

18th March, 1926

THE

# LEGISLATIVE ASSEMBLY DEBATES

(Official Report) .

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OF THE

SECOND LEGISLATIVE ASSEMBLY, 1926



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# LEGISLATIVE ASSEMBLY.

Thursday, 18th March, 1926.

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

**Mr. J. W. Bhore** (Secretary, Department of Education, Health and Lands): Before I move the motion standing in my name, I desire to apologise to you, Sir, and to the House and to my Honourable friend Maulvi Muhammad Yakub for not having been present here to answer the question which he put me yesterday. I very much regret that I had not noticed that the clock in my room was wrong and I was therefore misled as to the time. With your permission I shall now lay on the table the answer to question No. 1294.

*Answer to question No. 1294.\**

**Mr. J. W. Bhore:**

(a) Yes.

(b) The point will not be overlooked.

## DEMAND FOR SUPPLEMENTARY GRANT FOR ARCHÆOLOGY.

**Mr. J. W. Bhore** (Secretary, Department of Education, Health and Lands): Sir, I beg to move:

"That a supplementary sum not exceeding Rs. 50,00,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1926, in respect of 'Archæology'."

In placing this supplementary demand for the sanction of the House I would like to explain the reasons for advancing this proposal and to explain also our future intentions in this matter. Honourable Members are, of course aware of the discoveries in the Indus Valley which have made this country a centre of world-wide interest in the field of Archæology and which promise to lift the veil, in part at least, from the story of the dead and forgotten civilisations which flourished in this country thousands of years before the Christian era began. The amounts which have been spent on excavation in this country during the past few years owing to the need for economy have been lamentably inadequate taking into account the field for exploration. In the year 1923-24 barely Rs. 9,000 were spent in the whole of India. In the year 1924-25 a sum of about Rs. 47,000 was provided but it was not until the recent discoveries had made it imperative

\*1294. **Maulvi Muhammad Yakub:** (a) Has the attention of the Government been drawn to a leading article published on page 2 of the *Muslim Herald*, dated the 4th March, 1926, as regards Muslim representation on the Royal Commission on Agriculture?

(b) Do the Government propose to consider the question of Muslim representation on the Commission when its personnel is under discussion?

( 2677 )

A



[Mr. J. W. Bhore.]

that a larger effort should be put forth that a sum amounting to about Rs. 98,000 was provided in the Budget for the current year. It is, Sir, for the consideration of this House whether the wonderful avenues which promise at the present moment to lead to a knowledge of a period in human history possibly never before reached by us is to be seriously investigated. I feel sure the House will agree with me that they ought to be so investigated. If, however, any serious impression is to be made on the problems which have been raised by the Sind and the Baluchistan discoveries it is quite clear that much larger grants should be made available for excavation and that there should be some fixity and continuity about these grants to enable programmes to be carefully planned and thought out beforehand and to enable systematic progress in execution to be conducted. We believe that the best way of securing this is by instituting an Archaeological Fund and Government propose to initiate this fund by a grant of Rs. 50 lakhs. I ought perhaps to explain at this stage how that figure has been arrived at. Owing to the very meagre progress which has been made in excavation even on sites which are known to be of great archaeological interest, almost entirely due to the fact that very small sums have been allotted for this purpose in the past, we felt that justice would not be done to the cause of archaeological research unless a sum in the neighbourhood of about 2½ lakhs of rupees a year was made available for this purpose. It was therefore decided to allot 2½ lakhs of rupees for this work and Rs. 50 lakhs represents the capitalised value of this annual grant. Of course 2½ lakhs is more or less an arbitrary figure. I may say, however, that the Director General of Archaeology put forward definite proposals involving much larger expenditure but we felt that, having regard to the other claims upon us, this sum, namely, 2½ lakhs was a reasonable limit up to which Government might be expected to go. But, Sir, in putting forward this proposal for an Archaeological Fund we were influenced by other important considerations. We felt that the time had come to try and enlist the active interest, sympathy and assistance of the public in furthering the work of unravelling the story of the past. We also felt that if a fund of this nature were instituted it would attract contributions from all, rich and poor alike, who take an interest in archaeology and who are prepared to further its cause in this country.

**Mr. K. Ahmed** (Rajshahi Division: Muhammadan Rural): It is doubtful, Sir.

**Mr. J. W. Bhore:** Then, Sir, we hope that by having representative Indians on the board of management of this fund we should be able to associate the public more actively in its aims and objects. Further, Sir, while I must make this point quite definite that the bulk of the income from this fund must be spent through the Archaeological Department, which is the only trained organisation capable of functioning on an extensive scale, we hope that it will be possible to finance other approved agencies operating in this field and also to assist the younger generation of archaeological scholars and workers by grants and scholarships. We propose to vest this sum, in order to prevent its lapsing, in a temporary board of trustees constituted under the Religious and Charitable Endowments Act until a statutory board has been established and I propose to bring forward with the least possible delay a Bill for the purpose of constituting this Board. Then, Sir, the House will have a full opportunity for discussing the nature, functions and

constitution of this body. Sir, I have nothing more to add at present. I beg to move my motion.

**Diwan Bahadur T. Rangachariar** (Madras City: Non-Muhammadian Urban): Much as I am tempted to be persuaded by the eloquence of my Honourable friend and countryman Mr. Bhore, whose speech we all have learnt to listen to with respect and admiration, I am afraid we have to throw cold water on this proposal. The country stands in need of money. Archæology and digging the bowels of the earth are intended to expose to the world our ancient greatness. As it already stands proved to the hilt and requires no further proof, we are inclined to hold that it may wait for some time. The country is economically and industrially backward. The poverty of the people is admittedly appalling according to the official figures. The illiteracy of the people is something which a civilized nation like ourselves ought to be ashamed of. Industrial developments are lying in the background. Sir, we are just emerging from a state of financial depression, and at a time when a surplus is available, instead of devoting it to more utilitarian purposes—utilitarian from the material point of view—it is being devoted to archæology. I do not deny the great value which will be attached to this by archæologists and persons of that way of thinking. But, Sir, we want to look ahead, we have lost an enormous amount of time in various directions, *e.g.*, in developing the industries of the country, in starting a school of mines on healthy lines. We want more Dehra Dun colleges to develop military training in the country. We want more University Corps and more money to be devoted to the raising and training of Territorial Forces. Again, for primary education and in various other directions money is badly needed; and, Sir, it appears to me to be a very unwise move on our part to undertake this and treat it as more urgent than our other needs. Sir, the Industrial Commission made many recommendations years ago. Many of them still require to be taken in hand and worked. Only the other day we heard here that we cannot get Indians to fill certain posts for want of training facilities, for want of adequate workshop facilities for training Indians. So, if we have money available, there are many other more urgent ways in which we can spend it. We are not going to be robbed of the treasures which are hidden in the bowels of the earth. I am sure that in another 10 years we will be in a flourishing condition and will be better able to devote attention to those treasures. But now we want a mercantile marine; we want protection to industries; we want the reservation of the coastal trade; we want ships and to develop ship-building; all these things we want in order to compete with the rest of the civilized world. We want more capital for developing indigenous industries—protection-bounties, and for various other things. Why should we not accumulate these surpluses and see whether we cannot put them to better use. To use official language, much as I sympathise, the motion has my entire sympathy. (Laughter.) But, Sir, my heart is not in it. My reason will not allow me to vote for this. It appears to me that it will be an unpardonable sin on our part to devote this money at the present stage for this purpose. Sir, I oppose the proposition.

**\*Mr. B. Venkatapatiraju** (Ganjam cum Vizagapatam: Non-Muhammadian Rural): Sir, we feel it very much that the first Indian Secretary to the Government of India should be able to persuade a hard-hearted Finance Member to place 50 lakhs at his disposal for antiquarian research,

[Mr. B. Venkatapatiraju.]

although this is an object which everyone who is interested in the subject will naturally support. But, Sir, there are many other things the Government have undertaken to do. Various Resolutions have been moved in this Assembly and the Government have agreed to carry out the proposals contained in many of them, though they have postponed their consideration till the finances could permit them to carry them out. Some three years ago I moved a Resolution in this House asking for an equal amount, about 50 lakhs, to be provided by way of annual grants of 2 to 5 lakhs for scholarships for Indian students to study in various scientific branches in foreign countries. I suggested a scheme in that Resolution; and the Government accepted the principle of that Resolution and said that when the finances permitted they would send students from India to study in foreign countries. Now I ask, if the Finance Member is in a position to spend 50 lakhs for a useful purpose, would it not be more beneficial if this proposed 2½ lakhs could be used annually in providing 150 to 200 students with scholarships to enable them to go to other countries for scientific study? Would it not benefit the country much more than to spend that sum in digging the bowels of the earth, as my friend Mr. Rangachariar put it, in order to disclose relics of the ancient civilization of India? Are there no other useful purposes for which the Finance Member can lend his aid? What Sir Basil Blackett really wants is to get 50 lakhs in the Government of India's Treasury, and he states that it is to be utilized for this purpose. There is a danger lurking in this which I notice. I must warn the House of it. Instead of coming up to us every year for this expenditure on the Archaeological Department, Government want to take it once for all, so that they need not ask for the sanction of this Assembly from time to time. We know that when once the Government of India have placed a certain fund at the disposal of some trust on the lines of the one established in England, neither Mr. Bhore nor Sir Basil Blackett will be able to satisfy us that the funds are spent properly with reference to this Department, or that they are not spent in directions other than that intended, or are not wasted on the salaries of various officers. Also the present volumes published by the Archaeological Department, which I have read for some years, are very costly and only very few people are able to purchase them. What is the use of them if they can be purchased only by very rich men and only a few hundreds are sold. Why should they not be published in a manner which is useful? Supposing some such suggestion is made in the Assembly, the answer will probably be that it is a matter which concerns the trust board, as in the case of the Imperial Bank, and we cannot interfere in it. Therefore I say, Sir, this is a matter which ought to be postponed for the present, till Sir Basil Blackett is able to wipe out not only the provincial contributions, but is also able to reduce the salt duty and the postal rates. Those are things much more important than archaeological excavations which the Department of Education and Health now wish to indulge in. Therefore, Sir, I oppose the proposition, though with regret.

**Sardar V. N. Mutalik** (Gujrat and Deccan Sardars and Inamdars: Landholders): Sir, I have got some sympathy with the Resolution itself although I feel myself unable to support it as it stands at present. Sir, if Mr. Rangachariar claims Mr. Bhore as his countryman, so far as his services are concerned, I have more reason to claim Mr. Bhore as my countryman.

**Diwan Bahadur T. Rangachariar:** I meant Indian, nothing else.

**Sardar V. N. Mutalik:** Mr. Bhore comes from the same place from which I come. We were educated in the same institution and further we were contemporaries in college, although he was senior to me.

**Mr. K. Ahmed:** You did not go to England, did you?

**Sardar V. N. Mutalik:** But, Sir, the Resolution moved by my Honourable friend is really formidable in one respect. I have full sympathy with the Archæological Department. I am not the man to say that all these Departments should be neglected. Poor as we are, we ought to pay some attention to all the activities of the nation which are of cultural nature. But my objection is on another ground. I am really opposed to having a fund of this sort for a Department of the Government of India on which we are justified in spending only from current revenues. If we are to start a fund it means that we are going to take out a lump sum from the current year's revenue for expenditure, which is to be incurred from year to year that is, it may mean that we are going to penalize this year's revenue, this year's tax-payer, for the benefit of future generations. On that ground, Sir, I have an objection to this Fund. Secondly, when trusts are created, this House generally loses control over the expenditure. You are guided by fixed rules and an Act as to the lines on which you have to spend the amounts that will accrue to the Fund. If, Sir, we find at any future time that the Archæological Department requires to be run on different lines, perhaps we shall not be able to change the terms of the Act if we commit ourselves to anything by way of a trust and by way of an Act. I do not think, Sir, that we should agree to the principle in this case of a fixed fund and a fixed trust. If we adopt this principle, why not extend it, for example, to the Dehra Dun colleges and many other institutions which the Government of India are expected to run. This would be a bad precedent and I am therefore obliged, Sir, to oppose this Resolution. But I must say one thing, Sir. I do not agree with the previous speakers that we should not spend on archæology amounts which are required to carry on all the research work that is now being carried on. Recently I was in Taxila, and those who have visited all these scenes of research would be really impressed by the necessity of spending and of spending an adequate sum. I will not object on that ground, but, Sir, I am really not inclined to support the idea of creating a trust for that purpose.

**The Honourable Sir Basil Blackett (Finance Member):** Sir, I do not desire to say very much on this subject, but the Government of India are very anxious to make it plain to the House that they want to be guided by their views entirely in this matter. The proposal that is before the House is really, firstly, that a sum of 2½ lakhs should be provided in the year 1926-27 for Archæology. We have not included any such grant in the Demands for Grants that have been passed hitherto, because we proposed to provide that sum of 2½ lakhs in a different way. I trust that the House, whatever view they take of the form in which this Resolution is proposed, will agree that, if 50 lakhs is not provided as an endowment fund, 2½ lakhs shall be provided as an annual grant from next year. The Government are very anxious that the House should not feel that they are being hustled into giving a grant against their judgment.

[Sir Basil Blackett.]

Having said that, I would like to point out that I think there is a certain amount of prejudice created against this grant when it is suggested that it is competing with other grants. There is no real competition in this case. If you assume that 2½ lakhs is required to provide for archaeological excavation year by year, it becomes purely a question, as Mr. Venkataraju rightly put it, of form and not really one of amount. The Government will be in just the same position if for a series of years 2½ lakhs is provided for excavation as they will be if they set aside 50 lakhs this year and do not provide 2½ lakhs year by year thereafter. The objects of the Fund do not, however, stop at that. Mr. Bhore pointed out that there are good reasons to think that once you had a fund of this sort in existence, it would grow from other sources. I do not say that there will be many donors of 50 lakhs besides the Government, but I think there might be a certain number of donors of quite large sums. Secondly, the Department naturally wants to be in a position to train men, and it cannot set to work to train men unless it can give them some security of tenure. A Finance Member in trouble is likely to look straight to an archaeological grant for a reduction, I am afraid. So the Department naturally does not feel that it can embark on a big scheme or a big programme unless it has some security that the money will come in year by year. It has been stated that the result of giving this grant will be to withdraw the expenditure from the control of the House. If we had been able, as we had hoped at one time, to come forward with a Bill for the creation of a Trust Fund at this stage, the House would I think have seen that there was no reason to fear that result, because the Bill would have contained a provision showing how the Fund would be a popular fund, and the Trustees would be representative trustees, and the discussion of the Bill would have cleared up the points about the control of the Fund. But I would go further. I think it is suggested that a Fund of this sort which is going to be spent entirely by the Government of India ought not to be in the form of a fund, but ought to be in the form of an annual grant. There I think I must join issue. What Mr. Bhore and I want to see is a fund, controlled by trustees, which is spending certainly the proceeds of the interest of the Government grant but also considerable other sums as well—and I believe that an archaeological fund is a peculiarly suitable one to be conducted by trustees such as the trustees of the British Museum rather than by a hard-hearted Government Department, and I believe in the end you would get better results, and you would have more continuity and more widespread interest if you create the fund. The suggestion that the money might have been spent otherwise I think ignores the fundamental point that it does not come into competition with expenditure of other kinds, once you assume that 2½ lakhs is sufficient. The matter is before the House for discussion, and I want them to feel that it is before them for their consideration and for their decision.

**Dr. K. G. Lohokare** (Bombay Central Division: Non-Muhammadan Rural): Sir, I now see there are two sets of views regarding the institution of this Fund, and I do not find fault with the other view that has been expressed. But I would point out to the House, Sir, that the Department of Archaeology is spending about 12 to 13 lakhs annually. (An Honourable Member: "14 lakhs.") out of which nearly half the amount goes towards the payment of the officials and workers, while half

of it is spent on actual work. A small portion of this other expenditure goes towards excavation work. Now circumstances have so developed that the recent researches have attracted particular attention, and, consequently, this need of suggesting a permanent fund has been felt. The researches conducted by the Director General of Archaeology, Sir John Marshall, have so far received recognition, but the complaint regarding the work of the Archaeological Department is that this work is always so hidden that even persons interested in this study scarcely know what is done by the Department. No publicity, no public attention, no funds for further work was his condition. Naturally enough he felt he was not attended to. It is because of an inevitable need for a further grant for exploration that Sir John Marshall had in his mind an idea to approach foreign research workers so that in conjunction with such foreign research societies, he might be able to develop and explore the field of the finds in Sind. It is that danger, Sir, of the foreign societies agreeing to the proposal and thinking of joining hands with the Archaeological Department of the Government, a danger which they must avoid, that makes me ask Members of this House to support the idea of having a permanent fund for a continuous programme of work for this Department. The Department has neglected so long to take into confidence other workers in India in the field. It has neglected publicity too and the little publicity that is given by the foreign research workers is, it is said, practically either out of place or even mistaken. They cite the publication of Mr. Waddell on the interpretation of Indo-Sumerian seals—as an illustration of the danger involved. Indian experts, Sir, view this matter with a grave concern. They say that if this branch of work is entrusted to foreign societies,—honest they may be—the danger of a misinterpretation of the former history and civilisation of India will be much greater than if it is left in the hands of the scholars in this country. That is one thing which private workers in archaeology maintain. Their other view is that in order that the results of the finds may be collated and a proper interpretation may be put upon them, it is absolutely necessary that the Indian Sanskrit scholars, who take an interest in ancient monuments and ancient finds, should have training in the Chaldean and Assyrian branches. In order that this may be done it is necessary that a continuous programme should be laid down by the Archaeological Department. But they feel that a board of trustees that is being contemplated now by the Government may not achieve that purpose. Their contention is that these private bodies and these private workers should be taken into consultation where a programme has to be worked out for a period of years. They are afraid that the money that would be set aside for a permanent fund would not be in the interests of the workers of the country itself. One of such expert workers suggests a scheme, that there should be a board of management consisting of representatives of the Oriental Faculties of the Indian Universities and some research workers who have been working on their own account in private fields in India. To these may be added representatives of the Archaeological Department, the Education Department and representatives of the Legislature. That is a scheme which they feel ought to be there in order that the fund may really serve the purpose for which it is meant. We are, Sir, in a difficulty both ways. If this fund is not instituted now, it is likely that we may lose chances and opportunities of getting endowments from other sources and in this way of helping the work itself. Government now give a start only to the

[Dr. K. G. Lohokare.]

fund. I may give the instance of Sir Ratan Tata who entirely financed the excavation of Pataliputra. There are persons who can be expected to contribute to such a fund and the fund may develop and yield much more money for this work. It is therefore that the 2½ lakhs of rupees we agree to would be a part of the annual income of the full grown fund that the research workers in India expect. But, Sir, in order that such things may be realised they lay down a condition that the board of trustees which Government contemplate should not be accepted. It should be a committee of management on the lines just suggested. If, therefore, a sum of 50 lakhs is going to be in the hands of the Department, simply to avoid criticism of this House every year, I should really join hands with my friends who have just expressed themselves as against the institution of any such fund; but if the Government are prepared to give weight to public opinion and take private workers in this country into confidence I am prepared—I do feel the necessity—to vote for the grant.

**\*Colonel J. D. Crawford** (Bengal; European): Sir, I and the non-official European group are entirely in sympathy with the objects underlying the Resolution moved by Mr. Bhore. We feel that excavation of this sort is of value, but we oppose the motion on a question of principle. The Honourable the Finance Member said that the first object really was the grant of Rs. 2½ lakhs annually for excavation purposes, and in so far as this is concerned, I and my group, and I believe many of the Honourable Members opposite, would be quite prepared to say "Go ahead, we will give you that amount annually". But we do not feel that it would be proper for us, as elected representatives, to surrender the right to examine expenditure on the part of our successors in this House; and that is really the feeling which makes us generally opposed to the starting of the trust fund. The expression of opinion that we would be prepared to give this sum annually and vote it annually in this House would, I believe, give the Finance Member and the persons concerned a reasonable assurance as to security of tenure in the case of work which they wish to develop. But when the whole House is constantly pressing for some reduction of taxes, we feel it is unwise to surrender our right to examine in detail every item of expenditure.

There is one point that I would like to make. Photographs of some of our archaeological excavations appear from time to time in the home papers and I do not see why the Department itself should not have the right of supplying such photographs on payment to papers not only in England but in India, which get them rather late now; and there is a source of money there. I also feel that with the large number of tourists who come to this country to see our national monuments there could be some scheme evolved whereby they could also subscribe to this work of excavation and maintenance of our national monuments. I feel that if the Finance Member will examine the possibilities of some such scheme that we would get a very large annual sum to help him towards excavation in archaeological research. Generally, however, we are opposed to the building up of the trust fund for the reason which I have stated, but are in favour of an annual grant.

**\*Diwan Bahadur M. Ramachandra Rao** (East Godavari and West Godavari *cum* Kistna: Non-Muhammadian Rural): Sir, I should like to assure the Honourable Sir Basil Blackett that I and those who are associated with me in this House have no objection to an annual grant for the next year of Rs. 2½ lakhs for the purposes which he has in view. I may, however, inform the Honourable Mr. Bore that when he asks us to set apart a sum of Rs. 50 lakhs for the purpose mentioned in the motion, we have a feeling that we would not at all be discharging our responsibility to the electorates that sent us here if we accept such a proposal. We feel, Sir, that there are many objects connected with education such as facilities for training for Indian youths and many other things of a similar kind which are very much more urgent than setting apart a sum of Rs. 50 lakhs as a trust fund for archaeological purposes. I may inform Honourable Members that we are not opposed in the slightest degree to the continuance of the work of excavation which has been started in the Indus valley. But what we do feel is that there are objects which deserve the attention of the Government much more than the creation of this trust fund. Take, for instance, the question of the primary education in minor administrations committed to the care of the Government of India. May I ask if the Honourable Member has at any time considered the question of giving fixity and continuity of work for the expansion of primary education, say, in the North West Frontier Province or in Baluchistan or in Delhi? Have they ever considered the urgent needs of the present day? I ask the Honourable Members opposite to answer that question for themselves as well as for ourselves.

Then, again, Sir, we have three or four Universities which are directly committed to the care of the Government of India. My Honourable friend Sir Hari Singh Gour will certainly say something about the Delhi University. The needs of the Benares and Aligarh Universities have been insistently urged in this House and I understand that in the Budget for the coming year a paltry sum of Rs. 25,000 has been given to each of these Universities.

