c) No.

(d) The practice varies but ordinarily the time required for taking and making over a train is considered incidental to the running in charge thereof.

(e) The conditions of service and the nature of work of the two Departments are not analogous.

NUMBER OF PASSENGERS CARRIED BY THE POONA MAIL BETWEEN BOMBAY AND POONA DURING THE YEAR ENDED MAY 1925.

124. Mr. N. C. Kelkar : Will Government supply information on the following points :

- (1) Total number of passengers first, second and third class (or servants) that travelled in one year (May 1924 to May 1925) by the Poona Mail up and down between Bombay and Poona ;
- (2) Total approximate expenses for running the two trains in the period ; and
- (3) Amount of contribution by the Postal Department paid for carrying the mails by these trains during the same period ?

Mr. G. G. Sim : (1) The number of passengers carried by the Poona Mail between Bombay and Poona during the year ended May 1925 was :

				Bombay to Poona.	Poona to Bombay.
First class	..	..	..	3,472	3,624
Second Class	..	..	..	5,460	9,704
Third (Servants)	..	..	..	2,782	3,545

(2) Total approximate expenses for running these two trains during this period was Rs. 2,98,833.

(3) The contribution paid by the Postal Department for the carriage of mails by these trains during this period was Rs. 12,923.

CASUAL LEAVE OF SORTERS IN THE RAILWAY MAIL SERVICE " B " DIVISION.

125. Mr. N. C. Kelkar : (a) Is it a fact that sorters in the Railway Mail Service " B " Division, availing themselves of casual leave, are required to pay the cost of the allowance payable on double duty arising out of the absence of such sorters on casual leave ?

(b) If so, will Government be pleased to define casual leave in the case of the sorters ? And will Government quote instances of any other Department of Government wherein officials have to pay for their leave ?

The Honourable Sir Bhupendra Nath Mitra : (a) and (b) Casual leave is informal absence from duty for brief periods. The general rule in all departments of Government including the Posts and Telegraphs Department is that its grant should not occasion any extra cost to the State, and this rule applies to sorters in the Railway Mail Service " B " Division as to other employees of the Posts and Telegraphs Department. When reserve sorters are available to take the place of absentees on casual leave this condition is fulfilled, and the sorters mentioned by the Honourable Member can be granted casual leave without any payment being required from them. When, however, owing to the number of men already absent from duty from any cause, reserve sorters are not available, it would ordinarily be necessary to refuse the grant of casual leave ; but even then a sorter is permitted to take casual leave if he is prepared to bear the cost of the double duty allowance payable to the man who in his absence is called upon to do his work.

COMPENSATION TO OFFICIALS OF THE SELECTION GRADES IN THE POST OFFICE FOR THE HIGHER COST OF LIVING IN BOMBAY AND OTHER PLACES.

126. Mr. N. C. Kelkar : (i) Is it a fact that :

- (a) Pays of the time-scale appointments in the Post Offices are different according to the cost of living in different localities ?
- (b) The pays of the selection grade appointments are the same irrespective of the cost of living in the costlier localities ?
- (c) The maximum pay of the time-scale is Rs. 150, while the starting pay of the first selection grade is Rs. 145 in Bombay ?

(ii) Has the Director General of Posts and Telegraphs received any representations in this connection ? If so, how does the Government propose to compensate the officials of the selection grades for the higher cost of living in Bombay and other places ?

The Honourable Sir Bhupendra Nath Mitra : (i) (a), (b) and (c). Yes.

(ii) Yes. The matter is under consideration.

ATTACHMENT OF ORDERLY PEONS TO INSPECTORS OF POST OFFICES.

127. Mr. N. C. Kelkar : Will Government be pleased to state whether it is a fact that a promise was given to the Inspectors of Post Offices that provision will be made in the Budget for 1925-26 to restore orderly peons to them ? If so, what steps have Government taken to fulfil the promise ? If not, will Government be pleased to state when they mean to restore orderly peons to Inspectors of Post Offices ?

The Honourable Sir Bhupendra Nath Mitra : The matter is under consideration of Government along with certain other grievances of postal subordinates. Provision for any action they may decide to take in regard to this particular item will be made in due course in the budget for 1926-27.

CONTINGENT ALLOWANCES FOR POST OFFICES.

128. Mr. N. C. Kelkar : (a) Will Government be pleased to state whether it is a fact that allowance for contingencies granted to all Post

Offices in India was reduced by 15 per cent. from March 1923 and a saving of Rs. 50,000 a year was effected thereby, because the Post Office was then said to be working at a loss ?

(b) Have the Postal Unions all over India protested against this cut and prayed for the allowance being restored to its former figure ?

(c) Will Government be pleased to state when they mean to restore the allowance for contingencies to its former figure ?

The Honourable Sir Bhupendra Nath Mitra : (a) No.

(b) No.

(c) The question of revising the allowances for contingencies is under consideration.

GRANT OF COMPENSATORY ALLOWANCE TO SELECTION GRADE OFFICERS OF THE POST OFFICE STATIONED AT BOMBAY, POONA, SALSETTE AND KARACHI.

129. **Mr. N. C. Kelkar :** (a) Will Government be pleased to state whether it is a fact that the scale of pay of selection grade appointments in the Post Office and the Railway Mail Service is the same all throughout India ? If so, is any compensatory allowance sanctioned to selection grade officers of the Post Office and the Railway Mail Service stationed at Bombay, Poona, Salsette and Karachi in exercise of the power conferred by rules 44 and 93 of the Fundamental Rules ? Is it a fact that the pay was not fixed with special reference to the high cost of living at those places ?

(b) Are Government aware that such a compensatory allowance has been sanctioned by the Government of Bombay to officers under their control at those places with effect from the 1st March 1923 ?

(c) If so, will Government be pleased to state when they mean to sanction a similar compensatory allowance to their officers of the Post Office and the Railway Mail Service ?

The Honourable Sir Bhupendra Nath Mitra : (a) The scale of pay of selection grade appointments in the Post Office and the Railway Mail Service is the same throughout India. Selection grade officials get a compensatory allowance in Karachi, but not at present in Bombay, Poona and Salsette. The pay of selection grade officials was not fixed with special reference to the high cost of living at the most expensive places.

(b) Yes, to certain classes of officers.

(c) As the Honourable Member is aware from the reply given by me on the 22nd January 1925 to his starred question No. 10, gazetted officers of the Post Office and Railway Mail Service already get a special scale of local allowance in Bombay and Karachi. The question of granting such an allowance to selection grade officers in Bombay is under consideration. Government are not considering proposals for the grant of compensatory allowances in Poona and Salsette.

TRAINING OF RECRUITS FOR CLERICAL APPOINTMENTS IN THE POST OFFICE.

130. **Mr. N. C. Kelkar :** Will Government be pleased to state whether they have made any arrangements to give preliminary training to recruits for clerical appointments in the Post Office on the lines of the arrangement

made for training recruits for the Railway Mail Service and the Telegraph Department ? If not, are they prepared to consider the question of giving such training ?

The Honourable Sir Bhupendra Nath Mitra : At present there are no schools for training recruits for clerical appointments in the Post Office. Approved candidates are taught the work of the Post Office in a practical manner by being attached for thorough training to a head post office, and Government do not propose to change a system which has been found to be satisfactory.

GRANT OF THE CONCESSION OF COUNTING TEMPORARY SERVICE TOWARDS INCREMENTS TO OFFICIALS OF THE POSTAL DEPARTMENT CONFIRMED BETWEEN 20TH SEPTEMBER 1920 AND 31ST DECEMBER 1921.

131. **Mr. N. C. Kelkar :** Is it a fact that the officials who were confirmed in the Postal Department between 23rd September 1920 and 31st December 1921 are deprived of the concession of counting temporary or officiating service towards increments ? If the reply is in the affirmative, are Government prepared to extend the same concession which they have already granted to the officials who were confirmed before the 23rd September 1920 ?

The Honourable Sir Bhupendra Nath Mitra : Yes. The matter is under consideration of Government.

APPOINTMENT OF A PROPERLY QUALIFIED MAN TO BE PROFESSOR OF HISTORY IN THE GOVERNMENT COLLEGE, AJMER.

132. **Mr. B. Das :** (a) Is it a fact that the post of Professor of History in the Government College, Ajmer, having fallen vacant, a teacher in the Government High School who did not take History in his B.A. or M.A. course, but has taken his M.A. degree in Persian has been appointed to be such Professor ?

(b) Is it a fact that among the candidates there were several people who had taken their M.A. degree in History and some of them had taken a First Class ?

(c) Is it also a fact that the Principal of the Government College, Ajmer, recommended for the appointment a candidate who had taken his M.A. degree in History, but that the higher authority ignored this recommendation and selected a man who had never read History in his B.A. or M.A. course and has never served in a College ?

(d) Are Government aware that the appointment has caused great discontent in Ajmer-Merwara, and a feeling of alarm as to the future of the College amongst the students ?

(e) Do Government propose to direct the Honourable the Chief Commissioner to reconsider the matter and appoint a properly qualified man to be Professor of History in the Ajmer Government College ?

Mr. J. W. Bhore : (a) Yes.

(b) Yes. There were two applicants with 1st class M.A. degrees.

(c) Recommendations of Government officers regarding *personnel* are confidential. In this particular case the recommendation made by the Principal of the Government College, Ajmer, was duly considered.

(d) No.

(e) No.

ALLEGATIONS AGAINST THE SUPERINTENDENT OF POST OFFICES, LOWER RAJPUTANA DIVISION, AJMER.

133. **Mr. C. S. Ranga Iyer :** (a) Is it a fact that the Superintendent of the Post Offices of Lower Rajputana Division has transferred about 110 out of the total strength of 125 members of the supervisory and clerical staff ?

(b) Are the Government aware that this has caused much hardships and much discontent ?

(c) Are the Government aware that among the men thus transferred were included certain office-bearers of the Rajputana Postal Association in contravention of the orders of the Director General, Posts and Telegraphs, issued in his General Letter No. A.M.-2-T., dated 16th January 1923 ?

(d) If the answer to (c) is " No ", will Government be pleased to make inquiries ?

(e) Is it a fact that the Superintendent of Post Offices, Lower Rajputana Division, has recently entertained three new men in the clerical cadre ? Is it a fact that he rejected the applications of candidates with higher educational qualification ?

(f) Are Government aware that the Superintendent of Post Offices, Lower Rajputana Division, Ajmer, since the middle of March 1925, does not come to his office at all during the days he is at the headquarters except once a month on pay day ?

Mr. G. P. Roy : (a) No, since June 1924 only 20 transfers have been made by the Superintendent in the interests of the public service.

(b) No.

(c) and (d). Not a single office bearer of the Rajputana Postal Association has been transferred in contravention of the Director General's orders referred to.

(e) The reply to the first part is in the affirmative. The reply to the second part is in the negative.

(f) No, the Superintendent is reported to be regular in his attendance in office.

APPEAL OF MR. HAR NARAIN, A CLERK IN THE OFFICE OF THE DEPUTY POSTMASTER GENERAL, RAILWAY MAIL SERVICE, AMBALA.

134. **Mr. S. Sadiq Hasan :** 1. Is it a fact that the Member in charge of the Industries and Labour Department, in reply to question No. 806 asked by Diwan Chaman Lal in the Legislative Assembly on the 14th March 1924, promised that the appellants whose appeals are rejected would be given the reasons for the rejection whenever they inquire ?

2. Is it a fact that Mr. Har Narain, a clerk in the office of the Deputy Postmaster General, R. M. S., Ambala, asked for replies to certain points in connection with the rejection of his appeal, *vide* his petition, dated 10th October 1924, submitted to the Director General, Posts and Telegraphs, and that his request has not yet been complied with ?

3. Will the Government be pleased to intimate :

(a) How the applicant's appeal was considered to be too late, and

(b) Whence the occasion for the appeal arose ?

The Honourable Sir Bhupendra Nath Mitra : (1) What the Member in charge of the Department of Industries and Labour actually said was that an official is always at liberty to inquire the reasons for the rejection of his appeal if they should not be apparent.

(2) and (3). Government have no information.

RULES RELATING TO SENIORITY IN GOVERNMENT SERVICES.

135. **Mr. S. Sadiq Hasan :** (a) Will the Government be pleased to state the rules according to which seniority was determined, in Government services, as they stood on 30th November 1919 ?

(b) Is it a fact that the old principle of seniority according to the grade of pay was again introduced in December 1924, and if so, do the Government propose to compensate the officials who were adversely affected in the meantime by preserving the seniority of the 30th November 1919 ?

2. Is it a fact—

(a) That B. Ram Nandan Lal was never given any special promotion to entitle him to the benefits of the next below rule, that, while only a probationer in the Allahabad Post Office in 1903-04, he was promised to be appointed on Rs. 20 on the occurrence of a vacancy in that grade, but was not actually promoted to that grade in that office ?

(b) That in the office of the late Inspector-General, Allahabad, he was taken on the 1st March 1905 on Rs. 20 which was the minimum pay for a clerk in that office at that time ?

3. (a) Will the Government be pleased to intimate how the benefit of the next below rule was given to B. Ram Nandan Lal ? Were the conditions as laid down in the D. G.'s letter No. AX-1, dated 17th April 1922, fulfilled by him ? And were any benefits accruing in his favour annulled by the introduction of the time-scale ?

(b) Why was his pay raised, against the D. G.'s letter No. AX-1, dated 3rd March 1922, paragraph 2 to that of Mr. Har Narain who had been given special promotions, while in the office of the Postmaster-General, Punjab and N.-W. F., Lahore, *vide* enclosures to his petition submitted to the Director General, Posts and Telegraphs, with his application, dated 10th October 1924 ?

The Honourable Sir Bhupendra Nath Mitra : 1. (a) Seniority is ordinarily determined by date of entry in a grade or by date of passing an examination if an examination is prescribed.

(b) These principles are still in force in the Posts and Telegraphs Department and Government are not aware that they were again in-

roduced in December 1924. The second part of this question does not therefore arise.

2 and 3. Government have no information.

EXEMPTION FROM INCOME-TAX OF INCOME DEVOTED TO RELIGIOUS OR CHARITABLE PURPOSES.

136. **Lala Duni Chand :** (a) Is it true that under the existing law the income that is set apart for and actually devoted to religious or charitable purposes by firms or individuals is liable to income-tax assessment ?

(b) If the reply to (a) be in the affirmative, are the Government prepared to take steps to amend the income-tax law so as to exempt the said income from assessment ?

The Honourable Sir Basil Blackett : The answer to part (a) of the question is in the affirmative and to part (b) is in the negative.

CONSUMPTION OF ALCOHOL AND OPIUM.

137. **Lala Duni Chand :** (a) Has the attention of the Government been drawn to an article by Rev. C. F. Andrews headed as " Alcohol and Opium " that appeared in the issue of the 20th of August 1925 of *Young India* ?

(b) Are the figures quoted therein regarding the consumption of alcohol and opium and the revenue derived from them correct ?

(c) If the reply to (b) be in the affirmative, do Government propose to take any steps to minimise the appalling state of affairs brought to light by Rev. Mr. Andrews and the figures quoted by him ?

The Honourable Sir Basil Blackett : I am placing on the table a statement showing province by province the consumption of country liquor in 1912-13, 1922-23 and 1923-24, together with figures of excise revenue for the same years.

CONSUMPTION.

(Country Liquor).

Province.	1912-13.	1922-23.	1923-24.
Bengal	851,534	593,356	621,183
Madras	1,773,673	1,575,439	1,528,381
Bombay	2,630,869	1,770,715	1,697,408
Bihar and Orissa	1,157,636	1,241,280	1,179,565
United Provinces	1,689,932	473,077	430,104
Punjab	419,932	187,859	121,963
Central Provinces	1,201,346	518,607	451,719
Assam	247,363	178,966	194,351
Burma	57,391	151,689	132,445
Sind	228,204	137,290	129,131
Total	10,257,880	6,828,278	6,486,250

EXCISE REVENUE.

Province.	1912-13.	1922-23.	1923-24.
	Rs.	Rs.	Rs.
Bengal	1,37,59,045	2,01,09,747	2,00,85,372
Madras	1,65,93,416	4,90,14,302	5,18,87,475
Bombay	2,12,27,132	4,22,78,811	4,34,58,633
Bihar and Orissa	77,89,253	1,53,97,016	1,83,28,191
United Provinces	94,46,321	1,41,19,782	1,30,90,307
Punjab	35,05,931	1,02,83,276	1,04,18,267
Central Provinces	79,53,364	1,25,74,984	1,30,73,000
Assam	48,52,038	54,12,982	60,49,783
Burma	40,57,964	1,11,62,225	1,19,35,766
Sind	included	in	Bombay.
Total Provincial Excise Revenue ..	8,91,84,464	18,03,53,125	18,92,26,794
Total Central Excise Revenue ..	3,49,84,323	51,68,531	48,24,895

APPOINTMENT OF INDIANS AS TRAFFIC INSPECTORS ON THE NORTH WESTERN RAILWAY.

138. **Sardar Gulab Singh** : With reference to the reply given by the Honourable the Commerce Member to my question No. 65 on 2nd February 1925 during the Delhi Session which appears on page 579 of the Legislative Assembly Debates Vol. V., No. 8, will Government please state :

- the names of the twelve educated men referred to, and the date of their appointment ;
- their educational qualifications,
- on what pay they were taken on,
- what is the present salary of each,
- what training have they been given since their appointment to fit them to fill the higher ranks of the subordinate railway service ;
- what higher subordinate rank they are intended to fill ?

Mr. G. G. Sim : Government are not prepared to call for the information asked for as it does not appear to be of any public interest.

GRIEVANCES OF INDIAN GRADUATES EMPLOYED IN THE CLAIMS SECTION OF THE NORTH WESTERN RAILWAY.

139. **Sardar Gulab Singh** : (a) With reference to replies given to Mr. Chaman Lall, M.L.A., by the Honourable Sir Alexander Muddiman to his questions Nos. 1106 and 1107 on 6th March 1925, which appear on page 2023 of the Legislative Assembly Debates Vol. V, No. 30, will Government please state if any representation has been made by the men concerned to the Agent ?

(b) If the reply to (a) be in the affirmative, what action has been taken ?

Mr. G. G. Sim : Copies of the questions and the replies given were sent to the Agent as promised. Government have no further information.

DATE OF NEXT EXAMINATION FOR THE ARMY FACTORY ACCOUNTS.

140. Sardar Gulab Singh : Will the Government be pleased to state the dates of the next examination for the Army Factory Accounts?

The Honourable Sir Basil Blackett : The exact dates of the next examinations for the Army Factory Accounts have not yet been settled.

HOLDING OF THE ARMY FACTORY ACCOUNTS EXAMINATION IN THE PUNJAB.

141. Sardar Gulab Singh : Will the Government be pleased to state if they intend to establish some centres of examination for the Army Factory Accounts in the Punjab?

The Honourable Sir Basil Blackett : The Government do not consider it necessary to hold examinations in stations where Factory Accounts Branch Offices do not exist. There is no Branch Office in the Punjab.

DISMISSAL OF SUB-INSPECTORS OF POLICE IN THE NORTH WEST FRONTIER PROVINCE.

142. Khan Bahadur Makhdum Syed Rajan Bakhsh Shah : Will Government please state the number of Sub-Inspectors of Police dismissed in the North-West Frontier Province in 1923-24 and how many of them appealed to the Honourable the Chief Commissioner for being reinstated and with what result?

The Honourable Sir Alexander Muddiman : In 1923 three Sub-Inspectors were dismissed. All of them appealed and their appeals were rejected. In 1924 six Sub-Inspectors were dismissed. They all appealed. One of them was reinstated as head constable; appeals of the others were rejected.

NUMBER OF MUHAMMADANS EMPLOYED UNDER THE GOVERNMENT OF INDIA.

143. Khan Bahadur Makhdum Syed Rajan Bakhsh Shah : (a) Will the Government kindly lay on the table the list of the number of Muslims and non-Muslims in the Indian Services in the higher and lower grades in all the Departments under the Government of India?

(b) How many responsible posts are given to Muslims and non-Muslims?

(c) What do Government propose to do to increase the number of Muhammadans in the Services?

The Honourable Sir Alexander Muddiman : (a) This information is obtainable from the lists published by the different Departments of the Government of India and I would refer the Honourable Member to those lists.

(b) Responsibility is a relative term. All posts carry with them a certain amount of responsibility. I am afraid therefore it is impossible for me to answer this part of the Honourable Member's question with precision.

(c) I would refer the Honourable Member to my statement in another place on the 2nd March 1925 and the replies given to questions Nos. 1276, 315 and 781 on the 24th March, and 1st and 7th September 1925, respectively.

NUMBER OF MUHAMMADANS IN THE IMPERIAL SERVICES IN THE PUNJAB.

144. **Khan Bahadur Makhdum Syed Rajan Bakhsh Shah :** (a) What is the total number of Muslims and non-Muslims in the Imperial Services in the Punjab, respectively ?

(b) Do Government propose to take such steps as would give the Muslims a larger share of appointments ?

The Honourable Sir Alexander Muddiman : (a) I must refer the Honourable Member to the Punjab Civil List from which he can obtain the information which he desires.

(b) I would refer the Honourable Member to my statement in another place on the 2nd March 1925 and the replies given to questions Nos. 1276, 315 and 781 on the 24th March and 1st and 7th September 1925, respectively.

NUMBER OF THE SUPERIOR AND CLERICAL STAFF OF THE NORTH WESTERN RAILWAY SERVING AT MULTAN, ETC.

145. **Khan Bahadur Makhdum Syed Rajan Bakhsh Shah :** (a) Will the Government please lay on the table a statement showing the number of the superior and clerical staff of the North Western Railway serving at Multan.

(b) How many posts out of the superior and clerical staff have gone to the Muhammadans ? Have the Government noted the grievances of the Muslims in the *Muslim Outlook* which has produced so many articles about the matter ?

(c) If so, are Government prepared to remove the just grievances of the poorly represented community ?

(d) Are Government aware that at Multan Railway City Station there exists no gate for the passage of first and second class passengers ?

(e) If so, do the Government propose to instruct the local authorities to erect a new gate for the passage of the first and second class passengers ?

Mr. G. G. Sim : (a), (b) and (c). Government have no information and they do not consider that any useful purpose will be served in calling for it.

(d) and (e). This is a matter within the Agent's competence and Government do not propose to interfere.

INCOME-TAX ASSESSMENTS IN THE PUNJAB, ETC.

146. **Khan Bahadur Makhdum Syed Rajan Bakhsh Shah :** (a) Are Government aware of the complaints of those income-tax assesses in the Punjab who are either unjustly taxed or taxed heavily without full inquiry ?

(b) If so, are Government ready to send instructions to the authorities concerned to tax after full inquiry ?

(c) Will the Government please state how many posts of Assistant Commissioners of the Income-tax Department are held by Muslims, Hindus and Europeans respectively ?

The Honourable Sir Basil Blackett : (a) The Government are aware of the complaints referred to by the Honourable Member but there is absolutely no evidence either that assesseees have been unjustly taxed or taxed heavily without enquiry or that the remedies provided by the law have not been adequate.

(b) In view of the answer to (a) the question does not arise.

(c) There are three Assistant Commissioners in the Punjab of whom one is a Hindu, one a European and the other an Indian Christian.

ELECTION OF TWO MEMBERS TO THE STANDING FINANCE COMMITTEE FOR RAILWAYS.

The Honourable Sir Charles Innes (Commerce Member) : Sir, I beg to move :

"That the Assembly do proceed to elect two members to the Standing Finance Committee for Railways to fill the vacancy caused by the resignation of his membership of the Committee by the Honourable Mr. V. J. Patel and of his seat on the Assembly by Mr. W. S. J. Willson."

