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(22nd February to 14th March, 1927)

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OF THE
THIRD LEGISLATIVE ASSEMBLY, 1927

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LEGISLATIVE ASSEMBLY.

Wednesday, 9th March, 1927.

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

QUESTIONS AND ANSWERS.

SUBJECTS LAID BEFORE THE CENTRAL ADVISORY COUNCIL FOR RAILWAYS.

815. ***Sir Hari Singh Gour:** With reference to the Honourable Sir Charles Innes' statement made in the course of his speech in the Assembly on the 25th February, 1927, enumerating the subjects laid before the Central Advisory Council for their opinion, will the Government be pleased to state the subjects upon which the opinion of the Council was accepted and acted upon and the subjects upon which its advice was not accepted and acted upon?

The Honourable Sir Charles Innes: The statement is being prepared and will be supplied to the Honourable Member.

Sir Hari Singh Gour: Will the Honourable Member be pleased to lay it on the table of the House as soon as it is ready?

The Honourable Sir Charles Innes: I shall consider the point when I see the statement.

PRIZE OF DELHI SCHEME.

816. ***Mr. M. R. Jayakar:** Will Government be pleased to state whether:

- (1) they have taken any and what active steps for the promotion of the scheme for the encouragement of Indian Art known as the Prize of Delhi Scheme?
- (2) they have received any and what suggestions from the Provincial Governments on the Note on the proposed Central Art Institute published and circulated by the Government of India?
- (3) they have received any and what suggestions about the Prize of Delhi Scheme from any individuals or institutions in England?
- (4) they have formulated any and what definite policy for the mural decorations of the buildings at New Delhi?

The Honourable Sir Bhupendra Nath Mitra: (1), (3) and (4). The answer is in the negative.

(2) The suggestions made by Local Governments on the proposal to establish a Central Art Institute at Delhi are at present under consideration by the Government of India, and they are not in a position at this stage to place them before the House.

SALE OF QUININE BY THE POST OFFICE.

817. ***Mr. Bhabendra Chandra Roy:** (a) Will Government be pleased to state the value of quinine sold through the agency of the Post Office in each of the last five years?

(b) Is it a fact that for increasing the sale of quinine the rate of commission granted to the postal employees has been reduced from annas ten & six annas? Has the price of quinine been correspondingly reduced? If not, why not?

(c) Is there any rule of the department by which the postal employees are bound to sell quinine?

(d) Do Government propose to increase this rate of commission?

Sir Ganen Roy: (a)

1921-22	.	.	.	.	.	Rs. 5½ lakhs.
1922-23	.	.	.	.	.	" 4 "
1923-24	.	.	.	.	.	" 5 "
1924-25	.	.	.	.	.	" 4 "
1925-26	.	.	.	.	.	" 4½ "

(b) It is a fact that the rate of commission has been reduced as stated. The price of quinine has also been reduced from six annas to four annas six pies per tube of 20 tablets. The third part of the question does not arise.

(c) No.

(d) Government have no proposal before them.

Mr. K. Ahmed: Do Government propose to state what is the percentage of income on the money they have utilised for the sale of quinine through Post Offices?

Sir Ganen Roy: I regret I cannot answer that question.

Mr. K. Ahmed: Will Government, for the information of the Honourable Members of this Assembly, state what is the percentage of the income they derive from the money utilised for the purchase and sale of quinine?

The Honourable Sir Bhupendra Nath Mitra: I did not quite catch what precise information the Honourable Member wanted. I may, however, mention that the Government of India make no profit out of the sale of quinine.

Mr. K. Ahmed: Do they make any loss?

The Honourable Sir Bhupendra Nath Mitra: The matter is not one with which the Postal and Telegraph Department are concerned.

CREDIT TAKEN IN THE ACCOUNTS OF THE POST AND TELEGRAPH DEPARTMENT FOR SERVICES RENDERED IN RESPECT OF CERTAIN KINDS OF NON-POSTAL WORK.

818. ***Mr. Bhabendra Chandra Roy:** Is it a fact that no credit is made in the Postal Account for profits accruing from non-postal work, such as the sale of quinine, Postal Insurance, Cash Certificates, G. P. Notes, Savings Bank, Salt Revenue, Customs Duty, etc.? If so, why not? If not, will they be pleased to state under what head of the Budget for Post and Telegraphs they are shown?

Sir Ganen Roy: Yes. Credit is taken in the Budget under Abstract O of the Detailed Statements in support of Demands for Grants for the Post and Telegraph Department for services rendered in respect of the following non-postal works:

- (i) Postal insurance,
- (ii) Cash Certificates,
- (iii) Savings Bank including transactions in connection with G. P. notes,
- (iv) Customs Duty.

For the sale of quinine the department does not get any credit but the postal officials selling quinine get the commission themselves. The commission for the realisation of salt revenue by the post office is credited in the accounts of the Department under the head "unclassified receipt" which is incorporated in "Miscellaneous Revenue"—Detailed Account No. B under head "XV—Posts and Telegraphs" at page 98 of the Detailed Statements in support of Demands for Grants for the Post and Telegraph Department.

POST OFFICE GUARANTEE FUND.

819. ***Mr. Bhabendra Chandra Roy:** 1. Will Government state the class of employees who contribute to the Post Office Guarantee Fund, the rate of contribution paid by them and the total amount of the fund kept in deposit under the custody of the Government?

2. (a) Will Government be pleased to state the rate of contribution paid by the Government and the telegraphists to the fund and what is the total amount paid by the Government and the telegraphists separately?

(b) Will Government be pleased to state the total amount spent by Government in payment of compensation for highway robberies or for other causes, the total amount paid to the telegraphists and to the postal employees during the last ten years separately?

(c) Is it a fact that the telegraphists did not contribute anything to the fund and if so, will the Government be pleased to say why the benefit of the fund has been extended to them?

(d) Is it a fact that the fund has been closed? If so, why? In what item has the balance, if any, of the fund been credited?

(e) Do Government propose to refund the balance to the representative of the persons who contributed to the fund?

The Honourable Sir Bhupendra Nath Mitra: The information desired by the Honourable Member is being collected and will be furnished to him as soon as possible.

EXTENSION OF THE POST OFFICE LIFE ASSURANCE SCHEME TO PERSONS PAID FROM LOCAL FUNDS.

820. ***Mr. Bhabendra Chandra Roy:** (a) Is it a fact that the postal life insurance has been extended to semi-Government officials?

(b) Do Government propose to extend the benefit of postal life insurance system to the extra-departmental agents?

Sir Ganen Roy: (a) The Post Office Life Insurance scheme is extended to servants paid from "Local Funds" as defined in Article 83 of the Civil Service Regulations.

(b) The question will be considered.

UTILISATION OF THE PROFITS EARNED ON POSTAL LIFE INSURANCES.

821. ***Mr. Bhabendra Chandra Roy:** (a) Are Government aware that many private insurance companies in spite of their heavy cost of establishment and agency commission derive huge profits?

(b) Will Government be pleased to place the account of their Insurance Branch showing the profit earned on the Postal Life Insurances effected?

(c) Will Government be pleased to state how the amount of profit from Postal Insurance has been credited to the postal accounts for the last 10 years? If no credit has been made how has the profit been utilised?

Sir Ganen Roy: (a) Government understand that many private insurance companies do make considerable profits notwithstanding the cost of establishments and other charges.

(b) The Honourable Member is referred to pages 15 and 37 of the Indian Life Assurance Year Book, 1924-25, which is in the Members' Library.

(c) The profit is not credited in the accounts of the Post Office. Profits are utilised for the benefit of policy-holders by means of reversionary additions to the sums assured.

NUMBER OF INDIANS HOLDING APPOINTMENTS OF SECRETARY, JOINT SECRETARY, ETC., IN THE DEPARTMENTS OF THE GOVERNMENT OF INDIA.

822. ***Mr. Bhabendra Chandra Roy:** (a) Will Government be pleased to state the total number of the following posts, either permanent or temporary, in February, 1927, in each of the Departments of the Government of India?

- (1) Secretaries,
- (2) Joint Secretaries,
- (3) Additional Joint Secretaries,
- (4) Deputy Secretaries,
- (5) Additional Deputy Secretaries,
- (6) Under Secretaries.

(b) Will Government be pleased to state the number of such posts in existence in 1923?

(c) Will Government be pleased to state the number of Indians who occupied each of the abovenamed posts before the resolution on the subject of Indianising these posts was moved in the last Council of State by the Right Honourable Srinivasa Sastri and also the number of Indians holding each of those posts in February, 1927?

(d) How many Indians are holding such posts in officiating arrangements and how many are holding those posts in permanent arrangements?

The Honourable Sir Alexander Muddiman: I am having the information collected and will communicate it to the Honourable Member in due course.

POLICY IN REGARD TO THE INDIAN STORES DEPARTMENT.

823. ***Mr. Bhabendra Chandra Roy:** Is it a fact that the Government's intention and policy was to curtail the Indian Stores Department in London with the gradual increase of the Stores Department in India?

The Honourable Sir Bhupendra Nath Mitra: The policy of the Government has been to develop the Stores Department in India on efficient lines so as to enable it to deal with the requirements of various Departments of the State, in conformity with the principles enunciated in the Stores Purchase Rules. It has also been the intention of the Government of India to effect reductions in the India Store Department, London, as soon as experience has shown that the volume of work devolving on that Department had diminished to such an extent that reductions could be made without serious loss of efficiency.

REDUCTION OF THE EXPENDITURE OF THE INDIA STORE DEPARTMENT, LONDON.

824. ***Mr. Bhabendra Chandra Roy:** (a) Will Government be pleased to state the total amount of expenditure on the Indian Stores Department in London prior to the establishment of the Stores Department in India and the total expenses of the London Stores Department in 1926-27 as well?

(b) Will they be pleased to give the total expenses of the Stores Department in India in 1926-27?

(c) Has any reduction in expenditure been made in the Stores Department in London under the High Commissioner for India? If so, how much and if not, why not?

The Honourable Sir Bhupendra Nath Mitra: (a) The attention of the Honourable Member is invited to paragraph 8 and Appendix E of the Report on the work of the India Store Department, London, for the year 1925-26, a copy of which will be found in the Members' Library. Actual figures for the year 1926-27 are not yet available.

(b) The total expenditure of the Indian Stores Department for the year 1926-27 is estimated at Rs. 16,20,000 approximately.

(c) The answer is in the negative. It has not been found possible to reduce the expenditure of the India Store Department, London, as the staff at present employed is the minimum necessary for the efficient performance of the duties devolving on that Department under the existing Stores Purchase Rules. I may add for the Honourable Member's information that on the termination of the contracts with the East Indian and Great Indian Peninsula Railways in 1925 the duties connected with the purchase of stores required for these two Railways which had previously been performed by the Home Boards of these Companies devolved on the London Stores Department. I would in this connection invite the Honourable Member's attention to pages 353 to 355 of the Proceedings of the meeting of the Standing Finance Committee for the 27th January, 1927.