**The Honourable Sir Basil Blackett:** This is in addition to a non-recurring grant of 2 lakhs to each of these Universities.

**Diwan Bahadur M. Ramachandra Rao:** Even if you have given 2 lakhs to each of these Universities, it is very little. His Excellency the Viceroy, I remember, gave a very eloquent address the other day in which he said that Delhi will be one of the ideal Universities and he expressed the hope that future generations would be thankful to him and to those who are associated with the Government of India for the establishment of the University. Sir, one of the great difficulties of the present day is the establishment of universities without sufficient means of carrying on this work. Sir, there is a very rich field for the fixity and continuance of a progressive policy for the development of university education in this country. I may also inform the House that, even under the present Devolution Rules, the Government of India are entitled to establish new universities. Sufficient power has been reserved to them under our existing constitution for the establishment of new universities. It has been suggested in the Report of the Industrial Commission that there should be a technological college in this country. Although it is now 8 or 9 years since that

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\*Speech not corrected by the Honourable Member.



[Diwan Bahadur M. Ramachandra Rao.]

Report was submitted to the Government, no attempt has been made to establish a technological college for instruction in all those subjects which are associated with technology. There, again, Sir, there is another opportunity for the Government either to put forward a scheme for a trust fund or to make suitable provision for the expansion of technological instruction in this country.

**Mr. K. Ahmed:** Start in the Dacca University!

**Diwan Bahadur M. Ramachandra Rao:** I have no objection, Sir. If my Honourable friend can induce Sir Basil Blackett and Mr. Bhore to part with a sum of Rs. 50 lakhs, we shall be only too delighted if they can give it for the object which Mr. K. Ahmed has in view. The whole question of educational facilities and the urgent need for its expansion has been gone into very fully in the Report of the Lytton Committee and I am rather surprised that no action has been taken up to date in expanding educational facilities in this country notwithstanding the valuable work done by that Committee. Having regard to all these circumstances, we Sir, as the representatives of the people and as persons who are closely acquainted with the needs of the present day, feel that it is absolutely impossible in the present circumstances to set apart even for so useful a purpose as archaeological work a sum of Rs. 50 lakhs. I must say, Sir, that in these circumstances we feel somewhat hustled when my Honourable friend asks us to consent to set apart this 50 lakhs for this purpose. I may also mention, Sir, that I have received some communications from Poona and other centres where persons interested in this subject feel that very meagre information is available as regards the purposes of this fund, as regards the future constitution of this board and many other matters, and therefore it is not at all possible to give our assent to this proposal. All the same, I may inform my Honourable friends on the other side of the House, without avoiding those hackneyed words, that they have our sympathy in connection with this archaeological work. I may assure them that we have absolutely no objection to set apart this amount either for next year or for the year after that provided they come forward every year and include that sum in the annual estimates. I do not see any objection at all nor do I see any difficulty in adopting this course, unless my Honourable friend thinks that the future Members of the Assembly will refuse to go on with the work which was begun in 1928 in regard to this work. I do not see any justification at all for that fear. Therefore, on all these broad grounds it is absolutely unnecessary to create a fund. We are willing to give the Government the necessary funds not only for next year but also for future years. Therefore, I take it, that no case has been made out for the creation of a trust fund. As has been pointed out, the little control that we have over the doings of the Archaeological Department will perhaps disappear with the creation of the trust fund with an endowment of 50 lakhs.

**Sir P. S. Sivaswamy Aiyer** (Madras: Nominated Non-Official): Sir, the speech of the Honourable the Finance Member has enabled me to come to a decision. I was for some time hesitating as to how to make up my mind as I am generally anxious to encourage expenditure on objects of cultural value. When you come to the question which of several such objects requires encouragement, you find yourself in great difficulty. There are so many competing objects of expenditure that it is not easy to make up

one's mind and therefore one must be content to deal with each proposal as it comes up. So far as this proposal for encouragement of archæological research is concerned, I am all in favour of it, but I hope the Honourable the Finance Member will be content to accept a grant for the year of 2½ lakhs and will withdraw the proposal for a permanent endowment. A permanent endowment has certain disadvantages. It will have a tendency to create a huge department. The salaries of the staff will absorb a considerable portion of the income of the endowment and it will also prevent us from diverting the income to other objects which we may find more useful, especially when we find at some future time that the necessity for proceeding with archæological research has lost in importance. I am, therefore, in favour of making this annual grant of 2½ lakhs. It will bring the matter up before the Assembly year after year, it will give an incentive to the department to produce results and it will prevent the creation of a huge department. And, if we want to encourage expenditure on other cultural objects, we can decide from time to time between the various proposals which may be brought forward. For instance, I would like to encourage the study of the fine arts, painting, music, sculpture, or architecture and would be disposed to promote the study of these subjects by granting scholarships to students to go to foreign countries for training. Various objects of other kinds may be suggested from time to time. I think it is desirable that we should not commit ourselves to any definite scheme for all time to come.

**Mr. President:** The general opinion seems to be in favour of a grant of 2½ lakhs for the year. I do not know if any Member desires to move an amendment to that effect.

**Sir P. S. Sivaswami Aiyer:** Sir, I should like to move an amendment, namely:

"That for the original proposition the following be substituted:

'That a sum not exceeding Rs. 2,50,000 be granted to the Governor General in Council to defray the charge which will come in course of payment during the year ending the 31st day of March, 1926, in respect of Archæology'."

**Diwan Bahadur M. Ramachandra Rao:** On a point of order, Sir. May I know whether it is open to any private Member to bring forward a supplementary Demand, and whether this amount can be granted to the Government at the instance of Sir Sivaswami Aiyer?

**The Honourable Sir Basil Blackett:** Will you allow me to put the matter beyond question. I will move the amendment myself. I do not say that I will necessarily support it, but in order that it may be left to the House to decide, I would like to move it.

**Mr. President:** The Honourable Member has already spoken. If any other Member of Government cares to move it, the Chair will consider it.

**Sir Hari Singh Gour** (Central Provinces Hindi Divisions: Non-Muhamadan): May I rise to a point of order? I understand there is a Resolution before this House and any Member is at liberty to move an amendment to the Resolution whatever may be the financial commitments of Government in consequence of that Resolution. I submit that any Member is entitled to move amendment to the effect that a certain sum of money may be granted for a certain purpose.

**Mr. President:** The Honourable Member is wrong when he says that there is a Resolution before the House. The motion is a supplementary Demand for Grant and as such it can be made by a Government Member only.

**Mr. M. A. Jinnah** (Bombay City: Muhammadan Urban): Sir, may I draw attention to the fact that the Demand is for a supplementary Grant of a sum not exceeding 50 lakhs to be granted to the Governor General in Council, which will come in course of payment during the year ending the 31st day of March 1926, in respect of Archaeology. The amendment proposed to be moved is a different thing altogether and is not germane to the motion before the House.

**Mr. President:** The Chair merely wanted to help Honourable Members to get out of this *impasse*.

**The Honourable Sir Basil Blackett:** I would suggest that the suggestion should not be pressed as it does not altogether appeal to the House, and that for the time being we continue to discuss the original motion.

**Mr. M. A. Jinnah:** I have no desire to put any difficulty in the way of Government if they are willing to accept the proposal made from this side of the House; but I must point out to the House that for that purpose we should not perpetrate an irregularity which may constitute a precedent. If the Honourable Member agrees to withdraw his motion and will bring forward to-morrow another motion in proper form, we on this side will agree.

**The Honourable Sir Basil Blackett:** On that understanding I suggested that the proposal should not be pressed at the present moment. If this grant is withdrawn or not passed, an alternative motion will be moved by Government probably without sufficient notice, if the Chair agrees.

**Mr. President:** The Government may be allowed to withdraw the motion.

The question is:

"That leave be given . . . ."

**Mr. J. W. Bhore:** Sir, I have not asked for the motion to be withdrawn. I would like to go to the House upon it so that there may be no doubt as to the general sense or feeling of the House.

**Mr. President:** I thought that the Finance Member had suggested that the motion should be withdrawn and a new motion brought forward to-morrow?

**The Honourable Sir Basil Blackett:** My suggestion was that if this motion was withdrawn or not passed, the Government should bring forward an alternative motion to-morrow. My suggestion was not that we should withdraw the motion at this stage.

**Mr. J. W. Bhore:** May I refer to certain points raised during the course of the debate. I think I ought first to thank the House for the very fair and generous—I would add kindly—criticism in regard to the motion that has been brought forward by me. I do think however, that I should try to remove the misapprehension that seems to exist in the minds of certain Members, that we have brought forward this proposal without paying due attention to other and what they consider to be more urgent claims on the public funds. I think it is only fair that I should try and remove that misapprehension. I may say that

if this Department had felt that the allocation of this sum was in any way likely to affect those beneficent activities which Honourable Members have referred to, I do not think that this Department would have put forward the present proposal.

I should like to explain what the position is. This grant does not really come into competition with the other activities mentioned by Honourable Members. Let me first take the case of Medical Research, the claims of which I think are of primary importance. The Inchcape guillotine cut off all subsidies for this purpose in 1923-24. In the year 1924-25, with the improvement in finances, 8 lakhs were allotted for this purpose. For the coming year those 8 lakhs have swelled to four lakhs and ninety-two thousand. The House will therefore see that we are making progressive efforts in this field, and that these activities are not in any way being starved. Take next the question of Education, which, Diwan Bahadur Ramachandra Rao very legitimately referred to. I would like to explain to the House the position in regard to this. I would not like it to be felt that we have treated the case of the three universities mentioned by my Honourable friend without sympathy and without understanding. We realise that Aligarh is a place which inspires great ideals and high traditions. Benares which will always be associated with the name of Pandit Madan Mohan Malaviya, we recognise as an institution which is an asset not merely to the community after which the university is called but to the nation at large. We do recognise that Delhi stands in a certain special relation to the Government of India, and we share the hope that one day it will become a seat of learning which will be worthy of this Imperial city. I do wish to point out that we have been making progressively larger grants to these institutions. For instance in the coming year we propose to give  $4\frac{1}{2}$  lakhs more than in the current year to these universities; in the year after that, 1927-28, we hope to give  $6\frac{1}{2}$  lakhs more, and I would point out that it is still open to any university to make out good case for special treatment.

**Mr. M. A. Jinnah:** So would Archæology make out a good case for an additional grant.

**Mr. J. W. Bhore:** I would point out that in regard to Education retrenchment has in the past not perhaps allowed it to expand as people might legitimately expect it to do. But I may say for the information of

the House, and I am sure the House will be glad to hear it, that the Honourable the Finance Member has now agreed to our undertaking, and in fact it is at his instance that we are doing so, a survey of the whole field of education in administrations under the Government of India with the definite object of framing a five-year programme of advancement and expansion (Hear, hear), and I hope, Sir, those Members of the House who are here next year (laughter) may see the results of that survey reflected in the financial provisions of the next Budget . . .

**Khan Bahadur W. M. Hussanally** (Sind: Muhammadan Rural): What about the step-motherly treatment by the Government of India of the Bombay Presidency?

**Mr. J. W. Bhore:** I have only a few words more to add. The point I want to emphasize is that by making this grant of 50 lakhs we are liquidating once and for all our commitments in regard to archæological excavation and research, and that if further advances are to be made in that

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connection, they must be financed from other sources. I hope, Sir, that the House will not regard this proposition merely as an endeavour to get money to dig up old bones and curious relics of a bygone age. I do hope they will regard it as a real contribution to the cause of knowledge and education which will help this country to take its rightful place in the estimation of all scholars and thinkers the world over.

**Colonel Sir Henry Stanyon** (United Provinces: European): May I ask on what basis of justice the tax-payer of to-day is to be required to find the money for generations of research yet to come?

**Mr. President:** It will be for the Chair to decide whether, if this motion is lost and the Honourable Member comes up with a motion for 2½ lakhs to-morrow, such a motion should be admitted.

**Mr. M. A. Jinnah:** And also we are free to support it or not.

**Mr. President:** The question is:

"That a supplementary sum not exceeding Rs. 50,00,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1926, in respect of 'Archæology'."

The motion was negatived.

# RESOLUTION *RE* RATIFICATION OF THE DRAFT CONVENTION OF THE SEVENTH INTERNATIONAL LABOUR CONFERENCE REGARDING COMPENSATION FOR OCCUPATIONAL DISEASES.

**Mr. President:** The House will now resume further consideration of the following Resolution moved by the Honourable Sir Bhupendra Nath Mitra on the 18th February, 1926:

"That this Assembly having considered the Draft Conventions and Recommendations adopted by the Seventh International Labour Conference recommends to the Governor General in Council that he should ratify the Draft Convention concerning workmen's compensation for occupational diseases."

**Mr. N. M. Joshi** (Nominated: Labour Interests): Sir, I beg to move an amendment to the Resolution proposed by the Honourable Member for Industries and Labour. My amendment is this:

"That for the original Resolution the following be substituted:

'That this Assembly having considered the draft Conventions and Recommendations adopted by the Seventh International Labour Conference recommends to the Governor General in Council that he should ratify all the draft Conventions, namely:

1. Equality of treatment for national and foreign workers as regards workmen's compensation for accidents.
2. Night work in bakeries.
3. Workmen's compensation for accidents.
4. Workmen's compensation for occupational diseases; and give effect to the recommendations concerning:
  - (1) Equality of treatment for national and foreign workers as regards workmen's compensation for accidents,
  - (2) Recommendation on minimum scale of compensation,
  - (3) Recommendation concerning workmen's compensation for occupational diseases."

Sir, when this Resolution was being discussed last time, I pointed out how the Government of India were not fair to this House in placing these proposals before this House in the way in which they did. My amendment gives an opportunity to the House to discuss all the proposals involved in the Conventions and Recommendations which are now placed before this House for consideration. The Honourable Member in charge of the Department stated that he proposed to ratify only two Conventions, namely, (1) as regards the equality of treatment for workmen's compensation, and (2) the Convention regarding occupational diseases. He stated that for the ratification of the first he did not require the sanction of this House and therefore he asked this House only to ratify the Convention regarding occupational diseases. Sir, as regards the constitutional point whether the Government of India require the sanction of this Assembly or not for the ratification of those Conventions which do not require any legislative action, I do not wish to say much, but I state as my view that the Government of India cannot ratify any Conventions without the sanction of this Legislature. But, Sir, if the Government of India take the other view, I do not wish to quarrel with them on this occasion. Now, my recommendation is that the Government of India should ratify the other Conventions and take suitable action on the Recommendations also. One of those Conventions which I ask this Assembly to request the Government of India to ratify is regarding night work in bakeries. Let it be understood that, when we are talking of prohibiting night work in bakeries, night work really is defined as work between 10 P.M. or 11 P.M. and 4 or 5 A.M. Bakeries can work up to 10 or 11 P.M. and they can again be started between say 4 or 5 A.M., so there will not be very much inconvenience caused to those people who are accustomed to eat bread from these bakeries. Then, Sir, the Honourable Member, when he spoke on this subject, stated that there would be great difficulty in controlling the sweetmeat establishments. Sir, I do not see much difficulty in controlling these establishments. I do not think there are many of these establishments which do their work after 10 or 11 at night, and I do not think they begin their work before 4 or 5 A.M. Therefore, there will not be much difficulty in controlling these establishments because there are very few establishments that work during those hours. On the contrary this Convention will be useful for those people who are working in bakeries where a large number of people are employed and there night work will be prohibited. Moreover, Sir, even if the Government of India think that they cannot accept this Convention, the Government of India, when they place a motion like this before the House, could tell the House whether they propose to take any action as regards these matters. The owners of bakeries naturally want bakeries to work at night, but it is not good for the health of the workers that they should go on working at night. Therefore, there must be some control over night work in bakeries, and I want the Government of India to tell this House whether they propose to examine this problem and see if they can take some action, even if they cannot ratify this Convention.

Then, Sir, there is the Convention as regards workmen's compensation for accidents. That is really the most important Convention in the list of Conventions laid before this House, and I am surprised that the Government of India should not ratify that Convention. We have got a workmen's compensation law in our country. That law was passed some years ago and I think it requires revision very badly. We want that law to be brought into line with the up-to-date laws as regards workmen's

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compensation. Now, Sir, the Convention that was passed by the Labour Conference held at Geneva last year has not recommended a Convention which is impossible of ratification even by a country like India. It is not difficult for India to ratify that Convention. We shall have to bring into the scope of our law some more classes of people it is true, but that reform is badly needed. The law which we passed did not bring within its scope a large number of workers who ought to have been brought within the scope of that law, and if we ratify this Convention the large number of people who are already kept out of the scope of this law will be brought within its scope. I therefore think that the Government of India should ratify this Convention. The ground which the Honourable Member gave for non-ratification was that we had passed our law very recently. But, Sir, it is now more than three years since that law was passed and it is time now that we should revise that law and bring it into line with the Convention passed at Geneva last year.

Then, Sir, my amendment also proposes that Government should take action on the Recommendations regarding equality of treatment for national or foreign workers, as regards workmen's compensation for accidents. I am quite sure Government will not find much difficulty in accepting this Recommendation. The only Recommendation to which Government really will take objection seriously is the Recommendation regarding the minimum scale of compensation. Here again it is the most important Recommendation of the Recommendations which have been placed before this Legislature, namely, regarding the minimum scale of compensation. We have a workmen's compensation law but the scale of compensation paid according to our law is very meagre and that scale requires to be revised. The Recommendation made by the Washington Conference lays down for instance that in the case of death compensation should be paid to the dependants which compensation must be at least two-thirds of the earnings of the deceased. Now according to our law the maximum compensation to be paid for death is Rs. 2,500 or 80 months' wages, whichever is less. Now, Sir, take the case of a man who is earning Rs. 30 a month. The dependants of that man will, according to our present law, get Rs. 2,500 but if you adopt the minimum scale as recommended in the Recommendation passed at Geneva, that man's dependants should be able to get Rs. 20 a month—that is, Rs. 240 a year. Now, Sir, Rs. 2,500 cannot give the dependants of that man Rs. 240 a year. The dependants of that man may get about half of what the Geneva Recommendation recommends. I therefore think that the time has come when the minimum scale of the rates of compensation should be revised. Now, Sir, here again the Government of India should take early steps to adopt this Recommendation and give effect to it.

Sir, before I close I would like to say one word as to the policy which the Government of India have adopted as regards these Conventions and Recommendations. Even if the Government of India consider that they cannot ratify these Conventions or give effect to the Recommendations they should at least examine these Conventions and Recommendations in consultation with a representative committee of this House and even if the committee comes to the decision that they cannot fully ratify the Conventions and fully carry out the Recommendations, it is open to the Government of India to state what action they will be able to take on these Conventions and Recommendations. It is true that if they do not fully adopt a Convention or if they do not fully give effect to a Recommendation, they

cannot ratify; but even if they cannot ratify it is open to them to examine in consultation with this House the proposals contained in these Conventions and Recommendations and try to give effect to them as far at least as they can do it. Sir, I move my amendment.

**The Honourable Sir Bhupendra Nath Mitra** (Member for Industries and Labour): Sir, I shall first deal with the allegation of my Honourable friend Mr. Joshi that we have adopted on the present occasion a procedure which is different from that adopted by us in the past. One of his submissions was that it is for Government to have a Resolution of this House in regard to the action to be taken on all these Conventions. Now, Sir, as I mentioned the other day, all that Article 405 of the Peace Treaty requires is that each of the members shall bring the Recommendations and draft Conventions passed at any session of the International Labour Conference before the competent authority or authorities within whose competence the various matters lie for the enactment of legislation or other action. That is perfectly clear. I shall then quote to the House what Sir Thomas Holland said on the subject on the 19th February, 1921:

"It will be noticed that I am offering no Resolutions regarding certain of the Conventions and Recommendations. This is because some of them have already been anticipated by law, for example, night work of women and young persons is covered by the existing Factories Act; the prohibition of the use of white phosphorus which we have legislated for following the Convention of Berne of 1906; and the question of the employment of women at the maternity period."

Mr. Joshi was perfectly correct the other day when he said that on one particular occasion we submitted for the acceptance of this House a Resolution on a particular matter which did not involve legislation. That, Sir, was in the early days of these International Labour Conventions. Since then we have come to know more about the procedure in other countries and also about the correct procedure to be followed under the terms of the Peace Treaty in India itself. I shall quote here what Mr. Ley said in this House on the 1st February, 1923:

"It will be observed, Sir, that this Resolution refers only to agricultural workers and it may be held that it is really so obvious, that I may reasonably be asked why it is necessary to trouble the House with the matter at all. I will briefly explain the reason. The reason is merely this, that India being a member of the International Labour Organisation, a member of the League of Nations and a signatory to the Treaty of Peace, is obliged under Article 405 of the Treaty of Versailles to lay before the competent authority in India (that is to say, before the Legislature in respect of matters which require legislation) any draft Conventions or Recommendations passed at any meeting of the International Labour Organisation, etc., etc."

Now, Sir, that was in 1923. My Honourable friend Mr. Joshi was in this House then and he did not challenge that statement.

The other point which my Honourable friend Mr. Joshi has raised is that we have acted incorrectly or improperly in placing before this House all these various draft Conventions and Recommendations through a single Resolution. Now, Sir, as I said the other day, that is more or less the procedure followed in England. I shall quote from *Hansard* of the 9th May, 1923:

"The Minister of Labour moved that this House approves the policy of His Majesty's Government respecting the draft Conventions and Recommendations adopted at the third and fourth sessions of the International Labour Conference held at Geneva in 1921 and 1922 respectively."

That was all. It covered all the draft Conventions and Recommendations. A similar course of action has been taken in this country too on several occasions in the past.



[Sir Bhupendra Nath Mitra.]