The motion was adopted.

Mr. President : I have to announce that nominations for the Standing Finance Committee for Railways signed by the proposer and seconder should be lodged in the Notice Office not later than 12 noon to-morrow, the 8th instant.

MESSAGE FROM THE COUNCIL OF STATE.

Secretary of the Assembly : Sir, the following message has been received from the Secretary of the Council of State :

"I am directed to inform you that at a meeting of the Council of State held on the 3rd September, 1925, a motion that the Bill to repeal certain special enactments supplementing the ordinary criminal law, as passed by the Legislative Assembly, be taken into consideration, was rejected by the Council." (*Cries of "Shame"*.)

APPOINTMENT OF THE PANEL OF CHAIRMEN.

Mr. President : Under the Standing Order, I appoint the following Panel of Chairmen :

Mr. K. C. Neogy,

Sir Purshotamdas Thakurdas,

Sir Darcy Lindsay, and

Nawab Sir Sahibzada Abdul Qaiyum.

9

**RESOLUTION RE RECOMMENDATIONS OF THE MAJORITY
REPORT OF THE REFORMS INQUIRY COMMITTEE.**

The Honourable Sir Alexander Muddiman (Home Member) : Sir, I beg to move the following Resolution :

“ This Assembly recommends to the Governor General in Council that he do accept the principle underlying the majority report of the Reforms Inquiry Committee and that he do give early consideration to the detailed recommendations therein contained for improvements in the machinery of Government.”

Sir, I put this Resolution on the paper in order to fulfil the pledge of Government that an opportunity should be given to this House to discuss the recommendations of the Reforms Inquiry Committee, and if I may judge from the amendments on the paper, the House intend to avail themselves of this opportunity in full measure. (Hear, hear.) I do not propose to detain the House with any long history of the genesis of this Committee. As a result of the debates in this House in the early part of last year, the Government of India decided to appoint a Committee, the terms of reference to which I will shortly read to the House. The Committee was composed of the following members :

Sir Muhammad Shafi, who was then Law Member of the Government of India,

Maharajadhiraja Sir Bijay Chand Mahtab, Bahadur, of Burdwan,
Sir Tej Bahadur Sapru, who had been the Law Member of the Government of India,

Sir Arthur Froom, a Member of the Council of State,

Sir Sivaswamy Aiyer, a Member of this House,

Sir Henry Moncrieff Smith, at that time a Member of this House
and now presiding in another place,

Mr. Jinnah, a Member of this House, and

Dr. Paranjapye, and

I myself was the Chairman of the Committee.

I desire in the first place to remind the House of the actual terms of reference to the Committee. They were as follows :

“ (1) To inquire into the difficulties arising from, or defects inherent in, the working of the Government of India Act and the rules thereunder in regard to the Central Government and the Governments of Governors' Provinces ; and

(2) To investigate the feasibility and desirability of securing remedies for such difficulties or defects, consistent with the structure, policy and purpose of the Act,

(a) by action taken under the Act and the rules, or

(b) by such amendments of the Act as appear necessary to rectify any administrative imperfections.”

Now, obviously in one respect, the terms of this reference were very wide. They were unlimited as regards the first part of the inquiry into the difficulties arising from and defects inherent in the working of the Government of India Act. As to the second part, the remedial measures which the Committee might take, they were distinctly limited. They were limited to changes not affecting the structure of the Act. I mention this *in limine*, because the Committee has been much attacked in certain quarters for not doing what it was not authorised to do. It was not

authorised to consider remedies beyond the scope of that which I have told the House. It is idle to attack Committees for not doing what they are not entitled to do. I have read much unfair criticism on this point and I think it is only just for those who served with me on this Committee that I should make clear what exactly it was they were asked to do and to defend them for not doing what they were not asked to do. Another point I should like to make also at the commencement of my speech is the difficulty of such an inquiry in the circumstances of the case. Constitutional inquiries as a rule deal with events over a considerable period of years when many of the actors have passed from the stage. They are in fact frequently more of a *post mortem* nature. In this case, however, we were faced with this difficulty that many of those engaged in working the Act still occupied the offices to which they had been first appointed under the Act. I desire here to state publicly how greatly indebted I was to all members of the Committee, alike for the discretion they exercised and the assistance they gave me in conducting this very difficult and delicate inquiry.

Now, the Committee, as you know, brought their inquiry to a conclusion and unfortunately they were not unanimous in their conclusions. There were two reports—one which is referred to as the majority report and the other as the minority report. I think the signatories of these reports are so well known to the House that I will not take up its time by reading the names. I am moving that the House accept the principle of the majority report. (*Honourable Members*: “No, no.”) I said I was moving that the House accept the principle of the minority report. (Laughter.) No, no, the majority report.

Now, Sir, that report made numerous recommendations and the real difference in a few words between the report of the majority and the report of the minority is that the majority say that the existing constitution is capable of amendment and should be amended in the way that the report suggests. The minority report, while not hostile to many of the recommendations and perhaps even favourable to a few, takes the line that the present constitutional machinery needs structural changes beyond the scope of any remedy within the terms of reference. I will later read to the House the most important passage in the minority report. I am therefore asking this House to say in general terms that the policy of improving the details of the existing constitution is one that should be pursued and that the recommendations of the majority report should receive due examination. Now, there are many, not unfriendly to the progress of reforms, who say: Why do you do this? What you are suggesting will satisfy no one. Why take the trouble of making amendments, some of which at least will require Parliamentary legislation, others will require legislation in this House and many will require extensive revision of the statutory rules? Many will tell you that the machine is a failure and will not work. You are merely wasting your labour. In any event, the days of the Statutory Commission are near and it is not worth the trouble to deal in a piecemeal way with a matter of this kind. Sir, I do not hold that opinion. That is not my view and it is not the view of the Government of India. They consider that the majority report recommendations should be examined with a favourable eye. I cannot commit the Government of India to any particular individual recommendations, but I do say and I do ask the House to agree

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with me that these are valuable recommendations which need consideration as likely to lead to improvements which practical men ought seriously to consider.

The machinery of the Government of India as constituted anew in 1921 is admittedly neither simple nor uncomplicated. In all constitutions it is only by trial that you can notice where the machinery runs wrong. It may be regarded as a small matter, although I do not regard it myself as a small matter, to make adjustments which diminish friction in the running of the constitutional machine. I should regard it as a considerable feat to screw up even one nut—to adjust one bearing—in the machinery of the Government of India. If I could leave this country knowing that I had in any way, in however small a degree, facilitated the working of this important Act, I should go satisfied that I had done something, at any rate, in the world.

Now, the important point, if I may say so with all deference of the minority report, is in the tail. It is in a few sentences at the end of their report. Those sentences are of so important a character that I will ask the courtesy of the House to permit me to read them out. They conclude their report as follows :

"We think that the Bihar Government has correctly summed up the position in the provinces by saying that dyarchy is working 'creakily' and 'minor remedies may cure a creak or two'. We have examined in detail the sections of the Government of India Act and the rules made thereunder with a view to see how far 'creaks' discovered can be 'cured'. We are satisfied that this process, though it may lead to some improvement of the administrative machinery in some respects, will not produce any substantial results. We do not think that the suggested amendments if effected will afford 'valuable training towards responsible Government' or will provide any solution of the difficulties which we have discussed in our Chapter on political conditions, or that they will strengthen the position of Provincial Governments, in relation to their Legislatures or that of the Central Government in relation to the Assembly. The majority of our colleagues say that no alternative transitional system has been placed before us. We think that no such alternative transitional system can be devised which can satisfactorily solve the administrative or political difficulties which have been brought to our notice. To our mind, the proper question to ask is not whether any alternative transitional system can be devised but whether the constitution should not be put on a permanent basis, with provisions for automatic progress in the future so as to secure stability in the Government and willing co-operation of the people. We can only express the hope that a serious attempt may be made at an early date to solve the question. That this attempt should be made—whether by the appointment of a Royal Commission with freer terms of reference and larger scope of inquiry than ours or by any other agency—is a question which we earnestly commend to the notice of the Government."

Now, that is the pith of the minority report. In fact, as far as practical politics are concerned, it is a demand for a Royal Commission. On this point I cannot do better than repeat what His Excellency said in his speech on the 20th August :

"In effect, therefore, the recommendations of the minority amount to a demand for an early and authoritative inquiry with a view to a revision of the Constitution."

His Excellency went on to say that the issue was largely one of time. He pointed out that it has been laid down in the Government of India Act that in 1929, that is to say, four years from the present time, there must be a full inquiry. But the minority say they wish the inquiry to take place at an early date, if not at once. His Excellency went on to examine this position and finally gave his opinion in the following terms :

"If those are to be the principles to guide the Commission to its judgment, I cannot think, as a friend of India, that it should commence its inquiries immediately."

If the judgment of the British Parliament were to be pronounced upon the present evidence, I fear that it could but result in disappointment."

Sir, these words from one who has been the head of the Government of India for over four years must in any case command the careful and respectful consideration of the House. How much more so is this the case when the Viceroy who is speaking is His Excellency Lord Reading than whom probably in the British Empire there is none more wise and more skilled in arriving at a correct appreciation of the political position or in observing the portents of the political horizon. And yet one more point. What is the actual position? His Excellency had just returned from a visit to England where he met and got into touch with, as he told the House the other day, representatives of all the political parties. His Excellency is, therefore, in a peculiarly good position to estimate and judge current events and probabilities in the political world. I think the House would do well to ponder those words, not once, not twice, but many times.

Now, Sir, the question of the Commission or an authoritative inquiry which has been raised by the minority report requires some further examination. The general scheme of the Government of India Act, as it now exists, is contained in the Preamble. Now, that Preamble is well known to every one in this House, but I think I must read it to the House again. It runs as follows :

"Whereas it is the declared policy of Parliament to provide for the increasing association of Indians in every branch of Indian administration, and for the gradual development of Self-governing Institutions, with a view to the progressive realisation of responsible government in British India as an integral part of the Empire :

And whereas progress in giving effect to this policy can only be achieved by successive stages, and it is expedient that substantial steps in this direction should now be taken :

And whereas the time and manner of each advance can be determined only by Parliament, upon whom responsibility lies for the welfare and advancement of the Indian peoples :

And whereas the action of Parliament in such matters must be guided by the co-operation received from those on whom new opportunities of service will be conferred, and by the extent to which it is found that confidence can be reposed in their sense of responsibility :

And whereas concurrently with the gradual development of self-governing institutions in the Provinces of India it is expedient to give to those Provinces in provincial matters the largest measure of independence of the Government of India which is compatible with the due discharge by the latter of its own responsibilities,"

Now, Sir, we cannot get away from facts. We are practical men, at least I trust we are. That is the Preamble laid down after full consideration by the British Parliament. It does not envisage automatic progress ; it envisages gradual progress.

Then another important part of the scheme of the Government of India Act is contained in section 84A, which deals with the Statutory Commission. This section lays down that there must be an inquiry after ten years, at any rate not later than ten years. In other words, that inquiry must take place in 1929. On that point I should like to read to the House one or two words from the speech of the Secretary of State in the House of Lords. He said :

"Even assuming co-operation, it was thought that a period of ten years would be required to afford the data for reliable conclusions and generalisations. But I do not hesitate to make clear my own view that it was not the intention of the Legislature to attempt to shackle succeeding Governments, if a spirit of cheerful and loyal co-

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operation was generally exhibited on the one hand, or if upon the other grave and glaring defects disclosed themselves. It would, indeed, have been an assumption of omniscience alien to the Anglo-Saxon tradition, for Parliament to assume so high a prophetic gift as to declare that in no circumstances should the date of the Commission be accelerated. In fact, the door was never closed. On the contrary it is open to-day. But the condition is clear."

And to that condition I shall refer later on in my speech. You have been told by the Secretary of State that the British Government are not slaves of dates. I will read to the House what the Secretary of State says on that point:

"The door of acceleration is not open to menace: still less will it be stormed by violence. But there never has been a moment since the Constitution was adopted in which the Government of India, acting in harmony with the Government at Home, has not been vigilant and attentively considering the spirit in which the present reforms have been received in India. It has indeed been an imperative and urgent duty so to consider them. Wise men are not the slaves of dates; rather are dates the servants of sagacious men."

The position, therefore, is that there must be a Statutory Commission in 1929. There might be a Royal Commission earlier on the condition referred to by the Secretary of State, which I will read later on in my speech. The minority report, I notice, recognises that before any changes such as those considered desirable by the advocates of reform are undertaken, some form of inquiry is necessary. Now, once you get to that point, you must recognise for practical purposes that the only form of inquiry possible is a Royal Commission. And what will that Commission do? What is its object? And here again I must ask the House to listen for a moment to the terms contained in section 84A (2). This runs as follows:

"The persons whose names are so submitted, if approved by His Majesty, shall be a Commission for the purpose of inquiring into the working of the system of Government, the growth of education, and the development of representative institutions in British India, and matters connected therewith, and the Commission shall report as to whether and to what extent it is desirable to establish the principle of responsible Government then existing therein, including the question whether the establishment of second chambers of the local legislatures is or is not desirable."

Now, when that Commission is appointed, as, unless the law is changed, it must be appointed, what will it have to consider? It will have to consider many things. But the first and primary thing it will have to consider is the past working of the Act as it now exists. It will be a great Assize where, on the one hand, the Government, and on the other hand, those who have worked these new institutions, and those who have not worked them, as the case may be, will have to render an account of the talent which was placed in their charge and to give a report of their stewardship. Now, those who ask for an early inquiry will do well to ponder as practical men what the result would be if that inquiry was made to-morrow. The new legislative bodies have been at work since 1921. That is, we are in the life of the second Assembly and the second Councils, and the life of the first Council of State has not expired. We have just passed a constitutional landmark definitely fixed in the Statute, as a result of which, you, Sir, sit in the Chair.

Now, the last thing that I should wish to do is to rake up past discords or to excite new ones. That is not, and never has been, my attitude. I do not desire to go back on the past to find circumstances of acerbation. I desire to look forward to the future. But I must briefly sum up the position. During the lifetime of the first Assembly and of the first

Council, a large and important portion of educated Indian opinion stood outside the legislative bodies. They entered the second Council and the Assembly. These bodies have now worked roughly for two years. Therefore, the system worked for its first period without the assistance of those who, I am glad to say, are now present to-day. Our experience of the second Assembly and the second Council is still developing. Now, what opinion will the Commission form on facts and events such as these? Would it form a favourable opinion or would it form an unfavourable opinion, or would it say that it can form no opinion? These are questions I would ask the House to consider. Sir, appeals to Cæsar are sometimes dangerous. Only those whose hearts are very clear can stand before the judgment seat with confidence. At the most only four short years remain before the Assize must be assembled and we and you alike will be submitted to its judgment. The question of the date of the appointment of the Commission has never seemed to me personally of great importance. I have always thought that great and unnecessary attention has been directed to that point. What is really important is what you will lay before the Commission when it is appointed. You do not want a Commission to come out when you have nothing to lay before it. When the talents are demanded of you, what answer will you give? (Mr. M. A. Jinnah: "A very good answer".) I am glad to hear my Honourable friend say so. I am glad he is so confident.

Sir, in the short time admissible to me on a Resolution it is not possible to go into all the aspects which this great question raises at length. But I do beg the House to consider and weigh one point. Some years ago I was in a garden in the west of England and in that garden there was an old sun dial and on the sun dial were engraved these words: *Pereunt et imputantur*, i.e., the hours fly by but the record remains, if I may paraphrase roughly. I have used these words before in addressing the House. But I should like to develop them a little further. Nearly six years have passed and our proceedings have been written down. Do we wish the next years to pass in the same way? Are we to remain estranged and attempt to deal with this problem—a problem the greatest which has ever presented itself to the human race, for you are building a constitution not for a nation but for a Continent—can we afford to stand aside, can we afford to remain, as I sometimes feel we are remaining, on the one hand a party trying to storm a fortress, on the other hand persons defending that fortress as if their lives depended upon it? Sir, that is not the way in which constitutional progress and constitutional reform can be effected. (Mr. C. S. Ranga Iyer: "What is the way?") His Excellency the Viceroy made an eloquent appeal for co-operation. Now co-operation is not a mere phrase. Co-operation is a course of deliberate conduct. (Mr. R. K. Shanmukhan Chetty: "On whose part?") On the part of all of us. (Mr. Gaya Prasad Singh: "It must be mutual.") As I have said, the Secretary of State in his speech indicated that constitutional progress might be accelerated on one condition and that condition I will now read to the House. He says:

"There will be, there can be no reconsideration till we see everywhere among responsible leaders of Indian thought evidence of a sincere and genuine desire to co-operate with us in making the best of the existing Constitution."

And that, Sir, is the essence of the Resolution I put before the House. I can only regret that I do not possess the eloquence of my predecessor and that I cannot move the House as that eloquence might have moved

[Sir Alexander Muddiman.]

it. I am pleading, in a rough and possibly uncouth manner for a great theme. I only trust the interests of that theme may not suffer at my hands.

Pandit Motilal Nehru (Cities of the United Provinces : Non-Muhammadan Urban) : Sir, I beg to move an amendment to the Resolution which has just been proposed by the Honourable the Home Member. That amendment runs as follows :

“ That for the original Resolution the following be substituted :

‘ This Assembly while confirming and reiterating the demand contained in the Resolution passed by it on the 18th February 1924, recommends to the Governor General in Council that he be pleased to take immediate steps to move His Majesty’s Government to make a declaration in Parliament embodying the following fundamental changes in the present constitutional machinery and administration of India :

- (a) The Revenues of India and all property vested in or arising or accruing from property or rights vested in His Majesty under the Government of India Act, 1858, or the present Act or received by the Secretary of State in Council under any of the said Acts shall hereafter vest in the Governor General in Council for the purposes of the Government of India.
- (b) The Governor General in Council shall be responsible to the Indian Legislature and subject to such responsibility shall have the power to control the expenditure of the Revenues of India and make such grants and appropriations of any part of those Revenues or of any other property as is at present under the control or disposal of the Secretary of State for India in Council, save and except the following which shall for a fixed term of years remain under the control of the Secretary of State for India :
 - (i) Expenditure on the Military Services up to a fixed limit.
 - (ii) Expenditure classed as political and foreign.
 - (iii) The payment of all debts and liabilities hitherto lawfully contracted and incurred by the Secretary of State for India in Council on account of the Government of India.
- (c) The Council of the Secretary of State for India shall be abolished and the position and functions of the Secretary of State for India shall be assimilated to those of the Secretary of State for the self-governing Dominions save as otherwise provided in clause (b).
- (d) The Indian Army shall be nationalised within a reasonably short and definite period of time and Indians shall be admitted for service in all arms of defence and for that purpose, the Governor General and the Commander-in-Chief shall be assisted by a Minister responsible to the Assembly.
- (e) The Central and Provincial Legislatures shall consist entirely of members elected by constituencies formed on as wide a franchise as possible.
- (f) The principle of responsibility to the Legislature shall be introduced in all branches of the administration of the Central Government subject to transitional reservations and residuary powers in the Governor General in respect of the control of Military and Foreign and Political affairs for a fixed term of years :

Provided that during the said fixed term the proposals of the Governor General in Council for the appropriation of any revenue or moneys for military or other expenditure classified as ‘ Defence ’ shall be submitted to the vote of the Legislature ; but that the Governor General in Council shall have power, notwithstanding the vote of the Assembly, to appropriate up to a fixed maximum any sum he may consider necessary for such expenditure and in the event of a war to authorise such expenditure as may be considered necessary exceeding the maximum so fixed.

- (g) The present system of Dyarchy in the Provinces shall be abolished and replaced by Unitary and Autonomous Responsible Governments subject to the general control and residuary powers of the Central Government in inter-provincial and all-India matters.

- (h) The Indian Legislature shall, after the expiry of the fixed term of years referred to in clauses (b) and (f), have full powers to make such amendments in the constitution of India from time to time as may appear to it necessary or desirable.

This Assembly further recommends to the Governor General in Council that necessary steps be taken :

- (a) to constitute in consultation with the Legislative Assembly a convention, round table conference or other suitable agency adequately representative of all Indian, European and Anglo-Indian interests to frame with due regard to the interests of minorities a detailed scheme based on the above principles, after making such inquiry as may be necessary in this behalf ;
- (b) to place the said scheme for approval before the Legislative Assembly and submit the same to the British Parliament to be embodied in a Statute '."

Sir, I have read the amendment without any comment, but in the course of my speech I shall have occasion to explain the scheme and the scope of it.

I may at the very outset, say that in dealing with the Resolution and the amendment together I shall confine myself to a plain statement of the situation as I see it. Let us first be clear as to what is the real question before the House. The Resolution of the Honourable the Home Member is short and innocent looking, but involves the most controversial points that are agitating the country. It is divisible into two parts, first, the acceptance of the principle underlying the majority report of the Reforms Inquiry Committee, and second, the adoption of the detailed recommendations contained therein. So far as the latter are concerned, namely, the recommendations, let me at once tell my Honourable friend that we freely make a present of them to him. I shall not waste the time of the House by referring to the recommendations except to say that some of the things recommended are undoubtedly most useful in their own way but not exactly the kind of things we bargained for. What we are trying to do is to find a place in the Sun for ourselves. If we are to have it, we shall need no recommendation from you for the things which will be ours. If we are not to have it, your recommendations will not carry us far and we can do without them. The most important part is the principle. It is not stated in the Resolution and we are left to find it out for ourselves from the text of the report. I have read that report with all the care and attention due to the authors, but I am sorry to say that I have failed to discover any principle underlying it. We have been told in effect that the principle is that something could be done under the Government of India Act and the rules made thereunder as they now stand, and that that something is to be found in the recommendations made by the majority. There is no doubt that something can always be done with everything, but the question is whether that something will meet the requirements of the situation and is worth having. That is a matter which, according to the authors, was outside the scope of the reference, and they have, therefore, not troubled themselves about it, and to-day, my Honourable friend, in moving his Resolution, has said that the Committee did not do what they were not asked to do and what they could not do. My answer is that if they were asked to do what I shall show presently was an impossibility, it was up to them to say so, and not to make recommendations which satisfied nobody. If there is any principle to be inferred from the recommendations, it seems to me to be the principle which governs the whole system of Government, and that is, "Give as little as

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you can and make sure that in the little you give, the power and prestige of the bureaucracy is not in the least jeopardised." But there is one question of principle which the majority have approached, though they have left it undetermined. It is the question whether dyarchy in the provinces coupled with absence of responsibility in the Central Government can under any circumstances be a sound basis of administration. This and the cognate question whether dyarchy has in fact succeeded are the two vital problems which we must face in this debate. My answer to both, if I may for once borrow the phraseology of the Treasury Bench, is in the negative. I maintain that there never was any doubt in the minds of those who invented and introduced the system or of those who would like to work it at all costs that it was wholly unworkable as such. Let us begin with the inventors who secured their patent from Parliament in the form of the Government of India Act of 1919. In the concluding chapter of what is known as the Montagu-Chelmsford Report we have the following passage :

"Hybrid executives, limited responsibility, Assemblies partly elected and partly nominated, divisions of functions, reservations general or particular, are devices that can have no permanent abiding place. They bear on their face their transitional character ; and they can be worked only if it is clearly recognised that that is their justification and their purpose. They cannot be so devised as to be logical. They must be charged with potentialities of friction. Hope of avoiding mischief lies in facing the fact that they are temporary expedients for training purposes, and in providing that the goal is not merely kept in sight but made attainable, not by agitation but by the operation of machinery inherent in the scheme itself."