Mr. B. Das: May I inquire what in the opinion of the Honourable Member would be the number of years in which he can bring the Indian Stores Department in India to efficiency, so that the Stores Department in London could be reduced in staff.

The Honourable Sir Bhupendra Nath Mitra: I submit, Sir, that asks for an expression of opinion.

Mr. B. Das: May I inquire whether the Indian Stores Department in India can at all be brought to a pitch of efficiency so that the staff and expenditure of the London Stores Department can be reduced?

The Honourable Sir Bhupendra Nath Mitra: Until the present Stores Purchase Rules are altered, and as I said in this House the other day in reply to a question by my friend Mr. Jinnah the question of amending them is under our consideration, it is not possible to make any reduction in the existing establishment at the present time.

Mr. B. Das: May I inquire if it is not a fact that the Government of India are spending more than 25 lakhs of rupees in the management of the Stores Department in India without any reduction and without giving effect to the recommendations of the Stores Purchase Committee?

The Honourable Sir Bhupendra Nath Mitra: As I have said, Sir, the present stores purchase arrangements of the Government of India are based on the Stores Purchase Rules as they are now in force. So long as those rules stand there, it is not possible to make any reduction in the staff of the London Store Department, consistently with the efficiency of the work to be performed by that department. I have also stated that one of the reasons why a reduction has not been possible is that additional work has been thrown on the London Store Department.

Mr. B. Das: May I inquire if Government wish to amend the Stores Purchase Rules so that the changes suggested may be given effect to?

The Honourable Sir Bhupendra Nath Mitra: I think I gave an answer to that question in reply to a question put to me by my Honourable friend Mr. Jinnah the other day on the floor of this House.

INDIANISATION OF THE OFFICE OF THE HIGH COMMISSIONER FOR INDIA IN LONDON.

825. ***Mr. Bhabendra Chandra Roy:** (a) Will Government be pleased to give the total number of employees excluding the menials in the office of the High Commissioner for India in London and how many of them are Indians?

(b) Is there any system by which Indians from India are recruited for the appointments in the High Commissioner's office?

(c) Do Government propose to Indianise the office of the High Commissioner for India in London?

(d) Are Government aware that there are Indian employees under the Government of India or under Local Governments who would be willing to have their services transferred there on receipt of an overseas pay? If not do Government propose to make an inquiry and recruit such Indians for the High Commissioner's office and thereby Indianise that office?

The Honourable Sir Charles Innes: (a) The total number of employees is 402, of whom 44 are Indians, including Anglo-Indians.

(b) No.

(c) As a result of the adoption by the Council of State on the 8th September, 1925, of the Honourable Sir Phiroze Sethna's Resolution on this

subject, the High Commissioner has been instructed that, consistently with economy and efficiency, opportunities should be taken to Indianise the higher staff of his establishment.

(d) No. Government do not propose to make the inquiry suggested. It is always open to Indians in this country to apply for appointments direct to the High Commissioner in London.

Mr. Gaya Prasad Singh: How many are Indians and how many Anglo-Indians?

The Honourable Sir Charles Innes: I am sorry, Sir, I have not been able to distinguish between the two.

STAFF EMPLOYED ON A SALARY OF RS. 300 AND ABOVE IN CONNECTION WITH THE CONSTRUCTION OF NEW DELHI.

826. ***Mr. Bhabendra Chandra Roy:** (a) Will Government be pleased to state the number of posts that were in existence for the construction of New Delhi in 1923-24, carrying a salary of Rs. 300 and above giving the designation of each kind of posts (such as Chief Engineers, Executive Engineers, Assistant Engineers, Sub-Engineers, Estate Officers, Assistant Estate Officers, etc.)?

(b) Will Government be pleased to state the maximum number of posts of each kind as above-mentioned sanctioned by Government and to state the year in which the maximum sanctioned strength was employed for the construction of New Delhi?

(c) Will they be pleased to state the number of each of such posts in existence in February, 1927?

The Honourable Sir Bhupendra Nath Mitra: A statement giving the information asked for is laid on the table.

Statement.

	No. of posts in 1923-24.	Maximum sanctioned scale.	Actual in February 1927.
Chief Engineer	1	1	1
Superintending Engineers	4	4	4
Executive Engineers (Permanent and Temporary)	11	13	9
Assistant Engineers	22	44	7
Architects and Quantity Surveyors	4	4	3
Estate Officers and Assistant Estate Officer	2	2	2
Medical and Health Officers	2	2	2
Horticultural Superintendents	3	4	2
Work Assistants	11	12	11
Miscellaneous Appointments	8	8	6
Clerical, Drawing and Accounts Staff	13	13	13
Temporary Sub-Engineers	6	6	5
Temporary Subordinates	2	2	1

The maximum sanctioned strength has never been worked up to in practice.

**RECRUITMENT OF ANGLO-INDIANS TO THE SECOND DIVISION OF THE
GOVERNMENT OF INDIA SECRETARIAT.**

827. ***Mr. Bhabendra Chandra Roy:** (a) Will Government be pleased to state the number of Anglo-Indians in each of the Departments of the Government of India Secretariat who are permanently employed in the second division and who were recruited on the minimum pay of Rs. 100 fixed for that division?

(b) Will Government be pleased to state the number of Anglo-Indians recruited in each of the Government of India Secretariat Departments in the second division since the last reorganisation of pay of the Government of India Secretariat establishment and the minimum pay at which each one was recruited?

(c) Is it a fact that not a single Anglo-Indian has been recruited in the second division of the Government of India Secretariat on a minimum pay? If so, why?

The Honourable Sir Alexander Muddiman: (a) and (b). The information is not readily available and its value when collected would not, in the opinion of Government, justify the time and labour involved in its collection.

(c) The reply is in the negative.

**EXEMPTION OF ANGLO-INDIANS WHO WERE DEBARRED FROM PROMOTION
TO FIRST DIVISION APPOINTMENTS IN THE GOVERNMENT OF
INDIA SECRETARIAT.**

828. ***Mr. Bhabendra Chandra Roy:** (a) Is it a fact that the Staff Selection Board made a rule that if a departmental candidate got plucked in the first division test for 3 years, he was permanently debarred for the first division appointments?

(b) If so how many Anglo-Indian departmental candidates got plucked for three years and how many of them were permanently disqualified?

(c) Is it a fact that in some departments these Anglo-Indians are being recommended for exemptions to the Public Service Commission and for the removal of that bar? If so, which are the departments?

(d) Will they be pleased to state the names of such Anglo-Indians whose bars have been so removed?

(e) Was any Indian so declared permanently unfit and if so, how many? In how many such cases have the bars been removed? If not, why is this racial distinction being introduced in the Government of India Secretariats?

The Honourable Sir Alexander Muddiman: The information has been called for and will, if available, be supplied to the Honourable Member in due course.

EXPENDITURE ON INDIAN TROOPS EMPLOYED OUTSIDE INDIA.

829. ***Khan Bahadur Sarfaraz Hussain Khan:** (a) Will Government please state if it is a fact that Earl Winterton, while replying to Mr. George Lansbury in the House of Commons on November 25, 1926, said that there were some Indian troops serving outside India the cost of which was wholly or partly borne by the Government of India?

(b) What cost had the Government of India to bear for them?

(c) Will Government please state the reasons why they were paid for by the Government of India?

Mr. G. M. Young: (a) Yes.

(b) The troops to which Lord Winterton referred are Indian troops employed on consular escort duty at various places where Consuls or other Diplomatic agencies are maintained. I cannot give the Honourable Member the exact cost. The total number of such places is 8, and the total number of Indian troops employed on consular escort duty is only 71. As half the cost of these guards is borne by the Imperial Government, the cost to Indian revenues must be very small. Lord Winterton also referred to half a company of Indian Infantry stationed temporarily at Bahrein. The half company was at Bahrein for 5 months only, and was also employed on escort and guard duties. The entire cost of this detachment is, however, being recovered from the Shaikh of Bahrein, a fact of which Lord Winterton does not seem to have been aware.

(c) One-half of the cost of consular and diplomatic guards and escorts, and of garrison troops in the Persian Gulf has been borne by Indian revenues for a long time in pursuance of an old established arrangement.

There are now, however, no longer any garrison troops from India in the Persian Gulf. I would invite the Honourable Member's attention to the answers given on the 24th March, 1923, to starred question No. 626, and on the 11th June, 1924, to starred question No. 1497.

LEAVE RULES FOR EUROPEANS, ANGLO-INDIANS AND INDIANS IN THE SUBORDINATE SERVICE OF THE EAST INDIAN RAILWAY.

830. *Khan Bahadur Sarfaraz Hussain Khan: (a) Will Government please state if it is a fact that there are different sets of leave rules for Europeans, Anglo-Indians and Indians in the subordinate service of the East Indian Railway?

(b) If so, do Government propose to remove this distinction at an early date?

The Honourable Sir Charles Innes: (a) The Honourable Member is referred to the reply to parts (a) and (b) of question No. 141 asked by Lt.-Col. H. A. J. Gidney on the 1st September, 1926. I should, however, add that the leave of all staff appointed after the railway was taken over by Government is regulated under the leave rules applicable to State Railway employees.

(b) The question of revising the leave rules applicable to all State Railway servants is under consideration. Those employees who were transferred from the late East Indian Railway Company and who fulfil certain conditions will be given the option of coming under these rules.

AMALGAMATION OF THE ORIYA-SPEAKING TRACTS.

831. *Khan Bahadur Sarfaraz Hussain Khan: (a) Will Government please state if they have received any reply from the Government of Bihar and Orissa, Madras and the Central Provinces on the question of the amalgamation of the Oriya-speaking tracts?

(b) If so, do they propose to lay on the table the replies received?

(c) When do they expect to come to any definite decision on the point?

(d) Do they propose to give an opportunity to this House to discuss the question before actual amalgamation takes place?

The Honourable Sir Alexander Muddiman: (a) to (d). The Honourable Member is referred to my reply to Pandit Nilakantha Das' starred questions Nos. 239-242, dated the 1st February, 1927, and the debates dated the 8th February, 1927, on the Resolution regarding the amalgamation of the Oriya-speaking tracts.

Pandit Nilakantha Das: Will the Honourable Member kindly give a separate reply to part (d) of the question?

The Honourable Sir Alexander Muddiman: I am not prepared to say, Sir, that Government will place time at the disposal of the House for that discussion. But if any Honourable Member brings in a Resolution he will have his opportunity of getting it on the paper.

EXPENDITURE ON THE ROYAL INDIAN NAVY.

832. ***Khan Bahadur Sarfaraz Hussain Khan:** (a) Will Government please state the approximate amount which is likely to be spent on the inauguration of an Indian Navy?

(b) Will the entire amount be borne by the Indian Treasury?