I shall now proceed, Sir, to deal with Mr. Joshi's amendment on its merits. I may say, at the outset, that we are at one with my Honourable friend, Mr. Joshi, on this point, that we should take progressive action by means of legislation for the protection and welfare of the labourers in this country. The point on which we differ from my Honourable friend is in regard to the pace of the progress. As a matter of fact, in the last five years we have passed a number of enactments intended to protect, and improve the welfare of, labourers. Mr. Joshi, however, wants us to run before we are in a position to stand. Now, Sir, that is an attitude which I cannot support. The action which he wants us to take in regard to these various draft Conventions and Recommendations, which really represent what I may call the ultimate goal to be achieved, must be suited to present day conditions in this country. It is obvious that it would be unwise to advance at a rate with which social conditions and the state of development of industries and of labour organisations in this country can hardly keep pace. We cannot wholly overlook in this connection the effect on the development of our industries of an over-rapid progress in the matter of labour legislation. In fact if we did overlook the point, the result may be a fully developed and up-to-date code of labour laws on lines fully satisfactory to my friend, Mr. Joshi, and also to my friend, Mr. K. Ahmed, but the result may also be that we shall kill all industries and leave the country in a state where there may be no labourers to be protected by legislation.

Now, Sir, I said on the last occasion that it was our intention to ratify two of the Draft Conventions, but that as only in regard to one of these legislation would be required, we placed a specific Resolution before this House for the ratification of that Convention. My friend, Mr. Joshi, wants us also to ratify two other Draft Conventions. The first of these relates to night work in bakeries. Mr. Joshi's arguments were that if we ratify the Convention no inconvenience would be caused to consumers. He also mentioned something about sweetmeat establishments, and I gathered that he was quoting me. Now, Sir, in the speech which I made in this House on the 18th February, 1926, I cannot find anything on the subject of sweetmeat establishments. Mr. Joshi next said that night work in bakeries was not good to the health of bakers. Well, Sir, I join issues with him. As it is, the draft Convention admits that in tropical countries night work in bakeries may be good for the health of the workers and it is for that reason that the Convention provides for certain exemptions from the operation of Article 1, of the Draft Convention. In fact, as I said the other day, there is an article in that Convention which permits the competent authority in each country, after consultation with the employers' and workers' organisations concerned, to make such permanent exceptions to the operation of the Convention as are necessary in the particular circumstances of the baking industry in tropical countries. I also said that in India the exception would have to become the rule, and that we had not at present any employers' and workers' organisations which we could consult. Those were the reasons, Sir, which I gave the other day why we proposed not to ratify this particular draft Convention. Mr. Joshi has not produced any reasons to rebut my arguments, and that being so, I maintain the position which I placed before this House the other day.

We next come to the Draft Convention relating to workmen's compensation for accidents. Here, Sir, Mr. Joshi said that that Act was

passed some years ago. He unintentionally or intentionally did not state the fact that the Act came into force from the 1st July, 1924, and therefore has not yet been in operation for two years. He also mentioned that it was not difficult for India to ratify the Convention. I shall read for the information of the House Article 15 of the Draft Convention :

" Subject to the provisions of Article 13 each principal which ratifies this Convention agrees to bring the provisions of Articles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 into operation not later than the 1st January, 1927."

Sir, is that a practical proposition? Now, Sir, I shall in regard to the merits of Mr. Joshi's proposal only repeat what I said the other day: we consider it highly undesirable at present to embark upon any radical amendment of our law, which would be necessary immediately if we ratified this Convention. Until we have gained fuller experience of its working and are in a position to judge how far it has achieved the end for which it was designed and whether there is need for a further advance in the conditions prevailing in India. When such experience has been gained and we find it necessary and desirable to undertake an extensive revision of our law, the provisions of this Draft Convention will not be overlooked.

I have dealt now with the draft Conventions. In regard to the Recommendations, as I said the other day, no action is required in regard to the first Recommendation which relates to the equality of treatment for national and foreign workers as regards workmen's compensation for accidents, for the simple reason that our Workmen's Compensation Act makes no distinction between national and foreign workers. It is not possible for us to accept the Recommendation relating to the minimum scale of workmen's compensation, because that would involve a material amendment of the existing Workmen's Compensation Act.

As regards the third Recommendation, I said the other day that part of it was covered by the workmen's compensation rules, and it was not practicable at the present moment for us to give effect to the other part.

The fourth Recommendation relating to the adoption of a simple procedure for revising the list of diseases regarded as occupational under the law on the subject of workmen's compensation is already met fully by the provisions of section 3 (3) of our Workmen's Compensation Act, and no further action on our part is necessary.

Well, Sir, I have now fully explained the position to the House, and I regret that I am unable to accept the amendment proposed by my friend Mr. Joshi.

**Mr. B. Das** (Orissa Division: Non-Muhammadan): Sir, I am not in love with the League of Nations nor with the International Labour Conferences, the Imperial Conferences, the Hague Conferences or the Geneva Conferences. Sir, a year or two ago, I said on the floor of this House that the League of Nations is a big hoax which was manufactured by the big politicians of England and the Continent who managed to kill one million of combatants and disabled six millions of the best manhood. . . .

**Mr. President:** I would ask the Honourable Member to be relevant. (Hear, hear.)

**Mr. B. Das:** Yes, Sir, but I am merely going to touch on the constitution of the League of Nations. Sir, on this League of Nations India is entitled to a place, as also on the International Labour Conference. India

[Mr. B. Das.]

did not require that position, because India has no status in that conference. India has no equality with the Dominions and free kingdoms of Europe and America that are represented on the League of Nations and other Labour Conferences. Every year we send our representatives to these International Labour Conferences. . . .

**Mr. President:** That is not the question. The question before the House is whether a certain draft Convention should be ratified by this Assembly or not. The Honourable Member must confine himself to the Resolution before the House, and not criticise the constitution of the League of Nations or of the International Labour Conference.

**Mr. B. Das:** Well, Sir, I bow to your ruling. As it is, the decisions of these Labour Conferences are thrust down our throats. Our personnel of representation is not satisfactory. We have no adequate voice in those Conferences, and generally these representatives of labour of European countries know very little about Indian conditions. Whenever they pass any pious resolutions such as the non-export of opium to China or some resolutions on labour questions, those pious resolutions are brought before this House and ratified by the Government on the floor of this House. To me it is immaterial whether I accept the Resolution of the Honourable Member for Labour and Industries or support my friend Mr. Joshi's amendment. I say that the League of Nations, International Conferences and Imperial Conferences are of no use to India in our present condition when we are servile to the delegates of the British Empire and we have no status at these Conferences. . . .

**The Honourable Sir Bhupendra Nath Mitra:** Is the Honourable Member opposing the main Resolution?

**Mr. B. Das:** I would oppose both, but I am laying my views before this House . . . .

**Mr. President:** The views of the Honourable Member on the constitution of the League of Nations or the International Conferences are absolutely beside the point.

**Mr. K. Ahmed** (Rajshahi Division: Muhammadan Rural): Sir, the amendment that stands in my name runs thus:

"That at the end of the Resolution the following be added:

'Provided that the benefits under the Convention are extended to Indian seamen'."

**The Honourable Sir Bhupendra Nath Mitra:** On a point of order, Sir. Should we not dispose of the first amendment before we come to Mr. K. Ahmed's amendment?

**Mr. President:** Both amendments might be discussed together. They will be put to the vote separately.

**Mr. K. Ahmed:** When my Honourable friend was making a speech in reply to the first amendment, he said that Mr. Joshi should not come to the protection of workmen in this country like this: at present his department can only stand and Mr. Joshi expected them to run. He continued saying, we should first learn to stand before we attempted to run. . . .

**The Honourable Sir Bhupendra Nath Mitra:** On a point of order, Sir. May I ask the Honourable Member to refer me to the particular convention to which his amendment refers. If he will kindly turn to Article III of the Workmen's Compensation Act for accidents, he will find it stated "This Article shall not apply to seamen and fishermen for whom provision shall be made by a later Convention". That being the position, I submit, Sir, that the Honourable Member should indicate first the relevancy of his amendment to the Resolution now before the House.

**Mr. K. Ahmed:** I think the Honourable Member has caught hold of the wrong end of the stick, and he is reading certain extracts and lines which have no bearing on my amendment whatever. The Resolution before the House does not specifically refer to Indian seamen at all, and therefore I say, Sir, that my amendment is quite in order. Does the Honourable Member wish to avoid meeting an amendment like the one I am moving particularly when that body called the League of Nations across the ocean has not excluded Indian seamen? Will the educated and civilised people of the west and other countries who go to Geneva to represent labour say that the Indian seamen are to be excluded from such protection? Sir, as I said, my friend Sir Bhupendra Nath stated that Mr. Joshi in giving notice of his first amendment was desiring the Government of India to "run" before it could "stand". Sir, the Government of India have got legs no doubt and they have, seven Departments here. There are, Sir, seven Wonders of the World, and similarly there are seven Departments of the Government of India. My Honourable friend's Department is one of them, and on that Department, Sir, the poor labourers of this country have to depend, and these unhappy seamen who work, Sir, from morning till evening, from night till the next morning, not on land, but on water, are deprived of and shut out from the benefit, because, as my friend was reading certain extracts Indian seamen are exempted. . . . .

**The Honourable Sir Bhupendra Nath Mitra:** All seamen.

**Mr. K. Ahmed:** No doubt, Sir, all seamen are exempted. Sir, the seamen of India are different from their compeers in Europe. The latter have a lot of facilities. If a seaman in other countries in the ordinary course of his business as a seaman meets with any accident compensation is paid to him by all other civilized countries, but in this wonderful country of ours, and by the beautiful Department of my Honourable friend these poor workmen are not allowed even to seek the protection of the law courts and sue the Shipping Companies, because, Sir, the seamen are not included in the Indian Workmen's Compensation Act, in spite of our strong protest, as they are all European Companies of white people. My Honourable friend Mr. Willson who represents Messrs. Turner Morrison and Company, Ltd. has got a lot of seamen under him in their sea-going vessels. That Company has got a lot of beautiful steamers and they engage our poor workmen, the Indian seamen from East Bengal, my constituency, and from Assam. These poor men are badly paid, they are ill-fed and sometimes not given clothes at all. But in the case of the European seamen according to the Convention it requires that they shall be properly paid, properly fed and properly clothed, and that they shall be given shelter on the steamer, not on deck but in cabins. Sir, have we not travelled in other countries and seen how the European seamen are treated by the steamer companies? My Honourable friend has, I believe, crossed the Indian Ocean and he should have seen in crossing the Mediterranean how the sea tosses the steamer

[Mr. K. Ahmed.]

and how uncomfortable it is to travel and much more to work there especially during the monsoon time. My Honourable friend is imbued with the ideas of bureaucracy in this country in such a manner that he will never wake up. He even did not move to ameliorate the condition of Assam coolies after he had mosquito bites during his tour in Assam. He will side with those gentlemen who make unusual profits in this country and not with the poor labourer. Those profits should be divided between the labourer and the ship owners. But what is proposed is that our Indian seamen ought not to get the protection of the courts. If a man is killed his heirs cannot file a suit, and if he is injured he cannot sue for compensation against the European shipping companies here. In the time of my Honourable friend's predecessor, Sir Atul Chandra Chatterjee, Dr. Gour, now Sir Hari Singh Gour, made a very thrilling speech on my amendment in 1924 that the Indian seamen should be included in the Workmen's Compensation Bill and Sir Atul Chandra Chatterjee gave an undertaking that they would be included in the Workmen's Compensation Bill. Now, Sir, their exclusion is a great injustice to these people and a very inhuman thing. My Honourable friend in reply to Mr. Joshi's first amendment said that when you cannot "stand" you want to "run". Sir, you can neither "stand" nor "run". You are not an infant of one year, but you are old having been here for more than 150 years and you have been sleeping, though the sun has risen on the horizon long ago. In the year 1925 in reply to my questions the Government said that communications were passing between the President of the Board of Trade in England and the Government of India. What do you care for the Board of Trade? You should look after the protection of Indian working men and if you cannot do it your Department is a sham, it is meant not for the benefit of the working people, nor for the benefit of the Indian people, but for the benefit of those vested interests and it works as an engine of oppression over here. The sooner you mend matters and give these seamen protection the better for you. You might say "we are giving protection for workmen in the case of occupational diseases and what have you come here for?" True, but it is you who have deprived our seamen, it is you who did not include Indian seamen, it is you who said that the European shipping companies in India should be immune from the clutches of the law. They cannot be sued. They are above the Princes in India, they are above the Princes in European countries, because if they do damage they cannot be sued in India. It is like the convention of constitutional law that the King can do no wrong. The white companies cannot do any wrong. They kill people, they take all the profits away and the Government of India sit tight and say that they are immune. That is the position. You are sleeping and you are hopeless. The sun is shining in your face. Under the municipal law the Swarajist Chairman may arrest you, just as any one sleeping gets arrested within the municipal area, and punish you with a fine of say 0-8-0 for the offence under the bye-laws.

**Mr. President:** Order, order. The Honourable Member is not making a legitimate use of the privileges he enjoys as a Member of this House.

**Mr. K. Ahmed:** With these few words I move my amendment.

**The Honourable Sir Bhupendra Nath Mitra:** Sir, we have listened to a very amusing speech, as usual, from the Honourable Mr. Kabiruddin Ahmed, and the more I listened to that speech the more I doubted whether the Honourable Member was really serious. The draft Conventions with

which we are dealing are, firstly, equality of treatment for national and foreign workers as regards workmen's compensation for accidents. I do not see how my Honourable friend's amendment can fit in with that draft Convention. The next draft Convention is night work in bakeries. I cannot by any stretch of imagination make out how these unfortunate seamen are connected with night work in bakeries. The third draft Convention refers to workmen's compensation for accidents, and there, as I have already stated, one of the articles specifically says that that draft Convention shall not apply to seamen and fishermen for whom provision shall be made by a later Convention. If my Honourable friend had been serious he would have probably reserved his remarks to the stage when the other draft Convention came up for discussion in this House. Lastly, there is the fourth draft Convention which relates to workmen's compensation for occupational diseases. These diseases, to which reference is made in this draft Convention, are given in the Schedule appended to that Convention. That Schedule gives a list of diseases. It also gives a list of corresponding industries and processes. If my Honourable friend had been serious, he would have again discovered without any trouble that his amendment cannot possibly refer to that draft Convention, as we propose to ratify it as it stands. That being the position, here is nothing substantial before the House which requires any remarks or explanation from me. I submit, Sir, that that amendment is entirely out of order.

**Mr. President:** The amendment is not out of order. It may be absurd.

**The Honourable Sir Bhupendra Nath Mitra:** I bow to your decision, Sir. The amendment is absurd.

**Mr. K. Rama Aiyangar** (Madura and Ramnad *cum* Tinnevely: Non-Muhammadan Rural): What about the last clause at page 8, loading and unloading and transport of merchandise?

**The Honourable Sir Bhupendra Nath Mitra:** Seamen do not generally load and unload. In any case, we propose to ratify the draft Convention as it stands.

**Mr. President:** The original Resolution was:

"That this Assembly having considered the Draft Conventions and Recommendations adopted by the Seventh International Labour Conference recommends to the Governor General in Council that he should ratify the Draft Convention concerning workmen's compensation for occupational diseases."

Since which the following amendment has been moved:

"That for the original Resolution the following be substituted:

"That this Assembly having considered the draft Conventions and Recommendations adopted by the Seventh International Labour Conference recommends to the Governor General in Council that he should ratify all the draft Conventions, namely:

1. Equality of treatment for national and foreign workers as regards workmen's compensation for accidents.
2. Night work in bakeries.
3. Workmen's compensation for accidents.
4. Workmen's compensation for occupational diseases; and give effect to the Recommendations concerning:
  - (1) Equality of treatment for national and foreign workers as regards workmen's compensation for accidents,
  - (2) Recommendation on minimum scale of compensation,
  - (3) Recommendation concerning workmen's compensation for occupational diseases."

The question is that that amendment be made.

The motion was negatived.

**Mr. President:** Further amendment moved :

" That at the end of the Resolution the following be added :  
' provided that the benefits under the Convention are extended to Indian  
seamen '."

The question is that that amendment be made.

The motion was negatived.

**Mr. President:** The question is that the following Resolution be adopted :

" That this Assembly having considered the Draft Conventions and Recommendations adopted by the Seventh International Labour Conference recommends to the Governor General in Council that he should ratify the Draft Convention concerning workmen's compensation for occupational diseases."

The motion was adopted.

## RESOLUTION *RE* REDUCTION OF THE EXPORT OF OPIUM.

**The Honourable Sir Basil Blackett** (Finance Member): I rise to move the following Resolution :

" That this Assembly recommends to the Governor General in Council that immediate steps should be taken to give effect to the policy of progressively reducing the exports of opium from India except for strictly medicinal or scientific purposes so as to extinguish them within a definite period."

Sir, this Resolution is confined to the question of the Government of India's policy in regard to the export of opium. It is an international question and the Resolution is moved in order to prove to the world the good faith of India in regard to certain international agreements into which she has entered. The original step of which this is the logical consequence was taken 15 years ago. In the year 1911 it was decided that exports of opium from India to China should be progressively restricted and eventually abolished, so as to terminate such exports by the year 1917. That agreement was entered into with the Government of China and the Government of China on its side undertook that it would entirely prohibit the cultivation of opium in China. As a matter of fact that agreement lasted for only two years, because in the year 1913 the suppression of opium cultivation was taken up in China vigorously by the new republican government that had recently been established there, and the Government of India, in order to encourage China in this stricter policy, agreed in the year 1918 to abolish exports of opium to China altogether, and since that date there have been no illicit exports of opium from India to China. Our exports have been confined to those which go to the non-China markets in the Far East. With them also the Government of India are acting under an international agreement. That international agreement was eventually ratified by India in the year 1920, eight years after the Hague Opium Convention had originally been drawn up. But the Government of India had been acting on it meanwhile during the period since it was originally drawn up. The signatories to the Convention undertook that exports of opium should be restricted or prohibited by all the signatories to any country which desired the import of opium into its territories to be prohibited or restricted. It was left to the Government of the importing country to decide how far imports

of opium should take place, to control them strictly with a view to preventing abuse and preventing smuggling into China. In order to carry out that policy the Government of India adopted a system under which exports of opium took place only when there was an import license to cover them, that import license being given by the Government of the importing country. The exports took place in two forms. An increasing proportion of them took the form of imports by the Government of the importing country who bought direct from the Government of India under an agreement for direct sale. In addition opium chests have been sold monthly in Calcutta for export under license from an importing Government, but to be imported not by the Government to whose country they were going, but by private individuals who received a license from the Government of the importing country. We have recently been trying to extend that system of direct sale so as to cover all our exports, and an agreement is on the point of being signed with the Government of Indo-China, which is the last of our large purchasers through the Calcutta auction system, and when that is concluded we hope to be able to stop the system of auction sales altogether. All our exports will then be in the form of exports under direct sales agreements with importing Governments. Meanwhile, a third stage in the international story is marked by the discussions that have taken place in 1924-25 at Geneva. After discussions, which were sometimes rather acrimonious, at

1 P.M.

Geneva, two Conventions were drawn up. The first of these Conventions is one which was signed by the representatives of all those countries which take Indian opium. It provides that the countries which at present import opium for smoking purposes should take steps completely to suppress the consumption of prepared opium in their territories within fifteen years from a date which is to be fixed by a Commission of the League of Nations. This date, which I am afraid is still rather far in the future, is to be fixed by the League of Nations as soon as it comes to the conclusion that the exporting countries have controlled the export of opium from their territories sufficiently to prevent the smuggling of opium from continuing to be a danger to the carrying out of this policy.

The second Opium Convention is, however, the most important in this connection. The first article of the Protocol of that Convention requires the States which are signatories to the Protocol, in view of their duties under Chapter I of the Hague Convention, to establish control over the production, distribution and exportation of raw opium in order to prevent illegal traffic—I shall now quote from the Protocol itself:

“to take such measures as may be required to prevent completely within five years from the present date the smuggling of opium from constituting a serious obstacle to the effective suppression of the use of prepared opium in those territories where such use is temporarily authorised.”

The Government of India have carefully considered their obligations under this new Convention, and they have come to the conclusion that that Convention puts an obligation on India which is not sufficiently fulfilled simply by allowing opium to be exported to the countries in the Far East which desire to import it under license, without the Government of India taking some steps of some kind to assure themselves that the imports under license from the importing Government are being put solely to the uses recognized as rightful. Now that puts the Government of India in a somewhat awkward position in relation to other Governments.



[Sir Basil Blackett.]

It is very difficult for one Government to go behind the signature on an importing license of another Government and to make inquiries as to whether the statement by that Government that the opium is necessarily required for what may be regarded as legitimate purposes is completely justified. The Government of India have themselves undertaken an obligation to prevent the exportation of raw opium from constituting a danger, and they have also undertaken an obligation to give their best assistance in preventing the smuggling of opium from being a danger. The Government came to the conclusion that in order to carry out their obligations in full, they could not confine themselves to a consideration of the strict letter only and must give some weight to the spirit of the Convention where a strict adherence to the letter might not be sufficient. It will be remembered that there has been a good deal of criticism, I think largely uninformed, in regard to the Government of India's attitude in the matter of the export of opium. It does not seem to be realised that the Government of India is the one Government in the world which has made a serious sacrifice of the tax-payers' money in order to achieve the beneficent ends in view in these Conventions. The Government have sacrificed a revenue that amounted in 1911 to 8 crores, and with the rise in prices that has since taken place would have been considerably more at the present day had conditions as they were prior to 1912 continued. Instead of that revenue of 8 crores, the Government of India's revenue is now only just 2 crores and will under this new proposal over a period of years diminish until it vanishes altogether and there will be no revenue whatever from the export of opium. (*Mr. Harchandrai Vishindas*: "Thanks to Mr. Gokhale".) The effect of the Government's action in regard to the countries importing opium from India will be that these countries will no longer have any reason to fear or to complain that the Government of India is attempting to go behind their import certificates. The Government of India will lay down that the maximum export will be rationed each year on a progressively declining scale and there will be no question of the Government considering whether this country or that is importing opium for purposes for which opium is stated in the import certificate to be imported. The Government will simply automatically by an arbitrary rule limit the exports from year to year until they finally cease. The result of that will be a final loss of opium revenue. The object in view is one with which I am sure everybody in this House and in India is in sympathy, to prevent the abuse of opium. I am not myself prepared to say that looking to the immediate future that object is likely to be very quickly attained. I am afraid that the self-denying action of the Government of India and the tax-payer since 1911 and 1912 has not been to reduce the amount of opium available for use in China, but it has at any rate been to prevent Indian opium from being the cause of the existence in China of a vice which is recognised to be a vice. If opium smoking continues on a scale which has scarcely been affected by the events of the last 15 years in China, it is no longer due to any action of the Government of India. The opium is now produced mainly in China itself and there is no blot on India in the matter; but it does mean a very severe loss of revenue to the Government. I do not think that it is necessary for us at this stage to consider the rights and wrongs of the action taken in 1912 and since. We have entered

into certain conventions and obligations and this is the logical conclusion of the obligation first entered into in 1912 and at the Hague Convention. The result will be to set India free of any responsibility whatsoever for the use of opium for purposes for which it ought not to be used in the Far East.