Now, Sir, let us for a moment analyse this most diplomatic statement. It comes to this. We know that the machinery we provide is charged with potentialities of friction, but we hope it will be made to work smoothly. In other words we give you an unworkable machine, but you must try to work it. It was said, and has since been repeated in and out of season, that it is merely a transitional arrangement in the nature of a new experiment, and that those concerned were expected to help to the best of their ability in making it a success. I deny, Sir, that it was a new experiment which deserved a fair trial. The experiment had already been tried in Canada and had hopelessly failed. Here is Lord Durham's description of it :

"It was a vain delusion to imagine that by mere limitations in the constitutional Act, or an exclusive system of Government, a body, strong in the consciousness of wielding the public opinion of the majority, could regard certain portions of the provincial revenues as sacred from its control, could confine itself to the mere business of making laws, and look on as a passive or indifferent spectator, while those laws were carried into effect or evaded and the whole business of the country was conducted by men, in whose intentions or capacity it had not the slightest confidence. Yet, such was the limitation placed on the authority of the Assembly of Lower Canada. It might refuse or pass laws, vote or withhold supplies, but it could exercise no influence on the nomination of a single servant of the Crown. The Executive Council, the Law Officers and whatever heads of departments are known to the administrative system of the provinces were placed, in power, without any regard to the wishes of the people or their representatives ; nor indeed are there wanting instances in which a mere hostility to the majority of the Assembly elevated the most incompetent persons to posts of honour and trust. However decidedly the Assembly might condemn the policy of the Government, the persons who had advised that policy retained their offices and their power of giving bad advice."

Further on, he says :

"....It appears, therefore, that the opposition of the Assembly to the Government was the unavoidable result of a system which stunted the popular branch of the

legislature of the necessary privileges of a representative body, and produced thereby a long series of attempts on the part of that body to acquire control over the administration of the Province. I say all this without reference to the ultimate aim of the Assembly, which I have before described as being the maintenance of a Canadian nationality against the progressive intrusion of the English race. Having no responsible ministers to deal with, it entered upon that system of long inquiries by means of its committees, which brought the whole action of the executive immediately under its purview, and transgressed our notions of the proper limits of Parliamentary interference. Having no influence in the choice of any public functionary, no power to procure the removal of such as were obnoxious to it merely on political grounds, and seeing almost every office of the Colony filled by persons in whom it had no confidence, it entered on that vicious course of assailing the prominent opponents individually, and disqualifying them for the public service, by making them the subjects of inquiries and consequent impeachments, not always conducted with even the appearance of a due regard to justice; and when nothing else could attain its end of altering the policy of the composition of the colonial government, it had recourse to that *ultima ratio* of representative power to which the more prudent forbearance of the Crown has never driven the House of Commons in England, and endeavoured to disable the whole machine of Government by a general refusal of the supplies."

Thus, the experiment had been fully tried and had yielded its inevitable results when it was sought to try it again in perhaps what was considered to be a more congenial soil. The soil of India, however, proved as uncongenial as that of Canada and you have had exactly the same results. The controversy about the merits and demerits of dyarchy was started soon after the inauguration of the system and has continued since. I shall not trouble the House with opinions of responsible statesmen expressed from time to time condemning the whole system root and branch but will at once come to the Report of the Reforms Inquiry Committee. Let us first take the majority Report. On the question of dyarchy it is, as I have already said, difficult to discover what is the considered opinion of the majority. They get out of the overwhelming evidence of the utter failure of dyarchy by saying :

"It is clear that witnesses have frequently made this allegation not with reference to dyarchy itself and have been thinking not of the division of functions, which is the essential principle of dyarchy, but of other features of the constitution. Complete dyarchy was not, in fact, established. For complete dyarchy it would have been necessary to have established a complete vertical division of functions between the two halves of a provincial government, and to have endowed each half with a separate purse, with a separate permanent staff and with a separate legislature; in the same way as in a federal constitution, there is a corresponding horizontal division in these respects. We have, of course, no evidence to show how such a system might have worked in India. The partial dyarchy which was introduced is clearly, as stated by the Government of the United Provinces, a complex, confused system having no logical basis, rooted in compromise and defensible only as a transitional expedient."

So that the system introduced in India, whether you call it complete or partial dyarchy, is self-condemned and indefensible in its very nature. In this view one would have expected a clear pronouncement that it has not and could not have succeeded. But we have instead the following quibble for a finding of the Committee :

"While the period during which the present constitution has been in force has been too short to enable a well-founded opinion as to its success to be formed, the evidence before us is far from convincing us that it has failed."

It has not been shown to have either succeeded or failed, and therefore must go on, that is the logic : The minority, on the other hand, are very clear and precise. They say :

"Differing from the majority of our colleagues we have been forced to the conclusion that the present system has failed and in our opinion it is incapable of yielding better results in future."

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Now, Sir, at this point I think it will be of interest to the House if I refer to a passage from the opinion of the Honourable Mr. Sachchidananda Sinha of the Bihar and Orissa Government, who is an Executive Councillor and not a Minister. He says in the opinion which was submitted along with the opinions of the other Members of the Bihar Government :

"...It (talking of dyarchy) is not only too complex and complicated, but one which being unknown to constitutional history is naturally unwarranted by political experience as a satisfactory solution of the problem of an efficient executive, sufficiently amenable to the control of popular representatives. In this connection, I may quote a well-known historical incident which seems to have bearing on this point. After Akbar had formally founded and declared himself the high priest of his new religion, 'Din Elahi', he asked his near relation, Raja Man Singh, to join the new church. Man Singh said, 'Sire, I and all I have are yours. I shall gladly obey your Royal command, but if I had my option I had rather not to do so. If Your Majesty had asked me to become a Mussulman, I might have understood it, for I understand Hinduism, and I understand Islam; but I confess, I do not understand this hybrid creed which Your Majesty has established.'"

That is exactly the case here. We understand various systems of government known to the civilised world or that were known to the ancient world, but this hybrid system which has been brought into being by speculative constitutionalists is a thing which is unrecognisable, and impossible to be identified with any of the past and present constitutions of the world. Now, I have read the passage from the minority report. I do not intend troubling the House with the seven good reasons they give for their opinion because Honourable Members must have read them. We are here concerned with the conclusion at which they arrived and I would commend to the House the passage which my Honourable friend, the Home Member, has read from the concluding portion of that Report. I commend that passage to the acceptance of the entire House.

Now, we come to the high authority of Lord Birkenhead. Dealing with the question in his recent statement in the House of Lords his Lordship says :

"I myself was always very distrustful of the diarchical principle. It seemed to me to savour of a kind of pedantic and hide-bound constitution to which Anglo-Saxon communities have not generally responded, and which, in my anticipation, was unlikely to make a successful appeal to a community whose political ideas were, thanks in the main to Macaulay, so largely derived from Anglo-Saxon models."

Now, Sir, we have in the opinion of Lord Birkenhead the true instincts of a constitutional lawyer asserting themselves but strangely enough His Lordship cannot find it in him to say that dyarchy has failed. Later on in the same speech, after discussing the opinions of Provincial Governments His Lordship puts the question again to himself and answers it by saying :

"Enough has been said to satisfy my present purpose which is to show that no short or dogmatic answer can be given to the question. It has neither altogether succeeded nor has it altogether failed"—and in saying that he has taken the cue from my Honourable friend—"and it must further be noted"—this is important—"by way of additional qualification that where it has succeeded the price of the success has been at some stages and in some directions a considerable inroad upon the dyarchical principle."

To put it in plain English what His Lordship is here saying is that dyarchy has succeeded where it was not dyarchy at all. It must there-

fore be taken that the system has been universally condemned and yet the irony of fate is that we are held bound to it. It is said that there are objections and defects obvious on the very surface, but you must honestly and earnestly work the system and prove that it is unworkable. The Government want us to give them the Moon. We say it is unattainable. They agree but they insist on our making a vain attempt to get at it. We respectfully decline not only because the attempt is vain but also because the attempt has actually been made and has miserably failed. What is then the position? It is simply this, that you have either to give us real reforms or to go back to your time-honoured methods of autocratic rule. This is, Sir, all that I have got to say about the majority report. It must be scrapped and some new avenue found to make political life possible. That avenue was pointed out in February 1924 in the Resolution which was carried by this House and it is now again clearly shown by the amendment which I have moved.

This introduces me to the amendment itself. It will be observed that it consists of two main parts. It calls upon the Government to take steps to have a declaration in parliament embodying certain fundamental principles to be made in exactly the same way in which the declaration of 20th August 1917 was made. Now, Sir, we are asking you to follow exactly the same procedure but in a more satisfactory manner than was done in 1917. You will remember that in February 1924 the Resolution which was put before the House was a simple request for the constitution of a round table conference representative of the people, and this conference was to frame a scheme for a constitution with due regard to the interests of the minorities. There we stopped. Why is it then that we have now come forward with a series of suggestions? The reason is the very generous invitation extended to us by Lord Birkenhead. In making these suggestions we point out the principle which should be followed in framing any constitution that is likely to be agreed upon. If the principle is not first established, how is it possible to frame a constitution which would answer the requirements of the position according to the lights of the framers? The first essential for the successful framing of a constitution is that we must agree as to what is to be the basis of that constitution. So far as we are concerned we have now pointed out that basis in this amendment, and I may at once inform the House that it constitutes the very minimum that we could put forward. Briefly it is this—that we want responsible Government in the Central Legislature. We want the Executive to be responsible to the Legislature except in certain particulars detailed here, namely, the expenditure on the military services up to a fixed limit, expenditure classed as political and foreign and payment of debts and liabilities. The reason why we do that is that it is in the nature of a proposal with a view to a settlement. It cannot be anything other than that. Having regard to the fact that His Excellency the Commander-in-Chief is now in a position to march from end to end without meeting any trace of opposition from any quarter—thanks to your having rendered us so entirely helpless—we say that you may keep the military expenditure in your own hands for a fixed term of years and, not only the expenditure but also the general control of military services. Now, that is not because, if we undertook the task we could not do it. We might make mistakes. We might even shed more blood than necessary but we shall blunder through. We are making this offer to you as one that has been agreed upon by all the Nationalists and I must emphasize

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the fact that it is only because it is in the nature of an offer for a settlement that it has been adopted. It is an offer by which the Swaraj Party as a whole is as much bound as the other Nationalists in this House or outside. But it is an offer which if it is not taken in the spirit of an offer for a settlement is not binding upon anybody at all, at least not upon any Swarajist. I hope I have made myself clear. This is a step in the negotiations which we propose and as the entire country is united upon this point we have agreed in putting it forward as the minimum national demand. But you are not to infer from that that we consider ourselves in any way incapable of carrying out the reservations which we make in your favour in this proposal.

Then for the Provincial Governments we ask for provincial autonomy, we want the abolition of dyarchy. We reserve our right to frame our own constitution after the fixed period during which you are to have exceptional powers has ended. The next step that we ask you to take after declaring these principles in Parliament is to constitute whatever agency you like—we have said a convention, a round table conference or some other suitable agency,—it does not matter to us by what name you call it—but it must be a representative agency, adequately representative of all Indian, European and Anglo-Indian interests. That agency is to frame a scheme with due regard to the interests of all the minorities. When this scheme is framed it is to be laid before Parliament, as was done in the case of the Dominions, and is to be followed by a Statute embodying it.

Now, Sir, my Honourable friend, the Honourable the Home Member, referred to that section of the people who stood aside when the reforms were first inaugurated and would not help in making them a success. Let me briefly touch upon the history of that section leading up to the popular demand which is contained in my amendment. When the new Legislatures were inaugurated, it is true that a very large section of the people represented in this House by the Swaraj Party stood aside and would have nothing whatever to do with them. Another section, however, offered to run the machine, and they worked wholeheartedly to make it go. But their honest and sincere endeavour was foredoomed to failure. They worked with good-will and great ability but could not run the heavily-clogged machine, goaded as they were by liberal showers of honours and privileges. (Hear, hear.) Meanwhile those who had stood apart were driven to the only alternative to an armed revolt which was open to them, namely, non-violent non-co-operation. The Executive Government which had not parted with a scintilla of its autocratic power laid its heavy hand on these non-co-operators and persecuted them to such an extent that even that Moderate of Moderates, His Highness the Aga Khan, was compelled to tell England frankly :

“ You can only remain in India so long as India wills it, but you cannot govern India by giving the Garter to one man and putting another in prison.”

When the appointed lives of the first Assembly and of the Provincial Councils were drawing to a close a strong body of those who had hitherto stood aside formed themselves into the Swaraj Party with the declared policy of entering the new Legislatures with a view to mend or end them. The immediate objective of the Party was stated in its manifesto to be the “ speedy attainment of full Dominion status ” which was explained to mean “ the right to frame a constitution, adopting such machinery

and system as are most suited to the conditions of the country and the genius of the people." This was to constitute the process of "mending" in which the Party was first to engage itself and if it failed, the process of "ending" was to follow. The erstwhile non-co-operators began with a fair and frank offer to co-operate with the Government if it would honestly and ungrudgingly join in the process of mending. As all India was of one mind on this point, all elected Nationalists, Swarajists and non-Swarajists including many nominated Nationalists joined in placing the national demand for full responsible government before this House. I had the honour to move a Resolution and in moving it I said :

"We have come here to offer our co-operation, non-co-operators as we are, if you will care to co-operate with us. That is why we are here. If you care to have it, we are your men. If you do not, we shall, like men, stand upon our rights and continue to be non-co-operators."

Nothing could be clearer than this. But how was this frank offer received? On the 8th February 1924 Sir Malcolm Hailey formulated the Government proposal thus. He said :

"It may be that the remedy for these difficulties will be found by using the rule-making power within the Act; I refer to the utilisation of those sections to which reference is so often made, 19-A, 45-A, and 96-B. It may even be—I can say nothing as to this—that the inquiry may show that some changes are required in the structure of the Act in order to rectify definite and ascertained defects experienced in actual working. When we have our results, and those results are ready for presentation to Parliament, then before they are finally presented to Parliament we shall ask the Secretary of State to give every opportunity for discussion in this country both in the Legislature and elsewhere. That is as far as we can go at present."

Ten days later in the course of the same debate he further explained the Government position as follows :

"If our inquiry into the defects of the working of the Act shows the feasibility and the possibility of any advance within the Act,—that is to say, by the use of the rule-making power provided by Parliament under the Statute, we are willing to make recommendations to this effect. But if our inquiry shows that no advance is possible without amending the constitution, then the question of advance must be left as an entirely open and separate issue on which Government is in no way committed. To that extent the scope of our inquiry goes somewhat beyond that originally assigned to it; but I must again emphasise the fact that it does not extend beyond that scope to the amendment of the constitution itself."

Now what was the result of the struggle so far in this House? The only consolation to be derived by this statement was that while the Government, as then advised, were not prepared to go beyond the Act, the question of the revision of the Act itself was left open without the Government committing themselves one way or another. This was small consolation for those who asked for an immediate revision of the Act. The Resolution asking for the establishment of responsible government in India was carried by the overwhelming majority of 76 to 48 on the 18th February 1924. It contained the modest request :

"to summon a representative round table conference to recommend, with due regard to the protection of the rights and interests of important minorities, the scheme of a constitution for India."

The existence of inherent defects in the constitution was now practically conceded by the Government, and what could be more reasonable than for this House to ask to have a suitable constitution framed in a manner in which all rights and interests could be safeguarded? This was 18 months ago. What has the Government done in this interval? It can be summed up in one word and that is, "procrastination". There

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was first a departmental inquiry, about which we know nothing. Then came the Committee which my Honourable friend, the Home Member, has immortalised by lending it his name. I have already dealt with this Committee. Then we come to an epoch-making event in the history of India. His Excellency the Governor General took the trouble to go to England to confer with the Right Honourable the Secretary of State for India on this momentous question. Their Lordships held many consultations and conferences at which all the materials collected by the Muddiman Committee besides those already existing in the India Office and the Government of India Secretariat were made available to them. No greater tribute can be paid to the judicial mind which both their Lordships brought to bear upon the most important questions they were considering than is implied in the fact that after months of full and free discussion they arrived at no decisions whatever and have kept perfectly open minds to give an unbiassed hearing to this Legislature. In his statement made in the House of Lords last month Lord Birkenhead is reported to have said :

“ No decisions whatever have been reached nor could any have been reached. Indeed not even the Cabinet which has naturally been kept closely aware of the discussions between myself and the Earl of Reading has reached any decision. The Government is far too conscious of the implications of the Montagu-Chelmsford Constitution to find it possible even to think of the conclusions until certain indispensable antecedent steps have been taken.”

And what were those indispensable antecedent steps ? In a subsequent passage, His Lordship says :

“ Before any decisions of any kind are taken it is obvious that consideration and advice of the Legislative Assembly must be elicited.

We should, for reasons, which are apparent, not dream of announcing or even of forming decisions without the contribution of that very important Legislative body which we have so recently called into existence. I am not, therefore, to-day either announcing or purporting to announce decisions or conclusions.”

Now, this was a due recognition of the importance of this Assembly. We are truly thankful to His Lordship for the great consideration he has shown to us, (Hear, hear)—but I must confess to a feeling of perplexity when I attempt to reconcile this weighty pronouncement with the more or less decisive opinions expressed in the subsequent portions of the speech. For example, the effect of the Preamble to the Act of 1919 is authoritatively declared to be “ permanent and static.” This, Sir, is a view which we cannot accept under any circumstances, whatever. (Hear, hear.) It has brought upon us all the trouble we have suffered from in the past and I may at once say without mincing words that we are prepared to undergo endless suffering in the future so long as the Government adhere to that view. The fundamental principle on which a constitution for India is to be passed must be the principle of self-determination. (Hear, hear.) We are absolutely clear on that point. But Lord Birkenhead appears to be equally clear that this principle cannot be applied to us. His Lordship says :

“ Conformably with the principles laid down in the Preamble one Constitution or another might at one time or another be attempted. Experience, education, or our informing critics in India might induce us to make an amendment here or an advance or a variation there, but the whole message, as we understand it, of our situation in India with all that it involves in the storied past, in the critical present, and in the incalculable future, is to be read in that Preamble.”

The Preamble has all that immense importance. If this be so, then good-bye to all hope of settlement. But in view of His Lordship's clear and unambiguous announcement that no decisions have been taken and none will be taken till the Assembly has expressed itself, I take the liberty, to treat this expression of opinion as an *obiter dictum* or at best an observation by a judge in the course of a trial made with the simple object of inviting argument. Taking it in that light, I beg to refer the House to what I said on the point in the course of the debate in February 1924. I will not read it. It is a long passage, but I should like to read certain important passages to supplement the remarks I made on that occasion. They refer to what was actually done when constitutions were framed in the Dominions. I take the case of Australia which framed its own constitution to be embodied in a Statute of Parliament. What was done will appear from the following extracts from the speech of the Right Honourable Joseph Chamberlain on the introduction of the Constitution Bill in the House of Commons on the 14th May 1900. He said :

"On the one hand, we have accepted without demur, and we shall ask the House of Commons to accept, every point in this Bill, every word, every line, every clause, which deals exclusively with the interests of Australia....Wherever the Bill touches the interests of the Empire as a whole, or the interests of Her Majesty's subjects, or of Her Majesty's possessions outside Australia, the Imperial Parliament occupies a position of trust which it is not the desire of the Empire, and which I do not believe for a moment it is the desire of Australia, that we should fulfil in any perfunctory or formal manner."

That is exactly what we say. Make us masters in our own home, but whatever else is outside the home and pertains more to your Imperial interests, you are welcome to keep. Then he says :

"However great we might think the mistake that they are making, and however great we think the injury to the Empire, still we should have to act against the danger of interfering with those rights which they regard as their undoubted palladium."

Sir, you will see that the amendment which I have moved to-day not only fulfils these conditions but as a transitional arrangement allows the Secretary of State for India greater powers than the Secretary of State for the Dominions has in any self-governing Dominion. Then, take the case of the Union of South Africa which enjoyed the same privilege of making its own constitution. In the course of the debate on the South Africa Bill in the House of Lords the Earl of Crewe made the following observations. He said :

"The movement for a federal constitution for the Colonies of South Africa which was started in 1876-77 came to nothing though 'it was inspired by high motives, but not perhaps carried out with complete understanding'. It failed in one respect, if I may adopt a phrase used by my noble friend Lord Selborne—it failed because it was not homemade. It was suggested and was almost attempted to be forced on the Colonies from here, and consequently it was abortive."

Then he proceeds to say :

"The action of Sir Henry Campbell-Bannerman in offering responsible government to the Transvaal and the Orange River Colony in 1906 was 'undoubtedly due to the general political creed held by the Government, to their more robust faith in the virtues of self-government as such than their predecessors probably had'. I do not think I should be greatly wronging the party of noble Lords opposite,"—and I may here mention that one of the noble Lords opposite was Lord Birkenhead—"if I were to say that they would prefer in the main to adopt the eighteenth century maxim,—

For forms of government let fools contest,

Whate'er is best administered is best."

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I do not mean that Lord Birkenhead himself was present, I mean the party of which Lord Birkenhead is now a distinguished ornament. I am sorry I was not accurate. Then referring to the proposal to make alterations in order to remove glaring defects, Lord Crewe went on to say :

" But I do feel that if this change is to be made it must be made in South Africa by South Africans themselves, and that it is not possible for us, whatever we may consider to be the special merits of the case, to attempt to force it upon the great representative body which with absolute unanimity demands that it should not appear."

Now, Sir, to return to the Preamble. In concluding his remarks on the Preamble Lord Birkenhead remarked :

" We shall not be diverted from its high obligations by the tactics of restless impatience. The door to acceleration is not open to menace, still less will it be stormed by violence."

All I can say, Sir, in reply is that we shall not be diverted from the pursuit of what we consider to be our birthright by strong words from any quarter, however high. (Hear, hear.) The door of co-operation is not open to threats, still less will it be stormed by force.

Then, I have in passing to deal with certain remarks which His Lordship has made on the Report of the Muddiman Committee. They are weighty remarks made in a judicial spirit of open-mindedness. Here they are :

" We do not anticipate, for reasons which have already been made plain, that we shall be able to accept the report of the minority at this stage."

This is also, of course, subject to what this Assembly might say in the course of this debate :

" The problem of provincial autonomy contemplates the complete transfer of law and order and it would render necessary far-reaching changes in the Central Government of India, which have never yet been closely analysed and very rarely even cursorily examined."

Whose fault, pray, was it that this has not been done all these years :

" It is rather on the lines recommended by the majority that any immediate action must be taken. As I have already said, we must await the formal views of the Government of India on this matter but it will certainly be the desire of His Majesty's Government to go as far as possible in carrying out the proposals which the Government of India may make after discussion in the Legislative Assembly. Many of the recommendations of the Committee can be carried out by regulation and do not require an Act of Parliament. There need be no delay in making these changes. In those cases where legislation is required, the matter can be appropriately dealt with as and when opportunity offers."

Now, Sir, all I can say is that we are not so simple as to believe that the Government of India will make any proposals of a sweeping nature. His Excellency the Viceroy has told us what these proposals are going to be, subject of course again I say, to the discussion in the Assembly. I need not refer to that speech in detail as it is fresh in the memory of the Honourable Members. His Excellency has only repeated what Lord Birkenhead said about his Government being prepared to accept, without committing himself to all the recommendations of the majority, but to accept such as may be determined hereafter to be fit to be adopted.