Mr. G. M. Young: (a) The initial cost of inaugurating the Royal Indian Navy will be the amount required to buy one new sloop and to recondition and arm the existing vessels of the Royal Indian Marine which have been selected for retention in the new service. The approximate amount cannot be stated, as it will depend largely on the cost of the new sloop for which the Government have not yet received an estimate. The recurring cost of the Royal Indian Navy is not expected to differ materially from that of the Royal Indian Marine, but some increase will be necessary as a result of the whole service being placed on a permanent and pensionable basis.

(b) Yes.

SUBJECTS DISCUSSED AT THE ANNUAL CONFERENCE OF FINANCIAL REPRESENTATIVES HELD AT DELHI ON THE 15TH NOVEMBER, 1926.

833. ***Khan Bahadur Sarfaraz Hussain Khan:** (a) Will Government please state the subjects discussed at the Annual Finance Conference held in November, 1926?

(b) Have they arrived at any decision on the following subjects:

1. Meston Settlement.
2. Inter-provincial Road Fund.
3. Establishment of Land Mortgage Bank.
4. Separation of Accounts and Audit in the United Provinces.

(c) If the answer to (b) be in the affirmative, would they communicate the result on each of the above subjects to the House?

The Honourable Sir Basil Blackett: (a) A list of the subjects discussed at the annual Conference of Financial Representatives is placed on the table of the House.

(b) The decisions arrived at are provisional and they are now being considered by the Government of India. The Government regret that they cannot give publicity to them at this stage.

Statement showing the cases brought up before the Conference of Financial Representatives held at Delhi on the 15th November 1926.

No.	Subject.
1	Recommendations of the Indian Taxation Enquiry Committee in relation to the Meston Settlement.
2	Encroachments by provincial Governments and local authorities on the fiscal sphere of the Central Government.
3	Provincial and Local taxation of property belonging to the Government of India.
4	Constitution of an inter-provincial road fund.
5	Working of the Provincial Loans Fund.
6	Earlier supply by Local Governments of figures of Provincial estimates.
7	Reference to disciplinary action in Audit Reports.
8	Relation between special pay and compensatory allowance.
9	Recoveries shown in the budget as deductions from expenditure.
10	Establishment of land mortgage banks.
11	Incidence of the cost of "order" police maintained by Local Governments on railways managed by the State or by Companies.
12	Scheme for the separation of Accounts and Audit.
13	Budget debates.
14	Functions of Finance Department as regards remission of revenue.
15	Rules regulating transfer of land between Central and Provincial Governments.
16	Incidence of the cost of Histories of Services.
17	Rules regulating travelling allowance to enable British Members of services and their families to have access to British Medical advice.
18	Whether interest should be charged by Government on portion of capital of commercial concerns supplied from loan fund or on total capital.
19	Amendment of Rule 5, Schedule IV, Devolution Rules.

Mr. B. Das: May I inquire, Sir, if the Finance Member of the Government of Bihar and Orissa, who was present at that conference, brought to the notice of the Honourable the Finance Member the injustice done to the province of Bihar and Orissa in the allocation of provincial finances to that Government?

The Honourable Sir Basil Blackett: I do not remember in particular whether the Finance Member of Bihar and Orissa brought that subject to the attention of Government, but I cannot remember any Finance Member who did not.

RAILWAY TRAINING SCHOOL AT CHANDAUSI.

834. ***Khan Bahadur Sarfaraz Hussain Khan:** Will Government please state:

- when the Transportation School, Chandausi, first came into existence?
- what are the subjects taught there?
- how many selected candidates have come out successful at the last examination?

(d) what was their pay before entering the School and how, and on what pay, they are now provided?

The Honourable Sir Charles Innes: (a) March, 1925.

(b) General Rules for Traffic Working, Train Passing, Vacuum Brake, Principles of the Locomotive, Station Accounts, Booking Clerks' duties, Telegraph Office Management, Statistics and Railway Organization, Wagon Construction, Theory of Telegraph instruments and Signalling practice.

(c) Government have no information as to the results of the last examination. During the year 1925-26, 31 officers and 471 subordinates passed their examination in the several courses.

(d) Government have no information. I may inform the Honourable Member that the passing of the examination is a qualification for promotion to or confirmation in the posts of various grades, but promotion is not guaranteed as soon as the examinations are passed. Promotions are made as vacancies occur taking all the various qualifications of individuals into account.

COURSES OF INSTRUCTION GIVEN ANNUALLY AT SCOTLAND YARD TO OFFICERS OF THE INDIAN POLICE.

835. ***Khan Bahadur Sarfaraz Hussain Khan:** (a) Is it a fact that the Government of India make arrangements for attendance at the courses of instruction on the methods of investigation given annually at Scotland Yard, by the officers of the Indian Police who have got their homes in Great Britain and are on leave there?

(b) Do Government propose to give some facility for attending such courses to Indian officers of the Indian Police who have not got their homes in Britain and cannot consequently be on leave there?

(c) If the answer to (b) be in the negative, will Government please state the reasons?

(d) Does this qualification of having attended such courses in any way affect the promotion of the Police officers?

The Honourable Sir Alexander Muddiman: (a) The Government of India arrange for the attendance at these courses of those senior officers of the Indian Police Service, i.e., officers of the rank of Superintendent and upwards, who desire to attend them while on leave in England and are recommended by their Local Governments.

(b) and (c). Indian officers of the service are afforded the same facilities for attending the courses as European officers, and one has in fact taken advantage of them. There is no proposal before Government for providing additional facilities to Indian officers as no occasion has hitherto arisen for doing so.

(d) The fact of having attended the course gives no special claim to promotion, which depends solely on an officer's efficiency.

UNUSED RETURN TICKETS OF HAJ PILGRIMS.

836. ***Khan Bahadur Sarfaraz Hussain Khan:** (a) Will Government please state the number of the pilgrims to Mecca who did not use their return tickets on their way back?

†Mr. Sukumar Sen Gupta, Bengal.

(b) What have been the amounts of the fares on such unused return tickets?

(c) Do Government propose to make rules by which the unclaimed passage money or deposits may be applied for the benefit of the pilgrims? If so, when? If not, why not?

Mr. J. W. Bhore: (a) and (b). It is presumed that the Honourable Member's inquiry relates to the pilgrim season of 1926. The information is not available but has been called for from the Governments of Bombay and Bengal. It will be supplied to the Honourable Member when received.

(c) Rules to this effect have already been made by the Government of India and were published with Education, Health and Lands Department Notification, No. 1794, dated the 15th December, 1926.

Mr. K. Ahmed: Is it not a fact, Sir, that the Honourable Member gave the same answer last Session at Simla without giving us the number of pilgrims who either died or did not use their tickets?

Mr. J. W. Bhore: I have not the faintest recollection, Sir, but I shall look into it.

Mr. K. Ahmed: Do Government propose for the benefit of the public not to break their promises?

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

887. ***Khan Bahadur Sarfaraz Hussain Khan:** (a) Have Government received any reply from the Secretary of State for India on the question of the extension of Reforms to the North-West Frontier Province?

(b) If so, do they propose to communicate it to the House?

The Honourable Sir Alexander Muddiman: I have nothing to add to the statement I have already made on the subject on the 16th February, 1927.

RELATIONSHIP EXISTING BETWEEN INDIA AND THE VARIOUS PARTS OF THE EMPIRE.

888. ***Khan Bahadur Sarfaraz Hussain Khan:** (a) Will Government please state the views recorded by the Imperial Conference, Rugby, as to the relationship existing between India and the various parts of the Empire?

(b) Have they proposed any change in the existing relation?

The Honourable Sir Alexander Muddiman: (a) and (b). The Honourable Member is referred to the Report of the Inter-Imperial Relations Committee, a copy of which is in the Library of the House.

Mr. M. S. Sesha Ayyangar: Sir, with reference to my question No. 839 I find that there is a mistake in printing. The word "servants" has been omitted after the word "Government" in the second line.

The Honourable Sir Alexander Muddiman: Unfortunately, Sir, I am answering the question as printed.

CONTRIBUTIONS BY GOVERNMENT TO THE KHADDAR FUND.

889. ***Mr. M. S. Sesha Ayyangar:** Will the Government be pleased to state whether Governments are precluded from contributing to the *khaddar* (*khadi*) fund, and if so, why?

The Honourable Sir Alexander Muddiman: The powers of expenditure of Governments in India are defined in the Devolution Rules and certain restrictions are also contained in the canons of financial propriety which are to be found in the Statutory rules regarding the Auditor-General in India. It is for the Finance Departments of Governments in the first place, and subsequently for the Audit Department to decide whether expenditure on a particular object is proper.

Mr. M. S. Sessa Ayyangar: Will the Government be pleased to state whether in their opinion the *khaddar* movement is political or economic?

Mr. President: It is a matter of opinion.

OPENING OF POST OFFICES AT LAWALUNG, BHARKATTA AND OTHER
IMPORTANT PLACES IN THE HAZARIBAGH DISTRICT.

840. ***Mr. Ram Narayan Singh:** (a) Is it a fact that in establishing post offices in muffasil areas, the Government consider only the administrative and commercial advantages accruing therefrom and no attention whatsoever is ever paid to the people's conveniences?

(b) Are Government aware that in almost all the five districts of the Chota Nagpur Division, the number of post offices is not enough and that from some of the post offices, the postmen have to travel about 30 miles to deliver letters and other things in one particular direction?

(c) Do Government propose to draw the attention of the local officers there to see to these grievances of the people and to take steps to open post offices at Lawalung, Bharkatta and other important places in the Hazaribagh District and also throughout the division in the near future?

Sir Ganen Roy: (a) No. The Honourable Member's attention is invited to the replies given to parts (f) and (g) of Nawab Sir Sahibzada Abdul Qaiyum's question No. 607 on the 25th February, 1927, and to parts (h) and (i) of Mr. D. V. Belvi's question No. 627 on the 1st March, 1927.

(b) With respect to the number of post offices, Government has no information that the case is as stated. Some village postmen have beats extending about 30 miles, as the total number of postal articles received for delivery in their beats is very small.

(c) The question of extending postal facilities in this area has already engaged the attention of the local officers. Government understand that several post offices have been opened therein during the last two years and that endeavours are being made to open as many more as possible, including one at Lawalung, but that the amount of postal business offering is small. A post office has recently been opened at Bharkatta.

Mr. K. Ahmed: Are the Government of India aware that the number of postmen in the provinces, particularly in Bengal, under the control of the Postmaster-General, Bengal and Assam, and under the Department of my Honourable friend, is much less and that owing to the small number of postmen being appointed to the cadre of sub-post masters in several areas, letters and pamphlets from Honourable Members during the last election did not reach their destination, and the electors were very much disappointed?

Sir Ganen Roy: I have no information on the subject, Sir.

Mr. K. Ahmed: Is it not a fact, Sir, that the Honourable Member's Department received instructions from the Central Office, Calcutta, as to whether they should appoint more men because the demand was so great?