One question remains still undecided and that is the period over which the progressive reduction of opium exports is to extend. The difficulty in the matter will be obvious to Honourable Members when they remind themselves that in the United Provinces and in the Malwa States the opium crop is a very important one to a large number of cultivators. We have recently made drastic reductions—quite independently of this policy of ultimate prohibition of export of opium—in the area cropped in the United Provinces partly because we have been getting such large crops that there are stocks beyond all reasonable amounts. It will be necessary to make further reductions in the area cropped for opium in the United Provinces in the immediate future and we are anxious that we should do all that we can to ease the period of transition for those who are now growing opium. There are alternative crops of real value but the period of transition is a difficult one. There have been hardships and considerable complaints already as the result of the reduction that was made independently of this policy, and we are anxious, therefore, before coming to a final conclusion as to the period over which this reduction shall extend, to have fully worked out a programme for transition from opium to other crops in the United Provinces and at the same time to have some clear understanding with the Malwa States as to the question of opium production there. The problem is a difficult one. It is complicated, first of all, by the existence of unduly large stocks and, secondly, by the fact that the cultivation of the poppy in the Malwa States is not so directly under the control, to say the least of it, of the Government of India as is the production in the United Provinces. The working out of that programme, therefore, may take a little time. But the general proposition remains that this House should agree with the Government of India in this proposal to wipe finally from the slate all responsibility of the Government of India in the matter of export of opium for undesirable uses in the Far East. Sir, I move.

**Pandit Madan Mohan Malaviya** (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): Sir, I heartily support the proposal that the Assembly should recommend to the Governor General in Council that immediate steps should be taken to progressively reduce the exports of opium from India except for strictly medicinal or scientific purposes, so as to extinguish them altogether within a definite period. The decision, Sir, is one which undoubtedly will involve much loss of revenue and loss to the cultivators also, but it is a humane and statesmanlike decision and I cordially congratulate the Government of India and the Honourable the Finance Member on having arrived at it.

**\*Diwan Bahadur M. Ramachandra Rao** (East Godavari and West Godavari *cum* Kistna: Non-Muhammadan Rural): Sir, I have listened with considerable interest to the speech of the Honourable the Finance Member in regard to this very important question. I also endorse every word which my Honourable friend Pandit Madan Mohan Malaviya has said in regard to the humane character of this policy. One of the contentions which I put forward the other day was that if the Government

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of India accept this policy of progressively reducing the exports of opium from India, with a view to restricting it to medicinal or scientific purposes, it necessarily follows that, if this policy is good for China and other Eastern countries, it is equally good for India. That is the position which I tried to take up the other day, and if I say a few words in regard to this matter it is entirely for the purpose of persuading my Honourable friend that this policy which is adopted in regard to other countries should be extended, on account of its beneficent results, to the people of this country. It is perfectly relevant in a discussion of this subject to point out to the Government of India that they are pursuing a policy for restricting the use of opium to medicinal and scientific purposes, and if this is their policy abroad it is perfectly relevant to point out them . . . .

**Mr. President:** The Honourable Member may point out only in a general way what the policy should be in regard to the internal consumption of opium.

**Diwan Bahadur M. Ramachandra Rao:** I wish to point out in a general way that if they have not a policy also in regard to the internal consumption of opium with a view to finally extinguishing its use in India, except for medicinal and scientific purposes, there would be a variation between their position in regard to other countries and their policy with reference to the state of things in this country. I do not say that the Honourable Member is not at all alive to that aspect of the question. I am grateful that the Government of India have considerably reduced the consumption of opium in the provinces, and all that has been stated in the report of the International Conference at Geneva was that the Ministers have inherited a stricter system of control from the earlier authorities, and the Government of India would have no objection, if they have any other policy with a view finally to extinguish the use of opium except for strictly medicinal and scientific purposes, to the extension of that policy to the people of this country. I wish to assure the Honourable Member that we do realise that the policy during the last ten or fifteen years or so has resulted in a considerable reduction of consumption, but what I contend is that it has been pointed out in the Report of the Assam Congress Inquiry Committee that it is necessary that the Government of India as well as the Local Governments should keep this matter in view so as finally to extinguish the use of opium except for the purposes mentioned in this Resolution. Opium smoking in Assam is vividly described in that Report, and there are parts of India where its uses are certainly very deleterious; and it is necessary that some legislative and administrative steps should be taken for the ultimate extinguishing of this poison, except as stated here, for medicinal and scientific purposes only. That is the point which I wish to urge on the Honourable Member.

Then I have one or two remarks to make. I would like to suggest to the Honourable Member that these international agreements should be brought up for ratification by this House. We, who represent the people of India, should have some voice in the policy which eventuates in these international agreements. Take the Locarno Pact. It is open to the Government of India, without any reference to the representatives of the people, to drag India into a European war. Here again is another international agreement entered into without any reference to the people of this country, which ultimately led to a loss of revenue of nearly 2 crores

of rupees. I am pointing out these facts. If these particular agreements are to be entered into by the executive Government without any reference to the representatives of the people, the representative character of this House is at an end. Therefore, Sir, whenever there are these international policies which have a bearing on the administrative machinery of this country, financial or otherwise, they should be ratified, as they are in other countries, by a vote in this House. That is one remark that I should like to make.

The second point I should like to ask the Honourable Member about is this. Of course he himself has stated that it would ultimately mean a loss of two crores of rupees, and I was rather surprised that he forgot all about the provincial contributions which he so often mentions in connection with proposals that are put forward by this part of the House. How is this two crores to be made up? What are his proposals? In how many years does he expect to extinguish this traffic and what are the exact proposals which he has in mind? I should have been very glad if he had made some remarks on that point because it means that for the purpose of carrying out international obligations entered into by my Honourable friends without the concurrence of this House, which means the concurrence of the people of India, my Honourable friend may bring forward proposals which may involve the taxation of the people of India for the purpose of making up this loss of revenue . . . .

**Diwan Bahadur T. Rangachariar** (Madras City: Non-Muhammadan Urban): You approve of it?

**Diwan Bahadur M. Ramachandra Rao:** I do, but it does not mean that I approve of every measure my Honourable friend may have up his sleeve for the purpose of making up the revenue. That is quite a different proposition. That is what I wish to bring to his notice, that when such a proposal involving a loss of revenue is made, though from the humanitarian aspect I approve of it, it does not mean I should be necessarily forced to approve of every measure he brings forward . . . .

**Diwan Bahadur T. Rangachariar:** Necessarily it means increased taxation.

**Diwan Bahadur M. Ramachandra Rao:** That is the point. If I can approve also of his methods of making up the loss of revenue I will certainly be more comfortable in dealing with the proposition. The loss of revenue may be made up by retrenchment; it may be made up by a reduction of military expenditure; it may be made up by an increase of the salt tax, or by putting up the rates of income-tax. I do not know how this is going to be made up. I am mentioning the difficulties in which he is placing us by asking us to approve of this proposal. While on the one hand I see its international aspect and the humanitarian side of it, my Honourable friend said nothing as to how "in the course of years", as he said, but I do not know how many years, he proposes to make up this revenue, and I sincerely hope that, whatever he may do, he will not increase the burdens of the people for the purpose of carrying out international obligations incurrent not by ourselves or with our concurrence, but by the Executive Government of this country. That is the point to which I would ask my Honourable friend to make a reply. I have been reading the debate on this subject in the Council of State, in which he said that the Local Governments have been asked for their opinions in regard to a more progressive

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policy for the reduction of the consumption of opium and that some opinions have been received and they are under consideration. I trust, Sir, that the logical conclusion of the adoption of this arrangement will be that they will have a more progressive policy in regard to internal consumption of opium and that the Government of India and the Local Governments will not hesitate to adopt such a policy, whatever may have been said by the delegates at the Geneva Conference.

**Sir Hari Singh Gour** (Central Provinces Hindi Divisions: Non-Muhamadan): Sir, my Honourable friends have been referring to this Resolution as a humanitarian one. I fear, Sir, it is more a sentimental one. Some few months back I questioned the Honourable the Finance Member on this very topic. I asked him three or four questions. The first question was, is it not a fact that since the reduction of the export of opium from India, the consumption of opium in China has gone up rather than gone down? And is it not a fact that Indian opium has been amply replaced by opium grown in Persia, Turkestan, and China itself? And is it not further a fact that China had committed itself, had in fact given a definite pledge that on the Indian Government curtailing the export of opium, they on their part would not grow opium locally and would reciprocate the humanitarian action of the Government of India by stopping the smoking and eating of opium by the Chinese. Well, Sir, the replies to these questions, which are on the records of this House, have disillusioned me. It has been found that while under the influence of the Anti-Opium League our revenue from the export trade has steadily diminished, the countries to which we exported opium in times past are none the wiser for it, and the consumption of opium in those countries has not in the slightest degree affected their sobriety, so far as opium smoking and eating are concerned. Now, Sir, in view of this fact I fail to understand my Honourable friend's appeal to humanitarian sentiment. I would have begun, Sir, by applying my doctrine to the country itself on the well-known adage that "charity begins at home" and I would have expected the Government of India first to say that if we are to apply the dictates of humanity we should apply them to the people of India, because in applying those dictates to the people of India we would be quite sure that we could prevent the import of opium from neighbouring countries such as Persia, Turkestan and China itself; and in that case the effect of the prevention of the consumption of opium in this country would have naturally led to beneficial results, and the sacrifice of revenue would then, I submit, have been justified. But what the Government are trying now to do is to enforce an international compact leaving India as it is and curtailing the export of opium to China. Now that, I submit, is a questionable proposition and I submit that if the Honourable the Finance Member, before he brought forward this Resolution, had asked us to consider the International Convention in pursuance of which this Resolution finds itself on the agenda paper to-day, we would have had a great deal to say about it. I entirely agree with my Honourable friend Diwan Bahadur Ramachandra Rao that these International Conventions involving the country in large financial losses should not have been accepted by the Government of India without the consent and concurrence of this House, and I therefore, enter my protest with him against agreeing to these Conventions and giving effect to them behind the back of this House.

My next point is what assurance has the Finance Member, and for the matter of that the Government of India, obtained from the countries to which the export of opium used to be made and is now to be limited. Have they got any assurance from those countries that they will be more sober in consequence of the non-supply of opium from India? Nothing of the kind. And then I wish to ask what is the meaning of these eloquent periods that we hear from both sides of this House that this Resolution is inspired by high and noble humanitarian purposes. You do not make one Chinaman less sober or more sober.

**Pandit Madan Mohan Malaviya:** If some one else must steal, I will not.

**Sir Hari Singh Gour:** You do not, I submit, make these foreign people more sober or less sober by the fact that you supply or do not supply opium. They get it otherwise. And we lose the revenue. My Honourable friend Pandit Madan Mohan Malaviya ejaculates that if other people steal we do not steal. My answer is that we do not steal at all. We were engaged in an international trade. We did not tell the people in China to go and smoke opium. We simply exported opium just as we export quinine, and people can just as well poison themselves with quinine as they can with opium. I, therefore, submit that there is no moral justification for the sacrifice of this large revenue of the country for which the Honourable Finance Member has disclosed, as yet no substitute, without assuring himself that the result for which this sacrifice is sought to be made would be assuredly beneficial and that some guarantee is forthcoming from the countries concerned that they will second the efforts of the Government of India in reducing the consumption of opium and in restricting the supply from other countries. On these grounds, Sir, I do not feel at all convinced that the Honourable Finance Member has made out a good *prima facie* case. I am perfectly at one with him and with my Honourable friends on this side that the supply of opium should be curtailed, that opium is a noxious drug, and that it is not right that we should export opium to other countries, provided the countries concerned would benefit by our non-supply of opium; and that is a proviso upon which I wish to lay particular emphasis in view of the facts that I have stated.

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

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

**Diwan Bahadur T. Rangachariar** (Madras City: Non-Muhammadan Urban): Sir, I did not intend to intervene in this debate, but the speeches of my two Honourable friends who preceded me just before lunch have dragged me to my feet. I see the struggle which both of them underwent, between the idealist and the practical politician. They wanted to get credit for humanitarian feelings for advocating humanitarian feelings. At the same time they say "What are we to do? We are sacrificing two crores of revenue". "What are you going to do," they ask the Finance Member. The Finance Member will have this up his sleeve, when next time he comes forward with his Budget and will say: "My dear friends, with your consent I gave this up. The revenue has gone down; I could not

[Diwan Bahadur T. Rangachariar.]

keep down the expenditure, and you are already pledged to support this reduction, and so you must find some other means to carry on my Government, your Government". Well, Sir, that is the practical difficulty in this case. Sir, we are a nation noted for self-immolation. We suffer in order to improve others. Mahatma Gandhi fasts for 15 days or for a month or for even 45 days in order to bring other people to their senses. So also, Sir, consistently with that religious doctrine, we are here practising self-immolation in the shape of this Resolution in two ways. We are sacrificing revenue but to no apparent advantage, according to my Honourable friends Diwan Bahadur Ramachandra Rao and Sir Hari Singh Gour, because China gets her opium from elsewhere, and therefore we are not going to improve the morality of China; we are not going to destroy nor to diminish the vice in China, but what we are doing is, we are sacrificing revenue, nay more. On account of the policy pursued by the Government for all these long years, the poor cultivators in the United Provinces have been accustomed to raise crops of this kind. Probably they have been training their fields for this purpose. I do not know it myself. We are not accustomed to cultivate opium in our parts, and therefore I say that in ignorance. I do not know whether any preparation is needed for training land to cultivate this kind of crop. Probably Members from the United Provinces may be able to throw light on that. Now all of a sudden, it may be said gradually that they are to undergo new training in order to turn to other kinds of crops. I do not know the nature of the lands there, and whether they are fit for other crops and if so what kind of crops can be grown, and whether other kinds of crops will be equally valuable to them. We have to face all these difficulties. And I do not know whether it is not part of the duty of the Government to their own people in addition to the duty which they owe to the world at large, to compensate these poor cultivators; if they are not compensated, at least they should be helped by financial assistance in order to train the land for new ideas of cultivation, new grains, new crops. I mean it will be a part of the duty of the Government, when they adopt this policy to see that the cultivators are helped financially and also that they are given expert advice by the Agricultural Department as to how best to turn their lands to other crops.

Sir, I have noticed a tendency on the part of the Government of India all these years. They are over-anxious to please the British public, the European public, the American public. They care this much for the opinion of the Indian public. The teeming millions of India may cry themselves hoarse over the question of the salt duty, but they defy their cry, whereas if the *Times* or the *Manchester Guardian* or any other influential organ in England takes up a cause, at once the Government of India's attention is directed to it and they take steps to rectify the abuse of which they are accused.

**Mr. N. M. Joshi** (Nominated Labour Interests): Is Indian public opinion in favour of opium smoking?

**Diwan Bahadur T. Rangachariar**: It is not at all that. My Honourable friend in his over-anxiety to appear as a humanitarian misunderstands my position. I want to look at it from a practical point of view. We owe a duty to our people in the first instance before we discharge a

duty to others, and what is it we are asked to do by this Resolution? This Resolution is silent as regards internal consumption. The Government of India have not laid down in this Resolution what their policy is going to be as regards internal consumption. They are not pledging themselves to-day by this Resolution that opium shall be consumed or be allowed to be consumed only for medicinal purposes. At our very doors drinking is going on, the excise revenue in each province, for instance, in the United Provinces, in Madras, is nearly a third of our revenues. What is to be our excise policy with reference to consumption in our own land? You are very anxious to please the outside world. What about the consumption in our own country to whom you owe a primary duty? This Resolution does not commit the House to any policy in that respect. I have not got the heart to oppose this Resolution—I quite see the justice of it—but at the same time I should warn Government not to be hasty in the action that they take. If I am in order I may add at the end of the Resolution that this policy be pursued and carried into effect completely as soon as the finances of the country permit. Sir, we have excellent precedents for such a limitation. In the case of the cotton excise duty, the highly immoral duty which was recognised to be so all along, the Government of India always said that as soon as the finances of the country permitted it they would repeal that odious duty, and they have done so only yesterday. The Government of India have already entered into covenants with foreign Governments that they will not sell opium to them unless such Governments issue a certificate prescribing the quantity they require. So that that is a good safeguard, and having regard to the fact that China is able to import her opium otherwise or cultivate it otherwise and therefore we are not stopping the vice, I do not see any reason why we should hurry over this programme. I wish to be distinctly understood that by consenting to this Resolution the House is not committing itself to approving any additional taxation. What are the chief sources of our revenue? Customs, income-tax, salt, and this opium was another head which is now going to disappear. Customs we have raised. We have increased the duty on clothes, we have raised the duty on kerosene, we have raised the duty on various other articles which are consumed by the poor people. As soon as the finances of the country permit we are pledged to reduce those rates. And are you going to increase the income-tax, are you going to increase the super-tax? All these difficulties stand in the way. Therefore it is a question on which we are pledged to carry out this undertaking. We do not quarrel with it. My Honourable friends said that this House was not consulted with reference to that undertaking. It is quite true, but it is a humanitarian task with which we cannot quarrel. I do not know whether any European nation is committing self-immolation in the way in which we are carrying out these international obligations. In the matter of labour laws we have been foremost in carrying out the undertakings which our so-called representatives gave in the International Labour Conference. Other countries are still hesitating. This is to the credit of the Government of India, but I must warn the Government that if they suppose that they can come forward with proposals for additional taxation to meet this deficit, they will be faced with stout opposition from this part of the House, whoever may happen to be in it.

**Mr. President:** Does the Honourable Member wish to move an amendment?



**Diwan Bahadur T. Rangachariar:** Yes, I want to add "as soon as the finances permit".

**Mr. President:** The Resolution has been before Honourable Members for some time past, and, unless the Chair is satisfied that the House as a whole is in favour of such an amendment, the Chair is not disposed to permit it at this stage.

**Diwan Bahadur T. Rangachariar:** I will leave it to the House.

**The Honourable Sir Basil Blackett:** I would ask you not to permit this amendment. Notice has not been given and my view frankly is that if we are to be given full credit for what we are doing, it is much better that an addition of this sort should not be made to the Resolution.

**Mr. K. Rama Aiyangar** (Madura and Ramnad *cum* Tinnevely: Non-Muhammadan Rural): Sir, if any one is responsible for this kind of argument on the part of Honourable Members on this side, I should think that the Honourable Sir Basil Blackett is. Whenever a question of reduction of taxation was put forth, he always pointed to the provincial contributions or some other thing which would affect what is dear to this side of the House. Now the same thing is put forward by this side. But this ought not to deter this Assembly from passing the Resolution which has now been put before them. The Resolution is worded very guardedly. I dare say the question will be looked into very carefully by the Finance Department and the other department responsible for the cultivation of opium and restricting its area. If it is worked out properly it should be so graded that the finances should not at all be affected by this question of loss of revenue which could be made up by other increases in the course of some years. Of course the Honourable Sir Basil Blackett was not able to give us the exact period within which this could be effected. I dare say it would not be over 20 years. If I am right, and I believe that was said in another place—if it is properly worked out it will be quite possible to allow growing revenues practically to replace the loss without much effect being felt by the Assembly. That is one point I wish to place before the Assembly. Secondly, whenever you begin to decide upon a question of this kind conferring lasting benefit you ought not to be deterred by the idea that this false revenue, as I would call it, is going to be lost. Are you going to falter with respect to the loss of excise revenue about which we are so particular. All that we can recommend is, as it has been recommended by some Provincial Governments, that this may be done in course of years, so that the other revenue which might grow in its own way may make up this loss. We must be prepared to wipe that out as early as possible. That being so, this question ought not to be affected by any consideration of loss of revenue. Again this has been a subject that has commanded the attention of this House for a very long time, from the days of the late Mr. Gokhale and if it is given effect to, we have certainly to feel thankful to God for giving this Assembly and the Finance Member an opportunity to put it in the form of a Resolution which would receive the acceptance of the public. The only thing I will add is, taking all these into consideration, I once again urge upon the Finance Member to see that he does not pit one item against another. The whole question of adjustment of taxation requires consideration in all its various aspects. Every matter should be given its due place. Of course we have reduced provincial contributions during these two years by about four crores, which means that we are progressively

reducing them, and that should be the only aim; they should be reduced at the earliest opportunity. But that should not come into conflict with another duty that we owe. As I have said, if we have 40 crores of extra taxation on the country, some attempt should be made to reduce it by degrees. While you are bound to reduce provincial contributions, try at the same time to reduce taxation also. Of course the measure to be adopted in each case is a matter upon which I should say the Finance Member should take full responsibility and show by his arguments that he has exercised his judgment for the best. This side of the House has clearly stated that it did not agree with the Finance Member in respect of the proposals that he made by which he refused to reduce taxation, but they thankfully and gladly accepted the further reduction in the provincial contributions provided for next year and also the abolition of the cotton excise duty. This House felt that it was possible to give further help to the poor tax-payer of the country, and that has not been done. It is in fixing how the final results should be arrived at that the Finance Member must show a sympathetic grasp of the whole question and make a distribution in the best interests of the country. While I am for abolishing the provincial contributions gradually, I also ask that such help as possible be given to every side. Let me at least take this occasion of reminding the Honourable Sir Basil Blackett that in abolishing the opium revenue he is going to lose revenue to this extent, and I congratulate him for my own part on this bold step he is taking when according to him India wants all the money now collected by this extra taxation. But I want him also to be similarly bold in reducing taxation in such proportion as it ought to be done in present circumstances.