As for the minority—of course they are dreamers—His Excellency only says :

“ Briefly, the minority ask whether the Constitution should not be put on a permanent basis with provisions for automatic progress in the future, and they are in favour of a system of provincial autonomy. They press for an early inquiry with a view to fulfilling these aspirations. To the subject of provincial autonomy I shall return later. It is sufficient to say at this stage that the minority, mindful of the terms of reference, do not present it as a practical and fully considered scheme, but content themselves with putting it forward as an ideal.”

Well, Sir, it will be for one of the members of the minority—and there is a distinguished member to my right—to say whether he pleads guilty to the charge that what they said in the Report was not fully considered. I can quite understand that they were very mindful of the terms of reference, but I am afraid His Excellency has not done justice to himself or to the members of the minority by saying that they had not fully considered the scheme. He proceeds :

“ The steps for its attainment clearly demand further investigation.”

That is what the minority ask for :

“ In effect therefore the recommendations of the minority amount to a demand for an early and authoritative inquiry with a view to a revision of the Constitution. The issue at the moment between them and the Government of India is largely one of time for the appointment of a Commission.”

Now, the amendment which I have placed before the House will, I think, clarify the issue. It is not merely a question of time. It is a question of substance as to what this Royal Commission or round table conference or convention or whatever agency may be employed is actually going to do. Is it simply to come and begin at the beginning as is laid down in section 84-A of the Government of India Act ? Is it to go into questions like these : What is the state of education in India ? What progress have representative institutions made in India ? Whether these people deserve any further progress or whether it is necessary to send them down a form or two to learn their lessons better and come better prepared for another Commission ten years later ? Now, that is the sort of thing which we are objecting to. We say we are absolutely fit for self-government, as fit as you are yourself in your own Island. This is what we say. Here we are occupying that position and you tell us as you would tell schoolboys : Be good boys and you will be promoted to a higher form.

Then, it is said—and my learned friend the Honourable the Home Member relied specially upon that passage—that wise men are not the slaves of dates. I say wise men are not the slaves of Preambles either. (Applause.) What sanctity is there in a Preamble ? Is not this Act of Parliament, the Government of India Act of 1919, just like any other Act of Parliament ? Are not all Acts of Parliament the result of the experience and wisdom of Parliament ? Or was any special kind of that experience and wisdom or the quintessence of all experience and wisdom infused into this Preamble ? Will any lawyer tell me or, for the matter of that, any other person that any legislative authority, not to speak of the Mother of Parliaments, is not perfectly at liberty to set aside its own Act under whatever circumstances it may have been passed ? Of course, I do not say that the mere fact that because we ask for it the Act of 1919 must be repealed. We say we have made out a case, which you have not answered, which you have admitted, and upon

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that case, whatever else may happen, the provision for dyarchy and no provision for responsibility in the Central Government cannot work and cannot remain on the Statute, unless, of course, in the confidence of your strength and brute force you want to keep us down and to force your own schemes down our throats for years to come.

Then, Sir, there is the plea for co-operation. Lord Birkenhead, His Excellency the Viceroy and my friend the Honourable the Home Member have all said that the first condition, a very clear one, is that you must co-operate with us. I say that my first condition, as clear a condition as your own is, is that unless you show a change of heart, we are not going to co-operate. Hear, hear and Loud Applause from the Swarajist Benches.) The hand of fellowship was extended to you in no grudging spirit by the late founder and chief of the Swaraj Party. You have rejected it, but I am here to say that I and my Party stand by what he said. Let me remind you of what the late Mr. Das said in his Faridpur speech. He said :

“ We have been gravely told that Swaraj is within our grasp if only we co-operate with the Government in working the present Reform Act. With regard to that argument, my position is perfectly clear, and I should like to restate it so that there may be no controversy about it. If I were satisfied that the present Act has transferred any real responsibility to the people, that there is opportunity for self-realization, self-development and self-fulfilment under the Act—I would unhesitatingly co-operate with the Government and begin the constructive work within the Council Chamber. But I am not willing to sacrifice the substance for the shadow. I will not detain you to-day with any arguments tending to show that the Reform Act has not transferred any responsibility to the people. I have dealt with the question exhaustively in my address at the Ahmedabad Congress, and if further arguments are necessary, they will be found in the evidence given before the Muddiman Committee by men whose moderation cannot be questioned by the Government. The basis of the present Act is distrust of the Ministers. At the same time, I must make clear my position,—and I hope of the Bengal Provincial Conference—that provided some responsibility is transferred to the people, there is no reason why we should not co-operate with the Government. But to make such co-operation real and effective two things are necessary : first, there should be a real change of heart in our rulers, secondly, Swaraj in the fullest sense must be guaranteed to us at once, to come automatically in the near future.”

These are exactly the same sentiments which the minority have expressed in the concluding part of their report. Then the late Mr. Das went on to say :

“ I have always maintained that we should make large sacrifices in order to have the opportunity to begin our constructive work at once.”

Further on he says :

“ It is impossible to lay down the exact terms of any such settlement at the present moment ; but if a change of heart takes place and negotiations are carried on by both sides in the spirit of peace, harmony and mutual trust, such terms are capable of precise definition.”

Then, Sir, if it does not happen, what is the other alternative ? This is what Mr. Das has said on this point :

“ If, however, our offer of a settlement should not meet with any response, we must go on with our national work on the lines which we have pursued for the last two years so that it may become impossible for the Government to carry on the administration of the country except by the exercise of its exceptional powers. There are some who shrink from this step, who point out with perfect logic that we have no right to refuse supplies unless we are prepared to go to the country and advise the subjects not to pay the taxes. My answer is that I want to create the atmosphere

for national, civil disobedience, which must be the last weapon in the hand of the people striving for freedom. I have no use for historical precedent; but if reference is to be made to English history in our present struggle, I may point out that refusal to pay taxes in England in the time of the Stuarts came many years after the determination of the Parliament to refuse supplies. The atmosphere for civil disobedience is created by compelling the Government to raise money by the exercise of its exceptional powers; and when the time comes we shall not hesitate to advise our countrymen not to pay taxes which are sought to be raised by the exercise of the exceptional powers vested in the Government."

Now, Sir, the House will please bear in mind that these are not sentiments uttered in bitterness. They were uttered at a time when the late Mr. Das was extending his hand of fellowship to the Government, and that was a time when he without the least hesitation frankly opened out his heart to Government as well as to his own people by pointing out our own weaknesses. What does he say? He says:

"I hope that time will never come,"—referring to civil disobedience—"indeed, I see signs of a real change of heart everywhere, but let us face the fact that it may be necessary for us to have recourse to civil disobedience if all hopes of reconciliation fail. But let us also face the fact that civil disobedience requires a high state of organization, an infinite capacity for sacrifice, and a real desire to subordinate personal and communal interest to the common interest of the nation: and I can see little hope of India ever being ready for civil disobedience until she is prepared to work Mahatma Gandhi's constructive programme to the fullest extent. The end, however, must be kept in view, for freedom must be won."

Now, Sir, this is the position of the Swaraj Party. Mr. Das, as I have pointed out, refers to the possibility of co-operation more in sorrow than in anger. He implies no threat as he frankly faces the fact that we have not arrived at the proper stage of organization to have the capacity for civil disobedience. But when there is no alternative open to us, we must take the road leading to it, however long and weary it may be. Civil disobedience may not come for years, but it has to come one day, and the sooner we begin our preparation the better.

This is all, Sir, that I have to say; and I thank the House, and I thank you, Sir, for the latitude that you have allowed to me. I hope you will permit me to say one word more before I sit down. Sir, never was this House called upon to discharge a duty involving greater responsibility than that laid upon it on this momentous occasion. I say so because my reading of the whole situation as it presents itself to-day convinces me that we have arrived at that critical moment of our political existence when the action taken on the Resolution before the House is bound to make or mar our future history. Let me assure my Honourable friends opposite that the amendment I have moved is the result of the most careful and anxious consideration, that not only I and my Party but practically all the Nationalist Members of this House are capable of, and that I have moved it with the fullest sense of the grave responsibility that rests upon me.

The history of the so-called reforms is painful and depressing reading at present, but as it develops in the near future, it will, I am confident, furnish the brightest chapter to the chequered history of this land. The struggle for freedom once begun must sooner or later have its appointed end, and that end is no other than the achievement of the fullest freedom. It remains to be seen whether England will share the credit of that achievement by willingly giving a helping hand or suffer

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that achievement to be wrested from her unwilling hands. These are the only alternatives. It is for England to choose. (Loud Applause.)

The Assembly then adjourned for Lunch till Ten Minutes to Three of the Clock.

The Assembly re-assembled after Lunch at Ten Minutes to Three of the Clock, Mr. President in the Chair.

Mr. President : As there are many Members who are anxious to take part in this debate on this very important question, I hope Members will try and keep strictly to the time limit.

Colonel J. D. Crawford (Bengal : European) : Sir, as I read the amendment which is now before the House, I thought to myself of the unfortunate fate which met my amendment on the Prohibition Resolution, and I thought that this too was likely to be ruled out of order. I therefore did not give it that attention which it might otherwise have had. I do not know, Sir, that I altogether welcome a further discussion on the constitution, not because I am not anxious to see a practical and equitable solution of our constitutional problem but because I think we waste an undue amount of the time of this House in the discussion of constitutional questions to the detriment of more important and constructive work. Does any Member of this House honestly believe that the *raiyat* and the unrepresented masses of the peoples of India care one jot at the present about the constitution ? (*Honourable Members :* "They do, they do.") No, Sir. They are far too much up against the hard economic facts of life to worry very much about anything else but earning their livelihood. If we gave more time to the consideration of schemes for improving the general well-being of the people and a little less time to lengthy dissertations on constitutional questions, I feel the House would be showing a sense of responsibility which would go a long way to secure for itself greater powers. I feel, however, that it is better to discuss the constitutional question on a definite issue such as that provided by the Reforms Inquiry Committee's Report rather than at the inopportune moments we usually choose and I am glad that the Secretary of State has maintained the constitutional position of consulting this House before any final decision is taken. There are those of us who believe that this difficult and intricate problem is one that entitles the views of those in India, both Indian and British, and who understand and know the conditions in India, to very serious consideration, and that they should not be neglected, as on the occasion of the Montford Report, in favour of views put forward by constitutional experts from England. The announcement of the Secretary of State that he is prepared to give full consideration to views put forward from India that carry a reasonable degree of support from a majority of the peoples of India is one, therefore, that I welcome. I think there are very few of us who expected anything very startling from the Report of the Reforms Inquiry Committee, for we surely realise that, however anxious we may be for a greater measure of self-government, there are no short-cuts to that

dubious Paradise. I have not, therefore, been disappointed by the work of the Committee or its Report, except in one direction, and that is, the failure of the leaders of the Swaraj Party to take part in that inquiry.

It does not seem to me to be a matter of great importance that

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the terms of reference were somewhat restricted. At any rate, such limitations did not prevent the minority from stating their case. Our Swarajist friends are constantly proclaiming that India's efforts in the Great War are sufficient justification for a measure of self-determination. (*An Honourable Member* : "No, no. You are wrong.") I, Sir, often fought alongside Indian troops in the Great War and thoroughly appreciate that position. But I venture to think that self-determination as seen by those men who fought in the Great War and did their bit for the Empire is somewhat different from that of my Swarajist friends. If I am right, I do not think that there are many members in the Swarajist Party who took any active part in assisting the Empire on that occasion.

Mr. A. Rangaswamy Iyengar : No, no.

Colonel J. D. Crawford : On the other hand, I am inclined to think that there are not a few who were even at that time possessed of a bee of obstruction in their bonnets. That being the case, it is all the more to be regretted that they did not come forward on this occasion of the Reforms Inquiry Committee with a view to placing their case before Government and before the country, so that reasonable men could find out exactly what it was that they wanted. I remember, in correspondence that passed between my Honourable friend Pandit Motilal Nehru and myself on an invitation to Europeans to join in a conference, that he twitted me during the last session for not having taken part. He did not go on, however, to say that we asked him for some definition of his meaning of Swaraj and that he replied that that was a matter to be settled at the conference. That was an admission that on that occasion at least the Swarajists had no very definite case as to what they thought or what they required. To those of us who are generally striving to help India on the road of political progress, those who did not approve of the road taken but have yet put our shoulders wholeheartedly to the wheel, a body of malcontents, who stand aside and jeer but are ready to accept any reward that may be going, are not likely to be popular.

I would now turn to the finding of the Committee. May I be allowed to congratulate the members who signed the minority report on the reasonable statement of their case? I feel their case would have made a greater appeal to us than it has done had it been less partisan in its views. These members have naively admitted their partisanship in the opening paragraphs of their report. In the concluding paragraph of Chapter I they say :

"We beg to point out that having regard to the terms of reference, we felt at the very commencement of our work that although it was open to us to traverse large ground so far as the inquiry was concerned, yet in the matter of remedial proposals our scope was very much limited by the language used in clause 2 of the terms of reference."

I feel that their impartiality has been considerably damaged by that statement. I feel that the members of the committee of inquiry

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should have approached their task with an open mind and come to their decision on an impartial review of the evidence. I feel the partisan attitude adopted has led the members who signed the minority report to give undue attention to the evidence of Ministers inexperienced in administration.....(*Mr. T. C. Goswami* : "Question,").....and too little weight to the evidence of trained administrators. The problem is a practical, rather than a theoretical one, and practical considerations ought to have prevailed over mere sentiment. The minority have not found themselves bound by the restricted terms of reference proposed to the Committee and have, therefore, dealt with the problem from a wider point of view than the majority. For this reason, I will consider their recommendations first.

Looked at from the broadest point of view, their recommendations can be summed up as follows, "Dyarchy has failed, therefore appoint your statutory commission as soon as possible." I personally cannot subscribe to the opinion that dyarchy has failed. I am prepared to agree that the system is not popular and has few supporters. But all criticise it from such widely divergent points of view that I am inclined to think its very unpopularity shows that it has the merit of holding the scales reasonably equal.

Mr. A. Rangaswami Iyengar : That is a very fine test.

Colonel J. D. Crawford : Personally, I accept the view of the United Provinces that as worked, dyarchy is a complex, confused system, having no logical basis, rooted in compromise, and defensible only as a transitional expedient, yet capable of being worked by reasonable men in a reasonable spirit. I feel sure that some of the opposition will want to refer us to the position in Bengal and in the Central Provinces, but I would claim that those politicians there have not shown us that dark dyarchy is not workable. They have simply shown us that they themselves are not prepared to work it. As to the very considerable powers conferred on India by the Government of India Act, sufficient evidence is surely forthcoming in the very large measure of Indianization already secured in all the departments of Government. Although, Sir, I cannot agree that the existing constitution has failed, for there is no doubt that the power given to Indians has never been properly realised, yet I am prepared to admit the unpopularity of the present constitution with all classes, and therefore to examine the logical recommendation of the minority arising therefrom for the early appointment of a statutory commission. I would ask those who signed that report what they expect to obtain from the appointment of a statutory commission at present. Before any constitution can work, it must have the confidence of the majority of the peoples of India. Do these Members consider that there is at the moment the slightest hope of securing the confidence of important minorities in any constitution that would place them entirely in the hands of an inexperienced majority, with a civil service entirely depleted of its European element—for Indian politicians will accept nothing less.....

Mr. A. Rangaswami Iyengar : That is wrong.

Colonel J. D. Crawford :and without sufficient safeguards ? It is possibly asking those minorities to commit suicide. If we are to

secure a reasonable measure of confidence all round, we have first to exorcise the demon of distrust and to create an atmosphere of general good-will which does not altogether exist at the moment though there are signs that it is coming. Unless we have those conditions, the efforts of any Commission must be abortive, and on those grounds I am opposed to the appointment of any Commission at present. I can thoroughly understand any statesman refusing further to examine this difficult problem until all sections of the people in India can find a substantial measure of agreement amongst themselves. I do not think many of us nowadays consider the year 1929 particularly sacrosanct. Rather, our view is that any limitation of time in questions of this nature is best avoided. In view, however, of the increased difficulties of the problem brought about by a set of very short-sighted politicians, I very much doubt if you will be able to obtain a reasonable measure of true agreement amongst the peoples of India before that date, and without it I feel the appointment of a statutory commission is a waste of money, time and effort.

As I said previously, in my opinion, there is no short cut to Swaraj. The road is long and difficult and our only way to speed up our journey is by every one of us putting our shoulder to the wheel and with good-will and selfless efforts, help by using the machinery to our hand in surmounting the undoubted obstacles that beset our path. If that machinery serves no other purpose, it may yet give us that spirit of good-will and joint partnership and team work without which we cannot progress. It is therefore with some regret that I oppose the recommendation of the minority for the appointment of a statutory commission, on the grounds that it is premature and displays, to my mind, an optimism which is not yet justified by facts.

I would now turn to the recommendations of the majority report. I only propose to touch on one particular point, a point of major importance to all minority communities. Both the majority and the minority support a system of communal representation, though possibly, with reservations. For some unknown reason, we imagine that everything that comes out of the west is suitable to the east; and, because communal representation is opposed to western democratic principles, therefore we are opposed to it in this country. Our aim should be a representative rather than a democratic form of government. India is not a nation and our problem is one rather of internationalism than nationalism. We want a federation of the peoples of India. Would any Member of this House suggest for a moment that representation on the League of Nations should be anything other than national? And why do so in the case of the Government in India? Our religious, communal and caste differences are a portion of our problem which will always be with us, and are not going to be solved by closing our eyes to the fact that they unfortunately exist. I believe a Muhammadan who believes in being a Muhammadan, a Hindu who believes in being a Hindu, a Britisher who believes in British traditions, and a labourer who believes in being a good workman, are the best citizens and if they are all strongly organised and are capable of protecting their pet corns from being trodden on, then we have a far greater chance of co-operation among the various peoples of this country for the benefit of the Indian Empire. I will strongly support also a greater measure of representation of labour and the depressed classes both in the provincial

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Councils and the Legislative Assembly. (*An Honourable Member* : "What about the agricultural classes"?) The agricultural classes as well. But for practical reasons I am against the system of election. Most labour in India, or a large proportion of labour in India is migratory and I fail to see how you can introduce any proper electoral roll. I think therefore that labour will for a long time to come have to be represented by nomination. With all due deference to the honesty of my Honourable friends, Messrs. Joshi and Chaman Lall, might I suggest to Government that labour might sometimes be represented by persons other than lawyers? (*An Honourable Member* : "Mr. Joshi is not a lawyer.") They are not always in touch with labour conditions and are solely governed by certain western social ideals, often not suitable to our present state of industrial development and certainly not wanted by labour itself. (*Mr. M. A. Jinnah* : "A soldier should represent labour!") If we are to make political progress in this country there must be co-operation between all sections of the peoples of India. (*An Honourable Member* : "On what terms?") One of the greatest lessons that I personally learnt from the Great War was that without co-operation victory was not obtainable. I remember occasions when orders had come down from General Headquarters which were criticised and pulled to pieces by officers who in consequence failed to act wholeheartedly on the orders issued. The result, though it has not been a disaster, has certainly not been a success. One thing we have to do is to take whatever is given to us, may be it is not the best, but we should do our utmost to work it for all it is worth, and that is the only way which will enable us to make real progress. We are not opposed in the very least to the legitimate aspirations of Indians for self-government. It is but natural. But there are many difficulties which have to be got over. If that road is to lead to success it is by joining hands and working together that we will arrive at the goal. That is what the Secretary of State has asked us to do. Let us all put our shoulders to the wheel, let there be no grouching, and then we shall have a very legitimate right to say, "This machine does not serve our purpose and let us have another." Until we have done our best to work what is given, how can we ask for anything else?

Sir P. S. Sivaswamy Aiyer (Madras : Nominated Non-Official) : After the elaborate speech of the Honourable Pandit I do not think it necessary to make any long speech in support of the amendment which he has moved. (*Honourable Members* : "Louder please.") I must confess to some feeling of sympathy with the Honourable the Home Member in the embarrassment which he felt in his opening remarks. I noticed a confusion in his mind at first as to which was the majority report and which was the minority report. I think that he was justified in his confusion, as I believe it is an open secret that but for the trammels and conventions of office one of his colleagues would have actually signed the majority report. (*Honourable Members* : "The minority report.") (Loud Laughter.) Yes, the minority report. The recommendations of the majority are recommendations from which I do not dissent. As a member of the minority of that Committee I may say that we approved of almost all the recommendations of the majority so far as they went, but at the same time we expressed our opinion that they were quite inadequate and unsatisfactory. It is in that view that I have risen to support this amendment. That the recommendations of the majority are so inadequate and so unsatisfying is

not the fault, at any rate, to any large extent, of the members of the majority. The Committee was tied down by the restricted terms of the reference. We were asked to find remedies consistent with the structure, scope and the policy of the Act. We were permitted to investigate all the defects in the Act, whether inherent in it or in the working of it ; but as to the remedies our investigations were strictly tied down. I am not therefore disposed to blame the majority for the unsatisfactory character of their recommendations, though one cannot help feeling that the members of the majority betrayed an amount of caution which was altogether unnecessary. For instance, they were not sure whether it would be wise to transfer the subject of Government Presses. They were not sure whether it would be wise to transfer the subject of Law Reports to the Ministers. The caution which was displayed by the members of the majority was perhaps commendable from their own point of view, but it does not enhance the acceptability of the recommendations which they made. Sir, the system of dyarchy is one which has inherent defects in it. It has defects which cannot possibly be cured by any regulations or rules which may be made under the Act. It is a strange thing that a system of government which was so universally condemned by all the officials before it was introduced should now find such strong champions in the official world. From Lord Birkenhead downwards to the Members of the Government of India, to the Governors of Provinces and the district officials, every official has been fascinated by the system of dyarchy. Have you been able to discover the secret of it ? To my mind, Sir, it must be this. Before dyarchy was introduced, they shied at it because it meant a limited transfer of power. After it has been introduced, they are enamoured of it, because they are convinced that you cannot go back to the *status quo* and the next step must be an advance forward and therefore it means the transfer of a larger measure of power to the people. That seems to me to be the real secret of the original aversion to dyarchy and the subsequent fondness for it which has been betrayed by the official world.

Now, Sir, with regard to the date of revision of the constitution which contains such inherent defects as have been admitted by everybody, it has been stated by the Secretary of State in his recent speech that wise men are not the slaves of dates and that the date of a further advance may be accelerated and he was even bold enough to stretch his imagination and say that developments might have been conceived in which the acceleration of the date of revision might have been recommended. Sir, it is an irony of fate that that oration of Lord Birkenhead about which so many different opinions have been expressed in different quarters should have been described by the leading Conservative organ of England as a "frigidly pompous nullity". These are the words of the *Morning Post*, as applied to Lord Birkenhead's speech and I think that description is almost entirely true of that speech. But I gather one ray of hope from that "frigidly pompous nullity" and that is that the date of revision of the constitution may be accelerated in certain circumstances. We have been told by both the Secretary of State and by His Excellency the Viceroy that it is not possible to think of accelerating the date of revision and His Excellency the Viceroy has been kind enough to warn us that if we did succeed in our prayer for the present appointment of a Royal Commission, the verdict is bound to be against further advance. What are the conditions laid down in the Preamble to the Act—that the successive stages of advance depend upon the co-operation which the reforms would receive

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from persons to whom new opportunities of service were thrown open and upon the extent to which confidence could be reposed in their sense of responsibility. Those were the two conditions which were laid down in the Preamble as those upon which further advance would depend. His Excellency the Viceroy pointed out properly enough that if a Royal Commission were appointed and if they were asked to come to a finding as to whether the reforms have received that measure of co-operation which its authors looked forward to, the finding might be against us, but if the members of the Commission would set unto themselves the task of finding out why it did not receive the co-operation which was expected, I think, if the Royal Commission was honest, impartial and fair-minded, they would be able to discover an answer not altogether to our discredit.