Nawab Sir Sahibzada Abdul Qaiyum: With reference to the reply to my question put the other day to which reference has been made by Sir Ganen Roy just now, I do not think the reply of the Honourable Member to my question was complete.

Mr. President: The Honourable Member may put a supplementary question if he wishes. He is not entitled to argue.

Mr. K. Ahmed: Do Government, Sir, for the benefit of the public, just like the Governments in other countries with regard to their post offices, propose to take steps to expedite the matter of starting more post offices in the rural areas and appoint more postmen?

Sir Ganen Roy: We are extending the number of post offices all over India and increasing the staff.

Nawab Sir Sahibzada Abdul Qaiyum: Can you do away with the guarantee, and, if so, under what circumstances? That is the question which I should like to ask the Honourable gentleman.

Sir Ganen Roy: I should like to have notice of that question.

Mr. K. Ahmed: In view of the fact that the Department of my Honourable friend particularly should set an example, and in view of the fact that he is not familiar with the inconveniences which have been felt in this Department by his postmasters in the rural areas, do Government propose either to put a stop to the Department altogether (Laughter), or to take speedy steps to meet the grievances of the people?

THE GENERAL BUDGET—LIST OF DEMANDS.

SECOND STAGE.

Expenditure from Revenue.

DEMAND NO. 28—EXECUTIVE COUNCIL.

Mr. President: The House will now proceed to consider the Demands for Grants, and in doing so, will take up the head, Executive Council, first in accordance with the arrangement that has been arrived at between the Government and the non-official Members.

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

"That a sum not exceeding Rs. 60,000 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 the 'Executive Council'."

Mr. M. E. Jayakar (Bombay City: Non-Muhammadian Urban): I move, Sir:

"That the Demand for Rs. 60,000 under the head 'Executive Council' be totally omitted."

I have proposed this cut, Sir

The Honourable Sir Basil Blackett: I should like, Sir, before that motion is moved, to ask your ruling as to whether that motion, being absolute negative, is in order. I would submit, Sir, for the convenience of the House that it would be preferable that a motion which is an absolute negative, or a practical negative such as a motion to leave only one rupee in a total of Rs. 60,000, should both be regarded as equivalent to a negative, and that a discussion need not be raised on them in view of the fact that it can be raised on the motion as it stands by rejection of the motion as a whole.

Mr. M. R. Jayakar: I submit, Sir, that the form of the motion is perfectly in order. We are governed in this connection by the actual words of the Government of India Act, the Standing Orders and the Legislative Rules, and I would ask your attention, Sir, in this connection to the several provisions which deal with this point. First of all, section 67-A of the Government of India Act, at page 71 of the Manual, deals with this question, and you will find, Sir, in section 67-A all the provisions dealing with the Indian Budget. Clause (6) of that section provides as follows:

"The Legislative Assembly may assent or refuse its assent to any demand or may reduce the amount referred to in any demand by a reduction of the whole grant."

My submission, Sir, is first, that the form in which I have given this motion falls within the words "refuse its assent to any demand". I am practically asking the House to refuse its assent to the total Demand.

Mr. President: That can be done by opposing the grant. These words do not create a right to give a negative motion.

Mr. M. R. Jayakar: If that is your view, Sir, then I submit that the motion falls within the words "may reduce the amount referred to in any demand by a reduction of the whole grant"; and I submit, Sir, that the Legislature is given the power of reducing the whole amount, and it is a form of reduction. No doubt in many cases the reduction takes the form of partial cuts, but the rule provides also for an entire cut by reason of the words "by a reduction of the whole grant". I submit, Sir, that the words are perfectly clear in this connection. This is made further clear, Sir, if you turn to page 119 of the Standing Orders where Standing Order 72 is worded as follows (it is in Chapter XI which deals with the Budget). Standing Order 72 reads as follows:

"If notice of a motion to omit or reduce any grant has not been given", etc.

You there find, Sir, two kinds of motions referred to, a motion to omit a grant or reduce a grant. Therefore, it is perfectly clear that the Standing Orders take notice of a motion to omit a grant, and they provide by implication that such motions are within the contemplation of the Legislature.

Mr. President: Is the Honourable Member aware of the past history of this question. I do not know if he knows that the rule which permitted motions for total omission of grants has been deliberately amended last year in accordance with the recommendation of the Muddiman Committee.

Mr. M. R. Jayakar: Well, I am aware of the debate which took place some days ago during the present Session, but I am not aware of anything which took place in the last Assembly of which I did not happen to be a Member, but I think that the Government of India Act, section 67-A, to which I have called your attention and which is really the governing section in this connection, is perfectly clear . . .

Mr. President: I agree with the Honourable Member that if the interpretation he puts on section 67-A is correct, his motion is in order. The result of such an interpretation would be that the Chair would have to rule out all amendments for smaller cuts.

Mr. M. R. Jayakar: I submit, with great respect that the insertion of the word "may" provides against the ruling out of small cuts. The word "may" gives the option to this Assembly either to make partial or entire reductions according as it thinks desirable. That is the force of the word "may". I submit that the word "may" means that in these cases where they think it desirable the Legislature may reduce the amount of any Demand by a reduction of the whole grant.

Mr. President: If the Honourable Member will turn to section 72-D, he will find there that specific provision is made to permit motions for smaller cuts in the Provincial Councils.

The Honourable Sir Alexander Muddiman (Home Member): Sub-section (2) of section 72-D, at the end of the paragraph. If my Honourable friend has got the red book, he will find it on page 102.

Mr. M. R. Jayakar: The words are these: "may reduce the amount therein referred to either by a reduction of the whole grant or by the omission or reduction of any of the items of expenditure of which the grant is composed." My submission, Sir, is that no doubt both the alternatives included in the word "may" are specifically stated in this section, but that the same is the meaning which the word "may" conveys in the section of the Government of India Act. After all, we have got to interpret the word "may". Several alternatives are expressly stated in section 72-D, to which you have called my attention, Sir. But I submit that the same interpretation arises in connection with the Government of India Act, section 67-A.

Mr. President: The word "may" occurs in both the sections. I am afraid, if the interpretation which the Honourable Member now wants the Chair to put on section 67-A is upheld, no motion for a smaller cut would be permissible and the Assembly would be restricted to a motion for the omission of the whole grant.

Mr. M. R. Jayakar: I submit not, Sir, and for this reason that the Legislative Assembly may refuse the amount referred to in any Demand by a reduction of the whole grant. That means that the reduction of the whole grant is one of the ways provided for. The words of the section are very clear.

Mr. President: Any other way is not provided for in section 67-A as in section 72-D.

Mr. M. R. Jayakar: Other ways are no doubt specifically provided so far as provincial Councils are concerned, but that does not affect my argument that the reduction of the whole grant is expressly provided for by the very words of the section in the Government of India Act.

Mr. President: That is not the only thing material. The position is this. If I were to uphold the Honourable Member's contention, it would lead to an absurdity, namely, that the Chair would have to disallow all motions for smaller cuts. This is a very important point and I should like to give my considered ruling for future guidance. The point was raised by the Home Member the other day in connection with a similar

[Mr. President.]

motion on the Demand for the Railway Board. I have given further consideration to the matter since and I have also ascertained the practice of the House of Commons on the question. It seems to me that the words in section 67-A of the Government of India Act "may reduce the amount referred to in any demand by a reduction of the whole grant", though somewhat misleading, cannot bear the interpretation that the Statute specifically permits motions for the omission of the whole grant. If that were so, it would lead to the absurdity that no motions for smaller reductions could be entertained. I think the words "reduction of the whole grant" is apparently intended to convey the distinction between reductions proposed in items included within the grant and reductions proposed in the total of the whole grant. This is made clear by section 72-D, subsection (2) of the Act, which provides that the Provincial Council may reduce the amount therein referred to either by a reduction of the whole grant or by the omission or reduction of any of the items of expenditure of which the grant is composed. I find that similar language is employed in the procedure of the House of Commons. I confess, however, I do not understand why the same words were not used in section 67-A. But, however this may be, the central principle seems to me that motions for the omission of the entire grant are not contemplated by the Act or by the rules as they now are. My ruling, therefore, is that no motion for the omission of a whole grant, either in the Railway or General Budget, is admissible.

There is one other point raised by the Finance Member, namely, that a motion which leaves a rupee or less in a total Demand of several thousands should also be disallowed on the ground that it is a practical negative if not an absolute negative. The other day the Chair allowed a motion to bring down the Railway Board grant to Rs. 100, but no objection was raised by the Finance Member then or by any other Member of the Government on that occasion. I think that all motions for the reduction of a grant, no matter what the amount is, are technically in order unless they take the form for the entire omission of the whole grant. I find no justification for making any distinction between a motion for a cut of Rs. 100 or a motion for a cut of any lesser amounts. I therefore rule that all motions for a cut of one rupee or less which are down on the paper are in order. The difficulty, however, is which of them the Chair should select for the purposes of this debate on the constitutional issue. There are several motions put down on the paper in this connection. Of course, the first three motions, one by Mr. Jayakar, another by Sir Hari Singh Gour and the third by Lala Lajpat Rai, are all for total omission and therefore out of order.

Sir Hari Singh Gour (Central Provinces Hindi Divisions: Non-Muhammadan): I may be heard on my motion.

Mr. President: That motion is for the total omission of the whole grant.

Sir Hari Singh Gour: I submit, not, Sir. I have particularly stated in my amendment that the Demand under the head "Executive Council" so far as it is votable be omitted.

Mr. President: The Honourable Member cannot bring forward any motion for any item which is non-votable. The Honourable the Finance

Member has made a demand of Rs. 60,000 which is votable and the Honourable Member from Nagpur has a motion to omit that Demand. Whatever the words used, the motion in substance is one for the total omission of the whole grant. The ingenuity of the Honourable Member in selecting the form of a motion cannot change its substance.

There are four other motions on the paper intended to raise a general debate on the constitutional issue. They are to cut down the grant to one rupee, pies 6, pies 3 and pie one, and stand in the names of Mr. Jayakar, Mr. Kelkar, Mr. Srinivasa Iyengar and Mr. Acharya, respectively. The Chair feels that with a little more cohesion and a certain amount of co-ordination on the part of the two parties who desire to raise this debate, it would have been possible to select who amongst them was to lead the debate and to put down one agreed motion in his name. As it is, the Chair is left to its resources without any help from the Honourable Members to select one out of these four motions for the purpose of to-day's debate. Ordinarily, a motion involving the largest cut is taken up first. But in this case, the Chair is inclined to think that Mr. Jayakar is entitled to raise the debate as he was the first to give notice of his motion with the deliberate object of raising the constitutional issue. It is not clear and it is difficult for the Chair to understand why other Honourable Members subsequently gave notices of motions when Mr. Jayakar was already in the field for the same purpose. I therefore call upon Mr. Jayakar.