**The Honourable Sir Basil Blackett:** Sir, I do not think that it would be wise of me to follow the last speaker into a reopening of the question of what priority you should give to reduction of taxation over reduction of provincial contributions. But let me deal at once with the effect of this prospective loss of revenue on our financial position. Now, it is perfectly true that at some future date, when you are no longer getting 2 crores a year of income from exports of opium, you will have to see that the rest of your taxation must be higher to bring in a sum to the extent of 2 crores more than if you had not given up your opium revenue; or alternatively your expenditure must be 2 crores less than it would otherwise have been, and that means that you must forego presumably desirable expenditure to the extent of 2 crores. That is looking at the thing purely as a theoretical proposition in the future. You cannot do without 2 crores without being without that 2 crores. But so far as the immediate future is concerned the problem is complicated by other considerations. In the first place, as I have already pointed out to the House, we have unduly large stocks of opium at the present time. And simply in view of that fact, without reference to this policy, we have considerably reduced the total area under cultivation, and some further reduction will be necessary in order to pave the way for the ultimate extinction of exports. But during that time we shall tend to be using up stocks, so that though our gross revenue from opium will be less by the amount by which we have reduced our exports, our net revenue will tend probably during the earlier years of the period to be rather higher than it would otherwise have been owing to the size of the stocks, so that there is not in the immediate future any large amount of revenue to be lost. We shall be getting less revenue, but we shall be spending less on producing opium because of the size of

[Sir Basil Blackett.]

our stocks. That will tend to be the position. Of course it will have to be modified with reference to the desirability of making the reduction of area fall as lightly on the cultivator as is possible. But I do think we can look forward to a position in which such loss of revenue as we may incur will not seriously affect our budget position in the next two or three years. That being so, the only answer I can give in regard to provincial contributions is that at any rate I live in hopes that before we begin to suffer seriously from the loss of revenue from opium, we shall have arrived at a solution of the provincial contribution problem. That is optimistic perhaps, and it depends on providence quite as much as on the Finance Member. But I have at any rate hopes that the provincial contribution problem will be reasonably settled before the necessity of finding alternative income or alternative reductions of expenditure to take the place of this opium revenue becomes a serious problem for the House. Next, Mr. Ramachandra Rao raised the question of the internal use of opium. I think he and others who spoke on this point have slightly misunderstood the exact meaning of the Resolution before us. The Government propose that they should cease to export opium altogether within a limited number of years except for medicinal purposes. But that does not mean that they express the opinion that opium ought to be used only for medicinal purposes. Their international obligations require them to take all steps in their power to prevent Indian opium from being smuggled; and in order to prevent the smuggling of Indian opium after it has left India, the proposal is to arrive at a position where it does not leave India at all except in what will be comparatively small quantities for medicinal purposes. That is quite another proposition from the statement to which I myself am not willing to subscribe that opium cannot be properly used for any but medicinal purposes.

The same speaker spoke of this policy having been adopted without the Convention having been brought before the House for ratification. Now the question of bringing international conventions before this Legislature for ratification obviously raises a larger issue than the House would desire me to pursue at the present moment, but I claim that in this case the Government of India know, during the time that they were considering the Convention, long before this had reached the stage of being a convention, that the view of at any rate a majority in this House as expressed in numerous speeches on numerous occasions was in favour of the general lines of the policy that the Government of India were pursuing, if indeed it did not think that the Government of India's policy fell short of what the more progressive prohibitionists in this House would have desired. Therefore we cannot, I think, be open to the accusation of having pushed the House into an international obligation contrary to the views of the spokesmen of the country in this House.

The Resolution now before this House is not that we should ratify that Convention, but that in order to fulfil both in spirit and in letter the obligations undertaken in the Convention we should go somewhat further than the letter of the Convention and restrict our exports gradually until they are completely got rid of. Sir Hari Singh Gour, and, I think to some extent, my friend Diwan Bahadur Rangachariar feared that we were immolating ourselves on the altar of infructuous results, if I may mix my metaphors. I did not claim when I first spoke that the effect of this action on the part of the Government of India would be to bring about

the millenium or even to bring about any immediate reduction in the total quantity of opium used and abused in the world. It is to some extent a case of casting our bread or opium upon the waters; whether we shall find it after many days is a matter for speculation. But, as Pandit Madan Mohan Malaviya pointed out, we are taking this action on the strict line that international obligations and the position of India in the world make it desirable that we should go ahead without fear of consequences; and there is very little more to be said on that. We have entered into obligations and we are pursuing a logical course.

As regards the position of the cultivator, to which my friend Diwan Bahadur Rangachariar drew attention, that is naturally a matter which the Government of India and the Provincial Government concerned have particularly in mind, and it is, as I said before, because of our anxiety to do full justice to the cultivator that we have not felt it possible as yet to fix a definite period within which opium exports are to be finally abolished. The difficulty is to some extent a financial one. There are, as far as I understand, alternative crops, such as wheat and sugar, which are entirely productive and which can be easily changed over to by the cultivators. But the cultivator has been in the habit of receiving financial assistance for the production of opium which he would not normally get for the production of other crops. The custom of the business of the growing of opium has been to make advances for cultivation and this is not the normal custom, I gather, in the alternative crops. It is a matter which the Government of India and the Government of the United Provinces will have to take into very careful consideration.

On the whole, I think that the House, though it is not anxious to lose this revenue, is anxious to carry this Resolution. The House will thereby be putting a final seal on the action taken as long ago as 1908, when we first entered into discussion with China in regard to the restriction of exports and since then enshrined in various international agreements and Conventions showing that the Government of India and the people of India have no desire, even though it costs them considerable sums out of their own pocket, to be a party to the abuse of opium outside India. I trust the House will carry this Resolution unanimously.

**Mr. President:** The question is:

"That this Assembly recommends to the Governor General in Council that immediate steps should be taken to give effect to the policy of progressively reducing the exports of opium from India except for strictly medicinal or scientific purposes so as to extinguish them altogether within a definite period."

The motion was adopted.

#### RESOLUTION RE EXTENSION OF THE REFORMS TO THE NORTH WEST FRONTIER PROVINCE.

**Mr. President:** The House will now resume further discussion of the following Resolution moved by Maulvi Sayad Murtuza Sahib Bahadur on the 16th February, 1928:

"This Assembly recommends to the Governor General in Council that he be pleased to extend to the North-West Frontier Province the provisions of the Government of India Act which relate to Legislative Councils and the appointment of Ministers, etc., with protection to the minorities."

**Raja Ghazanfar Ali Khan** (North Punjab: Muhammadan): (There was applause when the Honourable Member rose to speak.) Sir, fortunately or unfortunately, I have not been gifted with that power of eloquence, which is

[Raja Ghazanfar Ali Khan.]

so very essential in these days of uproar and noise in every sphere of life. In spite of many temptations to the contrary, I have been able to maintain my vow of silence so far and the reason for my getting up to-day and making a speech on this motion is, that my feelings have been stirred to such an extent, that I do not think I should keep quiet. Sir, whenever a committee is appointed, there is a general feeling that the official members of that committee are bound to take a definite line of action in the matter even if the evidence before the committee may prove things to the contrary. This belief was further strengthened when we read a few months back, the statement of Sir Muhammad Shafi in connection with the signing of the majority report of the Muddiman Committee, after he had handed over the charge of the Law Membership. But, Sir, I am very glad to find that my Honourable friend Sir Denys Bray is still sitting on the Treasury Benches, as happy and cheerful as ever, in spite of his signing the majority report, a report which was not quite welcomed by the Government. One more passing remark, Sir. Only the other day my most venerable Leader, Mr. Jinnah, while asking for a Royal Commission, was laying great stress on the personnel of the Commission. At that time I began to feel that the personnel of the Commission really matters more than even the terms of reference. What I understand from a satisfactory personnel, is that the majority of the members of the Commission should be such, that they may be able to take a fair and just view of the problems which may come up before them. So, when a committee is appointed, and all the members are unanimous in giving their verdict on a particular matter, there is nothing further to be said about it, though in these days it is very difficult to expect a unanimous verdict from any commission or committee. But when a committee is divided into two parts and there is the majority report and the minority report, the Government must act either according to the suggestions of the majority or the minority, to me it appears that there is no justification for running away altogether. Now, Sir, I wish to ask a plain question—which of the two reports seems infeasible to the Government? Is it impossible for them to act on the suggestions of the minority or on the suggestions of the majority? I do not think either of these two recommends “inaction,” of which Government have been guilty so far. The issue before us is very clear. There are only two courses open to you. Either amalgamate the Frontier Province with the Punjab, or treat it as a separate province and give it Reforms. I do not think there is anybody in this House who does not agree that these people on the Frontier deserve to be treated just as any other people in India. Some think that they should be amalgamated with the Punjab, and all the rights and privileges which the men in the other provinces enjoy should be extended to the frontier people also. Others think that they should be treated as a separate province and that they should have their own Reforms. In the way of amalgamation I think there are some administrative difficulties, which are so clearly dealt with in the majority report, that it is hardly necessary for me to repeat them here.

Sir, on the 16th of this month when I heard that most beautifully worded and feelingly delivered mysterious speech of Sir Denys Bray, it reminded me of a well-known Urdu verse of that great poet, Ghalib:

“Gar khāmorkhi se fāida ikhfāe hāl hai  
Main khush hūn meri bāt samajhna mohāl hai.”

which translated means:

"If the object of remaining silent is that the sentiments and feelings of the heart should not be revealed, I am glad that nobody can understand what I talk."

Sir, he said it was a "pleasant surprise" to him that the debate was not carried on on the lines that he had expected. (*An Honourable Member*: "What did he expect?") I think that surprise must have vanished by the evening of that debate.

Then, Sir, he refers in his speech to some happenings which have taken place during the last three years in "that great country". I do not know what he meant by that, and I have been making searching inquiries from people who are expected to be in the know, but they have not been able to tell me what he means when he says that many things have happened in that country, which stopped the Government from giving effect to the recommendations of the majority report. But, Sir, I have no quarrel with Sir Denys Bray, because he says that his opinion is still the same and that "the outlines would remain the same", even if somebody asked his opinion on this subject to-day.

Coming to the merits of the question, what is the standard by which the people of any province are to be judged as to whether they are fit to be entrusted with the responsibility which these Reforms involve. The first and foremost in my mind appears to be the presence of a genuine and widespread desire of the people to take an active part in managing their own affairs. I do not think there is any Member in this House, who would not agree, that this desire on the Frontier Province is very deep-rooted, very genuine and very widespread. This is clear from the majority as well as the minority report. This is also clear from the various huge meetings held in the Frontier Province and outside during the last month and a half. It is also clear from the innumerable telegrams and letters which all the Members must have received during the last few days. It is also clear from the presence of a large number of people from the Frontier Province, who have travelled all that long distance, to see how we treat their legitimate ambitions and aspirations which we call our birthright.

The second proof of their being fit for the Reforms is their qualities of head and heart—the qualities of head and heart of the Pathans, for which my Honourable friend from Madras has got such great admiration and which, unfortunately, my learned friend the Panditji repudiates and denies. The difference between the opinions of these two great persons is probably due to the fact that while the Diwan Bahadur has firsthand knowledge of the frontier, the knowledge of the Honourable the Panditji is more or less derived from his "friends from the Frontier". Then, Sir, let us take the educational conditions of the Frontier Province. In spite of the fact that the province is not so rich as to spend as much money as is required on furthering education in that province, in spite of the fact that they started very late in this line, and in spite of the fact that they are naturally placed in a position where practice with the rifle is probably more useful and necessary for them than reading mathematics, still you will be surprised to know, that according to the census of 1921, there were 48 persons educated in each mile, while in the United Provinces the number is only 84. So how can you say that the people of the frontier are not educationally fit for getting the Reforms?

[Raja Ghazanfar Ali Khan.]

Sir, there is one more point to which I would like to refer here. Sir Denys Bray said:

"Government have been awaiting this debate with great interest and great attention, and it is with great interest and great attention that Government will follow it and its action and reactions in the press on the frontier and in India at large."

Sir, again, these words are absolutely mysterious to me. What I understand from them is this—I will put it very plainly—the Government, for some reasons, which are best known to them, do not want to give Reforms to the people of the frontier at this time. At the same time they are thoroughly convinced that there is a very deep feeling present in the minds of all those people to get their rights. They have also got this experience, that once that desire is created deep in the minds of the Pathans, it is difficult to stop them until they have realised that desire. So now they know what the consequences of running away entirely from the question are, and that in view of the fact, that their own officers recommend that Reforms should be given to them, they will not be able to escape the serious consequences of this unreasonable attitude. And, you know that at present, unfortunately, the relations between the Hindus and Muhammadans in the country are very much strained, so this is only throwing out a suggestion both to the Press and the people in the Frontier Province and outside, that you are willing to give them Reforms if it is agreed to by all sections but if it is opposed, and if there is an agitation carried on in the Press as well as among the public, against giving the Reforms, in that case you will have to wait. In other words, what does it mean? It means that you create an impression in the minds of the Pathans that it is the Hindus who are standing in the way of their progress; it is not the Government; it is the Hindus. If the Hindus would not agitate, "if they would not carry on propaganda against it in the Press, you are quite prepared to give them what they want." Is that what you would say? So in a province, where the feelings are already strained between Hindus and Muhammadans, and where you find that the population of Hindus is very small, and the people are very furious by nature, you tell them that this is the class to be blamed, that these 5 per cent. of persons are standing in the way of their political progress. What do you expect from them? Do you seriously expect that this will help to restore good relations between Hindus and Muhammadans? Or do you think that this will further strain relations which are already very bad? Sir Denys Bray again said:

"When I was empowered by Government to announce those decisions in another place was there any communal heat engendered, was there any great agitation seen rising then? Not a bit of it."

Then, Sir, what was there to stop you from giving effect to the recommendations of the majority report, if your only plea is that you were afraid of rousing communal bitterness? There was no communal bitterness then. Sir, I am always reluctant to believe, that the Government are led away by some sinister motive or thought whenever the question of yielding political power is concerned. I am always very reluctant to believe it, but here in this connection I would most earnestly appeal to you to make it clear, absolutely clear, to the people of the Frontier as well as to the public outside, that it is not the Hindus who are standing in the way of the political progress of the people of the Frontier but that you have your own difficulties, which, however, strong they may be, you do not want to reveal to us.

**Mr. K. Ahmed** (Rajshahi Division: Muhammadan Rural): What are those difficulties? Say something about them because Sir Denys Bray is not disposed to disclose them.

**Raja Ghasanfar Ali Khan**: Sir, I do not want to detain the House long. I would submit that I have got very great regard and respect for the Honourable Pandit Madan Mohan Malaviya. I honestly believe, that the services which he has rendered to the nation, to the country, are in no way less than the services he has rendered to his community (*An Honourable Member*: "Question."), and particularly, Sir, when I listened to his words:

"I have seldom if ever advocated the cause of Hindus as distinct from the cause of Muhammadans either in the National Congress or the local Legislative Council, of which I was a member for many years, or the Legislative Assembly. I do not remember any time when I have entertained any thought of hurting my Muhammadan fellow-countrymen. I should be ashamed of myself. I should be ashamed to think of my God or to appear before Him if I cherished the smallest thought of injuring any of my Muhammadan or Christian brethren."

**Mr. K. Ahmed**: Read on!

**Mr. President**: Order, order.

**Raja Ghasanfar Ali Khan**: Sir, I still prefer to believe in those words rather than in the rest of his speech, although I honestly find it very difficult to reconcile this statement with the other parts of his speech. Sir, I would have had no objection absolutely if the Honourable Panditji had merely restricted his speech to opposing the motion as well as the amendments. But, Sir, that speech, relating, in the most exaggerated form, to all those past incidents which took place some 16 or 20 years ago, and which might take place at any time in any country, and repeating them with this exaggeration and with the full consciousness that the Panditji's words mean a great deal, and with the full consciousness that at present the feeling between Hindus and Muhammadans is very strained, was not in good taste. I do not for a moment suggest that Panditji, when he uttered those words or made that speech, was fully alive to the consequences or the interpretations of his speech and his action. I, personally, think, Sir, that he was probably carried away by the sentimental appeal which naturally the Hindus from the Frontier might have made to him. I would most respectfully request him to answer one or two questions with your permission, Sir. The first is this: is it proper to relate all these most hideous incidents of the Frontier on the floor of this House and when the authority is questioned merely to say "friends from the frontier"? The chief incident he mentioned was the loot in Peshawar, where he said that about 16,000 Hindus, men, women and children were actually driven away from the city. May I ask the Honourable Panditji to tell us what was the cause of that? Does he know anything about it? I would really feel obliged, and I think the House would also feel obliged, if the Honourable the Pandit is able to tell us if he knows what the cause of it was: I do not want, Sir, to go into the details of it. I just want

**Pandit Madan Mohan Malaviya** (Allahabad and Jhansi Divisions: Non-Muhammadan Urban): Is it a fact that there was a loot? Is the loot denied?



**Raja Ghazanfar Ali Khan:** You do not care to know the causes. I respectfully differ from the Honourable Pandit. But my object is not to relate or go into details. I just mention these facts so that Honourable Members may not be misled and carried away by all that is said here, but that they should try to know what are the facts; and I dare say that if the statement of the causes of these sad happenings went in favour of that party, they would have had no hesitation in mentioning the same here.

Another question which I want to ask the Honourable Panditji is . . .

**Pandit Madan Mohan Malaviya:** If my Honourable friend knows what the facts were, he might help us to know them; I shall be very grateful if he will do so. If he thinks that the facts were different and that their concealment has been an injury to the discussion, I should like to know them.

**Raja Ghazanfar Ali Khan:** Yes, Sir.

**Mr. President:** Order, order. The Chair desires that no heat should be introduced in this debate.

**Raja Ghazanfar Ali Khan:** Sir, I do not want to bring any heat into the discussion at all. I do not want to prove that the Hindus were at fault. Neither do I stand here to justify the actions of the Muhammadans. I only wanted to make it clear to the House that these things should not be related in this House unless the full facts are stated: otherwise they should not be related at all.

Another question I would respectfully place before the Honourable Panditji is this: does he want us and the Government to be committed to this principle, that wherever one community is in such a minority, Reforms should not be given to that province, or do you want us to be committed to the principle, that wherever the relations between the Hindus and Muhammadans are strained, further reforms should not be given to that part of the country? I have gone through his speech very carefully, and I do not find any other argument therein. There are only two things, firstly, that wherever one community is in a minority the Reforms should not be extended, and, secondly, that wherever the relations between the Hindus and Muhammadans are strained no further Reforms should be given to that province. I do not believe for a minute that the Honourable Pandit will commit himself to either of these two principles . . .

**Pandit Madan Mohan Malaviya:** No; I distinctly referred to the special conditions prevailing in that province.

**Raja Ghazanfar Ali Khan:** Very well; special conditions prevailing in that province. And what are those special conditions? That the relations between the Hindus and Muhammadans are strained. Then, Sir, the Honourable Pandit is opposed to the amendments also. He says that he does not favour amalgamation; he says he does not favour Reforms for the North West Frontier Province. He wants that we should sit somewhere, at some place—I do not know where and with what object—and decide what should be done to the Frontier Province. Sir, if he is anxious only to protect the rights of minorities, I tell you that there is not a single Muhammadan in this House who would for a minute grudge that right. Supposing there are 5 per cent. or 7 per cent of Hindus there, if in the judgment of my Honourable friend, Pandit Malaviya, they should be given 15 per cent. or

even more than 15 per cent., we are quite willing to yield. If he wants separate electorates, we have got no objection to that. Sir, in whatever way you want to safeguard the rights of minorities, we do not oppose it.

Another point is this: that all these sad incidents have taken place under the present form of Government, when there were no Councils, when there were no Reforms. So the present system of administration would not stop sad occurrences of this kind. Does he mean to suggest that if the present form of administration is changed, there will not be any improvement? We have not tried it. It is quite possible that when the attention of the Pathans is directed to the development of their own interests, educational and otherwise, they may tone down a little, and the bitter feeling may not remain the same.

Sir, another charge that is brought against those honest set of persons is that their sympathies are pro-Afghan. I think, Sir, the Government are in the best position to judge that, and to pronounce their judgment whether their sympathies are pro-Afghan or not. I would be quite satisfied if the Honourable Sir Denys Bray would stand up and say "Yes, they are pro-Afghan and they have not got any sympathy for your country; they have not sacrificed their lives to defend your frontier".

**Mr. K. Ahmed:** How can he say that?

**Raja Ghazanfar Ali Khan:** But so far as I can understand them, they are as good, if not better, Indians, as we are.

Sir, it seems preposterous, if not impertinent, that a Diwan Bahadur from Madras, or a Doctor from Bombay should get up in this House and say that the Frontier Province should be amalgamated with the Punjab. Nobody in the Frontier wants to be amalgamated with the Punjab. We do not want to have them. It would mean cutting at the very root of the principle of provincial autonomy, if you were to force the people of two provinces, who are so very different in language, in customs, habits and temperaments, to live together against their wishes.

**Mr. K. Ahmed:** If the heart is stronger than the head?

**Raja Ghazanfar Ali Khan:** Sir, if there is any province which is fit for self-government, it is the Frontier Province. They have got a common language and common habits and above all they are able to defend themselves. Why do you insist that they should be tied down to the Punjab? I think, Sir, it will do more harm than good both to the Punjab and Frontier. Sir, to me it seems that because the frontier people are unable, in spite of their honest efforts, to win the sympathies of the Government, therefore they are being deprived of their rights, under different excuses.

Now, Sir, one word more, and I shall finish, and that is, my appeal to the Honourable the Home Member in whom I have got full faith and who is very generous and very noble-hearted. (Applause.) As far as possible, he is anxious to do something for the betterment of the people unless the bureaucratic will prevails sometimes. Therefore, Sir, I would request him to make the frontier people strong. If you make them strong, you make the country strong. That will be the greatest service you can do to India and the British Empire. I would also suggest to the Honourable the Home Member that it is only then, that is to say, when the people in the Frontier are strong, that the recommendation of the Inchcape Committee to reduce

[Raja Ghazanfar Ali Khan.]

military expenditure to a minimum figure, which His Excellency the Commander-in-Chief thinks is merely a pious hope, will turn into an established fact.

Sir, I have got nothing more to add, except that there is one other feature of this debate which should carry due weight with the Government. They said that they would listen with deep interest to the debate in this House. Sir, here are my Honourable European friends, and what are they going to do in this matter? The other day, I was sincerely pleased to hear the speech of that "Caution Signal" of the European party, the gallant Colonel, who said that he would walk with us into the same lobby. This alone should be quite enough, to convince you that our cause is just and strong. Sir, with these words, I support the Resolution.