Now the question is what is the meaning of this condition of co-operation? Does the want of co-operation imply a want of capacity for self-government? What is the inference to be drawn from non-co-operation? I can only imagine one inference which can be drawn from non-co-operation and that is that if the people were entrusted with these large powers they might be tempted to use them against the power which granted those powers and might use them for purposes hostile to the British connection. If that could be a legitimate inference, I grant that the verdict might be and should be against us. Notwithstanding the very considerable amount of froth and nonsense that may have been talked in the country, I believe that the real meaning of the non-co-operation movement is this—that their protagonists were not satisfied with the measure of reforms that was granted. They were not satisfied with the promise of further reforms which was held out in the Act and they wisely or unwisely, unwisely in my opinion, chose to refrain from co-operation. But that does not by any means imply that those gentlemen who resolved upon non-co-operation are in their heart of hearts hostile to the British connection, and the fact that they have come in in large numbers into the present Assembly and Councils shows their real desire to take part in the work of co-operation and construction. Of course now and then you may hear voices and words to the contrary but do not believe them. I believe that they really wish to co-operate as far as they can (*An Honourable Member* : “Honourable co-operation”) in the work that lies ahead of us. I venture to think that no real inference can be drawn against us from the absence of co-operation.

Then again, with regard to the second condition, namely, the amount of confidence which could be placed in the sense of responsibility of the people to whom new opportunities were granted, I ask whether there has been anything to show that there has been a genuine lack of a sense of responsibility. I appeal to your experience in the first Legislative Assembly. The second Legislative Assembly has no doubt been diluted to a large extent with men of a different shade of views. During the term of the first reformed Assembly and Councils, all over the country, you received the fullest measure of co-operation that you had any right to expect and, after all the co-operation that you received and after all the tributes that you then paid to our sense of responsibility and to the work that we did, is it fair on your part to turn round upon us now and say that you could not place any reliance upon our sense of responsibility? Your experience of the first Assembly and of the first Councils ought to convince you, if you keep an open mind, that full reliance can be placed upon the sense of responsibility of the people.

I regard it as a very happy omen indeed that one of the most prominent Members of that Party which believed in non-co-operation is now occupying a place of great responsibility here. Would you have thought that the fierce Extremist who glowered with baleful eyes at the occupants of the Treasury Benches, whom he regarded as the representatives of a Satanic Government, could have turned into a grave, dignified and impartial President ? (Applause.) What further illustration can you want of the fact that it is the opportunity of responsibility that is wanted and that will make people sober and rise to the needs of the occasion ? (Hear, hear.)

Sir, now I may ask, why is it that many of our people and several of the leaders have thought fit to resort to non-co-operation ? One at any rate of the reasons for their conduct seems to me to be this, that they are not convinced of the sincerity of the professions of the Government. (Hear, hear.) They believe that however big may be your talk of setting India on the goal to responsible government, you do not in your heart of hearts mean it. (Hear, hear.) If these people could have been assured that within any reasonable distance of time, no matter whether it be 10 years or 15 years or 20 years, you would grant responsible government, and if they could have been satisfied of its sincerity, I am confident that their attitude and policy would have been different. But you may very well ask : "Have we not always been profuse in the declarations of our intention to grant self-government ? And what right have you to attribute any lack of sincerity to His Majesty's Government or to the agents of His Majesty's Government on the spot ?" For my purpose, Sir, I do not think it is necessary to go further than advert to the one topic which occupies unfortunately a great deal more of my attention than any other. Take your attitude with regard to the Army. (Hear, hear.) Take the question of your military policy. Four years ago we passed a set of Resolutions recommending a change in the attitude of Government and recommending a policy of Indianization, and we asked that steps should be taken without loss of time to prepare us for the ultimate goal of responsible government. These Resolutions, I am glad to be able to say, were passed with the concurrence of the Government of the day. But four years have passed, and almost nothing has been done. And what is the result of all this agitation that was carried on, of the Resolutions that were passed during the last four years ? They present us with that miserable bantling of the eight units scheme. And Lord Birkenhead says : "It is an experiment which must be tried out, and until it is tried out, you cannot expect any further advance." This is not the time to enlarge upon the defects of the scheme. One thing only it is sufficient for me to point out here, and it is this. As Lord Birkenhead very properly points out, it takes a man 25 years to rise to the position of a Colonel in the Army. If you want to judge of the success of the eight units scheme, at least 25 years must elapse and after those 25 years have passed, whether any more units should be Indianized would be a question which would be left to the British people to decide. Probably, they will say, "We are willing that twenty more units out of the 75 should be Indianized". (*An Honourable Member* : "140".) I am not sure about the exact number. I am referring only to the Indian units. They may say perhaps that another 20 units might be Indianized : and at that rate the Indianization of the whole army would take not the period of one generation, nor even of two generations, but would take us probably to the Greek Kalends. That is why Lord Birkenhead states in one part of his speech that at no foreseeable future could he see the time when it would be possible for England to abandon this trust. Now

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this term "trust" has appeared only too often in the writings and speeches of English statesmen. I am afraid, Sir, that very often it is vested interests which masquerade under the title of guardianship, mandates and trusts. (Hear, hear.) Now, I am not one of those who find fault indiscriminately with the Government. I am willing to give their due to the Government for all the blessings they have secured for this country in the way of peace, security and order. I am willing to give them credit for all the economic improvements they have effected.

Mr. President : I must ask the Honourable Member to bring his remarks to a close.

Sir P. S. Sivaswamy Aiyer : Now with all that, what I submit is that it is impossible to credit the sincerity of the professions of people who believe that their trust cannot be abandoned at any foreseeable future. Having regard to that statement I ask whether the attitude of disbelief and distrust on the part of a great many of my countrymen is not to a large extent justified. I will only add this, that from the point of view of the Government themselves it is necessary to revise the constitution. Here you are faced with deadlocks many a time—with an elected majority and a small minority of officials and nominated persons, unable to carry through legislation, faced with the necessity of certification, and unable to do what you really wish to have done. But I am afraid that you will be deaf to the voices of the friends as well as the foes of the British connection with the result of increasing bitterness against the Government and increasing distrust of its intentions—factors, mental factors, which are not conducive to a wise or well ordered administration.

Sir, I have only one more remark to make. I am glad to find that the Resolution now proposed substantially reproduces the demands of the Liberal Party. It embodies the Resolutions of the Liberal Party and their demands and it is a great gratification to me that the Swaraj Party, which has long been wandering in the barren wilderness of non-co-operation, has now come back to the path of co-operation and constructive effort. Complexities and difficulties have been pointed out or referred to by various persons, by His Excellency the Viceroy now and by Sir Malcolm Hailey in the past. They do exist ; we are not unaware of some of them. But if you only set yourselves to the solution of these difficulties, I am confident that a solution can be found. It is not for us to embark now upon a scheme. It would be a waste of time and effort. Let us know whether you mean to adopt suggestions from us now and it would then be time for us to evolve some scheme which will command a wide measure of popular support. I have one more word to add, and it is this, that it is no use to found yourselves upon self-righteousness. The foundation upon which a great Empire should rest is not self-righteousness, but righteousness.

Mr. R. K. Shanmukham Chetty (Salem and Coimbatore *cum* North Arcot : Non-Muhammadian Rural) : Sir, a great English thinker—John Stuart Mill—has remarked that :

"When the object is to raise the permanent condition of a people, small means do not merely produce small effects, they produce no effect at all."

This saying, I think, would form an admirable text for the subject now under discussion. Though England has proclaimed that she has set before herself the great task of educating the people of India out

of a position of dependence and tutelage into one of independence and equality ; though it was definitely proclaimed in 1917 that it was her declared intention to work for the progressive realisation of responsible government in India as an integral part of the British Empire, yet the means adopted for realising this ideal were so small in the country and failed to achieve the object which the authors had in view. The value of the Reforms Inquiry Committee to my mind lies in this,—that the great volume of evidence placed before the Committee has revealed in unmistakeable terms that the present constitution, though introduced in good faith and with the intention of giving an earnest of the famous declaration of August 1917, has utterly failed to achieve its object and that though the authors of the measure were prompted by good intentions, their good intentions did not in this case lead them to correct judgments.

The Government of India Act of 1919 was meant to be a substantial first step in the process of establishing full responsible government in India. Even the most enthusiastic champions of dyarchy, if there are any, cannot claim that a dyarchical form of Government is in any sense full responsible government. It was meant to be a transitional stage which would provide a valuable training towards responsible government. Its success or failure therefore has to be estimated from the point of view of how far it has succeeded in or how far it is capable of providing that training—that apprenticeship if I may say so—in the art of responsible government. If it can be proved—and it has been amply proved in the great volume of evidence placed before the Committee—that the system of dyarchy by its very nature is not merely unsuited to train people in the art of responsible government but is a positive hindrance to the development of Parliamentary institutions, then there can be no alternative but to condemn the system in its entirety and wholesale.

The basis of modern Governments is an efficient executive and an effective popular control. The possibilities of a conflict between the two resulting in deadlocks is avoided in modern Parliamentary Governments by making the entire executive responsible to the Legislature. The basic principle of executive responsibility is the joint responsibility of the Cabinet. The present system of Government in the provinces composed of an elected Legislature with the executive divided into two halves, one responsible to the Legislature and the other irresponsible and irremovable, and with the Governor with powers to override both is not only complex and complicated, but is unknown to the constitutional history of any country in the world. Not merely is the unity of the executive Government wanting, but the functions of Government are sought to be divided into water-tight compartments. The practical difficulties that would arise from this were anticipated by the Government of Bombay as early as 1918 in a despatch which they sent to the Government of India in which they observed :

“ A reference to the records of Government will show that there is scarcely a question of importance which comes up for discussion and settlement in any one of the departments of Government which does not require to be weighed carefully in the light of considerations which form the province of another department of Governmentpractically all proposals of importance put forward by the Minister in charge of any of the departments suggested for transfer will involve a reference to the authorities in charge of the reserved departments.”

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These anticipations of the Bombay Government have proved to be entirely true in actual practice. To remedy this evil it has been suggested by the majority report that joint deliberation between the two sides of the Government should be definitely enjoined by rules. This remedy ignores the basic fact of dyarchy. You cannot pretend to improve dyarchy by substituting what may be called "uniarchy". In fact, this experiment of a unitary Government under the dyarchic system was tried by Lord Willingdon in Madras and was practically abandoned in 1923. The experiment had been tried and found wanting. The danger in this experiment, as was found in Madras, was that it may result in the responsibility of Ministers disappearing even more completely than under a strictly dyarchic form of Government and in equating the Ministers more to the position of Executive Councillors.

Added to this division of the executive Government, there is no joint responsibility even amongst the Ministers. The Ministers are individually appointed by the Governor. It has been suggested that the rules might be amended so as to foster the joint responsibility of the Ministers. Even in this direction too the experiment was tried in Madras. In the first reformed Council Lord Willingdon entrusted to the leader of a party the task of forming the ministry. But even this experiment also was given up in 1923.

It might be contended that the existence of some kind of party system is essential not merely for the growth of joint ministerial responsibility, but for the successful working of self-governing institutions. In the catalogue of our unfitness for self-government the absence of well defined political parties with well defined programmes finds a prominent place. But I ask, is dyarchy conducive to the growth of political parties? While I am prepared to concede that the existence of class and communal interests is a serious hindrance in this direction, the practical experience in the working of the dyarchic constitution has positively encouraged groups as opposed to parties and has set in motion the elements of discord. The experience of Madras again has proved that Ministers have acted as party leaders in their own fields and as non-party men in the field of reserved subjects. In some cases they have voted with the Executive Councillors and against their own political parties. This anomalous position of Ministers who must necessarily be the party leaders is not conducive to the growth of political parties with any well defined programmes. Cabinet unity and party unity, which are necessarily elements under responsible government, are impracticable and impossible under the dyarchical form of Government. Ministers in some of the provinces have not been able to consolidate the following that they had in the Councils, not because they could not be trusted on their own merits, but because their association with the bureaucracy on the reserved side engendered a spirit of suspicion amongst the elected Members of the Councils.

The foundation of Government is said to be faith and not reason. Judged by this criterion dyarchy from its very inception has failed to inspire that faith and confidence which are the necessary foundations of good government. Those that stood aloof from the beginning and rejected the system from its genesis were condemned as political fire-eaters devoid of any sense of statesmanship. But what of those eminent

advocates of the reforms, who have held or now hold high offices in Government, who had unbounded faith in the potentialities of the new constitution as a factor for universal good? After actual experience—in some cases very bitter—of loyally co-operating to make the reforms a success they have come to the almost unanimous conclusion that they have lost faith in the system of dyarchy as an efficient instrument in the art of responsible government.

It has been often repeated and was recently echoed by the Secretary of State for India that the reforms have achieved a fair amount of success in Madras. I have been in the Madras Council during its first term and as a Council Secretary observed to some extent the inner working of the dyarchical machinery. But perhaps more valuable than my own experience will be the testimony of a gentleman who was a Minister for 3 years and is the most loyal of co-operators. This is what the ex-Minister for Development in Madras has stated in his memorandum before the Committee :

“ It is admitted in all hands that dyarchy has failed. Even in the province of Madras where an honest attempt has been made to work the reforms in the spirit in which they were conceived, dyarchy has absolutely failed.....It was not the dyarchic system as conceived in the Act but an attempt to ignore it and get over its inherent difficulties that made it possible to achieve the little success which Madras is believed to have achieved.”

The present system of Government has therefore failed not merely to capture the imagination of the people at large, but has been condemned and discarded by its early lovers. It is not merely the avowed opponents of the present system but the wise moderates and loyal co-operators that clamour for a radical change in the present constitution. The conviction has been rooted strongly in the mind of every thinking Indian that dyarchy is but camouflaged bureaucracy.

The terms of reference to the Muddiman Committee were no doubt very restricted in their scope. But in spite of the restrictions imposed on the nature of their recommendations, they could not ignore the inevitable conclusions arising from the evidence placed before them. The majority have failed to do justice to the facts presented before them. Any one versed in the art of sifting evidence can arrive at but one conclusion after a perusal of the evidence presented to the Committee—that the present system has in it such inherent defects that no palliatives can remove them. And the majority had not the courage to state this inevitable conclusion. Speaking at the Liberal Conference the other day, Mr. Chintamani, an ex-Minister and co-operator, is reported to have said :

“ The majority of the Muddiman Committee did scant justice to the facts related before them by those who were in the best position to speak of the working of the dyarchical system, and wrote a report marked by intellectual thinness, superficial treatment of the subject, political partiality on the part of three and political timidity on the part of at least one of the signatories, and made to the Governor General in Council recommendations so inadequate that I have no hesitation in committing myself to the opinion, now that they have almost been accepted by Government, that the interests of India would have been served far better if the Committee had never been appointed.”

These are not the words of an Extremist. And yet after this severe condemnation of the majority report by persons belonging to the most moderate school of political thought, the Home Member has thought it fit to bring this silly Resolution before this House. He may as well have

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tabled a motion recommending to the Governor General in Council to give effect to Webster's Dictionary.

Even the Secretary of State has admitted the practical difficulties in working the present constitution. But while admitting the difficulties he still wants us to work the constitution. And the answer to this has been given in the historical incident quoted by the Honourable Pandit, the incident of Akbar. In the same way we might say : We understand despotism ; we understand autocracy ; we understand responsible government and Parliamentary institutions ; but we confess we do not understand this hybrid constitution that you have invented.

Lord Birkenhead has appealed to the co-operation of the people ; but his Lordship cannot forget that co-operation is reciprocal. Speaking on behalf of those who had withheld their co-operation from Government, the Leader of the Swarajya Party had offered on the floor of this House in 1924 his wholehearted co-operation on certain conditions. The offer was repeated by the late Mr. Das in his famous speech at Faridpur. No answer came to these offers. To-day again the amendment moved by my leader offers to Government the terms on which they will have the sincere and wholehearted co-operation of the people of India. We hold out the hand of fellowship and it is for the Government to accept or reject it, but let Government understand that there cannot be and there will not be co-operation unless they give an earnest of a change of heart and their *bona fides*.

The present system of Government has been admitted to be a transitional stage in the steps leading to the establishment of full responsible Government. If it has been proved that it is not merely unworkable in practice but leads to grave misunderstandings and friction which will impede rather than help the progress of self-governing institutions

Mr. President : I would ask the Honourable Member to bring his remarks to a close as he has exceeded his time limit and there are many other Honourable Members who desire to speak.

Mr. R. K. Shanmukham Chetty : There is no meaning in trying to maintain it intact within the four corners of the Act and merely endeavouring to remove its administrative imperfections. Acts are made for men and men are not made for Acts. The Act of 1919 was meant to be an instrument of good government. It is the height of superstition and lack of statesmanship to say that the structure, policy and purpose of that Act should at all costs be maintained for the prescribed period of 10 years. The transfer of a few more subjects—not even the transfer of all the subjects will remove the cause of popular discontent. We want not a change in the agents but a change in the entire system, a change not in the details of administration, but a change in the nature and quality of Government. This is not the demand of the impatient idealist or the political agitator but of every Indian to whatever school of political thought he may belong. If misunderstanding and conflict between the Government and the people are not to be the normal feature of Indian political life, Government must give a categorical answer to this national demand, and we are awaiting the answer.

Mr. H. G. Cocke (Bombay : European) : Sir, when I joined this Assembly two years ago, like others here, I was new to higher politics. But we had not been in the Assembly very long before we had what has come to be known as the round table conference debate. I did not speak on that debate and I have not before to-day taken part in a political debate. I do so now with considerable diffidence because I feel that this is a subject upon which Home Members, lawyers and politicians have every right to speak ; but the ordinary business man, or the man engaged in a profession other than the law, is perhaps rather out of his depth. Sir, two things struck me in connection with that debate at Delhi. One was the remarkable unity of Indian opinion which, coming to the Assembly for the first time, was to me very striking, and the other thing was that the debate was very largely theoretical and not very practical. It seemed to me, Sir, that speaker after speaker refused

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to face facts. The peculiar difficulties under which India labours, the fact that India is not a nation, but a Continent, consisting of a vast variety of races holding different views, and only too anxious on occasions to get at each other's throats, all these factors make the problem a very difficult one, which however has got to be faced. It is no good evading the real issue. For many reasons, I was sorry no round table conference resulted from that debate, because I thought that if it had been possible to construct a round table large enough to seat all the representatives who would have been entitled to make their different demands, the result would undoubtedly have been, not one report, but several, and that Conference would have carried us very little further. Sir, what kind of difficulties are there that make this problem so acute ? No one to-day has referred to the position of the Indian States ; no one to-day has yet referred to the question of attack from the sea. That is a thing which may come before we realise it. No one has referred, I think, to any great extent to law and order, to communal differences and the vast differences of caste and creed which, as I have just said, make this problem one which cannot be compared with constitutional problems in other parts of the world. The Honourable Pandit in the course of his remarks made several comparisons with different parts of the world, and we have heard them in other debates too. But the facts are, as I am sure, we all realise, even if we do not express them, that there is no problem, as far as I know comparable with the one we have to face here. Sir, the immediate point for consideration is the recommendations of the majority report. I do not profess to be an expert in building constitutions or criticising constitutions, but I have read this report very carefully and it appears to me that the recommendations made by the majority committee are well worth giving effect to, and I can see no logic in the arguments of the Honourable Pandit, and of others who think with him, especially when it is admitted in the minority report that some of the recommendations, at any rate, are worth something. I see no logic I say in casting those recommendations aside, simply because they do not go as far as some would desire. You are not going to bring the day of advance any nearer by refusing to make these amendments in the Government of India Act. On the other hand, if you make them, and if you work this constitution in a way that it has not yet been worked, I venture to think that the further advance, which is being striven for in all directions, will be achieved much earlier. Therefore, the amend-

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ment, in my view, should not have been an amendment to the proposition, but an addition to it.

I confess myself as being somewhat out of my depth in looking through this amendment, and I wish the Honourable Pandit had issued it with an explanatory handbook.

Mr. M. A. Jinnah : For merchants.

Mr. H. G. Cocke : And for lawyers.

Sir, in the course of these debates we are frequently told that India has made indifferent and insufficient progress in the past, and that this advance in government is required to enhance that progress. I have been looking through "India in 1923-24," prepared by Dr. Rushbrook Williams, and I have been examining some of the charts which he has prepared. With your permission, Sir, I should like to give just a few figures from those charts to show the progress which has been made, and to suggest that we shall run the risk of abating that progress by too hasty attempts at new forms of government. The particular charts I should like to draw attention to are firstly No. 11, Canal Irrigation in the Punjab. Taking four periods of ten years,

in 1892-93, 3 million acres were under irrigation,

in 1902-03, 5½ million acres were under irrigation,

in 1912-13, 8½ million acres were under irrigation,

in 1922-23, 11½ million acres were under irrigation.

Now let us take chart No. 5 giving the total exports and imports.

The average of the five pre-war years 1909-14 was 380 crores.

In 1921-22 was 540 crores.

In 1922-23 was 560 crores.

Now let us take the Railway mileage, charts Nos. 12 and 13.

In 1872 we had 5,369 miles.

In 1922 we had 37,266 miles.

In regard to postal traffic, these are the figures. (Chart No. 17.)

	Postal traffic. millions of articles carried.					
1881-1922	170 millions.
1901-1902	580 "
1921-1922	1460 "

Then look at the charts dealing with thrift and the co-operative movement. I merely cite these figures to show to the House what progress has been made. Now, one word about education, which, we are often told, is not progressive in this country. Admittedly it is in its infancy, but while in 1880 two million pupils were under instruction, in 1920 there were 8 million pupils under instruction. Then again, while in 1890, 1½ crores were spent on education, in 1920 we spent about 11½ crores. I merely quote these figures to the House to show that these charts are well worth studying, as they do show a very remarkable trend

of progress in the last 40 or 50 years. I would therefore suggest to the House that before embarking on any violent change of Government, it is well worth considering what effect any chaos which might result therefrom would have on the progress to which I have drawn attention.

Mr. C. S. Ranga Iyer : (Rohilkund and Kumaon Divisions : Non-Muhammadan Rural) : Sir, the previous speaker, Colonel Crawford and the Honourable the Home Member, have only emphasised, each in his own way, the different aspects of Lord Birkenhead's speech. Sir, they have been pleased to say to our very face,—what Lord Birkenhead said behind our back,—that India is not a nation. The previous speaker, Mr. Cocks, said that it was so difficult to construct a round table. I do not think the Honourable gentleman from Bombay is a carpenter (Laughter), but I do think that the Government of India will not find the task so difficult if only they choose to take it up ; then he talked also of castes and creeds after the style of Lord Birkenhead who also spoke of communal differences. Sir, before proceeding further with my speech I think I should quote a few pertinent passages from the memorable speech of the Honourable Mr. Patel. We, Swarajists, miss to-day the voice of our leader, alas ! hushed in the Presidential Chair. I thought he gave, once for all, the conclusive answer to those who prated of communal differences. Mr. Patel said :—

“ I ask, why these communal differences are not being settled. We find no very serious differences between the Hindus and the Muhammadans administered by Indian Rulers. Why, I ask, do these differences arise and are not settled in British India ? The question answers itself. Have responsible government, and the differences between the Hindus and the Muhammadans will be settled in no time. Let us settle these things for ourselves. It is because there are others who say ‘ We will settle these things for you ’ that the differences grow. It is our business to settle these differences. We want the right to settle these differences. We do not want the interference of other people to settle these differences, and I beg of my friend to join with us in having responsible government and he will have no difficulty whatsoever.”