The Honourable Sir Basil Blackett: May I raise another question in regard to what I may call these derisory cuts. You have quite rightly referred to the fact that such a cut has been made on the Railway Grant and has 'been' admitted. I would respectfully submit that motions for complete rejection have been admitted previously, and we are now improving on that practice by the ruling which you have given that such motions are to be treated as mere negatives. I would suggest that we should improve on our practice by the further step that derisory cuts, which leave almost nothing, are also practically negative and therefore the same point can be raised by a rejection of the original motion. Also, in the interests of the House, I would submit that the first cut should not be of such size as to rule out other Members from moving other cuts which have reference to some smaller point than the big constitutional point, and I would submit for your consideration that it is in the interests of the House that a convention should be established that no cuts should be of such size as to debar all other motions.

Mr. President: I have considerable sympathy with the view expressed by the Honourable the Finance Member, and would suggest to Honourable Members on this side of the House to consider whether they should not restrict their motions to a cut which leaves at least Rs. 100 on which other motions could be discussed. However, it is a question for the future and the establishment of a convention of the kind suggested depends upon the co-operation of all parties in the House.

Attitude of the Government in regard to the constitutional issue.

Mr. M. R. Jayakar: Sir, I feel very thankful that you have given the opportunity to me to raise what may be regarded, in the parlance of this House, as a constitutional question. But in doing so, I shall simply regard myself as the spokesman for the moment not of a narrow party but of the non-official Benches on this side, to represent, what the feeling in the country has been with reference to the conduct of Government

[Mr. M. R. Jayakar.]

over the constitutional issue. The question I propose to raise is with reference to the conduct of Government for the last three years in connection with the demand which was made on the floor of this House in a Resolution tabled by way of an amendment by the esteemed Leader of the Swaraj party, Pandit Moti Lal Nehru, in February 1924, and which was passed on the 18th February of that year, that, Sir, was a specific demand for the consideration of the constitutional issue, inasmuch as it asked the Government to summon a round table conference, to devise a scheme of constitution for India, with due regard to the rights of minorities, and after dissolving the Legislature of that year, to place the scheme before a newly elected Legislature and to submit the same to the British Parliament to be embodied in a Statute. That was the position which the non-official Benches occupied during that year. I may say, Sir, from my knowledge of the feeling in the country in that year, that the Swarajist Leader was then representing, in a modest form, the feeling of the country with reference to this important question. We had great opportunities during that year to ascertain the feeling of the country and I can say, with all the emphasis at my command, that the demand made on the floor of this House by the esteemed Leader of the Swaraj Party did not exaggerate, even by an iota, the feeling of the country in 1924. But in politics, Sir, we learn better experience and grow wiser, sooner than elsewhere, and so the Nationalist Party in the country, after the experience of one year, deliberately, and with a view to arrive at some common understanding with the other patriotic elements in this House, modulated their demand still further in 1925. This modification, Sir, was the outcome of the experience which the Nationalists in the country had gathered during the year 1924. Not that in 1925 their patriotism was less keen or their feeling was less intense, but in order to arrive at an understanding with the other elements in the House whose co-operation they desired they lowered their demand. So we find that on the 7th September 1925 Pandit Moti Lal Nehru's amendment took a milder form. He made his proposal in two parts; the first part recognised in a manner the right of the British Parliament to make a declaration, which right his first demand of 1924 had ignored. He was agreeable in 1925, that Parliament should make a declaration embodying certain changes—constitutional changes—in the existing scheme of Government.

The Honourable Sir Alexander Muddiman: His Majesty's Government should make a declaration in Parliament?

Mr. M. R. Jayakar: Yes, His Majesty's Government were to make a declaration in Parliament embodying certain changes, which experience had taught us were necessary in the present form of government. Those changes were specifically stated. Briefly put, they were these that the principle of representation should be introduced in the Central Government, except in the departments of military and foreign and political affairs, and that dyarchy should be abolished in the provinces. That was the form of Pandit Motilal's amendment in 1925. I submit, Sir, from my knowledge of the circumstances of the country then that his modified demand represented the lowest that the country demanded in the way of amending the present constitution. His amendment, Sir, went further and suggested, as one expedient, the holding of a round table conference, to which method alone he had confined his amendment in the year 1924. A round table conference "or other suitable agency" was asked for during the year 1925. In that form it had the effect of

bringing together all the Indian elements in the House and giving them a chance of discussing this question. This "agency" was to speedily set up a scheme of constitution, to be placed before the Legislative Assembly without fresh elections and later on to submit it to Parliament to be embodied in a Statute. Again I submit, Sir, that this was a very reasonable and modest demand made by the people on the floor of this Assembly. The Government met it, so far as one can gather from the proceedings, with a departmental inquiry. They gave us stones for bread if I may say so. We wanted a round table conference to be called or similar machinery to be instituted. Instead of that we were asked to be content with a departmental inquiry presided over by the Honourable the Home Member

The Honourable Sir Alexander Muddiman: I do not know if the Honourable Member is referring to the debate in this House on the 8th September 1925?

Mr. M. R. Jayakar: I am referring to September 1925.

The Honourable Sir Alexander Muddiman: That was a debate on the result of the departmental inquiry.

Mr. M. R. Jayakar: I am thankful for the correction. I say, Sir, we were asked to be content with a departmental inquiry. Then that departmental inquiry went on and we were told that it would give us practically everything we wanted. Our representatives in this House pointed out that the terms of reference of that inquiry were inadequate. Time after time it was pointed out to Government that the terms of reference were not so wide or inclusive as to give us what we wanted. However, our protests went on unheeded, the departmental inquiry took place and brought out its report. What did that report say? It is now a matter of history. I was in the Bombay Council at that time. It gave us certain transferred departments in the provinces. We were looking forward to something substantial in Bombay, for instance, that Land Revenue would be transferred or parts of Law, Justice and Police would be transferred. We thought that some department would be transferred where the people could learn a little more responsibility, a little more self-reliance and self-control. What did we get? Boilers and Gas. These were the two things transferred. Just as if there was not enough "gas" on the non-official Benches, more gas was transferred, and just as if there was not enough "boiling" in the country more boilers were transferred to us. The result is that in the provinces, a ridiculous form of government called "dyarchy" was kept intact. I come from a province, Sir, where this form of government, against which our protest has been levelled time after time, and which is based on what Mr. Das described in his Faridpur speech as a distrust of the Ministers, still continues. Time after time we have raised protests against this form of government, but it still goes on as merrily as ever. I remember a lady friend of mine who often sat in the visitor's gallery of the Bombay Council, listening to our speeches, and viewing with considerable compassion and sympathy our struggle to get rid of this form of government. She is a very intelligent graduate of the Bombay University, and after watching our struggle for about two weeks, she said to me: "Jayakar, I can fully understand your dyarchy, and can describe it well in feminine language, in the following terms." I shall reproduce her description for the information of the Honourable the Home Member. She said, "It is as if a husband and wife began to keep house together. The wife said to the husband: 'My dear, the three hundred rupees a month which you get we shall divide

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between us into two distinct parts, the proportions of two and one. You will keep the one and I will keep the two. I will employ all the servants, I will look after their trapping, their pomp and pageantry, their gold-laced clothes and red coats. I will spend out of this amount for my boudoir, for my *kesharanjan* oil, my garments. You must within your Rs. 100 manage all the 12 children we have contributed to bring into this world. You must manage their education, their building up, their health, their hygiene, everything relating to their well being. The servants I shall always employ. They will not be amenable to your behests. Woe to you if you touch a hair of their head. If you even say a harsh word to them, they will complain to me, as a court of appeal over your orders. You have no power to reduce their salaries." And, Sir, the last and the most irksome stipulation was, that the husband was always to wear a cheerful and contented look, whenever the couple appeared in society. Their responsibility was joint and undivided. He was never to complain to the outside world of his fate. My lady friend said to me, Sir, "this is your dyarchy." I recommend her description for the consideration of Government. Our grievance to-day is this, that the Government have been time after time raising hopes and making promises about improving the constitution which they have been breaking with the utmost unconcern. The last of such breaches was enacted in the course of this year in two most flagrant ways. The Government have gone on toying with public feeling in a callous way. While the majority of the Muddiman Committee transferred Boilers and Gas, the minority opined that dyarchy was absolutely unworkable, that it had yielded bad results, and was not capable of useful amendments. The Government have had this report before them for a long time. What action have they taken? None at all so far. They have kept on feeding the country on false hopes and false promises. They have gone on saying, "Oh, we want more co-operation." More co-operation, indeed! Their appetite grew on what it fed on. The more co-operation the people gave the more co-operation was wanted. Time after time the Secretary of State said, in anaemic tones "more co-operation". Mr. Das in reply made a powerful speech in May 1925. He spoke from a pedestal unique in its character. He held a unique position in the country at that moment, as the trusted, esteemed, and devoted leader of the Swaraj Party, the one man in the country who could deliver the goods, the one man in the country who had the vision, in the midst of universal gloom, to dream of better days, the one man in the country whose culture, knowledge, sacrifice and acquaintance with the country's affairs made him singularly fitted to offer terms to Government. But Government did not seem disposed to treat him seriously or give him the confidence or response which was his due. I can quite picture what humiliation that great man must have felt in finding that the offer he had made to Government in response to the words of the Secretary of State was flung back on his face. I knew him well, and I know what visions he saw for this country. I am able to look at his offer from the background of my personal knowledge of his great dignity and pride. I know well what wisdom, most modestly displayed, was contained in the offer which he made to Government not without great humiliation. Sir, in his Faridpur speech he held out an invitation to Government. He said:

"The basis of the present Act is distrust of the Ministers and there can be no talk of co-operation in an atmosphere of distrust. At the same time I must make clear my position I hope at the Bengal Provincial Conference"

12 Noon.

—now look at the way he put his terms, Sir—

“that provided some real responsibility is transferred”

—what could be more modest than that—

“provided some real responsibility is transferred to the people there is no reason why we should not co-operate with the Government.”

If the Government had any imagination, a quality of which they seem to divest themselves in India, they would have seen that in making this offer the Leader of the national movement, who gave up a coveted practice at the Bar and at one time went about the country telling the people to take their hands off the Government machine, was staking everything that he held dear in his public life. I say again with all the emphasis at my command that if the Government had any imagination left in them they would have assessed at its adequate worth this offer made by Mr. Das. Flushed as the Government are with their present power I ask my Honourable friend the Home Member, could the national demand have been stated in a more reasonable or modest manner than Mr. Das did. Mr. Das went on to state:

“But to make this co-operation real and effective two things are necessary. First, there should be a real change of heart. Secondly, that in the fullest sense Swaraj must be guaranteed to us to come automatically in the near future.”