**Khan Bahadur Ghulam Bari** (West Central Punjab: Muhammadan): Sir, after endorsing the remarks of the Honourable Raja Ghazanfar Ali, I beg permission to observe that under the circumstances of political development through which India is now passing, it is simply natural for the North West Frontier Province to come forward and ask for reforms in their own province. As a part of British India, they have got every right to make that demand. India is passing through the preliminary stages of reforms and is further pressing for full responsible government. The Resolution is not the voices of a Madras Member. It simply fell to his lot to move the Resolution which is really of frontier origin. A refusal to extend reforms to that province may mean something serious in many ways, and the acceptance of the Resolution, as requested by the frontier people, is sure to lead to many good results. Government should very carefully consider their position before they go against it.

It was expected that advocates of liberty and freedom in this House would support the cause, and would like for the frontier people what they like for themselves. But it appears that politics has got little to do with such a moral principle. Although some of the strong advocates of Indian liberty have walked out, we have had the opportunity to read them in connection with this question. A general non-Muslim opposition to the Resolution is the saddest phase of to-day's Indian politics. A faint voice of an old patriot from Bengal cannot satisfy the frontier people who wanted general support from those who advocated the cause of Indian liberty. This attitude has given rise to a new question as to what Indian patriotism really means. I would leave the question to be determined by impartial observers.

The opposition in so far as our country brethren are concerned is based upon unreal, fictitious and imaginary circumstances. Some people seem to have been working at the dictation of interested persons from Frontier whose interest it is to oppose, in order to perpetuate the monopolies of certain advantages which they obtained when this province was a portion of the Punjab, and which are not likely to continue in the present form, if reforms are allowed to the province. This sufficiently explains the position of the frontier people in refusing to be put under the Lahore High Court in judicial matters or to be amalgamated with the Punjab again. A prominent frontier man of position, a member of the Council of State, has been referred to as being against the introduction of reforms. It would be worth while to mention in this connection that there is a general protest against the expression of such an opinion. Mass meetings have resolved in favour of reforms in all important places of the Province. Resolutions

after resolutions to that effect have been received by the Members of the Legislative Assembly. The most interesting of those resolutions is from Dera Ismail Khan which resolves to recall that gentleman from the Council of State. I am glad to hear that the gentleman has apologised to his people for what he did.

**Nawab Sir Sahibzada Abdul Qaiyum** (North-West Frontier Province: Nominated Non-Official): That is in the Press.

**Khan Bahadur Ghulam Bari:** The opposition is further based on the basis of raids, which, as everybody knows, are made by trans-border people who do not belong to the province. One of the Honourable opposers had the courage to add, not from his own personal knowledge but at the dictation of his wire-pullers, that local people also took part in the raids. The addition of these facts was simply meant to prejudice the House against the frontier people. Did it, ever before, strike the Honourable opposer to move the Government not to give reforms to any other province of India where dacoities were often committed and where the number of dacoities exceeded the number of raids even; or should we suppose that the argument was reserved to be used against the frontier people only? In India dacoities are committed by Indians for whose emancipation the Indian patriots are fighting, but frontier people are to be deprived because their neighbours commit raids.

Communal troubles also cannot lead us to oppose the Resolution. It would be unfair to urge the withdrawal of reforms, or to stop further advance in Bihar because of the Arrah and Katarpur affairs where Muslims were so seriously dealt with. No sane man would oppose reforms in the Punjab, Delhi and the United Provinces because there have been communal troubles. The smallness of the province can be no reason to go against the Resolution when we see that there are some regular Kingdoms in the world not larger in size or population. The North-West Frontier Province is much bigger than the Delhi Province which is enjoying these reforms and also claims a further advance. Indian patriots are fighting to get reforms even for their untouchables, but when the question of the North West Frontier Province comes up, the whole scene changes. We stand committed when we have made it a province which considering its importance is second to none.

It is worthy of note that three qualifications mainly make a nation in the true sense of the term, i.e., mental development, physical power and a martial spirit. If Indian patriots possess the first qualification to some extent, they entirely lack in the other two, which are possessed by the frontier people whom some persons look down upon. Sanghathan is not likely to produce or bring about the required physical power for a long long time as it is wrongly directed, and, as such may sometimes prove harmful to the country at large. Physique in so much as it is the result of parentage and other local conditions can never be obtained by artificial means. Vicissitudes of time give the upper hand sometimes to the first qualification and sometimes to the other two. India cannot complete her military resources without frontier people who have fought for the Empire in all fields in India and out of India. Frontier people not only possess physical superiority and a martial spirit, which are necessary for the safety of a nation; they possess other things too generally, as are to be seen in other parts of India in special cases only. They possess strong healthy

[Khan Bahadur Ghulam Bari.]

bodies with strong heads, showing good common sense and feelings of self-respect, not next to any other people in the rest of India. The refusal of reforms to such people would be a great injustice to humanity at large.

Would the Indian patriots like to strengthen the apprehensions of the Mussalman community at large which they entertain from the majority community? Even the Honourable the Mover, though a Swarajist, entertained some apprehensions of the sort; so he called his Resolution a touch-stone. In view of the above facts, I will be justified in laying down that such a conduct of Indian patriots with regard to the frontier question is sure to retard constitutional reform in India and delay indefinitely the satisfactory response to receive which the country is so anxious and uneasy. Opposition on the ground that some people cannot, on principle, recommend the extension of diarchy which they already condemn, cannot stand, as India is already trudging along the same path and no other high road is possible under the circumstances. The public mind at once rushes to the conclusion of communal bias as the cause of the opposition which in reality is led by those who are now monopolising certain advantages in the province, which may not come to them, in the present form, if reforms are extended to that area. Nobody can control the public mind. So, to my mind, the results of this opposition would be bad.

After a few words to the Government Benches I shall have done with my observations.

The Government are not doing justice to the North-West Frontier Province. As compared with the rest of the country the Government have done nothing for them. Are the educational institutions of this province comparable with those of other provinces in sufficiency and efficiency? Are they given those advantages and facilities which are within the reach of other Indian people? A Government College under the name of the Islamia College means nothing without sufficient primary and secondary education in the country. They are splendid people; throw the responsibility upon them and they will prove themselves quite up to the mark. This would be the surest way to check raids. A people harshly treated by severe laws can have little sense of responsibility to take up the dangerous task against ferocious raiders. Make them conscious of their responsibilities by extending the reforms to them. That would improve the situation considerably. They have pluck and courage to handle the difficult problem of raids, and they have got sufficient men to fill up responsible posts for every purpose. Such an improvement is sure to help the tribal areas also in coming within the pale of peaceful citizenship. What is keeping them out, is the present administration. As compared with the present conditions, even these partial reforms would be welcomed by these people who are ready to work them successfully. (Applause.) You have given these reforms, these preliminary reforms, to people who dislike and condemn them, and you refuse them to those who like and are ready to work them. (Applause.) The Government would not be a loser by accepting the Resolution, but would rather gain materially, from many points of view. From the financial consideration also the reforms would not present much difficulty. Separate the trans-border political expenses from those of the five settled districts, develop the resources of the province, fix rates of pay accordingly. Unexplored mines

on this side of the Durand Line can be worked with advantage, to make up that deficiency, if any, and also to meet the political expenses. The opening of such industries there would mean the employment of thousands and thousands of tribesmen who would be able to earn honestly what they now take away by raids. It would be the duty of the province to make itself self-supporting so far as possible, just as other provinces are, but with a preferential claim to the Central Government contributions, in case the Central Government can afford to spare money for the purpose.

Government owe a heavy debt of gratitude to those people and it would be very ungrateful on the part of Government to hold these people so down trodden. It was the Punjab and the North West Frontier Province which carried the mutiny day in your favour. Had it not been for this help, you might have been only watching our affairs from the sea coast. Leaving aside minor military operations, I may remind you, it was the Punjab and the North West Frontier Province which served you the most in the Great War; and they not only helped you in the Great War but did you the great service of keeping all calm and quiet on the frontier, so that your attention might not be diverted from important centres. Is this the reward which you give them for their services?

In view of these facts, it is really wonderful to see Government getting inconsistent with themselves, in case they propose to oppose this Resolution. I think, I am justified in observing, that the view of the President of the Frontier Inquiry Committee represented really the Government view, and in fact it would be going below their dignity for the Government Members to oppose it. With these remarks I support the Resolution. I oppose the amendments in so far as they are either meant to oppose it, or to modify it in a way that is not desirable.

**Mr. Abdul Hye** (East Punjab: Muhammadan): Sir, I am here to raise my feeble voice in support of the Resolution which has been so ably moved by my Honourable friend, Maulvi Sayad Murtuza Sahib Bahadur. As I rise to do so, I confess that I have a happy heart. My mind is obsessed with a deep sense of responsibility, and I feel that on a question like this I must speak with restraint. Sir, it is not my desire to generate communal heat into this discussion. When this Resolution was moved the other day and when my Honourable friend, Sir Denys Bray, rose to speak, he congratulated the House, and he claimed the credit for the Government, that there was absence of communal heat in this discussion. Sir, as has been pointed out by my Honourable friend, Raja Ghazanfar Ali Khan, this could not be said of what happened later on in the evening. I want to make it clear that it is not my desire that I should follow in the footsteps of my Honourable friend, Pandit Madan Mohan Malaviya. If you talk with bitterness, it will do you no good. You cannot advance the cause of India by talking bitterly. I fancy, Sir, that the Honourable the Home Member felt himself stronger to resist the claims of the Indian people after he had heard the speech of the Honourable Pandit. I fancy, Sir, that his speech is already in the hands of the Right Honourable the Secretary of State for India, that copies of the speech have already been supplied to those Honourable Members of Parliament who in season and out of season have been advocating the cause of India in the Parliament of the British nation. (Laughter.) Sir, I find at this stage that the Swarajist Benches are staring at me. I inquire of those Benches, "Where are your occupants?" They have walked out. Where have they

[Mr. Abdul Haye.]

gone? I ask in despair, with the fate of the North West Frontier Province hanging in the balance, where have Pandit Motilal Nehru and his followers gone? Have they gone to the country? Have they gone to prepare the people of India for Swaraj? Have they gone to the country so that it may be united? If this is so, I hope they will begin their tour from the North West Frontier. Well, Sir, it is some satisfaction to me this evening to find that a certain statement has appeared in the Press on behalf of the Leader of the Swaraj Party in which he has tried to make his position clear. I will not read it word by word, but I would submit to this Honourable House that the Swaraj Party, evidently at the bidding of Mahatma Gandhi, have made their position clear. (Hear, hear.) They have said in unequivocal and unmistakeable terms that no reforms shall be acceptable to the Indian National Congress which reforms are not extended to the North West Frontier Province. (Cheers.) This is quite satisfactory. (An Honourable Member: "Not quite.") Sir, to me it looks it is quite satisfactory.

Sir, before I proceed further I would like to say a few words about the speech that was delivered by Sir Denys Bray the other day. I submit, Sir, that in his speech we find no encouragement. To me it looks as if the Sir Denys Bray of to-day is somewhat different to the Mr. Denys Bray of the North West Frontier Reforms Inquiry Committee. (Laughter.) He is the author of that Report. He subscribed to the Report of the majority of that Committee. They therein distinctly said that the Frontier Province was quite fit for reforms and that not a single day's delay should be made in introducing them. But now he (Sir Denys Bray) tries to falter. He is there to bide his time. He wants to think over the matter again. Well, Sir, I have a message for him. Rudyard Kipling is my favourite study these days and in his words I say to the Honourable Member sitting opposite on the Treasury Benches:

"Last night you swore our voyage was done,  
But seaward still we go;  
And you tell me now of a secret vow  
You have made with an open foe."

(At this stage Mr. President vacated the Chair which was taken by Mr. Deputy President, Diwan Bahadur T. Rangachariar.)

Sir, I have no desire to detain this House by noticing in detail the speech of my Honourable friend Pandit Madam Mohan Malaviya. But surely I want to say a few words by way of reply. The other day he said that he was opposed to these reforms being extended to this Province. Why? Because there was communal tension there in the Frontier, because Hindus and Mussalmans were not united, because the Mussalman majority was not on good terms with the tiny minority of Hindus in the Frontier. Sir, I ask him in all sincerity, I ask him on the floor of this House in all humility, "Is this the position that you took up when you advocated the cause of India as a whole the other day in this Assembly?" There have been more than half a dozen occasions when the question of constitutional reforms has been discussed on the floor of this House and the Honourable Pandit has always taken part in those discussions. I ask him, "Did you ever say then that you were advocating reforms for India, India which did not include the North West Frontier Province?" Well, Sir, it is clear he did not say that; and if he had said that on those occasions I for one would have thought twice before walking with him into the same lobby. Sir, you will pardon me if I do not refute the arguments of the Honourable

Pandit in my own words. To refute the arguments of the Honourable Pandit on this occasion, I bring forward the Honourable Pandit who spoke on a previous occasion. (Mr. K. Ahmed: "Drag him in.") This is, Sir, what he said on 8th September 1925. He referred to these communal differences that exist all over India. I maintain that it is not a peculiar thing to the Frontier. Sir, . . .

**Mr. B. Venkatapatiraju** (Ganjam cum Vizagapatam: Non-Muham-madan Rural): Sir, I rise to a point of order. I find, Sir, from the proceedings in the House of Commons that statement made by absent members cannot be quoted; and in support of that statement I propose to read, Sir, for your information. I am speaking (there were several interruptions) : . . .

**Mr. Deputy President:** The Chair wishes to understand the Honourable Member. The Honourable Member will please address the Chair.

**Mr. B. Venkatapatiraju:** My friend Mr. Abdul Haye is quoting the statement of Pandit Motilal Nehru. (Honourable Members: "No, Pandit Madan Mohan Malaviya.") He quoted Pandit Motilal Nehru.

**Mr. K. Ahmed:** He never quoted Pandit Motilal Nehru. The Honourable Member has caught hold of the wrong end of the stick.

**Mr. B. Venkatapatiraju:** He quoted Pandit Motilal Nehru. I want to raise a point of order for the ruling of the Chair.

**Mr. Deputy President:** I must call upon the Honourable Member from Bengal to keep silence. He does not allow the House to go on. Mr. Venkatapatiraju.

**Mr. B. Venkatapatiraju:** The Speaker allowed the statement of Mr. Gladstone to be quoted in 1873, but again when it was quoted in 1885, the Speaker then pointed out that it was a mistake that the statement of Mr. Gladstone could be read in the House of Commons, and since 1885 the statement of any absent Member is not allowed to be read in the House.

**Mr. Deputy President:** I have understood the Honourable Member. He is rather late. The Honourable Mr. Abdul Haye is now referring to a speech made by Pandit Madan Mohan Malaviya in this House. I do not see the relevancy of the point now taken. He should have taken this objection when Mr. Abdul Haye was referring to the speech of Pandit Motilal Nehru. Mr. Abdul Haye.

**Mr. Abdul Haye:** Sir, before I quote from the speech of my Honourable friend I would like to make one observation. I ask: are these communal differences peculiar to the North West Frontier Province? If my Honourable friend would like to come with me I should like to take him to the Punjab, the land of five rivers from which I hail. The feelings between the two communities there are as bitter as they are anywhere else. In my province the Hindu minority has refused to co-operate with the Mussalman majority. If you will only refer to the reports of the proceedings of the Punjab Legislative Council you will find this. The Hindu minority there declined to elect a Mussalman as a non-official President and were at one time prepared to prefer that the Honourable Mr. Casson who was at that time the official President should continue as an elected President.



**Mr. K. Ahmed:** What a shame!

**Mr. Abdul Hays:** This is the spirit in which the reforms are being worked in the Punjab. Sir, in Lahore the Hindu members of the Municipal Committee, in spite of the fact that they have their representation over and above what they are entitled to according to their numerical strength, are still keeping away from the Committee. If you go to the mufassil you will find that in more than half a dozen places the Hindu minorities have revolted against Mussalman majorities and against Mussalman non-official presidents of the local bodies. Sir, you will now allow me to refute the argument of the present day Pandit Madan Mohan Malaviya from what he said on another occasion in this very House. On the 8th September 1925, when referring to a similar argument that was advanced by the Treasury Benches regarding communal differences standing in the way of the establishment of responsible government in this country, this is what the Honourable Pandit said:

"For a long time past a great deal has been said by some of our European subjects about this country not being fit for self-government, for the adoption of self-governing institutions. The first speech I made in the Indian National Congress was in 1886."

That was two years, Sir, before I was born.

"I remember very well that in that speech I tried to answer some of this criticism. From that time up to this these arguments have often been repeated—that India is not a nation, that Indians are divided by insuperable differences into opposing communities, that there are communal and religious differences which cannot be got over, and that there is no national feeling among us. These arguments have been repeated *ad nauseam*."

—and the Honourable Pandit has added to them now—

"and I thought it would be unnecessary in this debate to answer them again."

And this is how he proceeded:

"I do not wish to go into a scholastic discussion as to what constitutes a nation. A people however divided they may be by religions and creeds, who live in one country, who are the subjects of one sovereign, who are governed by one system of Government, by one set of laws which affect them equally, to constitute a nation in the opinion of every political philosopher who has dealt with the subject. And we are such a nation."

Mark his words, Sir.

"And we are such a nation. We have long been a nation and shall continue to be a nation despite all the differences that divide us."

Sir, can I ask the Honourable Pandit now whether to-day, the 18th March, 1926, we are still a nation?

**Pandit Madan Mohan Malaviya:** Yes.

**Mr. Abdul Hays:** If we are still a nation, why this differential treatment? I want to point out to this Honourable House that to me it looks as if certain people in this country have despaired of Swaraj. There are many that have despaired of Swaraj, therefore they want to make the best of the situation by getting separate favours for their communities. It is a matter of supreme regret to me as a Nationalist, whose work in this House has always been fully approved of by the leader of the Swaraj party,—it is a matter of extreme regret to me that just at the moment when we find that a distinguished Nationalist from Madras has tabled a Resolution in another place (a Resolution which has been

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talked out since then) for the establishment of full Dominion status in Madras (they would not wait for the time when dominion status would come for the whole of India but now they want it separately for that province) it is a matter of extreme regret to me that their co-religionists on the floor of this House resist the legitimate demands of my co-religionists on the Frontier.

Sir, here is another speech made by my Honourable friend in this very House. This was on the 18th February, 1924; when we were discussing the question of grant of full Dominion status to India, Pandit Madan Mohan Malaviya said:

"I request, Sir, that the Government should reconsider its opinion and adopt the Resolution which has been put in the amended form. If this Resolution is adopted, there will be peace and goodwill in all parts of the country. If the Resolution is treated in the manner in which the Honourable the Home Member has sought to treat it, it will embitter feelings further and it will lead to no good result. A new Government has come into power; Ireland has received her freedom; Egypt has received her freedom; other nations of the world are enjoying freedom and prosperity. How long shall India be kept out of her freedom? India longs for it; India will not be content, India will not be happy, until she receives it. It is due to Englishmen, it is up to Englishmen, to help India to obtain it by friendly goodwill as fellow-subjects of one King, to whom we all owe allegiance."

I will not detain the House by reading further, but before I leave this subject I want to show that when I say that these communal differences are the same all over the country, I am fortified in my position by an authority which is no less than that of Diwan Bahadur Raja Narendra Nath, the President of the Hindu Maha Sabha. This is what he said last week in Delhi:

"The question of conflict between Brahmins and non-Brahmins in provinces in which the question exists, should be closely studied and every effort made to remove that conflict."

So, the question, Sir, is not only one affecting the Hindus and Muslims but there is a conflict between the Brahmins and the non-Brahmins also:

"The question of mutual relations between Hindus and Muhammadans has become a very difficult one and though I do not despair of an ultimate solution, its immediate settlement is well-nigh impossible."

Sir, along with this my Honourable friend referred to those unhappy incidents that happened on the Frontier. He referred to the Kohat riots. I only want to draw the attention of this Honourable House to the fact that the Kohat riots were due not to any fault on the part of my co-religionists there. It was a Hindu gentleman who had written a highly objectionable pamphlet who was at the bottom of all this trouble. Then Sir, the first shot was fired by the Hindus and what followed was deplorable. (At this stage Mr. President resumed the Chair.) I condemn it in the most unmistakable terms. Sir, the question is why you cannot forget a Kohat, while we have forgotten a Kartarpur, while we have forgotten a Panipat. Do you know what happened in Panipat during the last five years? (*An Honourable Member*: "Shahabad".) I would only ask you to go and read the judgments of Mr. O'Connor and Mr. Waugh in which they have found that the trouble was entirely on the part of the Hindus. Sir, I have no desire to refer to Malabar or Chauri Chaura, I have no desire to refer to other incidents, but you will pardon me if I take the time of this Honourable House by referring to the movement which was known as the Babar Akali movement, in the Punjab. I hope my Honourable friends will bear me out when I say that it was a revolutionary movement started and

[Mr. Abdul Haye:]

engineered by non-Mussalmans and was intended to overthrow the government established by law in British India. They were Sikhs; they belonged to a community for which the Honourable the Pandit has a soft corner in his heart. And, Sir, what did they do? They preached their pernicious propaganda openly; they went from village to village and for the time being it looked as if the Government had abdicated. The lambardars and zaildars co-operated with them . . . .

**Sir Hari Singh Gour** (Central Provinces Hindi Divisions: Non-Muhamadan): Sir, I rise to a point of order. I wish to ask you how far the Babar Akali movement is relevant to the present discussion.

**Mr. President:** The Honourable Member is quite relevant.

**Mr. Abdul Haye:** I may explain it. It has been said that the disturbances on the Frontiers stand in the way of the reforms being granted to them; it has been said that the Pathans are an inflammable people and have committed murder, arson and dacoities, and I want to show that murders, arson and dacoities of a grave character were committed during the last three years in the very heart of the Punjab which even to-day enjoys all these reforms. Sir, those Babar Akalis killed every person . . .

**Sir Hari Singh Gour:** Sir, I want your ruling. How far is the Honourable Member justified in referring in detail to the Babar Akali movement?

**Mr. President:** I have already ruled that the Honourable Member is quite relevant.

**Mr. Abdul Haye:** What is sauce for the goose is sauce for the gander. If such serious disturbances in the Punjab cannot stand in the way of reforms being enjoyed by that Province then, I ask, in the name of fair play, how can disturbances and riots stand in the way of the North-West Frontier Province?

**Nawab Sir Sahibzada Abdul Qaiyum:** And yet it is the cause of these Akali Sikhs that the Honourable Pandit is advocating every now and then on the floor of this House.