Mr. K. Ahmed : Why did you not settle them at first ?

Mr. C. S. Ranga Iyer : That worthy gentleman, who is a great honour to the Muslim community, (Laughter) asks “ Why did you not settle them at first ? ” Apparently he had no patience to listen to the quotation that I have just read out ! It is impossible to settle communal differences so long as we do not have the power to settle those differences, so long as we do not have the reins of administration in our hands. If there are communal differences in this country to-day, the Englishmen, who claim to hold the country, are responsible for these differences. (*Cries of “ Question. ”*) If there are communal dissensions in this country to-day, the Government are principally responsible for them. Government have the power to stop the outbreak of riots. During the days of Emperor Akbar, we had no such riots. Sir, the English policy is “ Divide and rule ”. Lord Birkenhead said Government have “ kept their hands unsullied,” but the truth is that it serves the purpose of the Englishmen in India to stimulate and perpetuate communal differences. If you want us to settle those differences, we must have the power to settle those differences.

We have had enough taunts and talks of caste and of creed, from opponents and critics who are interested in magnifying the actualities. I wish the gentlemen, who talk of the differences of caste and of creed,

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only knew the history of the growth and development of the British Empire. I wish they read their own history before they come to this House and talk ignorantly of caste and creed and want of national unity. What was the state of affairs in Canada? Has my Honourable friend over there read of the state of affairs in Canada, when Englishmen went to that country, or rather years after they had gone to that country, on the eve of granting self-government to Canada. I would ask him to read Lord Durham's Report. I would ask Honourable Members of this House to make a study of English history before they remind us next time of India not being a Nation. For their present purpose one or two quotations will suffice from "The Broad Stone of Empire," by Bruce, a well-known English author.

Mr. K. Ahmed : What happened on the 20th of February at Delhi ?
(Cries of " Order, order. ")

Mr. C. S. Ranga Iyer : The author says :

" The troubles both in Lower and Upper Canada appeared to Lord Durham to be due to the absence of a working identity of will between the popular assemblies on the one side, and, on the other, the executive power supported by its nominees in the Legislative Councils."—*the same conditions as in India.*—" In Lower Canada there was also the difficulty arising from the presence of two races—one, in a great numerical majority, French in origin and language, Roman Catholic in religion, mainly agricultural by occupation in the small farmer or peasant way, poorer and more content, less progressive, ambitious, and enterprising ; the other British by origin, Protestant in religion, commercial, or farming on a large scale, far more energetic, restless, and enterprising, and richer. The two races were divided by race, language, religion, occupation, education, tastes, aims, and social differences. The English were irritated by the obstacles to the improvement of trade and commerce which were placed in their way by French jealousy ; the French were irritated by the political and economic ascendancy of the minority.....The English looked on the French with contempt ; the French, as the English economic conquest progressed, saw their rivals with ' alarm, with jealousy, and finally with hatred '. Inter-marriages were rare ; there was no combination for public objects of any kind, not even for those of charity. ' The only public occasion,' said Lord Durham, ' on which they ever meet is in the jury-box, and they meet there only to the utter obstruction of justice '."

And Honourable Members, European Members, come to this House and talk of " the awful conditions in this country " ! The conditions here are not half so desperate as the conditions in Canada, but those conditions did not stand in her way : Canada was endowed with responsible government which proved a panacea for her social and economic ills.

Sir, I shall present to you another quotation with regard to the state of affairs in another country, South Africa. In South Africa too, the condition of things was equally desperate.

" The elements of political mischief in our possessions in South Africa included the groups found in Canada, with a difference. In Canada the British and French parties were separated by race and the fundamental religious distinction between the principles of the Catholic and Protestant Churches. In South Africa the racial differences between British and Dutch were exasperated by the distinctive policy of the British and Dutch Protestant Churches in respect of the relations of the European colonists to the native community."

To these countries, you gave freedom. And what were these countries ? Countries with no reputation behind them, with no tradition behind them. Convict Colonies.....

The Honourable Sir Basil Blackett : What convicts were ever sent to South Africa ?

Mr. C. S. Ranga Iyer : I shall answer you presently :

“ In 1837, a Committee of the House of Commons was appointed to inquire into the subject of transportation. Sir William Molesworth, who was Chairman of the Committee, some years later declared in Parliament that Colonial Office ideas of colonisation consisted almost exclusively in shovelling out of Europe its convicts and paupers, and that by our system of transportation we were converting our Colonial Empire into the moral dung-heap of Great Britain.”

The Honourable Sir Basil Blackett : Is there any reference there to South Africa at all ?

Mr. C. S. Ranga Iyer : Yes, it is a reference to South Africa and other Colonies.

The Honourable Sir Basil Blackett : It is a reference to Australia.

Mr. C. S. Ranga Iyer : To your Colonies, including Australia.

“ From that time to this, in racial and religious distinctions have been found elements of political mischief that have made our possessions in South Africa the most perilous of our dominions. But the Colonial Office thought proper to add an additional element which for a time united British and Boers in the bond of resistance to a common foe.”

No student of history will dispute the references to South Africa, to Canada and other Colonies in this book written by a respected English authority. The Honourable Member just admitted that Australia was a convict colony. If it is true of Australia, I ask, have you endowed Australia with responsible government or have you not ? Sir, we have a civilization older than these Colonies ; we were self-governing from millenium to millennium, and if Englishmen had not come to this country, if they had not set one people against another, if they had not conquered this people, as Lord Birkenhead would put it, “ at the sharp edge of the sword—” albeit the Indian sword—well, the Indians too would have progressed as the Japanese have progressed.

Talk of India not being a nation ? Are the British Isles a nation ? Did they have a common Parliament ? Are Scotland and England together a nation ? Read the literature on Ireland, and you will find that they were considered to be a nation and in recognition of that fact you gave Ireland her freedom. Now you come to this House and say we are not a Nation ! Go from north to south and you will find the same religion, the same religious observances, the same traditions, if not the same language, in the country. (Laughter.) If there is not the same language, it is because we have not a national government. (Laughter.) It is foreign government which thrusts on us foreign language. (Hear, hear). English is the language of the educated people. We have not got a national government, and only when we get a national government can we hope to get these obstacles removed (*Mr. K. Ahmed :* “ What will be the national language ? ”) Sir, Mr. Kabeer-ud-Din Ahmed is the solace of the Treasury Benches. You speak of these difficulties but how to get rid of these difficulties without getting rid of a Government not responsible to the people. So long, Sir, as you are not responsible to the people, you will not be responsive to us. And our grievance is that, in spite of having come to you and placed before you with a united

voice, with one mind, our national demand, you brush the demand aside. I know why you do it. You have no faith in constitutional agitation.....

Mr. President : Will the Honourable Member address the Chair.

Mr. C. S. Ranga Iyer : Sir, Lord Birkenhead in his speech stated " expel and exorcise the demon of suspicion ". We read Lord Birkenhead's speech ; we listened the other day to the Viceregal paraphrase of that utterance ; we also heard to-day the commentary thereon by the Honourable the Home Member and the paraphrase by the European non-official Members. Lord Birkenhead said " expel and exorcise the demon of suspicion ". But, Sir, by not accepting the offer which we have put before you, you are only encouraging the demon ! Constitutional agitation will have to come to an end, if you do not concede to the wishes and the prayers of the Moderates, to the demands of the Nationalists, to the unanimous appeal of the Constitutionalists. To-day you cannot accuse the Swarajists of being dreamers and idealists. They dream dreams. They have ideals. But they are putting before you to-day the too practical programme of the most cautious moderate in the country. Lord Birkenhead said, speaking at the Milton Abbey Park, after the India debate in the Commons, that he spoke not only for the Conservatives, but as it was clear from the debate, for the Liberals, for Labour, for all parties in England. So may my leader claim that he spoke to-day not only for the Swarajists, but for the Moderates, for the Nationalists, for the Independents, for every politically-minded community and class in India. Sir, after this you cannot confuse the issue. You have to meet it squarely and fairly. If you do not, be prepared for the consequences. It may be that the constitutional party may come to an end, as it came to an end in Ireland. Take it from me, knowing as I do the feeling and the forces in the country, that the people are not going to give up the fight. Every nation, like every man, is entitled to its freedom, and, I may assure, you, Sir, we are determined to be free. An English poet said, " Where freedom does not exist, there exist no good things." This observation is true not only of England but also of countries this side of the Suez. Sir, we are determined to be happy in this land and we know our happiness is bound up with freedom. We want to be free, but at the same time, if you will not force us we do not want to break away from England. That is why we have presented to you a transitional programme. There is no use telling those old stories, retailing those stale shibboleths about India not being a Nation. India is as much a Nation as any other country in the world, and if you deny India her rights and liberties, India knows how to take them.

Diwan Bahadur T. Rangachariar (Madras City : Non-Muhammadan Urban) : To speak or not to speak was the problem which I was cogitating about the last two days. I have had bitter experience in this Assembly of wasting my words, and I was wondering whether this was going to be another occasion in which words are going to be wasted. Sir, there are people who believe that the British are an insincere lot. There are some of us who believe that they have not yet come down to that stage. After reading the speeches of Lord Birkenhead in the House of Lords and Earl Winterton in the Commons, and after hearing His Excellency the Viceroy from that place, Sir, the doubt crossed my mind whether really any profitable discussion is going to be had on the floor of this House on this report—profitable to Government, not profitable to the House. The object of my taking part in this discussion is to speak

to the Treasury Benches, through this House, on the seriousness of the question which they have to consider to-day. There are two issues before us. One issue is raised by the Honourable the Home Member, for discussion, I take it, not that the Government have come to final conclusions on the matter, but that they have come to provisional conclusions which they want this House either to endorse or reject. Sir, I have no doubt in my mind to reject one part of the proposal made by the Honourable the Home Member, while I am willing to accept the other part. The first and the most fundamental part of the Honourable the Home Member's proposal is, "Accept the principle of the majority report." And what is that principle? Leave the constitution as it is, but make minor changes here and there. By all means make minor changes, but as practical statesmen, may I ask you, what was the object of this inquiry? What is the object of this discussion? What is it you are now bent upon? What was the object of the reforms? After more than a century of British rule, the declared object was to train people in the art of responsible government, not merely to make a few people good administrators. The object was not merely to create A, B or C as good Ministers. The object, the more laudable object, the more real object, was to train people in the art of responsible government. It is that question which you have to face as statesmen. Are you satisfied that the recommendations made by the majority will satisfy that test? Is the machinery which you have now devised and which you have now closely examined with the help of the materials which you had fit to train the people in the art of responsible government? Sir, I ask every member of the majority in all honesty to put his hand to his heart and answer that question honestly. I ask him of his experience in this very Assembly. I am not now going into the question of dyarchy. I am more familiar, Sir, with the Central Government. I lent my apprentice hand to the working of the reforms, honestly, sincerely, and lent my wholehearted co-operation to the working of the central constitution.

Mr. T. C. Goswami : You wasted your energy.

Diwan Bahadur T. Rangachariar : What is my experience? My ideas are well conveyed by Sir Alfred Mond when he spoke in the House of Commons. He has beautifully expressed the position of the Central Government. Speaking in the House of Commons, this is what Sir Alfred Mond said :

"The creation of a Parliament such as we have created, with certain powers and yet without responsibility, raises questions of the very gravest difficulty. I remember very well listening to a debate in the Delhi Assembly, when the Budget was thrown out by that Assembly. Member after Member got up and said that, of course, they could quite easily reject the Budget, because it was certain that the Viceroy would certify it and the country would go on just the same...."—*This is for the benefit of the Honourable the Finance Member—(The Honourable Sir Basil Blackett : "This was not last March.") (An Honourable Member : "It refers to 1924.")* "That is one of the evils of divorcing responsibility from power"

The Honourable Sir Basil Blackett : That is the old days.

Diwan Bahadur T. Rangachariar : This is under the new constitution :

"I am certain if those same Members had known that their action would mean the cessation of the machinery of government in India, the stoppage of the payment

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of salaries, the stoppage of order and law in their country, they would never have taken the step that they took on that occasion. The mere creation of an Assembly that has no power and is irresponsible, brings with it difficulties and dangers, and one cannot, therefore, be surprised in any representative body to find a certain impatience and resentment of the fact that people are asked to come and spend many months"—of valuable time, you may take it—"taking part in debates the result of which will, they know before they begin, be practically nugatory."

Sir, that sums up the situation so far as the Central Government is concerned. Here is an elected majority, an irresponsible elected majority, if that would gladden the hearts of the Treasury Benches. You have got an irresponsible elected majority, with power to vote down and an Executive which is not responsible to this House. (*Mr. A. Rangaswamy Iyengar* : "Neither to God nor man.") They are supposed to be responsible to some people abroad. Now, Sir, how long can you tolerate that system of government? I ask, in all honesty, do you expect us, business people, professional people, to come and devote our time here and spend months in discussing questions which affect the well-being of the country when we know perfectly well that our votes do not count, that you are there irremovable, immovable (*An Honourable Member* : "Like the Himalayas") sitting on the Himalayas? Did the majority face that question? Did they interest themselves in that question? I quite agree that by the terms of reference their hands and feet and tongue and pen were tied. But who is to blame for that? Not we. We urged times out of number that the terms of reference were too narrow, too limited, and that they would bring no satisfaction. Now, what are the disclosures made? They are there. The majority have in numerous places referred to the defects, I will only give my reference to the pages, and they say that by the terms of reference they are unable to go into them. (Pages 1, 24, 25, 97, and 106.) May I ask, what is it you are doing now? Why do you ask us to accept this principle of stagnation? They say they are not slaves of dates. But, Sir, they are slaves of phrases. If really it is your honest conviction that you are going to stand by the Preamble of the Government of India Act, 1919, if you are going to stand by it, why invite all this farce of discussion to-day? Why pretend that you are going to profit by the debates in this Assembly? What is the use of discussing this question and asking us to extend the hand of comradeship, the hand of fellowship and friendship? To what purpose I ask, if you are going to stand, as the Honourable the Home Member told us to-day that he is going to stand, by every word of the Preamble? If so, say so at once, let us part company, I shall say good-bye to this Assembly. I do not do any useful work. I am speaking in all seriousness to the Treasury Benches, to whom is committed the charge of 320 millions of civilised people—I ask you to take note of it. Here I present you two great individuals to-day. Here is my Honourable friend, Pandit Motilal Nehru offering his hand of fellowship. Here is my Honourable friend at the other pole, Sir Sivaswamy Aiyer, asking you to grasp that hand. I ask you in all seriousness, what is the significance of this action to-day. Consider it carefully. Do not scoff at it. There are difficulties. You are there to overcome difficulties. Did you not overcome difficulties with the great Germans? (*An Honourable Member* : "They create difficulties.") Did you not overcome difficulties in Canada, in Australia, in Africa and other places? That there are difficulties I do not deny. The very presence of my Honourable friends, Colonel Crawford,

Mr. Cocks, Mr. Kabeer-ud-din Ahmed—they are difficulties to deal with. Deal with them mercifully, deal with them sympathetically by all means. I know for certain that my Honourable friend, Mr. Kabeer-ud-din Ahmed is not serious in his interruptions. His great community I know, whether they are Khilafatists, or otherwise,—the Muhammadans I may take it, I hope I speak with the authority of the Muhammadan representatives here, when I say that the Muhammadan community is as eager as anybody else to get this constitution put on a sounder basis than it is to-day. If there is any Honourable Muhammadan gentleman who thinks that this constitution is satisfactory and does not demand an immediate change, let him rise and I will bow to him. Sir, what is the evidence placed before you? Even my Honourable friend, Mr. Kabeer-ud-din Ahmed dare not rise; he knows the mind of the people. Different people claim to speak on behalf of the masses. I claim to speak on behalf of the masses. Colonel Crawford claims to speak on behalf of the masses, and I do not know who else claims to speak on behalf of the masses. I do not think any of us should bother ourselves much about that. What is the object of a Government? To deal with the intelligentsia of the people. Now, you have the intelligentsia of the Indian people, from His Highness the Aga Khan downwards. You have Sir Ali Imam, Sir Krishna Gupta, and various other gentlemen who have occupied positions of responsibility and power, and what is it that they say? Is there one dissentient voice among the intelligentsia? However much they may differ on the question of communal electorates, whether there should be reserved seats, or more seats than ten, or whether the number of seats should correspond to the population, and all that—whatever differences there may be they are on matters of detail, but on the fundamental points which are embodied in the amendment and which are now placed before the House I claim that there is not a tittle of difference of opinion, among the Indians. I do not count my Anglo-Indian friends in that though I wish they could join us in the matter, nor do I claim to speak on behalf of the Anglo-Indian friends. But I claim to speak on behalf of my Hindu friends, Mussalman friends, Indian Christian friends, Parsi friends, Punjabi friends, Sikh friends, Madras friends, non-Brahmin friends, Brahmin friends, Maharatta friends, non-Brahmin Maharatta friends—by whatever name you may call them, and there is no recognisable difference of opinion on fundamentals. I am glad that my Honourable friend, Pandit Motilal Nehru who has so far stood out of this programme has to-day joined us in making this demand. We, Liberals, Moderates, Conventionists, Besantites and what not—all of us have been of this opinion, but my Honourable friend Pandit Motilal Nehru stood out of this, but I am glad that he has joined us. (*An Honourable Member*: “Will you join in the means?”) That is another question. We are now to-day offering you in the shape of this amendment this hand of fellowship. We are not offering it as a menace. It is offered purely out of sincere friendship, it is offered purely out of sincere conviction that you should embark upon an examination of this constitution agreeing to some of these fundamental, if not all, so that we may come to an amicable understanding, so that the brains of the country may be devoted to some more useful purpose. For the last five years what is this spectacle you are witnessing? You are supposed to be in charge of the best interests of the country. What is the spectacle you are witnessing during all this time? What are all these brains and the brains outside doing? Should they not be devoted to constructive work, to develop industries, to foster education, to increase irrigation works, to give you ideas and work them

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out ? What is it you have done by means of these reforms ? You have driven the whole brains of the country into an agitation : " This constitution is bad and give me another constitution." You say " I do not know whether it is good or bad. You try it. You try it." Are you so barren of statesmanship that you cannot take the people off this agitation and set them to honest, earnest, constructive work ? That is the appeal I make to the Treasury Benches. Do not think that we have come here to wrangle. We have not come for that purpose. We have come here so that we may come to a proper understanding of the question. You had better take the people off to other channels that they may not think of the constitution, by putting it on a firm automatic basis. Create a machinery for examination, let us all examine and put the constitution on a firm basis. In the meanwhile we will extend to you the hand of co-operation and try to improve the conditions of the country.

The Honourable Sir Charles Innes (Commerce Member) : I thank you, Sir, for this opportunity of intervening in this debate. I think that it is important that I should explain at a comparatively early stage the attitude of Government in regard to the amendment moved by the Honourable Pandit Motilal Nehru. I must confess, Sir, that I was genuinely disappointed when I saw that amendment. I am an incurable optimist and I had hoped that the speeches of the Secretary of State for India and His Excellency the Viceroy would have had some effect upon my Honourable friends opposite. I had hoped that they would definitely lay aside for the time being their demand for Swaraj and would have set themselves soberly and wholeheartedly to work the present constitution, defective though it may be, realising as practical men that that is the surest and the most expeditious way of achieving the end they have at heart. Instead of that, Sir, we have an amendment proposed in the old familiar terms. I can see the Honourable Pandit Motilal Nehru in the watches of the night wearily penning those sonorous sentences and as he did so, I think he must have hummed to himself the words of the old tune :

" Come under the old umbrella. "

I congratulate him on having devised an umbrella big enough to hold both himself and my Honourable friend Sir Sivaswamy Aiyer. Sir, it is easy to foretell the lines which this debate will take. We have had the linked sweetness, rather long drawn out, of my Honourable friend the Pandit. We have had the trenchant speech of Colonel Crawford, we have had a weighty oration from Sir Sivaswamy Aiyer, we have had the literary grace of Mr. Shanmukham Chetty and, Sir, in due course we shall have the polished irony of Mr. Jinnah. Then, Sir, we shall get the mellifluous imaginations of Pandit Madan Mohan Malaviya and, finally Sir, if your favour extends so far, we shall come to the breezy exuberances of Mr. Abhyankar, and, Sir, when all is said and done, I am afraid that no further light will have been thrown upon a subject which is already threadbare. I am a man of few words, and I can promise that at any rate my contribution to the debate will not be a very lengthy one. I will confine myself to restating the position of Government in the broadest and briefest possible way. Pandit Motilal Nehru said he did not propose to waste the time of the House by

referring to the recommendations of the majority report. May I say in return that I do not propose to waste the time of the House by referring in any detail to the terms of this portentous amendment (*Pandit Motilal Nehru* : "That finishes the matter then.") I propose to deal with the matter on the broadest lines.

Now, Sir, the objective which every one of us has is the same. We are all agreed that the objective is responsible self-government for India within the Empire. The only difference that lies between the Benches opposite and the Benches on this side of the House is in regard to the manner, the measure and the time of the advance. Now, I should like to concentrate first on that word "manner", because I am afraid that it is on this point that there may be a fundamental variance of opinion between my Honourable friends opposite and the Treasury Benches. As I understand this amendment, it first lays down certain principles or demands for fundamental changes in the Government of India Act. It asks the British Parliament to affirm those demands and when that has been done a round table conference or some other machinery is to be devised to work out the details and to embody these demands in a workable scheme. Then the decree of that round table conference is to be registered by Parliament and the scheme is to be embodied in a Statute. Now, the amendment leaves it rather vague, purposely vague, whether the approval of Parliament to these demands is to be a condition precedent to the assembling of that round table conference (*Pandit Motilal Nehru* : "Not a comma to be changed.") That is precisely what I anticipated. The Honourable Pandit Motilal Nehru has told us that he has given us the hand of fellowship. He has said that he has made us an offer. It is true that he said it was a minimum offer. He is not prepared to derogate from his demand an iota.

Pandit Motilal Nehru : May I explain myself, Sir. What I meant was that any scheme which has been devised by representatives of all interests sitting together in a round table conference will be in its very nature a scheme in which no comma or full stop can be changed as we shall all be parties to it. That is what I meant.

The Honourable Sir Charles Innes : I gather from the Honourable Pandit sitting opposite that he has not changed in the very slightest respect from the opinion which he expressed in February 1924 in this House. Then, Sir, I can only express my surprise at the congratulations which my Honourable friend Mr. Rangachariar extended to himself for having roped in the Swaraj Party. As far as I can see my Honourable friend Mr. Rangachariar and my Honourable friend Sir Sivaswamy Aiyer have been led kindly but firmly into the parlour of Pandit Motilal Nehru. (*Mr. A. Rangaswami Iyengar* : "We were together last year too.") I am glad that Pandit Motilal Nehru made that interruption. For it has, I think, clarified the position. As I understand it, this amendment is intended definitely to repudiate the Preamble of the Government of India Act. It is intended definitely to repudiate in particular those words :

"The time and manner of such advance can be determined only by the British Parliament upon whom responsibility lies for the welfare and advancement of the Indian peoples."