How did the Government treat this offer of Mr. Das? With contempt, with absolute indifference. No steps were taken in response to Mr. Das's efforts, nor have any been taken since then. The Swaraj Party have given since further indications of their desire for honourable co-operation. I say, Sir, that so far as it is possible for reasonable, courageous, patriotic and self-respecting men to offer indications of honourable co-operation, even the Swaraj Party have done it. They put one of their best men in the Chair, which you occupy. Sir, some of them, like my esteemed friend to my left and my two other esteemed friends behind me, at the cost of great popularity, and on pain even of their being divorced from their life-long friends and esteemed associates, professed openly the view that they were prepared to co-operate with Government on even terms. The Honourable the Home Member cannot be unaware of the great furore created in the country in November 1925 when a few bold spirits amongst us at the risk of being regarded as placehunters, even as sycophants—and I can recall vividly the bitter calumnies and abuse which were heaped over the heads of my friends and of myself—took all risks, because they felt that the country needed that a courageous lead should be given to the view that, bad as the situation was, we should make the best of it, rather than allow the Government to use it as a means for strengthening their position. We therefore went the length to separate ourselves, because of our sentiments, from our esteemed colleague sitting on our right to-day, and we started a campaign in the country, plainly stating in so many words that if sufficient responsibility, initiative and influence were given to Ministers in the Provinces we were prepared to accept office. We have had to face ridicule and contumely in consequence. We are here to-day, Sir, not as armchair patriots nursed in the luxury of their beliefs. We are here as men who have gone through the fire of a bitterly adverse agitation and comment. We have faced them, and do still face them, because we feel that the good of the country lies that way. Our friends to our right differ from us on this principle. But whatever our difference on this question, we all stand to-day in the country with this one feeling actuating

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all of us, that the Government, Sir, in the intoxication of their present strength are ignoring all the signs of the times. I ask the Honourable the Home Member what further signs of co-operation does he expect from a sullen and patriotic people, smarting under their wrongs. But we have, Sir, moved further than a few months ago. One has only to look at the way the Indian National Congress framed its resolution at Gauhati last year. In a matter of this kind it is very easy to pick holes. I am sure the Honourable the Home Member will trot out a speech here or a sentence and clause there, and say "this is not co-operating with Government". He does not expect honourable and self-respecting men to behave differently. They have their commitments, they have their people behind them. But I repeat, Sir, that so far as it is possible for honourable and patriotic men to give indications of a desire to come to terms they have shown that they are prepared to meet Government half way. I say that even the Indian National Congress has given such indications. I will ask the Honourable the Home Member to peruse the resolution of the Indian National Congress. I will ask him as an Englishman aware of the past history of his own country and of the ways of a proud people to read the whole of that resolution from end to end and then to tell me whether there are not indications even in that resolution, passed with all the difficulties that my revered friend Pandit Motilal Nehru had to contend against at that Congress, that he has stepped one inch forward to evince his desire to arrive at an honourable solution of this vexed question.

And now, Sir, coming to the last stage, of my narrative, I ask Government to look at the behaviour of the Congress Party here. We have had an opportunity to watch it for six weeks. Without in any way exaggerating events may I say that they have behaved in a responsible manner—with as much responsibility as was possible in the face of a great provocation to behave otherwise. Government on the other hand have not yet given up their old ways. Take only one instance, Sir, which was very provoking. The Finance Member would allow me to refer to it. It happened yesterday. Grave charges were made against him in the course of yesterday's debate. Of course I did not take part in it because I was frightened by Mr. Jinnah's attack on experts and was afraid that if I spoke I would be taken for an expert. But what was the charge made against the Government which has not been replied to? That charge was as serious as it could be, namely, that the Government were showing false surpluses, deliberately creating false balances, heavily heaping up military and other expenditure under the guise and concealment of an inflated ratio. That charge, I submit, Sir, in all confidence, the Honourable the Finance Member should have openly met in this House in his reply. All civilized Governments have a grave duty, graver than anything else, namely, to sustain their reputation. I should have thought that a charge like that of positive dishonesty would have been met yesterday in open House.

The Honourable Sir Basil Blackett: I should like to point out to the Honourable Member, if I may be allowed to intervene, that that charge was specifically made in the course of the debates on the Budget both in this House and in another place and that I made a reasoned reply to it in the other place which was in the hands of all Honourable Members before the charge was repeated in this House.

Mr. M. R. Jayakar: I submit, Sir, that that was insufficient. If this side of the House makes charges with all deliberation and all the responsibility which it can command the Government must meet these charges for their own sake. I know how difficult it is for us to feel a sense of responsibility, under the present conditions of our existence in this House. I will go so far as to forgive any kind of irresponsible speech on these Benches, because the constitution as it exists does not evoke any sense of responsibility on these Benches. But irrespective of that feeling, when certain grave charges were made from these Benches any Government which put its reputation before its votes, any Government which valued its reputation in the country, which after all must be the ultimate basis of its rule here, would have met those charges in a satisfactory manner. face to face with us in open House. There were many of us waiting to know exactly what the Honourable the Finance Member had to say against the charges made by several Members. They quoted figures pointing out that what seemed to be a surplus was really a deficit and what seemed to be a saving or retrenchment was really luxury and extravagance. I am always reminded, Sir, when I hear that word "retrenchment", spoken in this House, of a few lines from Rudyard Kipling I learnt years ago. I shall quote them here for the benefit of my Honourable friends opposite. In anticipation as it were of the present attitude of the Government of India, he wrote years ago:

"Retrenchment, retrenchment oft we swore;
But did we mean it when we swore?
And then and then we wandered to the Hills
And the little less became much more."

I say, Sir, the Finance Member gravely erred in not making a reply. Another grave wrong was done to this side, as was pointed out by my Honourable friend, Mr. Rangaswami Iyengar, in the course of the Budget debate. He showed how in the course of this year, so far from there being any trust and confidence shown towards the popular representatives, the official tide ran the reverse way. The Government of India Act has been amended—those sections which relate to the salaries and pensions of covenanted servants—sections 72D and 67A. Now not only are the salaries and the pensions of such officers are untouchable as they always were—we used to call them in the Bombay Council the untouchable classes—but all allowances, expenses, etc., connected with them are rendered untouchable under the amended Act. It was possible under the old section to denude an officer of his establishment, his expenses and allowances, all that could be done at one time in order to mark the displeasure of the Legislature. We tried that in the Bombay Council very successfully twice or thrice and our President ruled that that could be done under the Government of India Act. Promptly, Sir, the Government of India Act is altered; and now many expenses and allowances relating to such officers, beyond their pensions and salaries including I am sure their children's expenses, ayahs' expenses, and those relating to the window-dressing of these covenanted officers are made non-votable. Is this an advance in the direction of co-operation, trust or confidence? I ask the Honourable the Home Member. The result is that in this year's debate alone nearly Rs. 50 lakhs have been taken out of the purview of all effective control of this House.

I can go on multiplying instances after instances of such increasing distrust of this Legislature. I do not wish to entrench on the courtesy of

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this House by detaining it longer. The gravamen of my charge is this: that Government are not playing the game. They are asking the people in one breath to trust them, to rely on their *bona fides* and good intentions, and while doing so they are taking advantage of the depressing mood of the people, divided as they are, to heap more insults and injuries on the people, and to make their own position stronger and stronger in the same proportion as the people have grown weaker. So far from going in the direction of co-operation trust and confidence, in however small a measure, the tide has progressed the other way; with the result that to-day we find that the Government of India is in the position of a strong man detested by his dependents, and distrusted by all who have dealings with him. I will not, Sir, use stronger expressions—I will repeat that while the people have been lulled by this vapid talk of co-operation, the Government have gone on quietly seeking every opportunity to make their position stronger and stronger as a provision against future contingencies. Even this House the Government are turning into an unreality. We on these Benches, we do not feel that there is any reality in this House. Our yearly criticism falls on deaf years. I am no doubt, Sir, as a Mahratta, accustomed to yearly prayers, to yearly pilgrimages ending in prayers; my ancestors have done it for years, they asked their god for more children; we ask for more power from our mute irreconcilable divinity. It is the same temperament of a worshipful priest, only we change our prayer and our divinity. The difference is that while my ancestors' divinity sometimes smiled once in many years and gave him a child, this divinity is absolutely implacable. Sphinx-like it sits silently looking on. How long is this to go on? I warn the Government, Sir, that the last point has been reached. Further co-operation is impossible under the circumstances. If the Government do not yield even now, we shall have to turn back and think of some other ways than co-operating with this Government. The one method allowed in this House in which our sense of great dissatisfaction and resentment could be brought to the notice of this House and the Government is by moving this cut as a vote of censure on the Government. I know we are powerless to do anything more because we are divided, because we are weak. But may I say in all seriousness to Government, "Beware of the weak man". I warn the Government that they are at present in the last stage of their unpopularity. I am therefore taking this opportunity of moving this cut and I wish the non-official Benches to support the same.

Mr. C. S. Ranga Iyer (Rohilkund and Kumaon Divisions: Non-Muhamadan Rural): Sir, I shall complete the last sentence of Mr. Jayakar because he left it rather incomplete. He talked of our weakness and warned the Government "Beware of the weak". Sir, that saying from the Mahabharata runs thus:

"Beware of the weak, for the tears of the weak undermine the thrones of Kings."

And now let me deal with the position of the Party to which I have the honour to belong. Sir, we believe that there is no use co-operating with a Government which is unwilling to co-operate with us. Sir, ever since the British people came to this country, long before the non-co-operation movement was launched, the politically-minded classes of this country offered them co-operation; and every time they gave them co-operation, they gave that co-operation as the subordinates of a foreign

government; and even that "subordinate-co-operation" was trampled under foot. Sir, was there a greater co-operator in this country than my leader Pandit Motilal Nehru? When Lokamanya Tilak, when Mr. Kelkar and others had unfurled the banner of extremism in this country, who does not remember, how things came to a head at the Surat Congress, when Sir Surendranath Banerjea proposed Sir Rash Behari Ghose to the Chair and Pandit Motilal Nehru seconded that motion? Then there was a split in the camp; and as Mr. Jayakar has reminded us, there is also a split in the camp to-day. But at that time Pandit Motilal Nehru was on the other side, much nearer to the Government than we are to-day. The great moderates of the Congress then, Pandit Motilal Nehru, Pandit Malaviya and others, tried to please the Government. They co-operated with the Government; they cajoled the Government; they flattered the Government; they almost went before the Government as the best type of co-operators that the Government could ever wish for. They almost went, as the extremists of Bengal described them, as mendicants; and what did they get? What did the politically-minded people of this country get for this policy of "mendicancy" as the so-called extremists in the country described it? They got the crawling lane of Amritsar; they got the Rowlatt Act; they got the jails and all that kind of thing.