**Pandit Madan Mohan Malaviya:** Sir, I must say it is extremely unfair to identify with the Babar Akalis, who were a small band of men who committed wrongs and paid the full penalty for them with their lives or liberty, the whole Sikh community which I have tried to serve.

**Mr. President:** The remarks of Sir Abdul Qaiyum may not be justifiable but the Honourable Mr. Haye is quite in order in referring to the Babar Akali movement.

**Pandit Madan Mohan Malaviya:** I did not submit that they were not relevant (*Cries of "Order, order"*); I only objected to Sir Abdul Qaiyum's remarks.

**Mr. Abdul Haye:** What did these Babar Akalis do, Sir? They carried on this propaganda against those persons whom they believed to be loyal to the Government; they killed the lambardars and the zaildars, and they killed more men than were killed in the Kohat riot, innocent women were ravished, children were cut to pieces, houses were burnt and dacoities were committed, and we do find this that, in spite of all this, not a little finger

was raised against the Punjab, against the Sikh community. They carried on propaganda through a press which was called the "Udāru" press, meaning the "flying press" because they did not keep it at one place. I have a translation of one of the papers edited by one of the leaders of the Babar Akali movement. I will not read the whole of it, I will quote only a few lines so that this House may have an idea as to the nature of the propaganda that was carried on:

"Bureaucratic oppressions have reached their limit. Wherever one looks one hears cries of horror and the Sikhs are forcibly made irreligious. . . . All Sikh prisoners are being subjected to indescribable and unbearable tortures. . . . Hence it is most essential that every Sikh should arrange for arms. The time is fast approaching when you will have to engage in war for the protection of your religion."

And, Sir, there is an announcement under the head "Award!" A man was killed by three bullets; he was a loyalist; and the announcement says:

"On the 27th March, Hazara Singh of Bahlpur awarded three squares."

that is killed by three bullets. Perhaps, Sir, my time limit is over.

I would appeal to all Honourable Members of this House to forget all these communal differences and rise equal to the occasion. I have been guilty of referring to them because my hands were forced by the Honourable Pandit; otherwise I know my responsibility. I only want to show that we Muhammadans and the Hindus of India are in the same boat and in the safety of the boat lies the safety of all of us. You cannot throw mud upon each other; and my message to the Honourable Pandit is:

"'Twixt my house and thy house the pathway is broad,  
In thy house or my house is half the world's hoard;  
By my house and thy house hangs all the world's fate,  
On thy house and my house lies half the world's hate.  
From my house and thy house no help shall we find,  
Save thy house and my house, kin cleaving to kind:  
If my house be taken, thine tumbleth anon,  
If thy house be forfeit, mine followeth soon."

With these remarks, Sir, I support this motion.

**Sir Darcy Lindsay** (Bengal: European): Sir, if I rise at this moment to join in the debate it is to try and steer the ship into peaceful waters again. We on this side of the House—I am referring to my colleagues—pay the highest compliment to Raja Ghazanfar Ali Khan for his very able speech and the moderation with which he put forward his case. I wish, Sir, the tone had remained the same.

Now, Sir, I would like to state at once that I for my part propose to support this Resolution (Cheers), and I believe my colleagues are in agreement with me. (Cheers.) If it were necessary to put forward an outstanding reason for doing so it would be in the fact that this part of the country at least appreciates the reforms and the benefit, the real benefit they have brought to India as a whole. (Cheers.) I am aware that certain other parts of the country are never tired of telling us that the reforms are unworkable, they are not wanted, they are bad, and I have even heard them described as rotten. It is, therefore, Sir, distinctly refreshing to find that this great people, this brave people from the North-West Frontier, find the reforms to be good enough for them to work under. I am not aware, Sir, whether the Resolution can be given effect to at an early date, and particularly as to the financial position; but if at all possible to be carried out I repeat that I favour the granting of the request

[Sir Darcy Lindsay.]

now put forward. Whilst I express no opinion on the method, nature or measure of self-government which should be accorded to the North-West Frontier Province, bearing in mind the Imperial factors which enter into the problem, yet I recognise that the character, loyalty and independence of the people there are the strongest arguments in favour of the Resolution. There is much also in the argument that the forward march of civilisation which such a measure would become may contribute in no small degree to the solution of our Frontier progress. With these words, I commend the Resolution to the House.

**Sir P. S. Sivaswamy Aiyer** (Madras: Nominated Non-Official): I should like to congratulate my Honourable friend Maulvi Murtuza Sahib on the spirit of good humour in which he moved his resolution for the extension of the Montagu-Chelmsford reforms to the North-West Frontier Province. It must be a matter of satisfaction to us all that, on the whole, this debate has been conducted in a calm atmosphere. I hope that the same spirit will be maintained during the rest of the debate.

I have taken considerable interest in this subject and, as the result of a careful study of it, I moved the resolution which was passed by the Legislative Assembly in September 1921 and which led to the appointment of the Bray Committee. The resolution of the Assembly was twofold. It recommended the amalgamation of the judicial administration in the North-West Frontier Province with that of the Punjab and it also recommended the appointment of a committee to inquire into the results of the creation of the North-West Frontier Province and the expediency of a general re-amalgamation of the five administered districts of the Province with the Punjab. The resolution did not raise the question of the creation of a Legislative Council for the five administered districts. It was, however, included in the terms of reference to the committee. The third term of reference was whether, in the event of the separation of the administered districts from the political control of the adjoining unadministered tracts being considered inexpedient, it would be expedient to retain the whole Province directly under the Government of India and, if so, to constitute a Legislative Council for the five administered districts. The inquiry by the committee has not been altogether barren of useful results. It threw a searchlight upon the defects in the administration of the Province. Some of the defects to which I drew attention have been recognised and admitted by the authorities and remedies have been recommended for their removal.

Upon the main issues before the committee, there was unfortunately a cleavage of opinion. My Honourable friend, the mover of this resolution, has complimented the majority upon the quality of their report as opposed to the quantity of the minutes of the dissentient members. I gladly join in the tribute to the report of the majority which betrays the hand of my friend Sir Denys Bray and is conspicuous for its literary merit rather than anything else. But, for an adequate and impartial review and appreciation of the evidence, for logical constituency, clearness of thought and sound judgment, we must turn to the masterly minutes of Mr. Samarth and my friend Diwan Bahadur Rangachariar. My Honourable friend, Sir Denys Bray, has expressed his satisfaction over the delay in publishing the report of the Committee on the ground that it created hardly a ripple. My Honourable friend cannot have forgotten that

since the publication of this report notice has been given of resolutions upon the subject, session after session, but that the fortunes of the ballot have not been favourable to their inclusion in the agenda. He has expressed his satisfaction that the cry for amalgamation, general or even judicial, is now dead. Whether the cry is dead or not, I am not on this occasion going to disturb his self-complacency over this question.

I propose to confine myself entirely to this one issue of the expediency of the extension of the Montagu-Chelmsford reforms which has been raised by the original resolution. The problem is very grave and complicated. It is beset with difficulties and the manner of its solution is likely to be attended with momentous consequences. I approach the problem in the spirit in which Sir Denys Bray has exhorted us to deal with it. I have always endeavoured in matters coming before this Assembly to examine questions from the all-India point of view. The problem before us has to be examined anxiously and dispassionately not with an eye to the interests of this community or that community, be it tiny or large, but entirely on its own merits and from the point of view of India as a whole. I regard it not as a Hindu-Mahomedan question, not as one involving a clash of interests between contending parties. In a Province in which 92 per cent. of the population belong to one community, that community will naturally have a predominant voice in the administration. I will deal with the problem exactly as it would have to be, if the population were entirely homogenous and consisted only of one community. I would respectfully ask the House not to import any Hindu-Muhammadan considerations at all in the decision of this question. In the report of the Frontier Inquiry Committee itself, I venture to assert that the minority have not been swayed by communal considerations. It was a very unwarranted and unbecoming suggestion on the part of the majority that their colleagues of the minority were thus influenced. More than once in the report we find a grossly improper insistence upon the accident of the minority being composed of Hindus.

When the Honourable Sir Denys Bray began his speech in the debate the other day in solemn tones, the House listened to him with bated breath in the expectation of some announcement of the intentions of the Government of India, but when the Honourable Member sat down, we felt that the speech was a pompous piece of nullity or perhaps something worse. I say something worse, because the concluding sentence of the Foreign Secretary's oration is bound to be interpreted as an invitation to agitation, even if it were not so intended. But there is comfort in the fact that the Government of India have not made up their minds before giving an opportunity to the Members of this House to express their opinions. I was glad to hear that the Government of India had set itself down deliberately to rethink this problem and I trust that this process may lead them to sounder conclusions than those reached by the majority of the Committee.

On the third term of reference the majority envisage the introduction of full-fledged reforms and advocate the creation of a Legislative Council with a large elective majority, a Minister in charge of transferred subjects, an Executive Council in charge of reserved subjects and all the essentials of the reforms enjoyed elsewhere. They justify this recommendation on the ground that there is a general demand for participation in the Reforms to the full measure, that the inhabitants of the province are not

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behind the rest of India either in intelligence or in capacity to manage their own affairs and that the Pathans' desire for self-determination must be satisfied.

Let me first say a few words upon the origin and character of this demand for the extension of the reforms. So far as one can judge from the report or otherwise, there is no evidence of any demand for the extension of full-fledged reforms before the publication of the terms of reference of the Committee or, at any rate, before 1921. In the public address presented to Sir John Maffey on the 9th of April 1921, on the assumption of the Chief Commissionership, reference was made to the fact that the Province had been excluded from the benefits of the reforms scheme and great gratification was expressed at the announcement of Sir Hamilton Grant on the eve of his departure that a scheme was actually under the consideration of the Government granting the people some measure of the reforms. In the reply given by Sir John Maffey, he informed them that an advisory council was all that could be thought of. The extension of the reforms to the Province was vaguely adumbrated by the Government of India during the course of the debate on my resolution as a scheme for securing representation of certain portions of the North-West Frontier Province.

**Mr. K. Ahmed:** I rise to a point of order, Sir. My complaint is this. Sir Sivaswamy Aiyer is reading his speech so rapidly from his manuscript that we cannot hear him.

**Mr. President:** Order, order. The Honourable Member is quite out of order.

**Mr. K. Ahmed:** We cannot hear him at all, Sir. The speech may be taken as read.

**Mr. President:** Order, order.

**Sir P. S. Sivaswamy Aiyer:** Presumably it was the scheme of an Advisory Council that was referred to by the Law Member during the course of the debate in September, 1921. It became apparent to the Government that there was at least a considerable body of opinion in the Province in favour of the amalgamation of the Province or of the judicial system. The creation of a Legislative Council was included in the reference to the Committee to be dangled as a counter-attraction to the proposal for amalgamation which was, from the beginning, distasteful to the Foreign Secretary and which, it was apprehended, might otherwise gather strength. The demand by many of the witnesses for an extension of the reforms was put forward as an alternative to a demand for amalgamation. The minutes of the minority throw light upon the methods which were adopted by the officials after the issue of the reference to the committee to educate or rather manufacture public opinion in favour of the views which were believed to be held by responsible authorities. Memoranda were prepared by some of the responsible officials for the instruction of public opinion. Tahsildars were sent about the districts with the object of getting memoranda (and preparing them if necessary) from witnesses to appear before the committee. In some districts, Extra Assistant Commissioners were sent about the districts to evoke public opinion. The oral evidence of the witnesses

whose signatures were obtained to the memoranda was sometimes at variance with those contained in the memoranda.

Let us now turn to the evidence of the Muhammadan non-officials in support of the demand for full-fledged reforms. There were some witnesses who were averse to the introduction of a Legislative Council and even those who were in favour of it had great doubts about the suitability of the elective system. As pointed out in paragraph 87 of Mr. Rangachari's Minute, the bulk of responsible Muhammadan opinion was apprehensive about the suitability and success of an elective Legislative Council. Some of the non-official witnesses pointed out the difficulties in the working of an elective system. They referred to the existence of tribal factions, blood-feuds, the evil influences of the Khans, the absence of competent and qualified representatives, the want of education among the Pathans, the necessity for vesting large powers in the Chief Commissioner and the inevitable cost of the machinery of the reforms. Let me now refer to the speech made in this House the other day in support of the resolution by that distinguished politician, Nawab Sir Abdul Qaiyum. May I be allowed to compliment him upon the great skill, tact, persuasiveness and plausibility of his excellent speech. I was struck with wonder when he drew the picture of a province from which outrages and fanaticism had disappeared for ages. He himself stated; "What I want is really a sort of council, call it an *advisory council* if you like. although this term does not sound so well as a *Legislative Council*." He said that he himself was no great believer in the reforms and in the Legislative Councils, that he had said so before the Inquiry Committee, and that he was not sure if the Councils elsewhere had done any good to the country.

Almost every responsible officer examined by the committee entertained serious misgivings and felt the necessity for proceeding cautiously. They were doubtful about the capacity of the people for the introduction of full-fledged reforms. Major Bruce, the Deputy Commissioner of Kohat, seriously doubted whether the province was prepared for a Legislative Council. Colonel James advocated the establishment of an advisory council only, in the first instance, and he urged that the members should be nominated and not elected, as the franchise was not understood by the electorate even in the most elementary form. Major Crosthwaite had his doubts as to the expediency of the reforms. Mr. Pilon urged the need for caution in bringing the reforms into operation. Sir John Maffey's opinion underwent remarkable changes within a short period of time. In April 1921 he could not think of anything but an advisory council. On the 15th of August, 1921, in a note prepared by him as Chief Commissioner, he was emphatic that political reforms as in the Punjab were utterly foreign to Pathan character, incomprehensible to their feudal sentiments and never seriously demanded except by *irresponsible agitators*. But when he was examined in May 1922 at Peshawar, he spoke very guardedly on the subject of a Legislative Council. He was in favour of introducing some elective elements but he spoke only of restricted selections. He thought that it was a matter for the Government of India to decide upon and for him to carry out. Even in the case of local bodies he was prepared to introduce the elective principle only in a fractional way to give it a trial. When Sir John Maffey was again examined at Abbottabad, he was prepared to make a further advance. When pressed for an answer he very properly emphasized that the final decision was with the Government of India and that it was for him to carry out orders. These changes of opinion seem to have



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been brought about by extraneous influences and it is perhaps not a far-fetched inference that a spell or hypnotic influence proceeded from the Foreign Secretary who wished to stop the cry for amalgamation by the offer of a full-fledged Legislative Council.

Let us now proceed to consider whether the conditions which are necessary for the introduction of a representative legislature are fulfilled in the present case. There are politicians who swear by the shibboleth of self-determination and who imagine that nothing more is necessary for the working or the introduction of representative institutions than the mere desire of the people concerned. But this view is neither supported by thoughtful writers on political institutions nor by political experience. The successful working of representative legislatures necessarily pre-supposes a certain level of capacity, character and experience on the part of the people. It is not mere native intelligence that will suffice to ensure the success of representative institutions. A community possessed of sufficient natural intelligence may still be unfit by character, temperament, habits and the stage of social evolution it has reached. Law-abiding instincts, the habit of obedience to a central authority, a sense of respect for the rights of others, some experience of the elective system in the management of local bodies must be regarded as essential qualifications for determining the fitness of a people for a representative legislature. It has to be considered how far these qualifications can be found among the people of the Frontier. I do not question the natural ability of the people or their bravery, manliness and prowess, nor do I disparage the ability of the educated specimens of the community. Let me refer to a few extracts from the opinions of the official and Muhammadan witnesses before the committee. The majority of the committee state that probably all the Saiyids and the great mass of the village dependants in the Frontier Province form part of the Pathan tribal system. In the tribal territory, with the inhabitants of which the people of the Province are so closely allied, tribal law or what we should call lawlessness was, and is, according to the majority, the only law and its ultimate sanction is the rifle in the hands of the individual tribesman.

In the Frontier Province, passions are hot, blood-feuds are endemic and refuge from the arm of the law is close at hand across the border. The Pathan is temperamentally hot-headed and impatient of delay, with a hereditary tendency to take the law into his own hands. Sir John Maffey says:

"The people living on each side of the border are the same people, many of them have homes on both sides of it; they are closely related by blood and in custom and sentiment they are one. These people both cis and trans-frontier are the same people and all of the same strongly marked ethnic type—the Pathans."

He observes:

"This Province cushioned between the Indian continent and the troublous regions of Central Asia registers the varying shocks of the outer world. The Pathan population have ties of custom and kinship with the tribal Afghan borderland which render them prone at all times to lawlessness, quick to violence, apt to seek vengeance for themselves rather than submit to an alien form of justice. Their proximity to the border renders it necessary to permit a wide distribution of arms for the purpose of defence while at the same time it affords an easy refuge for the criminal who desires to escape from our penal laws. The old instinct to murder one's enemy has quickened and the means of doing it have increased. The result is plainly reflected in the criminal statistics."

He also observed :

" They carry on blood-feud among themselves. They do not, of course, live in the same way as the trans-borderers do occupying fortresses against one another, but it breaks out in any moment. They have not lost their characteristics at all."

Mr. S. E. Pears said :

" We are dealing with a Province which is mainly Pathan in constitution, where the blood-feud is endemic, where the people are very quick to anger just as they are quick to good temper, violent crimes are frequent, raids take place, murders are committed."

**Mr. K. Ahmed:** We cannot understand one word of what the Honourable Member is saying.

**Mr. President:** As if the Honourable Member himself is understood by the whole House, when he speaks!

**Sir P. S. Sivaswamy Aiyer:** A learned gentleman, one Maulvi Nur Baksh, describes the cis-border Pathans in the following terms:

" Their family quarrels and blood-feuds are the things that mostly attract their attention and engross their time and all of them are equally fanatical, equally excitable and turbulent."

The Nawab of Kala Bagh, who is a resident of Isakhel Tahsil, said of the cis-Frontier people that they kill a man as if he were a fly.

The criminal justice administration reports abound with descriptions of the character of the people. Mr. Barton, the Sessions Judge of Peshawar, stated that the modern system of law in force in the Frontier is unsuited to a population whose ethics are little in advance of the Dark Ages. The outlaw's life is stated by the District Magistrate of Kohat to offer positive attractions to adventurous spirits of the Khuttack Ilaka. In reply to the question of my Honourable friend Nawab Sir Abdul Qaiyum whether the people of the Province have not submitted to the Indian Penal Code, I would quote the remarks of the Chief Commissioner in his report of the Police Administration of the North-West Frontier Province of 1920:

" We must confess that a generation of the Penal Code has failed to turn the Pathan into a modern citizen."

In the Administration Report for 1922-23, it is observed:

" We have the operation of a force infinitely more powerful amongst the Pathan community, the passion for private revenge under the baneful influence of which murder ever tends to beget murder and the greater the tale of blood-shed the greater the probability of its continuance. Murder being as a rule due to personal enmity, the commission of murder is seldom looked upon as an offence against the community."

Speaking during the debate of 1921, Mr. Townsend remarked that he could hardly imagine whatever the changes the Government of India may find themselves able to make in the administration of the Frontier Province, that they would find it possible to give them the same degree of self-government as is practicable and advisable in the Punjab. Sir John Maynard had doubts as to the perfect political fitness of the people of the frontier districts to receive the same rights and privileges as in the Punjab. He also said that he was not thinking solely of capability and intelligence but of the extent to which they really feel themselves to be British subjects. Their eyes might be turned in two directions. Sir John Maffey observed:

" The Frontier may be regarded as in a state of siege. Popular Government, to the extent to which it is developed in other parts of India, I consider unsuited to the peculiar needs of the borderland. They are fanatical, excitable and violent crimes are frequent."

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It is needless to multiply these extracts. It will be obvious that the mass of the people have not yet emerged from the tribal organisation of society or acquired the law-abiding instinct and the habit of obedience to a central authority, which is the first and the most essential lesson of civilisation. Nobody will refuse to join Sir Denys Bray in the tribute he pays to the prowess of a manly, virile and independent people. But virility and independence are not the only qualifications for democratic institutions. I may refer to the observation of a classical writer on the subject that a race who have been trained in energy and courage by struggles with nature and their neighbours but who have not settled down into permanent obedience to any common superior would be little likely to acquire this habit under the collective government of their own body. A representative Assembly drawn from among themselves would simply reflect their own turbulent insubordination. The people have had no experience of the elective system even in the sphere of local bodies. Neither in the municipalities nor in the notified local areas nor in the district boards has the principle of election been applied at all. The proposal to resort to election in one instance was abandoned in deference to the opinion of most responsible people in Peshawar that the system is unsuited to a frontier city and some of the witnesses objected to the introduction of the elective principle in the local bodies on the ground that the people would not agree and that it should be left to the Government. Even so late as 1923, we find it stated in the administration report that the only reform so far thought of was the privilege of electing non-official Vice-Presidents for municipalities and district boards from among the nominated members of those bodies. In the District Board Conference held at Peshawar in November, 1924, under the presidency of Colonel Keen, the then Revenue Commissioner, the general sense of the meeting was opposed to the introduction for the present of the Punjab system of election for membership of district boards. It was pointed out that no system of election at all existed in the province and that any system of election for district boards should await the result of election for a Provincial Council in this province. What a strange inversion of the usual course of development of the elective system! It is curious that even the majority of the Bray Committee have put forward no proposals for the introduction of the elective system into the local bodies. It is a political commonplace that local bodies furnish the best school for acquiring training in the management of public affairs and yet the majority have no hesitation in recommending the introduction into a province, without any experience of the elective system, of full-fledged reforms on the model of the Legislative Councils which have been introduced into the major provinces.

It may perhaps be asked how a people can acquire any knowledge of the art of self-government unless opportunities were provided for acquiring experience and knowledge. It is a perfectly legitimate question but the answer is that such opportunities should be provided not at the higher level but at the lower level of self-government. The educative effect of self-governing institutions is best realized in the sphere of administration of local bodies and it is idle to think of the introduction of the elective principle in the provincial sphere, before it has been tried and developed in the management of local bodies. I have endeavoured to show that the conditions necessary for the introduction of popular control over the Gov-

ernment of the Province do not now exist in the case of the Frontier Province and are not likely to exist until the people acquire law-abiding instincts and pass out of the tribal state of social organisation. It may also be pointed out that the conclusions of the majority are opposed to the teaching of history with regard to the evolution of popular government. The usual course of advance has always been from a system of tribal organisation to a system under which a strong central government reduces or extinguishes the powers of the tribal chiefs with their discordant and disruptive influences, inculcates among its subjects a sense of primary allegiance to the central authority and a habit of unquestioned obedience to its laws and welds the members of the tribes into an organic whole. It is after this process has been completed by the exercise of a more or less strong autocratic authority that it is possible to make a further advance to the stage of popular government and for the Central Government to transfer a portion of its powers by decentralization and devolution. The attempt to skip the second stage of evolution and to pass straight from the conditions of a tribal society to those of a popular government is an experiment which cannot be justified by an appeal to past experience and is fraught with risks of failure.