The amendment is definitely intended to challenge the proposition that any extraneous authority, whether the British Government or not, can

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settle these matters for India. If that is the position (*An Honourable Member* : "Quite right") then the House will realise that Government must oppose this amendment and oppose it in the most unhesitating and plainest fashion. That is not a proposition which we can accept. (*An Honourable Member* : "You are bound hand and foot.") The Secretary of State in his speech, to which frequent reference has been made to-day, has said that the permanent and static effect of the Government of India Act lies in the Preamble. On that basis, he appealed for the co-operation of India. This amendment in effect means the rejection of that co-operation. It says, "We repudiate your Preamble and we refuse co-operation on those terms." Well, Sir, we are few in numbers on this side of the House, and we cannot stop the House from passing this amendment. But, Sir, I hope the House will realise that if they do pass this amendment they will be committing a very grave mistake. The offer of co-operation has been made to you by His Majesty's Government. The effect of this amendment will be to reject that offer with contumely and defiance. I can only say that that is a very grave mistake. The Honourable Pandit Motilal Nehru said that there was no sanctity in preambles and that preambles could be altered. That, Sir, is perfectly true. But my Honourable friend has omitted to notice that that Preamble states a claim on the part of the British Government, a claim from which this House cannot be allowed to derogate in any way at all. The British Government hold the responsibility for the people of India, not for one section of the people, not for the intelligentsia, not for the people that I see round me in this House, but for the whole people of India. That is the claim that is stated in the Preamble and that is the claim which we on the Treasury Benches cannot allow you in any way to diminish or derogate, and if you ask me, Sir, what right we have to make that claim I can answer you in a very few words. (*An Honourable Member* : "Divine right.")

Diwan Bahadur T. Rangachariar : Can we not ask you to depart from it ?

The Honourable Sir Charles Innes : You can alter the Preamble but you cannot alter that claim. I will tell you why, if you will give some little time. For the last one hundred years or so, almost by accident, certainly not by design, the British Government have assumed responsibility for India. They assumed responsibility, not merely as I said, for one section of the Indian people but for India as a whole. In the course of that 100 years we have given you what you never had before. We have given you peace. (*An Honourable Member* : "Emasculation.") We have given you peace and good government ; and I defy any fair-minded, unprejudiced man to stand up in this House and say that the effect of the British Government on India has not on the whole been very good. And now, Sir, after those 100 years or so a new generation has arisen, a new generation which does not know the horrors of chaos and anarchy, a new generation which does not know what it means, for no man's life, no woman's honour, to be safe. A fraction, a very small fraction of that generation, now comes to us and says, "Thank you—your work is done." Well, Sir, when you come to us and tell us that, we have a right to ask, in the first place, what are your credentials ? (*An Honourable Member* : "We are the people of the country.") In the second place, what guarantees can you offer for that

stability without which the self-government that you claim will be a mockery and a danger ?

I have dealt with the question of the manner ; that is the easiest part of my task. I come to much more difficult questions, namely, the pace and measure of the advance. This opens up of course the whole question of dyarchy ; and I have noticed that most of the Honourable Members who have spoken to-day on the opposite side have devoted themselves to proving that dyarchy is unworkable. Now, Sir, we on this side of the House have no special fondness, to use Sir Sivaswamy Aiyer's phrase, for dyarchy. We do not claim very much for it. All we claim for it is this, that it was the best device, the best instrument that we could devise, for this transitional period when you are advancing to full self-government. Whatever you may say against dyarchy, you must admit this that it was at any rate an honest attempt to transfer, not the whole responsibility but partial responsibility to the representatives of the people. What we claim for it, Sir, I say, is that it was the best device we could think of for this transitional period. And it is a curious fact that the amendment itself admits the need for a transitional period and also the need of dyarchy in the Central Government in that transitional period. (*An Honourable Member* : " Question.") But I do not wish to take up debating points of the kind. I am quite prepared to admit that dyarchy is difficult to work, but we do not admit that it is unworkable. I do not wish in any way to go in detail into the objections against dyarchy which have been mentioned in the minority report with that temperateness and ability which one would expect from the distinguished authors of the report. I think in essence their objections to dyarchy may be boiled down to this. Incomplete self-government is always unsatisfying. Wherever you have a country with incomplete self-government, that country is always reaching out for full self-government. People who have only got a part of what they want take no stock of what they have got, but their mouths water for that part which is still withheld from them. That I think is the reason why the Ministers of the Provinces have complained of the difficulty of working dyarchy. That I think is the reason why Honourable Members of this House think that up here they have not got all the power that they ought to have. Where you have not got full responsibility, I quite admit that a legislative body is apt to do irresponsible things. That I think is in essence the case against dyarchy. I fully admit the force of that case. All I claim for it is that it is a transitional device. But the real question is not whether dyarchy is in itself a good thing but what you are going to put in its place. Now the answer you give me at once is full self-government subject to certain safeguards. I am prepared to admit that that is the logical answer. I know that a stage where you have not got full self-government, must always be difficult. But, Sir, we have to look at the difficulties in the way of this demand for full self-government. Sir Sivaswamy Aiyer suggested that a difficulty was that we did not think there was capacity among Indians. I would like to say that we on the Treasury Benches do not claim, never have claimed, that there are not extremely able men among Indians. Indeed, Sir, it would be a poor compliment to my Honourable Colleagues on my right and on my left. Nor, Sir, is it fear of anti-British action. Nor, Sir, is it the complaint of a lack of responsibility on the part of this House. It is true that every now and then this House has passed Resolutions which I personally do not approve, but speaking for myself I may say

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at once that I have had the greatest help from this House. With regard to practically every Bill I have had to put before them I have had the greatest co-operation from them. It is not those reasons, not those reasons in the very least. The reasons are and I will put them very briefly, and now I come upon ground which I must tread very delicately, for I would like the House to believe that I would not willingly say a single provocative word that would in any way raise the temper of this debate. The first point I wish to submit to the House is, just look at the mere size of India. (Laughter.) Mr. Ranga Iyer with his usual eloquence referred me to Canada. Canada, Sir, is a big country I admit, but does Mr. Ranga Iyer realize the exact population of Canada? It is about 16 million people, and in India you have got 320 millions. Now if there is one thing that we know about democratic institutions more than another, it is that democratic institutions ordinarily have flourished best in small communities. They have never yet been tried anywhere in the world on the scale which you ask us to try them at once, here and now, in India. That is the first point. The second point—and here I must myself keep off forbidden ground—is this. I will give you one quotation from Lord Bryce. I think the whole House would admit that Lord Bryce was a perfectly impartial philosopher. In fact I think you will all admit that his book on Modern Democracies was not written with any reference to India. (*An Honourable Member* : "He was a reactionary Liberal.") Let me read to you a few words :

"Social structure is an important factor. Where men are divided by language or by religion or by caste restrictions grounded on race or occupation, there are grounds for mutual distrust and animosity which make it hard for them to act together or for each section to recognize equal rights in the other."

Now, Sir, my friend, Mr. Rangachariar and some other Members of this House will remember the very remarkable speech delivered in September 1921 in this House by Mr. Clayton. He was talking on the same subject that we are talking about to-day, and he quoted from a Spanish-American philosopher, Mr. George Santyana, a man who also was not writing with any special reference to India at all. The main point of Mr. Clayton and of his reference to this philosopher was this, that in any country where you wish to set up complete self-government, you must first have what is called fundamental unanimity. Now I think you will all agree with me that that is absolutely necessary. Unless you get that fundamental unanimity, you have not got that guarantee of stability which you must have unless your self-government is to be a positive danger.

Now, Sir, if I may

Diwan Bahadur T. Rangachariar : Unanimity amongst Indians ?

The Honourable Sir Charles Innes : I say, Sir, that that fundamental unanimity is not present in India to-day.

5 P.M.

If my Honourable friend Mr. Rangachariar will examine his own conscience honestly, he will agree with me.

Diwan Bahadur T. Rangachariar : I have examined it very carefully.

The Honourable Sir Charles Innes : Then, Sir, let me quote one more passage from Bryce. It is a very short one. What Bryce said was this :

"The very notion of establishing a Government by the votes of citizens and controlling the action of a Legislature and an executive by holding the representatives

responsible for the use they might make of their power, was not within the horizon of the vast bulk of the colonial subjects of Spain : much less could they work the elaborate machinery of two Legislative Houses with an elected President and his Ministers."

And what was the result ? The result was that in those Spanish American Colonies, there was, in the words of Bryce " a long welter of revolutions and dictatorships..... " There is our dilemma. " On the one hand, you have a desire, a perfectly natural and perfectly legitimate desire, which we on these Benches respect to the full. You have a desire for advance and indeed for full self-government. On the other hand, we cannot help seeing the grave dangers of that advance being too premature. It is just as if we were on the edge of a cliff and at our feet there were a deep abyss. On the other side of the abyss there is a cliff covered with flowers. Honourable Members opposite fasten their eyes upon those flowers. We, by our training, by our temperament, it may be, we cannot help thinking mostly of the abyss. And that is the difficulty to-day. (Mr. A. Rangaswami Iyengar : " That is the real difficulty.") I am quite sure that the next question will be this. You will say, the House will say, to me, " Yes. You say this now, and you will say it also in 1929 ; and you will go on saying it. You are merely saying it, because you want to find excuses for delay." I admit, Sir, that that is the real difficulty of the case. I admit, Sir, I personally have got no solution to offer for that difficulty, and I do not believe that anyone of the Honourable Members opposite has any solution for it : and that is why we, His Majesty's Government and the Government of India, feel that the only possible way of finding a solution of these difficulties is to have an examination by a perfectly impartial Royal Commission. Pandit Motilal Nehru will say : " We can give you a solution " ? He cannot give us the solution because he is too closely connected and too narrowly concerned. We cannot offer a solution for the very same reason. I agree entirely with the Honourable the Leader of the House that that problem that we have to face in India to-day is probably the greatest political problem that has ever taxed the ingenuity of man. I believe that with all my heart and with all my soul. We say that for the solution of that problem we must get the greatest brains in the Empire. Indian and European must work together in the solution of that problem.

Mr. A. Rangaswami Iyengar : That is what we want. That is our Resolution.

The Honourable Sir Charles Innes : I am very glad to hear that, and we must also have the help of His Majesty's Government. But, believe me, Sir, when we talk about co-operation in the solution of this problem, we must clear our minds of all cant. Let the co-operation be real, let there be no spirit of bitterness. Let there be no spirit of hatred, malice and all uncharitableness. It is, as I say, the greatest problem that has ever faced the world, and if we are to solve this problem, we must attack it in the words of the English Prayer book " With a humble and contrite heart." We must try to rid our minds of suspicions of one another. Sir Sivaswamy Aiyer told us that we are not sincere. I have served India for 27 years now and I can assure him that I am as sincere in my desire to find a solution of this problem as he can be himself. I am aware, Sir, that I am offering you merely a negative solution, and I am afraid that I have not satisfied the House by what I have said. But, Sir, we, in the Government, we probably see more

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than you who are outside. You in this House, you are disappointed when your Resolutions are not accepted. You are disappointed that your Bills do not go through as rapidly as you think they ought to. Believe me, Sir, those are unessentials. We, who are inside the Government, see that the tide is flowing very much faster than this House realises it. I say it, Sir, but it is no comfort to me to say that, because I, Sir, am a Conservative; you may even call me a die-hard. But whatever I am, I stand for India. I hold with all my heart and with all my soul that if England leaves India one day before her mission is done, if indeed she weakens her hold one day before her task is finished, then I believe that the consequences for India may be disastrous. But whatever the effects may be, whatever the effect on me may be, I have no doubt myself looking back on these last 4 years that the progress has been far more rapid than anyone in this House believes. When I reflect how the policy of the Government of India has been informed by Indian ideas, when I look upon the rapid Indianization of the services, then, Sir, I feel that the Honourable Pandit Motilal Nehru may say, and that truly, in the words of Arthur Hugh Clough :

" For while the tired waves, vainly breaking,
Seem here no painful inch to gain,
Far back, through creeks and inlets making,
Comes silent, flooding in, the main."

Pandit Motilal Nehru : Sir, in view of the fact that my Honourable friend when he rose said that he was going to explain the attitude of the Government, may I be permitted to ask him a question? As you will remember, I said in the course of my speech that the amendment I was proposing was in the nature of a proposal. Has the Government got any counter-proposal to make, or is there none? That is the question I want to ask.

The Honourable Sir Alexander Muddiman : Sir, I will deal with that point when I speak on the amendment.

Mr. T. C. Goswami (Calcutta Suburbs : Non-Muhammadan Urban) : You will agree with me, Mr. President, that it is not easy for me to follow the champion debater on the Government side. But I have this comfort that the Honourable Sir Charles Innes is invariably less formidable when he strays outside his own subject of coal and steel and deals with theoretical questions and moral issues. I wonder if he has heard of the cypher that in little place attests a million. I think Sir Charles Innes has sufficiently reinforced the Honourable the Home Member's speech, which had very little consolation to offer to either to himself or this House. He has added a cypher to Sir Alexander's great accomplishment. Sir Charles Innes is always on very delicate ground when he gets out all his statistics about steel and coal and discusses moral issues, and I found he was on particularly slippery ground when he talked of not only Bryce but George Santyana. Well, Sir, I shall not hold a scholastic controversy across the floor with Sir Charles Innes.

Sir, I thought Sir Sivaswamy Aiyer answered Colonel Crawford very effectively by a question, namely, which is the majority and which is the minority report? Handy dandy, which is the ghost, which is the man. The only substantial point which Colonel Crawford attempted to make was

the point that perhaps the minority members of the Committee had started with a bias. Now, we have definite evidence, by the admission of the Honourable Sir Muhammad Shafi, that the Government members who went into that Committee did not go with a free and unbiassed mind. Nay, more, their consciences were shackled by—I shall use a very mild expression and even borrow a phrase from—Sir Sivaswamy Aiyer—the trammels of office.—I am tempted to use much stronger language.

Sir, I was very greatly surprised to find that, long before Lord Birkenhead's celebrated statement in the House of Lords, my countrymen were eagerly expecting a declaration of any importance from that quarter. I do not know if I should be violating any convention if I read from a letter which I addressed to my late Chief, Mr. C. R. Das, on the 10th of June from London, and which arrived unfortunately a few days after his death. This was my impression of the situation in England about a month before Lord Birkenhead's statement :

"The atmosphere here is not hostile to India, but I do not see any real desire to settle the Indian question. And why should there be? Lord Reading must be glorying in the success of brute force. As for Birkenhead,...."—*here I omit a few compliments*—"a brilliant man, a blustering debater, it is only the lime-light he cares for. It does not seem to me that he has made any effort to understand the Indian problem, and the discussions with Reading must be very one-sided indeed. Expect nothing from Reading. Nor do I think it advisable to seek a settlement. The slightest hint that we want a settlement puts the back up of these people. I do not know if there is morality in politics. Certainly there is none in British or Indo-British politics; so that you can never get them to appreciate the moral justice of a settlement."

I subsequently found that my countrymen were agitated and disappointed by Lord Birkenhead's speech. Of that speech His Excellency Lord Reading the other day said in this House :

"It cannot be doubted that his survey of the situation....."

That is to say, the survey of the situation by Lord Birkenhead :

"formed an important event in the history of political development in India."

Sir, the history of India must indeed be a record of very poor and trivial events if we are constrained to endorse this quixotic hyperbole. I remember Lord Birkenhead reading out—the elocution was beautiful—from his carefully prepared manuscript on the 7th July, in the House of Lords. I should like this House to consider the antecedents of the man whose well-prepared rhetoric we have been asked to take seriously, either as words of the oracle or as conclusions of a profound philosopher. I acknowledge, however, that Lord Birkenhead placed us in a deep debt of platitude. Let me recall the history of Lord Birkenhead. He has made co-operation a *sine qua non* of further advance. The Party to which he belonged in 1914 spoke through its then Leader in the House of Commons as follows, about the Irish question :

"What is the position? As my noble friend has pointed out, there is in Ulster a great army, admittedly a powerful army, thoroughly organised and now completely armed and that army has been formed openly and avowedly formed for the express purpose of resisting by arms submission to a Dublin Parliament which has been, and I suppose is to a certain extent still, the professed policy of His Majesty's Government....."

That was apparently the view of constitutionalism which not only Lord Birkenhead practised but in which he took pride and on which he thrived. Then, I remember, Sir, in 1922 Lord Birkenhead supporting the Irish Free State Bill. But before that there is another chapter of incidents

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which we must remember in order to understand fully some passages in his great pronouncement. Before 1922—during the years 1920 and 1921—when reprisals were rife in Ireland, members of the Government, in which Lord Birkenhead occupied the exalted position of Lord High Chancellor—I have heard with my own ears—gloated over reprisals in Ireland day after day on the floor of the House of Commons; and words like “murderers”, “assassins” were freely used in reference to Michael Collins and Arthur Griffiths, whose hands Lord Birkenhead had to shake a year later. And let me remind you of one other incident, to supply the requisite perspective. That was Lord Carson’s reference to Lord Birkenhead in the House of Lords on the occasion of the passing of the Irish Free State Bill, when he reminded Lord Birkenhead of the ladder by which he had risen to power, of the hand which had guided him along the steps of personal advancement. Now I suppose we shall be able better to understand, in the light of the personal history of Lord Birkenhead, his epigram “Wise men are not slaves of dates.” Another sentence of his has been quoted in this House. “The door was never closed; it is open to-day.” I am sure Lord Birkenhead has realised in his chequered career that the door can never be shut, that the door must necessarily be open. And I think, if Lord Birkenhead bars and bolts his door against this Resolution, we shall find a way of bursting that door open.

Sir, I shall not waste words in killing dyarchy after it has been scotched. After the learned discourse of my dear and Honourable friend Mr. Shanmukham Chetty I think I will leave dyarchy to die in peace. After all, as we have been reminded by my leader Pandit Motilal Nehru, the Government of which Sir William Marris, the literary parent of the Reform Scheme, is the head, has unequivocally declared that dyarchy will not work, that it must go.

I have heard it said, about Mr. Das’s last pronouncement in Faridpur, that that great statesman had at last learnt by experience the efficacy and the need of co-operation. His great and noble declaration has been taken as an abdication of principles for which he stood, for which he founded the Swaraj Party and for which, I am sure I am right in saying, he laid down his life. There was no abdication at all. And here I come to what I really wanted to say this afternoon,—and that not to the Treasury Benches but to my own countrymen. I tell my countrymen present here that if they are not ready to prepare a sanction for this Resolution, they should not pass it. (Hear, hear.) I do not want this Resolution to be passed unless every one who votes for this Resolution is pledged to support it by action, to uphold it even unto death. (Hear, hear.) I was pained to hear two recent pronouncements from very distinguished leaders of my country. Mr. Chintamani and Sir Tej Bahadur Sapru, quite recently spoke on the Reforms Report. And what did they say? They said that this constitution was entirely unworkable, but that we must not obstruct that Constitution, that we must work it. I leave it to these *braves gens*, Sir, to work the unworkable constitution. But let them not vote for this amendment then, who in this House think likewise. I would rather that this amendment is lost than that one single man who votes for this amendment should flinch from the consequences of upholding it by all possible means.

Sir, there is another thing that I wish to say. We of the Swaraj Party,—I am sorry to have to repeat a phrase which I have used very often,—are for peaceful adjustment of interests. I believe in that, and the Swaraj Party is not only committed to that principle, but has so far, I venture to say, worked for that policy. Mr. Das in his last gesture probably made it more clear and manifest than it was ever made before. But, Sir, I say this, that not only are the Preamble and the Constitution not sacred to us, but that the Empire itself is no inviolable principle. There is an allegiance which transcends all other earthly allegiance, and that is allegiance to the land to which we owe our birth. We are striving after an adjustment of interests, and for that we have made what I regard as a very humble offer, what I regard as a most modest proposal. Compromise necessarily means yielding on both sides; it also necessitates respect for each other's sentiments. But one thing is certain,—and let me say it clearly—that if we cannot have Swaraj within the Empire, we shall have it outside the Empire. (Here, hear, from the Swarajist Benches.) Have I exceeded my time, Sir? If you will permit me, Sir, I should just like to say one thing more.....

Mr. President : The Honourable Member has one minute more.

Mr. T. C. Goswami : Thank you. This is a race with time. I was going to say that a blind fortune and an erring Providence may have provided a certain number of human beings the congenial occupation of plundering and misgoverning a luckless world. But let these men remember—let them never forget—that theirs also is a sorrow “which men dare not tell, the crowning sorrow of a trust betrayed”. To me the present Government of India appear like the aged wanton, to whom Horace addressed these words :—

“Lusisti satis, edisti satis, atque bibisti,

Tempus abire tibi est ;—ne

Rideat et pulset tasciva decentius aetas”,

“Thou has fooled enough, hast eaten and drunk enough ; it is time for thee to depart ;—lest one of an age more appropriate should mock and push thee off the stage”.

Sir Purshotamdas Thakurdas (Indian Merchants' Chamber : Indian Commerce) : Sir, when I saw the Honourable the Commerce Member rise in his seat to address the House, I felt that he was going to lay before the House some special reasons as to why the House should not, press this Resolution which asks primarily for responsible Ministers in the Central Legislature. But as I went on hearing the Honourable the Commerce Member, I felt that, if there was any modesty in the Honourable the Home Member, because towards the conclusion of his speech he said that he had not been able to rise to the heights of Sir Malcolm Hailey's eloquence or persuasiveness, Sir Charles Innes had more than made up for the defect. But, Sir, it struck me when my Honourable friend Mr. Shanmukham Chetty was speaking, that the Executive Councillors of the Governor General's Council were holding an urgent meeting here, because every Honourable Member seemed to go out, and I felt that with the Honourable the Vice-President of the Executive Council who is here, it was quite possible that there might have been an urgent meeting of the Executive Council in the Executive Councillors' room over there. If the decision of the Government of India to oppose this amendment is one that we all deplore, I am sure the House will agree with me that the decision

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of the Government of India, if there was an Executive Council meeting here, this afternoon to ask Sir Charles Innes to address us from the Government Benches after Sir Alexander Muddiman had moved his Resolution, was certainly a wise one. For my Honourable friend Sir Charles Innes seems to have done his best to cloud the issue before the House in the amendment of Pandit Motilal Nehru, and has tried, though unsuccessfully, to draw a red herring across it. He has tried to frighten, I am quite sure quite unsuccessfully, but he made an effort all right,—he has tried to frighten my Honourable friend Sir Sivaswamy Aiyer by warning him that he was walking into Pandit Motilal's parlour quite unawares. But I may assure my Honourable friend Sir Charles Innes that that good turn was not needed by Sir Sivaswamy Aiyer, because let me tell my friend Sir Charles Innes that Sir Sivaswamy Aiyer, before he came up here as a non-official, was a Member of the Madras Executive Council and was a Member for law and order,—he occupied an almost identical position to the one occupied by the Honourable the Home Member here. I feel, Sir, that the effort which my Honourable friend Sir Charles Innes made to frighten Members like Sir Sivaswamy Aiyer, was neither necessary nor desirable, and if he wanted to follow it up. . . .

Mr. M. A. Jinnah : Nor was it dignified.

Sir Purshotamdas Thakurdas : I leave it to my leader to say that. And if my Honourable friend Sir Charles Innes really meant to be sincere in that confusion which appears to have struck him, I wish he had discussed it across the floor with the Honourable Pandit Motilal Nehru who rose from his seat and put him a definite question.

Before, Sir, I put before the House the reasons why I feel on behalf of my constituency that I cannot give a silent vote on this very important Resolution, I would just like to refer to one remark which fell from my Honourable friend from Bombay, Mr. Cocke. My Honourable friend is generally very good at clearing up any confusion in regard to either facts or even figures when they are put on paper, but in this instance he appeared to me to have been rather confused, a thing which is exceptional for him. If I heard him right, my friend said that he understood very little of the latter part of Pandit Motilal Nehru's amendment. Taking my Honourable friend from Bombay at his word, I would suggest to him that his difficulty arises from this, not because he is wanting in intelligence, or the amendment is complex, but because my friend cannot appreciate the point where the shoe pinches the Indian, the son of the soil. If Mr. Cocke were by any chance an Indian, he would have had no difficulty in understanding our position, much less in supporting both by speech and vote the amendment of Pandit Motilal Nehru.