This leads me to the present stage when the policy of non-co-operation was put aside for a while, when the Swarajists came to this House and offered their terms, when my leader said in that famous Resolution which was passed in this Assembly on the Round Table Conference, when he said that he was here to extend the hand of friendship, to offer the hand of co-operation, and that it was for the Government to accept that co-operation, what did Sir Malcolm Hailey say and what did his successor say or do? We did not ask for the moon. We did not even assert in this House the position of the Indian National Congress which wanted nothing less and nothing more than Swaraj—the right of the Indian people to set their house in order, our right even to commit mistakes as Englishmen have in England. We put before this House the least little position that has been taken by the least little moderate in the country. We were prepared for a transitional stage. We did not even ask for Dominion status. Give us provincial autonomy, give us responsibility in the Central Government—that is what we demanded. We did not ask for the whole hog. And how did the Government act?

There was neither a Round Table Conference nor any attempt to give us autonomy in provincial affairs. There was that extraordinary committee described as "the Muddiman Committee" (Laughter). That committee gave this country chaff and plaster, when it asked for good bread. (*An Honourable Member*: "Stones.") Not stones but serpents, prisons for patriots. Leading lieutenants of Deshabandu Das were stung and flung into prison. Resolutions were passed in this House asking for the release of these people put in prison without trial. Is there any country in the world where people are kept in prison for years without trial? Repeatedly we passed Resolutions in this House pressing for the release or open trial of these patriots, but the Government persisted in the attitude which students of history knew to be associated with the Government of the Czars. They deported the patriots of Russia into the marshes of Siberia and the patriots of India and of Bengal are now rotting in the marshes of Mandalay. If the Government were in a conciliatory mood, if they did not want to practise non-co-operation, if they did not want to treat the representatives

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of the Indian people just as an Officer of the Government treated the citizens of Amritsar by asking them to crawl through a narrow lane, if they did not want to deny us the treatment to which the representatives of the people were entitled they would have at least acceded to our one essential demand over which the public of Bengal and India are considerably exercised and released the political prisoners. It is not merely a question of constitutional reforms. It is a question of the liberty of the people of this country, the right to be tried before they are thrown into prison. This Government stands condemned.

I am sorry that even in the face of this appalling tragedy of Bengal and India which is enacted before our eyes the people of this country should be divided into parties. I would rather not condemn this Government but condemn ourselves and instead of appealing to the Government, I would appeal to Members on this side of the House to bury the hatchet and show to the Government that the steel frame could also be met by a steel front.

Mr. D. V. Belvi (Bombay Southern Division: Non-Muhammadian Rural): Sir, the motion which has been moved by my Honourable friend Mr. Jayakar is in imitation of a hoary convention of the British House of Commons. It seems to me that my Honourable friend Mr. Jayakar and his associates have some sort of faith in the reality of what is called the constitution of India. I am one of those who have always believed that what is given to us as a constitution is an absolute mockery, an absolute unreality. I have said so in my speech in the year 1924 and I do not think I need waste the time of this House in discussing the present position of the Indian parties so far as the so-called Reforms are concerned. What has been given to us in the name of political reforms is no reform at all. It is a sham thing. Its object is to delude the people of India into a belief that they had got real political rights. This system of diarchy or this system of a half-way house is a system which can only please children. In my capacity as a Member of this House during the last three years, I have observed that all that we have been taught is parliamentary phraseology without a real Parliament in existence in India. We have got all the terms of a Parliament here. We have got here a Speaker of the House who is called the President. We have got parties here, the Home Member and so on. We call the Members sitting on the opposite side Treasury Benches. All this is of great use in teaching us the language which is in vogue in really free and self-governed countries. When we wish to teach a child something, we purchase for the child a toy motor car or a toy railway carriage and then we explain to the child the various parts of the machine, such as the wheels, handle, etc. We are so taught here the various terms of British political phraseology. My contention has all along been that what is given to us is a thing which is extremely unreal. The so-called Reforms have been conceived in a very illiberal spirit and this is not the way in which political reforms have been granted to other parts of the British Empire. Britain has not proceeded to give self-government to other parts of the Empire in the way in which she has given India the so-called Reforms. If you turn to English political history what do you find? How was political liberty granted to Canada? How was it granted to South Africa and how was it given to Ireland? Do we find anywhere else a system of partial reform in a country which is under the banner of British protection? I do not find

that this unreal thing has been given to any other country, nor do I find any other country willing to accept such an unreal thing. I really wonder that my friends who call themselves co-operationists should have been willing to accept a little bit here or a little bit there. It is because we pitch our claims low that the British people are not willing to give us real reforms.

The present system of Government in this country is radically wrong. It is not responsible government at all. It is not a system of representative institutions. It is a thing which stands by itself in the category of political institutions. Now, I was saying that when political liberty was granted to Canada the thing was done in a different manner. In this connection I wish to invite the attention of the House to some passages from a well-known document, a document of very great political importance. I wish to invite through you, Sir, the attention of this House to the celebrated report of Lord Durham in connection with the grant of political liberty to Canada. I am quoting from Volume I of "British Colonial Policy" by Keith. I will read the necessary passages. This is what Lord Durham said:

"It is difficult to conceive what could have been their theory of Government who imagined that in any colony of England a body invested with the name and character of a representative Assembly, could be deprived of any of those powers which, in the opinion of Englishmen, are inherent in a popular legislature. It was a vain delusion to imagine that by mere limitations in the Constitutional Act, or an exclusive system of government, a body, strong in the consciousness of wielding the public opinion of the majority, could regard certain portions of the provincial revenues as sacred from its control, could confine itself to the mere business of making laws, and look on as a passive or indifferent spectator, while those laws were carried into effect or evaded, and the whole business of the country was conducted by men, in whose intentions or capacity it had not the slightest confidence. Yet such was the limitation placed on the authority of the Assembly of Lower Canada; it might refuse or pass laws, vote or withhold supplies, but it could exercise no influence on the nomination of a single servant of the Crown. The Executive Council, the law officers, and whatever heads of departments are known to the administrative system of the Province, were placed in power, without any regard to the wishes of the people or their representatives; nor indeed are there wanting instances in which a mere hostility to the majority of the Assembly elevated the most incompetent persons to posts of honour and trust. However decidedly the Assembly might condemn the policy of the Government, the persons who had advised that policy retained their offices and their power of giving bad advice. If a law was passed after repeated conflicts, it had to be carried into effect by those who had most strenuously opposed it. The wisdom of adopting the true principle of representative government and facilitating the management of public affairs, by entrusting it to the persons who have the confidence of the representative body, has never been recognized in the government of the North American Colonies. All the officers of government were independent of the Assembly; and that body, which had nothing to say to their appointment, was left to get on as it best might, with a set of public functionaries, whose paramount feeling may not unfairly be said to have been one of hostility to itself.

A body of holders of office thus constituted, without reference to the people or their representatives, must in fact, from the very nature of colonial government, acquire the entire direction of the affairs of the Province."

Now it may be said that we have got an independent statesman in India in the person of the Governor General. Lord Durham touches on this point and says:

"A Governor, arriving in a colony in which he almost invariably has had no previous acquaintance with the state of parties, or the character of individuals, is compelled to throw himself almost entirely upon those whom he finds placed in the position of his official advisers. His first acts must necessarily be performed, and his first appointments made, at their suggestion. And as these first acts and appointments give a character to his policy, he is generally brought thereby into immediate

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collision with the other parties in the country, and thrown into more complete dependence upon the official party and its friends. Thus, a Governor of Lower Canada has almost always been brought into collision with the Assembly, which his advisers regard as their enemy. In the course of the contest in which he was thus involved, the provocations which he received from the Assembly, and the light in which their conduct was represented by those who alone had any access to him, naturally imbued him with many of their antipathies; his position compelled him to seek the support of some party against the Assembly; and his feelings and his necessities thus combined to induce him to bestow his patronage and to shape his measures to promote the interests of the party on which he was obliged to lean. Thus every successive year consolidated and enlarged the strength of the ruling party. Fortified by family connexion, and the common interest felt by all who held, and all who desired, subordinate offices, that party was thus erected into a solid and permanent power, controlled by no responsibility, subject to no serious change, exercising over the whole government of the Province an authority utterly independent of the people and its representatives, and possessing the only means of influencing either the Government at home, or the colonial representative of the Crown."

I will read a few more lines, because all this is really applicable to the present political position in India.

Mr. K. Ahmed (Rajshahi Division: Muhammadan Rural): Not a bit of it.

Mr. D. V. Belvi: It is, the whole of it.

"This entire separation of the legislative and executive powers of a State is the natural error of Governments desirous of being free from the check of representative institutions. Since the Revolution of 1688, the stability of the English constitution has been secured by that wise principle of our Government which has vested the direction of the national policy, and the distribution of patronage, in the leaders of the Parliamentary majority. However partial the monarch might be to particular ministers, or however he might have personally committed himself to their policy, he has invariably been constrained to abandon both, as soon as the opinion of the people has been irrevocably pronounced against them through the medium of the House of Commons. The practice of carrying on a representative government on a different principle, seems to be the rock on which the continental imitations of the British Constitution have invariably split; and the French Revolution of 1830 was the necessary result of an attempt to uphold a ministry with which no Parliament could be got to act in concert. It is difficult to understand how any English statesmen could have imagined that representative and irresponsible government could be successfully combined. There seems, indeed, to be an idea, that the character of representative institutions ought to be thus modified in colonies; that it is an incident of colonial dependence that the officers of government should be nominated by the Crown, without any reference to the wishes of the community, whose interests are entrusted to their keeping. It has never been very clearly explained what are the imperial interests, which require this complete nullification of representative government. But if there be such a necessity, it is quite clear that a representative government in a colony must be a mockery, and a source of confusion. For those who support this system have never yet been able to devise, or to exhibit in the practical working of colonial government, any means for making so complete an abrogation of political influence palatable to the representative body."

Then, Sir, look at the history of South Africa. When self-government was granted to South Africa what do we find? I shall quote one or two sentences from the speech of the Right Honourable Winton Churchill who happened to be Under-Secretary of State for the Colonies in the year 1906. Here also it was proposed that partial self-government should be granted as an educative stage and not full self-government all at once. And this is what Mr. Churchill said:

"The system of representative Government without responsible Ministers, without responsible powers, has led to endless friction and inconvenience wherever and whenever it has been employed. It has failed in Canada, it has failed in Natal and Cape Colony. It has been condemned by almost every high colonial authority who has studied this question. I do not think I need quote any more conclusive authority upon that subject than that of Lord Durham."