I will now assume for the purpose of argument that the mass of the people in the North West Frontier Province are quite fit intellectually, morally and socially for the gift of popular government. I will briefly examine the question, how far the recommendation of the majority for the introduction of full-fledged reforms is consistent with their own doctrines and how far it can be fitted into the political constitution of British India. Over and over again, the majority lays stress upon three axioms of frontier administration: (1) the impossibility of separating the Frontier Province from the trans-border tracts, (2) the inseparability of the various parts of the whole Pathan frontier area and (3) the imperative necessity for the retention of the whole Frontier Province and the trans-border tracts under the direct control of the Government of India for the efficient conduct of external affairs and foreign policy. The first of these axioms is based upon the close and inextricable connection between the internal and external affairs of the Frontier Province. It is upon the bed-rock of these axioms that the report of the majority of the committee claims to be founded. They lay stress upon the practical impossibility of drawing a hard-and-fast line between the internal and external aspects of even work-a-day matters on the frontier and the consequent difficulty of partitioning frontier business into two water-tight compartments. While they consider the administration of the settled districts cannot be transferred to any major Local Government consistently with the direct control of the Central Government and consider it necessary that the administration should remain in the hands of a minor Local Government, they proceed with a strange inconsistency to recommend the creation of an elective Legislative Council and the introduction of popular control over transferred subjects. What exactly the difference between a major Local Government and a minor Local Government is according to the majority, we do not know. Provinces may be classified as major or minor with reference to area, population and revenue, but these distinctions are irrelevant for the purpose in hand, namely, the intervention of an agency of control. The difference, if any, must depend upon the complexity of political structure of the subordinate government and the number and freedom of play of its organs of administration. From this point of view, how a province endowed with

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popular control over a part of the administrative sphere can be reconciled with the fundamental canons of the majority and with the direct control and close supervision of the Government of India passes one's comprehension. The unity of control over the internal and external affairs of the province can be maintained only so long as the province continues to be administered bureaucratically by the Chief Commissioner without any element of popular control. The difficulty of maintaining this unity of control over the internal and external affairs will be enormously aggravated with the progress of the reforms and with every step which the pressure of public opinion may compel the Government to take to enable the province to keep pace with the progress of the major provinces. The leaven of popular control is an expansive element and the live and vigorous constitution which Sir Denys Bray is anxious to bring into existence will not cease to grow beyond the line chalked by my honourable friend, however assiduously he may play the role of Mrs. Partington. If the Pathans will not be now satisfied with anything short of the essentials of the reforms enjoyed elsewhere, it is equally certain that they will not, in the future, be satisfied with anything short of the same provincial autonomy that may be granted to the other provinces. The political appetite of the Pathan is bound to grow with what it feeds on. Either the political sop which the majority of the committee wish to throw to the Patan Cerberus is a sham, or it betrays an amazing want of logic and perspicacity. The political judgment even of the members of the Civil Service is apt to be clouded by irrelevant emotions. The distinguished statesmen, who were responsible for the report on Indian Constitutional Reforms, were unable to think of any measure beyond an advisory council for bringing the Government of the Frontier Province into touch with the people.

Apart from this incompatibility of an elective legislative council with the fundamental canons of frontier administration, there are numerous other grave objections to the scheme which have been admirably pointed out by Mr. Samarth in his annihilating criticism of the proposals of the majority. If there is one fundamental maxim of constitutional politics more valid than any other, it is that any province which claims autonomy must be able to support itself financially. Dependence on doles or deprecations is incompatible with a claim to independence. If the central exchequer is to meet the yearly growing deficit in the administration of the Frontier Province, it is unquestionably entitled to have a voice in the administration. The principle that one person or authority could spend without question and that another person or authority should find all the monies required for the expenditure of the former is calculated to promote extravagance and waste and destroy all incentives to economy. The recommendation of the majority is also open to the objection that it will subject the Chief Commissioner to the control of two masters, one in the sphere of internal administration and the other in the sphere of external administration—the very objection that was urged by the majority to the proposals of the minority.

It is not necessary for me to dwell upon the constitutional difficulty which Sir Denys Bray admitted in the other House that he had glossed over. I will only dwell very briefly upon the financial obligations to which we shall be committed by the proposals of the majority.

When the Frontier Province was created, the extra annual cost of the new Province was estimated by Lord Curzon at 8½ lakhs. In 1902-03, the deficit of the Province was 38 lakhs. It went on increasing by rapid strides . . . . .

**Sir Denys Bray** (Foreign Secretary): If I may interrupt . . .

**Sir P. S. Sivaswamy Aiyer**: If you will just hear me . . .

**Sir Denys Bray**: I want to bring an elementary fact to Sir Sivaswamy Aiyer's notice. It was the extra expense and not the deficit.

**Sir P. S. Sivaswamy Aiyer**: I am only taking the deficit. I will refer to the explanation of Sir Denys Bray, which I have anticipated.

According to the Administration Report of the North-West Frontier Province, the deficit in the year 1923-24 amounted to 158 lakhs odd. In the year 1924-25, the deficit was 210 lakhs odd. According to the revised estimates of 1925-26, the deficit is 221 lakhs odd. According to the budget estimate for 1926-27, the deficit is 225 lakhs odd. For the purpose of minimising the startling deficits my Honourable friend, Sir Denys Bray, has succeeded in inducing the Finance Member to open a new major head of "Watch and Ward," under head "10—Political" in the accounts. Even after deducting the whole of the expenditure under the political head including "Watch and Ward" amounting to 98 lakhs, the deficit for the year 1926-27 amounts to 127 lakhs and even if we deduct the cost of the Frontier Constabulary, namely, 23 lakhs, it will amount to 104 lakhs. Let it be remembered that this is exclusive of the expenditure of over 6 lakhs within the Frontier Province included in the military estimates for the next year under the head "Engineering Services." It must also be remembered that the cost of introduction of the machinery of constitutional reforms has in other provinces exceeded the original anticipations and that the inevitable demands which will be made by an elective Legislative Council for the addition of a non-official Indian Member, for the addition of at least one more Minister, for longer and more frequent Sessions of the Legislative Council and for greater expenditure under various departments are bound to increase very greatly the burden of the deficit which will fall upon the Central Government. I am afraid that the expectations of the majority of a reduction of the deficit to 20 lakhs a year with some prospect of ultimate extinction will prove as illusory as the forecast of Lord Curzon.

Apart from all the numerous objections in principle which I have referred to above, it is necessary to point out that owing to its peculiar situation, the relations and affinities between the Pathans on both sides of the border, the excitability of the people and their liability to sudden commotion and upheavals at the bidding of fanatical Mullahs, as illustrated by the Hijrat and the insurrection in Mansera, the sway of pan-Islamic ideas and sentiments and the menace of Bolshevism, the political dangers of an extension of popular government to the Province cannot be ignored. The advantages of service in the Province may be accompanied by the dangers of nearness of vision. Sir Denys Bray's associations with the Frontier and his attachment to it, combined with his poetic culture, have led his imagination into a region of Frontier romance and he has built castles in the air. The gift of prophecy is denied to me. I can only form my judgment upon the evidence and my task is only to warn the Government of India.

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against the perils of the adventure upon which they are urged to embark in the pursuit of a policy which, I am afraid, will prove a monument of political unwisdom.

(Several Honourable Members moved that the question be put.)

**Mr. M. A. Jinnah** (Bombay City: Muhammadan Urban): Sir, the question before the House is one which requires a great deal of restraint to begin with and even then one might say a word here or there unwittingly which might give offence to one side or the other. Sir, I do not wish to deal with this question from the communal point of view at all. I have had the honour of working with my Honourable friend Pandit Madan Mohan Malaviya since 1906. If I remember it rightly, when I first stepped on the platform of the Indian National Congress, it was my friend before whom I stood as a junior who induced me and persuaded me to make my first speech on the platform of the Indian National Congress. Ever since then I have worked with him and I have always looked upon him with the greatest admiration and respect. I have a feeling that my Honourable friend Pandit Madan Mohan Malaviya is as much a nationalist as any living Indian to-day in India. (Hear, hear.) But, Sir, sometimes we are likely to lose heart. We are sometimes likely honestly to be prejudiced. There is such a thing as honest prejudice. I can fully enter into the spirit, although I can not agree with the language, of my Honourable friend as to what he feels. And I can also equally enter into the spirit of my Muhammadan friends as to what they feel when they think of horrible incidents which have taken place not only at Kohat but in other parts of India as well. Sir, it is a common ground; it is our misfortune. But I appeal to my Honourable friend: are we going to lose heart?

**Pandit Madan Mohan Malaviya:** No.

**Mr. M. A. Jinnah:** Are we going to budge from our principle that we shall attain freedom for India? And are we not going to treat this question of the North West Frontier Province in the same spirit as we would treat the question of any other province? Sir, India is not the only country where we have to face a problem of this character. I will only read a few sentences from the report of Lord Durham where he describes the condition of the people in Canada, and yet Lord Durham recommended the establishment of responsible government in that part of the world. This is what he said:

"The first point to which I would draw your attention, being one with which all others are more or less connected, is the existence of a most bitter animosity between the Canadians and the British, not as two parties holding different opinions and seeking different objects in respect to Government, but as different races engaged in a national contest. The hatred of races is not publicly avowed on either side. On the contrary, both sides profess to be moved by no other feeling than such as belong to difference of origin. But the fact is, I think, proved by an accumulation of circumstantial evidence more conclusive than any direct testimony would be and far more than sufficient to rebut all mere assertion to the contrary. If the difference between the two classes were one of party or principles only, we should find on each side a mixture of persons of both races, whereas the truth is that, with the exception which tends to prove the rule, all the British are on one side and all the Canadians are on the other side. What may be the immediate subject of discussion seems to be of no consequence, but so surely as there is a dispute on any subject, the great bulk of the Canadians and the great bulk of the British appear ranged against each other. In the next place

the mutual dislike of the two classes extends beyond politics into social life where with some exceptions again all intercourse is confined to persons of the same origin. Grown-up persons of different origins seldom or never meet in private society and even when the children quarrel they divide themselves into French and English like their parents."

Sir, this, I think, is a much worse and more deplorable condition than what exists to-day in India. Do the Hindus and Muhammadans not mix socially? Do your children in schools play divided as Hindus and Muhammadans? Why, therefore, lose heart and despair? It is a problem which we have to solve, and we shall solve it provided we work together. At least the Honourable Members of this House, the representatives from different parts of India, are certainly expected to and should give a different lead to the rest of India.

Sir, the question therefore before us is this. Here is a province, the North West Frontier Province, whose people, it is admitted both by the majority and the minority, possess the qualifications which even according to the definition in the speech of my Honourable friend, Sir Sivaswamy Aiyer, would entitle them to reforms. Sir Sivaswamy Aiyer was more spirited than I have ever seen him when speaking in this House, and he said that in order that a province should claim self-government, the people of that province must possess certain requisite qualifications. What are those qualifications? He says Sir Denys Bray merely says that they are a virile and a manly race, but that is not sufficient. But, Sir, did the majority stop there? The majority in their report make it quite clear what they are, and I will read that passage:

"The frontier inhabitants are assuredly not behind the rest of India either in intelligence or capacity to manage their own affairs. Their aspirations for reforms have been awakened into full consciousness and will not be satisfied by anything short of the essentials of the reforms enjoyed elsewhere."

**Sir P. S. Sivaswamy Aiyer:** It is not supported by the evidence.

**Mr. M. A. Jinnah:** The Honourable Member says it is not supported by the evidence. I don't know how he has been able to get at this evidence. I tried to get a copy of it but could not obtain it. The evidence is not published and is not available, and I don't know who supplied him with the evidence.

**Sir P. S. Sivaswamy Aiyer:** The evidence as quoted in the Report.

**Mr. M. A. Jinnah:** I beg the Honourable Member's pardon. The evidence certainly does not support the idea that they are wanting in intelligence, that they are wanting in capacity, that they are  
5 P.M. wanting in manliness. One of the members of the minority committee, the Honourable Mr. Rangachariar, praised their great qualities of head and heart. If that is the evidence you want, there it is. If my Honourable friend wants merely to take his stand on communal grounds, I can understand that feeling very well. If you wish to say this, that there happens to be a small minority of Hindus and that you apprehend that the minority will be entirely at the mercy of the Mussalman majority, therefore the North West Frontier Province must be amalgamated with the Punjab, I can understand that argument. I can understand that you think the Hindus in the North West Frontier Province, who are now only 5 per cent., with the help of their co-religionists in the rest of the Punjab would stand in a better position if they are amalgamated with



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the Punjab, to resist any act of tyranny or aggression on the part of the majority who still would remain to be Muhammadans. That I can understand. But let me, Sir, say to my Honourable friend Sir Sivaswamy Aiyer and my Honourable friend Pandit Malaviya that I have revolved this question a great deal in my mind and the answer is quite obvious apart from the other objections which are so clearly pointed out in the majority report. The people of the North West Frontier Province linguistically, ethnologically, geographically and in every other sense are different from the Punjab people, and why are you going to force these people, against their will and against the will of the Punjab itself, to be amalgamated with the Punjab? Sir, it is not a small province. It is a province with two millions of population. Even Australia has I believe a population of only 4 millions. And as my friend Dr. Hyder pointed out, in Europe we have independent States of which the population does not exceed more than two millions. Therefore how can you force these people against their will and say you shall be foisted upon Punjab? It seems to me, Sir, that either amalgamation or, if no amalgamation, reforms must be given to that province. What benefit would you get if no reforms are given to this province and what prejudice, what harm will be caused to the Hindus if the reforms are given to this province? Do you think that law and order is going to be handed over to a Minister immediately?

**Diwan Bahadur T. Rangachariar:** Why not?

**Mr. M. A. Jinnah:** You think it will be?

**Diwan Bahadur T. Rangachariar:** Do you think it will ever come?

**Mr. M. A. Jinnah:** Yes, by that time I think even my Honourable friend might improve in his ideas. Why should it not? I only want to know what is the immediate danger that you are afraid of.

**Diwan Bahadur T. Rangachariar:** Why don't you hand it over now?

**Mr. M. A. Jinnah:** Yes; don't you ask for it yourself in Madras?

**Diwan Bahadur T. Rangachariar:** Exactly.

**Mr. M. A. Jinnah:** Then why should they not have it? Is there one principle for the people in India and another for the people in the North West Frontier Province of India? You say they are not fit; you say they are incompetent; so the rest of India will keep the North West Frontier Province under your heels and under your subjection.

**An Honourable Member:** They cannot.

**Mr. M. A. Jinnah:** What is the good otherwise of putting forward this argument? Will they never get fully fledged self-government? Why not? You want it, they want it. Why should they be denied if they are fit for it? If you admit that amalgamation cannot be a just measure to adopt apart from the difficulties which have been pointed out by the majority report, and the majority report points out innumerable difficulties, I do not want to weary the House, it has already been so fully discussed. Well, I ask, what is your answer to two millions of people who say "We do not want to go to the Punjab"? Why must you force them?

**Diwan Bahadur T. Rangachariar:** When did they say that?

**Mr. M. A. Jinnah:** I have got the authority; I have got telegrams and letters from almost every important towns sent to me.

**Diwan Bahadur T. Rangachariar:** What did they say before the Committee?

**Mr. M. A. Jinnah:** The same thing. I have got reports of meetings that have been held for several weeks, and I ask the Honourable Member to point out to me a single Muhammadan meeting which has been held against the view I am putting forward. I know the Hindus do not want it; I know that. (*Honourable Members:* "The Mahasabha does not want it!") Show me a single Muhammadan who is against the reforms. Even the opinion of Nawab Akbar Khan has changed since he went back to the North West Frontier Province. (*Mr. K. Ahmed:* "He was misled.") Therefore, Sir, if I cannot convince my Honourable friend there, I am sure the Government at least have more knowledge and are less ignorant than my Honourable friend there as to what the feeling is. Now, Sir, what do these people really want? They are living to-day under an administration—what administration? To describe it in the words of an Anglo-Indian paper, the *Times of India*, this is what he says:

"While fighting the battle of freedom day by day these Hindu organizations yet find it in their hearts to advocate a continuance of the obscurantist, mediæval principles of Government, bureaucratic high-handedness and policy of *zoolum* for which the Frontier Government has been so often criticised."

Do you want that to continue?

Sir, the next argument is the cost. Nobody has challenged the figures which are given by the majority committee and from that you see that the total additional cost of all these reforms which the majority committee recommend will come to Rs. 1,18,162. Out of that, remember, the Additional Judicial Commissioner has already been sanctioned. (*Cries of "Order, order", on a stranger entering the Chamber.*) And you find that these are the three items: Pay of Minister and allowances of members Rs. 42,500; Additional Judicial Commissioner and Establishment. Rs. 48,782. That has been sanctioned. Therefore the two items that remain are Rs. 42,000 and Rs. 26,000, which come to about Rs. 68,000. Well, Sir, are we going to escape the payment of the deficit of 20 lakhs which the majority report point out is the present deficit which even the majority report does not say is wholly due to internal administration? It is difficult, they themselves realise, to separate what is the Imperial or the Central defence expenditure and what is the internal administration expenditure; and further, they even go to the extent of saying that even that will be wiped off within a short time. This is what they say:

"If the expenditure is justly distributed and the retrenchments now in contemplation are put into effect, then, according to the rough calculation we have made, the present deficit in the internal administration would drop from 56 lakhs to 20 lakhs a year with some prospect of ultimate extinction."

Sir, there is nothing therefore in any of the arguments that have been advanced on the score of the province not being self-supporting.

And now, Sir, I come to the Honourable Member who represents the Government. He expressed the view on behalf of the Government that the question of re-amalgamation was dead: the cry was dead and buried;

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and he said that even the eloquence of the Leader of the Swaraj Party cannot breathe life into those dead bones. But having negatived the re-amalgamation he gave us no further information on the subject. He himself stands committed to this report. He said that if he were asked to-day to put his signature he would do this: "The high lights might be softened;" but he did not tell us how they would be softened. "The shadows might possibly be deepened;" but he did not tell us how they would be deepened. "But the outline would remain the same." Well, Sir, I am waiting to here from him what is going to happen to the high lights and what is going to happen to the shadows. Sir, the Honourable Member, it seems, has been brought up in what is known as the Foreign and Political Department, and not in vain. In that Department one probably receives a better training for diplomacy than in any other department in the world. He made a speech and a long speech, and we heard him with rapt attention every moment waiting for some definite announcement or declaration; but at the end of it he wound up by saying:

"There is one other difficulty, which I have still to mention. It is of course ever present to us all this evening, and that is the communal question. Well, as I suggested the other day in answer to a question, I think, by my friend Mr. Jinnah, Government have been awaiting this debate with great interest and great attention. And it is with great interest and great attention that Government will follow it and its actions and reactions in the Press, in the Frontier, and in India at large."

Sir, does he expect us here again to be completely unanimous on this question? (Sir Denys Bray: "No.") What does he expect us to do then? Does he expect us to be wrestling on the floor of this House? What does he want this House to show him in the course of this debate? Sir, I hope that we have shown the Government and we have shown the world at large that we have discussed this question on its merits, that individual passions are bound to be roused and individual temperaments must assert themselves in any Assembly or in any legislature. Think back of your own Parliaments. Remember the speeches of Gladstone about the atrocities in Bulgaria—a great man, as great and a greater man than my Honourable friend, Pandit Madan Mohan Malaviya. (Lieutenant-Colonel H. A. J. Gidney: "Question.") How often was he not led away in fury, in rage? Why blame my friend here? He feels it. That is his feeling, that is his temperament. But, Sir, because you have an individual here or an individual there, is that going to be the final test? I ask the Government once again, do you wish to divest yourself of your responsibility? You agreed to appoint this Committee. My Honourable friend Sir Sivaswamy Aiyer, who is now not here, was the cause of this Committee being appointed, and this Committee has given its verdict, and two of its official members are still of the same opinion, not only Sir Denys Bray, but even the present Chief Commissioner.—I believe he was there, I do not know whether he is there now,—I mean Mr. Bolton; both these gentlemen signed the majority report. Now, what did Mr. Bolton say in answer to the deputation which waited on him not very long ago, on the 25th November, 1925? What did he say? He said:

"The first question you raise is that of Reforms. You are aware that I signed the majority report of the Frontier Inquiry Committee, and I adhere to the views I then expressed."

It was as late as 25th November 1925. He did not talk about the high lights or the shadows. He has not been in the Foreign Department. He

is only a member of the Indian Civil Service, I suppose. (*An Honourable Member*: "A machine".) But he was there a ruler, and not like those who are sitting on the Treasury Benches. There is a great difference. Sir, I therefore want the Government not to delay in giving a definite answer, because it will lead to no good. On the contrary, I think the position of Government is likely to be completely misunderstood, and might lead to results which we least desire on either side. It is likely to make the Muhammadans feel, as was pointed out by my friend Raja Ghazanfar Ali Khan whom I heartily congratulate upon his maiden speech,—it is likely to make the Muhammadans feel that it is the Hindu opposition based on the sole plea of Hindu-Moslem strife in that province that is coming in the way of their getting any advance, and the Hindus will be encouraged to feel that, as they are going on with this agitation and passing resolutions after resolutions, the Government are changing their attitude (*An Honourable Member*: "Afraid"), and are afraid and will not grant any reforms to the Frontier. (*An Honourable Member*: "What is sauce for the goose is not sauce for the gander.") This is an impression which is fraught with danger. I am only pointing out that if you do not wish to take any step on the majority report, if you do not wish to do anything, say so without delay. If, on the other hand, you wish to do something, then I appeal to you most earnestly to make your declaration without delay.

The Assembly then adjourned till Eleven of the Clock on Friday, the 19th March, 1926.

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