Sir, I shall now refer to what is known as the Muddiman Report which is under discussion. The Government, Sir, appointed to the Muddiman Committee nine members, three of whom were Europeans and six were Indians. Of the six Indians one only was a non-official and the other five were either officers with Government or had held office in the past with great honour to themselves and with great credit to the Governments for whom they held office. My Honourable friend on my left was the only person who could be said not to have been in the know of the secrets of administration. What is the result, Sir? In the division on the Report, three officials, one member representing European commerce, the Honour-

able Sir Arthur Froom, and one Indian who did not then hold office and who had therefore no shackles on him, voted for what is called the majority report. The other four Indians who found themselves compelled to put in a minority report—all, barring my friend Mr. Jinnah, held office either under the Government of India or under one of the major Provincial Governments with distinction. I believe, Sir, that, if the Honourable Mian Sir Muhammad Shafi's opinion is to be taken in his capacity of an Indian, without the burden of an official, the scales would change and the majority would become the minority and the minority the majority. Herein, Sir, lies the secret why the whole of the Indian public stand by and support what is, wrongly I submit, known as the minority report. To the Indian public, Sir, that is the correct report, because the genuine and frank opinion of one Indian member would have made all the difference.

I wish, Sir, in a few words to refer to the Honourable Member of that Committee, the Maharajadhiraja, who, though he was not burdened with office at that moment, deliberately, and I am sure quite sincerely,—I have no reason at all to doubt his sincerity or honesty of purpose—put not only his signature to the majority report but, becoming more loyalist than the King himself, put an additional supplementary minute to the majority report. I will read, Sir, from one paragraph of his minute. The Maharajadhiraja says :

“ I, therefore, hold, there is more scope for real advance and for establishing our fitness to rule by working the dual constitution fully and more successfully than it has been hitherto worked than there is in merely condemning it and asking for Provincial Autonomy as an immediate and irreducible demand. First let us give conclusive proof of our being able to manage successfully the partial form of Responsible Government which we have got for the first time, before advocating what would be, in the present formation of political parties in India and the existing electorates, a leap in the dark.”

The Maharajadhiraja, Sir, advises us to make ourselves fit for freedom before we ask for any further advance. When I was reading that minute of his, Sir, last March, there came to my mind a quotation from Macaulay which I cannot help putting before this House. Lord Macaulay in one of his essays says :

“ Many politicians of our time are in the habit of laying it down as a self-evident proposition that no people ought to be free till they are fit to use their freedom. The maxim is worthy of the fool in the old story, who resolved not to go into the water till he had learnt to swim. If men are to wait for liberty till they become wise and good in slavery, they may indeed wait for ever.”

I don't think, Sir, that I need comment on that part of the Report any further and I feel that the people of India are quite justified in saying that the reasoning that the Maharajadhiraja has thought fit to follow is not one which commends itself to them.

Sir, it has been said that the two great communities in India, the Hindu and the Muslim communities, are really getting wider and wider apart, that there is an increasing cleavage between these two and as long as that is not made up it is neither wise for the people nor advisable for the Government to devise any further step of political advance. Many, Sir, have been the arguments which have been advanced against this dictum. I wish to ask only one question. Do the Honourable Members sitting on the Benches opposite assure this House that they will within a stated period of time see that by continuing the administration for which they at present claim so much, these feuds and these small splashes here and there will disappear ? I dealt with this part of the question in my

[Sir Purshotamdas Thakurdas.]

speech on the main Resolution in February 1924 and, as other Honourable Members have addressed the House about this to-day, I do not wish to follow this up any further.

But I would like certainly, Sir, to put before the House special reasons why the Central Legislature in India should not any longer have an irremovable and irresponsible executive. Let me, Sir, put to the Honourable Members opposite the question as to how far they have succeeded in looking after the Indians who have left India and that too under Government schemes, Sir, either as coolies or as persons who have gone with the concurrence and sanction of the Government? I need only cite the plight of Indians in South Africa, of the way in which, Sir, the trust which the British claim they hold or have held from Indians has been sadly but surely betrayed and of the very weak—that is the mildest word that I can use—of the ineffective and, may I say, Sir, impotent manner in which the British Government are able to look after the bare rights of those Indians whom they sent there. I will next come a little nearer, Sir, to things at home. I wish the Honourable the Commerce Member was here. I would like to ask him, Sir, whether the way in which the Honourable the Commerce Member has looked after the industries of India at this juncture,—when industries all over the world are depressed and are passing through a crisis, when industries in every part of the world are being looked after by the Governments concerned in a manner which is paternal—may I ask the Honourable Sir Charles Innes, the Commerce Member with the Government of India, whether he can say that, if the Executive were responsible to the people, he could afford to look after the industries from his seat on the Government Benches in the unsatisfactory manner he has done during, say, the last two years. I will, Sir, only quote the way in which the great cotton industry is being starved, Sir, without any reason and certainly in the face of and as a challenge to the greatest popular agitation that I have ever seen go on for the removal of the excise duty. Let me, Sir, put to the Commerce Member, now that he has returned to his seat, another instance. Let me ask him whether, if he was responsible to the House, he would treat the report of the Tariff Board on cement in the manner in which he appears to have treated it till now. Let me ask him whether he would reject the recommendation of the Tariff Board regarding the import duty on cement without reference to this House? Would he not bring that report before the House for their confirmation of Government's decision, if he was responsible to this House? I, Sir, do not wish to exhaust the patience of this House on those instances. But I wish to add one general remark.

I would remind the Commerce Member that the Tariff Board, whose reports he spoke of with so much approval, last year, cannot now be disowned by him so lightly, when the said Board continue their good work, and report on questions referred to them with impartiality, and with no extraneous influence working on them, as appears to be the case to the public till now. In two cases, the steel and paper reports of the Tariff Board, the Government have thought fit to override their recommendations, and offer to the industries concerned less than what the Board recommend. It would be interesting to know the reasons of Government for this purpose, but any amendment in this connection in this House would be ineffective as it would involve the finances of the Government.

I venture to ask the Commerce Member to tell me whether if he were responsible to this House he would dare to take these decisions irrespective of the public feeling, and what is more important, if he would reject the report on cement by the said Board without ascertaining the wishes of the House. I feel that I must, Sir, in passing do justice to another Honourable Member with whom the commercial community has much to do. I will not, Sir, comment. I will only say to the Finance Member that, if he was responsible to this House, he would not have been able to persist for the last one year in his policy of currency and finance as he has done without giving the Assembly an opportunity to discuss it for 12 long months. I do not wish, Sir, to comment on this further for reasons which will be obvious to the House. And to the Honourable the Home Member may I ask whether it would be possible for a responsible Member of the Government of India to send out to International Conferences, for which India pays to the League of Nations at least 11 lakhs a year, deputations headed never by Indians, but always by Britishers. This year, the deputation to the League of Nations consists of, Sir, whom as non-official Indian representative? A Maharaja, a very great man—I have nothing to say against him—His Highness the Maharaja of Patiala—but can he be said in the slightest degree, I wonder if he himself claims, to represent adequately or even in the slightest degree the interests of British India. That is the manner in which the Government of India go on treating the opinions of representatives of Indians in an Assembly such as you yourself have started, and one after the other you get up and warn us that we should not go further, that we best beware, that we best be cautious, that we should be satisfied with what you tell us is good for us. I tell the Members of the Government who have spoken till now that they would not give that advice to themselves if they were Indians. If only they were in our position, they would refuse to take that advice from any one. If they were to cross over here and we were to cross over there they would talk on this question in terms much stronger than those in which we talk to them.

Sir, we have been told, both by Lord Birkenhead and by His Excellency the Viceroy, that agriculture should command the utmost attention of the Government of India. What an awakening, Sir! After their rule for the best part of a century, after one hundred years of organised rule of India by the British Government, that day Lord Birkenhead said in the House of Lords that it is necessary to appoint a Royal Commission to go into the question of agriculture in India. The politicians of India have cried hoarse themselves for this the last 30 years and more. Did not Mr. Gokhale ask for more attention by Government to agriculture? Did not Sir Phirozeshah Mehta plead for it? Did not Sir Surendranath Banerjee roar for it? In fact, who has not pleaded for it? My Honourable friend Pandit Madan Mohan Malaviya has pleaded in the name of the agriculture of India for years and to-day comes a great discovery by Lord Birkenhead that Government must appoint a Royal Commission for Agriculture. The question, however, is, when India wants to go ahead with industry, the Honourable the Commerce Member over there tells us to have patience, and the Honourable the Finance Member tells us that he must find money before he can agree to the abolition of the cotton-exercise duty.

The Honourable Sir Basil Blackett : Will not a Minister have to find money?

Sir Purshotamdas Thakurdas : He will find money under the existing conditions, both of the Government Treasury and of industries. Sir, I have not the slightest hesitation in saying, as Sir Basil would find it if he were responsible to this House to-day. I have not the least doubt that Sir Basil would not then reason in the manner he does till now—for the whole difference is that he will be a Minister responsible to this House.

Mr. President : The Honourable Member has far exceeded his time limit.

Sir Purshotamdas Thakurdas : I will say only one word more. I wish, Sir, in conclusion, to refer to one sentence in His Excellency the Viceroy's speech. I am reading from page 12 of the official report. Referring to his visit to London, His Excellency said :

"Throughout I was impressed on the one hand by the sympathetic good-will manifested towards India and Indians and on the other hand by the determination not to be hurried by threats into premature concessions."

Sir, realising my responsibility as representing Indian trade and commerce in this House, I would be the last person to support anything which I may even suspect to be a threat for any hasty action. It is because the country and the Indian commercial community are convinced that without responsible Government and without progress on the lines indicated in Pandit Motilal Nehru's amendment there is going to be not only no relief from the handicaps we feel but there may be progress in the retrograde direction that I see no alternative, Sir, but with the freest of will and the utmost confidence and conviction to give my support to this amendment.

Mr. A. Rangaswami Iyengar (Tanjore *cum* Trichinopoly : Non-Muhammadan Rural) : Sir, at this late hour of the day, I do not propose to inflict anything like a big speech on the House. My intention to-day is only to refer to two aspects of the problem as it presents itself to-day. We have been told, Sir, that there is the utmost good-will on the side of the Government Benches. Sir Charles Innes faces the most stupendous difficulties in making progress. But what is the real position ? I say, Sir, that the Government of India as constituted at present, is a government by a corporation, a corporation which sought to own this country and to exploit it for the benefit of the company and of its shareholders in the old days and mainly of the British capitalists and services at the present day. It is still the old position in which the Government of India is treated as the agent of a corporation owning the revenues of this country, owning all the vested rights that are supposed to vest in the Government in respect of the territories under the Government in India ; it is that fiction which they seek to enforce by the force at their disposal, that stands in the way of our government. What is the position of the Government of India ? We have been told by the Government of India Act that the whole of the territories of this country, all rights incidental to and arising from and all rights of the Company, the Court of Proprietors, the Court of Directors and the Board of Control, are all vested in the Secretary of State. Then, Sir, we have next been told by the Act that all the revenues raised in this country are the property of the Secretary of State in Council. We have been told by another section—section 21—that no expenditure out of these revenues or out of these properties can be made without the concurrence of a majority of votes of the Secretary of State in Council. The position then is that the property and revenues of this country are vested in a corporate body. That corporate body has the right to sue and be sued under the

Government of India Act. That corporate body has the right to dictate to the Secretary of State, because, according to the constitution, the Secretary of State has no independent power, so far as the revenues or the properties of this country are concerned, to act without the concurrence of his Council. Therefore, Sir, so far as the powers over the revenue or the expenditure of this country is concerned—and that is what matters in regard to the policy of this country—it is the voice not of the Secretary of State who has to be responsible to Parliament, but of the Secretary of State's Council, that governs the position and it is a corporation which has neither a body to be touched nor a soul to be saved. Sir, the position is one which calls for a fundamental change, and that is divestment of these proprietary rights in the governing class. So far as we are concerned we realise this and, anybody who has read the Rules on Indian Audit and the sections which confer powers upon the Government of India in respect of the revenues of this country can easily understand it. So far as the expenditure and revenues of this country are concerned, neither the Government nor we are free agents. The Government of India is not a free agent; the Legislature is not a free agent. The Government of India exercise only the delegated authority of the Secretary of State in Council. The Government of India in this country have not the power even to ask the Legislature to pass legislation by means of which they can raise a tax and appropriate that tax to a specific purpose for the benefit of this country, because, according to the law of the land, according to the constitution of this country, once a tax is raised, that becomes the property of the Secretary of State in Council, and no appropriation can be made by any Act which divests the Secretary of State in Council of his power. That was a question that was debated in England in the House of Lords years ago, and it was then pointed out that the position of the Secretary of State in Council was unassailable in that respect. But, Sir, what more do we find?

6 P.M.

We find that the Secretary of State's Council is placed not merely in a position of irresponsibility to this country, but it has been placed technically in a position of irresponsibility to Parliament itself. Because what does section 21 say? Section 21 says that no appropriation can be made of any of the revenues of this country without the concurrence of a majority of votes of the Secretary of State in Council. That means, Sir, that even when Parliament wants the Secretary of State, a Minister responsible to itself, to appropriate any revenues for being used for some beneficial purposes in India, or what is more often the case, for using it for any of the Imperial purposes of England herself, the Secretary of State's Council can come and obstruct it. As a matter of practice, the Council may not do it. As a matter of custom, they may bow to the authority of the Cabinet, but the position is that there is a corporation which is vested with these rights, there is a corporation which possesses the power to expend our money as it pleases without responsibility either to Parliament or to any authority in this country.

The next position I want to elucidate is this. What is the real position of the Secretary of State in regard to the Services? The position here is worse. The Government of India Act which was incomplete as to financial powers until 1916, no doubt, gave the Government of India the power, delegated power to appropriate the revenues in accordance

* [Mr. A. Rangaswami Iyengar.]

with certain rules which the India Council was then empowered and did later frame. Previous to that, it was without any rules. There was a kind of understanding or assumption, which the Government of India believed to exist, by which the Government of India spent or appropriated monies generally for the service of the Government according to certain rules which they thought were in existence and which conferred on them an implied delegation of powers from the Secretary of State. It was Lord Morley who pointed out that those powers did not exist, that the authority of the Secretary of State in Council over the expenditure of the monies of this country continued uncontrolled, that his control was absolute and that therefore, unless by means of statutory rules the power was delegated to the Government of India, what had been done was irregular. Then we had an amendment of the Act in 1916 and then they said that rules may be made by which the authority may be delegated to the Government of India and any expenditure incurred or any revenues raised in accordance with those rules shall be deemed to be expenditure incurred or revenues raised in accordance with the control vested in the Secretary of State in Council. Similar is the power reserved in regard to the other vested interests, that is, the interests of the Services. So far as the Services are concerned, then, the Government of India have no authority. The Secretary of State has no authority. The Government of India Act which sought to create the Public Service Commission and the various rules and regulations which have been framed have not sought to take away this monopoly of control over the Services, vested in the Secretary of State's Council. All the privileges which the Services enjoy are not to be dealt with either by the Government of India which may hereafter become responsible to the Legislature in India, or even by the Secretary of State who is responsible to Parliament. They have purposely ruled by means of a specific section in the Government of India Act that so far as questions of the Services are concerned, the Secretary of State has no power to act without the concurrence of his Council. This is again the corporation theory, and so long as the Anglo-Indian corporation theory exists, so long as this country is treated as a kind of estate in which the ruling classes shall have certain vested interests, certain privileges—so long as that theory exists, it is all idle to talk of setting us on our feet for self-government, and giving us rights of self-government. Where is the proposition that is now before us which says that the Services shall be controlled by the Government in this country, whether it be the Governor General in Council as it is now constituted, or by the Provincial Governments? As my Honourable friend rightly reminds me, we are going in the opposite direction. Every step that has been taken since Lord Birkenhead came into office has been to protect, to preserve and to accelerate the privileges of the Services. My Honourable friend, Sir Sivaswami Aiyer, said that at the time when dyarchy was proposed the bureaucracy disliked it very much. Now, they evince a sudden fondness for it. They like it very much and they do not want to change it for the present. I say the reason for that is too obvious. After dyarchy was introduced, if you examine the position, the Services have profited and benefited to an extent of which they could not have dreamt if the old system had been in existence. Their emoluments have been increased, their pay has been increased, by means of resolutions, commissions, orders and notifications

which appear in the Gazette of India every week to an extent which I cannot follow up. So long as these proprietary notions exist, so long as vested interests are sought to be protected, it is idle to contend that you are serious or earnest in saying that you want to put us on the road to self-government as early as possible. We will not believe it until Government deliberately and earnestly say, "we shall not continue this rule in that spirit, we shall divest ourselves of these rights." You may put the control of the purse into the hands of any authority in this country so long as it is amenable to our control. We are quite prepared to make reservations, to protect interests which are legitimate and proper. We are quite prepared to compensate every one of the Civil Service men who may feel himself prejudiced by anything that we may do. But we shall not stand the maintenance of this corporation's existence, the maintenance of these vested rights, this continued exploitation of the country for the benefit of the British Services and the British capitalists of India.

Syed Majid Baksh (Burdwan and Presidency Divisions : Muhammadan Rural) : At this late hour of the day I do not like to detain my Honourable friends most of whom have left. I deem it a great honour that I have been allowed to speak in this Assembly on a Resolution over which great heads have been put together in order to find a way out. (At this stage Mr. K. Ahmed made a remark which was inaudible at the Reporters' table.) Sir, my Honourable friend, Mr. K. Ahmed says something to me which I do not understand and so I am unable to reply to it. (*Mr. K. Ahmed* : "You need not speak if you do not wish to speak.") (*Honourable Members* : "Don't mind him.") Sir, the amendment which has been moved by my Honourable friend Pandit Motilal Nehru embodies in a great measure the demands which have been put forward not only from the public platform or the Congress but from any platform that claims to be representative, by men who are capable of speaking in the interests of India. To-day the Honourable the Home Member has moved a Resolution in which he says that the Assembly recommends to the Governor General in Council that he do accept the principle underlying the majority report. I would be quite prepared to support this Resolution if he means what is really the majority report. It has been pointed out by Honourable Members here that since the report was signed and published, a certain remark of a certain Member, Sir Mohammad Shafi, who signed the majority report, makes it clear that if he be included in the minority the minority report becomes a majority report, and if the Honourable the Home Member had really meant that majority report I would have no hesitation in supporting it. But, Sir, he means the technical majority report, and he relegates to the position of a minority the report of the real majority. I have already submitted to you, Sir, what is and ought to be the majority report. Sir, what did the minority report recommend? The minority recommended that provincial autonomy with an Executive responsible to the Legislature should be immediately given. That is the least that can be done by way of earnest to show that the bureaucracy means to put us in the way of full responsible government,—the progressive realisation of self-government as it is called. By way of earnest they could have at least done that. They have not done that. On the other hand, they ask us to accept the majority report.

[Syed Majid Baksh.]

Sir, it has been said that the Muddiman Committee was appointed in order to examine the defects in the working of the Act. What was the great stumbling block? The majority report recommends that printing presses should be a transferred subject. That was the great stumbling block in the working of the Act. After all their deliberations the majority have found out that printing presses and law reports were the greatest stumbling block in the working of dyarchy. Therefore they should be transferred. Can anything be more ridiculous than this, Sir? At least they should have put on the appearance of sincerity, even if they had no sincerity in their hearts. I submit, Sir, that it has been amply proved by the eminent persons who have actually tried to work dyarchy that dyarchy is unworkable. I do not know why my friends of the bureaucracy are so enamoured of that scheme. I for my part think it a very inelegant inæsthetic and dichotomized form of Government that nobody in his senses would support. Sir, my friend Mr. Goswami has already said that dyarchy has been scotched. It has not only been scotched but has been torn and sundered to pieces in more than one province. In my own province many people have said that dyarchy should be buried. I do not say that dyarchy should be buried because it will spoil the earth. It will pollute the earth. I do not think it should be consigned to the fire because it will pollute the fire. I think according to the other method which is prevalent in India, among our Parsi friends, it should be given over to the vultures, so that not the slightest trace of it may remain on the soil of India.

We have been told in the Viceregal speech that no special significance is attached to the date 1929. I think I am quoting the words correctly: "The statutory commission may be appointed at any time not later than 1929". Well, Sir, 1929 may be the statutory date but it coincides with a very interesting date also. I believe the life of this present Conservative Government extends up to 1929. The Labour movement is progressing. The rising tide of Labour is swelling and threatens to inundate England. If they come into power in 1929 the Conservatives will be nowhere. The coal strike has amply demonstrated that labour will come into power and the capitalists will be nowhere. As I have already said, labour may come into power in 1929 and they may be able to give us all we want. (*An Honourable Member*: "Not Mr. Ramsay Macdonald.") I do not care whether it is Mr. Ramsay Macdonald, or Mr. Smillie or Mr. Lansbury or anybody else. If labour comes into power they will teach a lesson to the capitalists. They will give India self-government because they know that India is the mainstay of the capitalists of England. With the capitalists gone, there will be no power remaining to trouble the labourers in India as well as in England. I have been very much impressed by some speeches, especially of Mr. Goswami, and if we cannot have Swaraj within the Empire, perforce we must have it without the Empire. This will come as a natural course. Nobody here need teach us what the courses will be. Sir, I am very much exhausted at the end of the day.....

Mr. President: Will the Honourable Member address himself to his arguments?

Syed Majid Baksh : I think I have exhausted you, Sir, and I am myself exhausted, not only by hearing the speeches but sitting here. I had an amendment which I submitted for the consideration of the Assembly.

Mr. President : We are not considering any other amendment now.

Syed Majid Baksh : I am simply saying that my amendment will not require to be moved because what I wanted is found in Pandit Motilal Nehru's amendment. Therefore it will not be necessary to move my amendment. Sir, I will sit down after two or three minutes more—Great importance has been attached to dates. It has been said that India must progress at a snail's pace, otherwise there is great danger. If I may rake up ancient history, may I ask how much time it took for the mother of democracies, the great Athenian democracy, to come into being. I think you will find that barely 19 years elapsed from the death of Pisistratus, the tyrant, to the final inauguration of the Athenian democracy under the laws of Clisthenes. At that time the human mind was not so developed. It was coming out of the hazy atmosphere of a semi-civilised state. At present we have our minds fully developed. We have got the accumulated wisdom of the ages. What was the time that was required to grant self-government to South Africa—from the treaty of Vereeniging in 1902 to the final grant of self-government in 1905 or 1906? And yet these gentlemen come and tell us that you require centuries to develop yourself. You may have required centuries to develop yourself dating from the signing of the Magna Carta up to the time of the final overthrow of the Stuarts. You had no civilisation behind you. We have behind us a civilisation as hoary as the ice-clad hills and if you required five centuries we can do it in five years. Sir, this is not my own expression. It is the expression used by one of the eminent British Premiers, Mr. Lloyd George, that at present years are moving with the speed of centuries. So, if you took 5 centuries from the signing of the Magna Carta at Runnymede down to the revolution of 1688, we can do it in five years. How many years did humanity take to learn the art of reading and writing? Centuries perhaps. Do you allow your sons now to learn the art of reading and writing for centuries? Certainly not. We have got the experiences of ages at our doors. It has been said that the door of self-government cannot be stormed by violence. It does not yield to force, so we hear. But may I remind you that there is no door that does not yield to the determined will of a people to be free and I conclude with the Biblical saying "Knock and it shall be opened unto you".

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 8th September, 1925.