So you see, Sir, that if Great Britain really wanted to give us political power we should have been given full self-government. I am quite content if the British Government were to make a public declaration to the world that it holds India simply by brute force, and that it will govern India as long as it can as a conquered country. It is much better to be told the plain truth, however unpalatable it may be to us. We shall be very sorry for some time, but at any rate we shall come to know what our real position is. Are we the subjects of His Majesty the King-Emperor of India, or are we not? If we are, we should be treated like the other subjects of His Gracious Majesty. If we are not, if we are to be treated always as a conquered people, let us be told so frankly. The British people do not say so. The British people always say and proclaim to the world that India is governed with the consent of her people, that India is a member of the League of Nations, one of the privileges of India is to contribute a large amount of money every year to the League of Nations. Another privilege is to send some men to the League. India does not really send these men, but the Government of India sends one or two men and they go there simply to swell the voting power of Great Britain. But how are we treated in the British Empire itself? (*An Honourable Member*: "As helots"). We have no right to go to South Africa, we have no right to go to Canada; you can go there if you like to live in the way that is prescribed for you. Much was made the other day of the "glorious" agreement that was arrived at in South Africa. There is no man who has got a shred of self-respect who will say that it is a glorious agreement and that it will do Indians any good. Go to any part of the British Empire—Australia, if you like, Canada if you like, South Africa if you please, you are treated everywhere as foreigners. It is because we are not granted real political power in our own country that we are treated so in the rest of the British Empire and in the rest of the world.

Then it is always trotted out that we are not competent yet to exercise political rights (*Mr. K. Ahmed*: "Quite right"), to enjoy self-government. (*Mr. K. Ahmed*: "Quite right.") It is said that responsible government is an exotic in India; it is a plant which cannot thrive here. That plant has to be acclimatised. All this, Sir, is very good phraseology. Are we savages, Sir? (*Mr. K. Ahmed*: "Yes.") *Mr. K. Ahmed* says that he is, but I am not. (*Mr. K. Ahmed* "Question") (Laughter). We are the descendants of ancestors whose name is a household word in the whole of the world. Representative government is not a thing which is new to India. If you are a student of ancient history, Sir, you will find that there were representative institutions in ancient India. But all this is ignored, and we are told that we must be taught how to exercise political power. It is said that we are irresponsible on this side of the House. What else can we be? We must be irresponsible because we know that we are not granted any responsibility whatever. Even if we throw out the whole of the Budget, it will be restored the next day; if we throw out a Bill, it will be restored by certification. If the British Government had been honest, it should have given us some real power; it should have given us a chance of showing that we can exercise real powers in a reasonable manner. The Government, I mean, the Cabinet, in this country is irremovable. Can there be an irremovable Cabinet with representative institutions and with responsible government? What is the essence of responsible Government? The essence of responsible government, in

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my opinion, is that those who exercise powers for the time being are removable from their places, if a majority of the representatives of the people is opposed to the views of the Cabinet. It is not so in India. You can go on passing hundreds of Resolutions in this House, but all they do, the gentlemen who are sitting on the Treasury Benches opposite, is simply to sit tight and laugh at us while we go on talking for hours and days together. We passed a Resolution the other day praying Government for the release of the Bengal detenus. How was the Resolution treated? With contempt; it was consigned, I am afraid, to the waste-paper basket. Yesterday the Home Member was pleased to say "I have already made my statement". That is the way we are treated in this country. Now we, on this side, are more brainy than is necessary for the well-being of India. There is a section of our politicians who say, "We shall co-operate with Government; we shall show to Government that we are prepared to co-operate with it". When I heard the speech of my Honourable friend, Lala Lajpat Rai, the other day on the release of the Bengal detenus, I was over-joyed; I said, 'at any rate good sense is dawning upon our friends.' I should like to propose to my leader to print, say 100,000 copies, of the speeches of Lala Lajpat Rai and Mr. Jayakar and send them broadcast throughout the country. That will be the best reply to the doctrine of "Responsive co-operation." You cannot possibly co-operate with the present system of Government. If real representative institutions are to be granted, if real political power is to be given to us, the present system of Government must go. There must be a system of removal government. Public servants are of very great use but not of use as a cabinet in a House like this. How do they manage their business in England? From the way in which we are told of the conduct of business there, we are led to believe that in England every member of Government is an intellectual giant. (Mr. K. Ahmed: "Did you go to England?") Now in this connection also I will read from an English book (Mr. K. Ahmed: "Mix with English people first"):

"When we come to consider the interesting business of making a Government, the first question that arises is—What is the chief test of man's capacity for office? Under our Constitution . . ."

The Honourable Sir Alexander Muddiman: Author?

Mr. D. V. Belvi: Mr. Michael Macdonagh: "The Pageant of Parliament".

" . . . with its free and unfettered Parliament, of which the Ministers must be members, a deliberative assembly where everything is made the subject of talk, talk, talk, and provided with a Reporters' Gallery for the dissemination of its debates through the Press, it is inevitable that a man's fitness for a post in the Administration should be decided mainly by his gift of speech. It must often prove a false standard of judgment in regard to genuine ability and character. Glibness of tongue, or even oratory, is certainly not an essential qualification for the administrative duties of government. Still, the fact remains that the ready talker with but little practical experience of affairs has a better chance of office than the man of trained business capacity who is tongue-tied. Perhaps debates are really more useful to a Government than business men in an arena of conflict like the House of Commons. There are some excellent anecdotes pointing to such a conclusion. Disraeli, forming an Administration, offered the Board of Trade to a man who wanted instead the Local Government Board, as he was better acquainted with the municipal affairs of the country than its commerce. 'It doesn't matter', said Disraeli, 'I suppose you know as much about trade as Blank, the First Lord of the Admiralty, knows about ships.' John Bright once said he asked Richard Lalor Sheil, an eloquent speaker, but unconnected with commerce, how it happened that he was appointed to the Board of Trade. I think', replied Sheil, 'the only reason is I was found to know less of trade than

any other man in the House of Commons' (Laughter). Bright himself was made President of the Board of Trade in 1869. It used to be said in the Department that, so unfitted was he for administration, he did not know even how to tie up official papers with red tape (Laughter). When, at an earlier period of political history, Sidney Herbert, Lord Herbert of Lea, resigned the War Office, Palmerston fixed upon Sir George Cornwall Lewis to succeed him, and argued the point with Lady Theresa Lewis, saying that the duties would not be military, but civil. 'He would have to look after the accounts,' said the Prime Minister."

Mr. President: Order, order. I suggest to the Honourable Member to lay the book on the table.

Mr. D. V. Belvi: We are always told that we are incompetent people and we are not in a position to exercise responsibility and power and therefore we are not in a position to form a Cabinet. I want to show that in England also there are people who stand pretty nearly on the same intellectual plane that we do in this country. That is my argument, Sir.

" 'He never can make up his own,' replied the wife. 'He will look after the commissariat,' said the Prime Minister. 'He cannot order his own dinner,' replied the wife. 'He will control the clothing department,' said the Prime Minister. 'If my daughters did not give the orders to his tailor, he would be without a coat,' replied the wife. Cornwall Lewis, however, accepted the offer and his Under Secretary soon afterwards discovered him in Pall Mall reading a work on the military tactics of the Lycaonians. Sir Arthur Helps, the essayist, who was Clerk of the Privy Council, used to tell the story that once when there was difficulty in finding a Colonial Secretary, Lord Palmerston said: 'Well, I will take the colonies myself,' and presently remarked to Helps: 'Just come upstairs with me for half an hour and show me where these places are on the map.' Charles James Fox is said to have confessed his ignorance of what Consols meant. He gathered from the newspapers that they were 'things which rose and fell'; and he was always delighted when they fell, because he noticed, that for some unaccountable reason, it very much annoyed Pitt, as Chancellor of the Exchequer. That, no doubt, was Fox's fun. But we are told of Lord Randolph Churchill, on the authority of his son and biographer, Winston Churchill, that when, as Chancellor of the Exchequer, Treasury Returns worked out in decimal figures were laid before him, he inquired what 'these damned dots' signified. I myself heard Sir Edward Carson, a distinguished lawyer, speaking as First Lord of the Admiralty in 1917, during the Great War, declare that he entered the Admiralty in a state of extreme ignorance. 'Someone asked me the day I went there how I felt,' he went on to say 'and I said, 'My only qualification is that I am absolutely at sea.'"

It proves that in England they are not all intellectual giants. They are human beings as we are, nor are they all experts. Why should these British officers exist in India if they are not to assist the responsible Ministers chosen from the elected representatives of the House? Their business is to be public servants. But they are not public servants; they are public masters. They are called Civil Servants. They are not always civil, nor do they believe that they are "servants." It is evident that the present system of Government in India is radically wrong. If Britain chooses to give us responsible Government, let her do so. If she does not choose to give it to us, let her say so once for all. Let there be no pretence whatever. I am loath to hear any further talk about our being unfit and about "progressive realisation of responsible Government". What a long phrase! When is this progress to be made? Another Commission is to come out to examine us. A Commission is to come out to this country once in every ten years to see what progress we have made as if we are people who do not understand our business. All this is sham. (*An Honourable Member:* "Shame.") I accept the amendment with thanks. No word is strong enough for condemning the present system of Government in India. As I said, it is a mock one. Ours is a sham Parliament. It is no Parliament whatever. One of

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my friends asked me "If you believe that this is a sort of mock Parliament, why do you come here." If I do not come and if I do not give my vote against Government another man will step in here and will probably give his vote in favour of Government. That is the justification for my existence in this Assembly. I do not consider it in the least an honour to be a Member of the Assembly. I come here simply as a matter of duty, to offer as much obstruction to this Government as I possibly can. I do not wish to discuss what the Government has done during the last three years. Government will do nothing. So long as these people who are now occupying the Treasury Benches are there, what will they do? It is a question of bread with them, as it is with us. They want to retain their seats for themselves and for their children. They want to make room for British youths. Did not the Commander-in-Chief tell us the other day that he was in search of British youths to fill the posts of officers in the Indian Army? There are martial races here in India; there are Rajputs and Musalmans, there are Sikhs and Mahrattas. Cannot a sufficient number of boys be found in the whole of India to be trained as officers? No. They want British youths as if there is something very precious in British blood. For the Civil Service also, they want British boys. It was only the other day that we were told that British youths did not come forward in sufficiently large number to compete for the Indian Civil Service. There are here thousands of people who can fill the posts which are filled by these Civilians with much greater credit. I have been at the bar for more than 30 years. I ask you, Sir, to believe me that I had to explain to a Civilian Judge elementary principles of law. He was our Judge, a member of the Indian Civil Service, who now fills a high post under the Government. He shall be nameless here. He asked me when I was conducting a civil suit what the meaning of the phrase "written statement" was. Everything that comes from Britain is taken to be very valuable and all that is to be found in this country is taken to be worthless. The only criterion seems to be the complexion of the man and the racial qualification. Why do they not say so openly? They say "We have given posts to men who have deserved them. We have selected Indian Members for the post of responsible officers, such as Members of the Executive Council." When Lord Morley insisted that there should be at least one Indian Member on the Executive Council, they had to choose Lord Sinha. But what an amount of opposition was offered by Europeans in India? They said if Indians were to be admitted to the Executive Council, how could Government be carried on. Now, here are three Members of the Executive Council. They are all Indians. Would they have been admitted to those places, but for the insistence of the British people? Is it to be supposed that there are not men competent enough on this side of the House who could fill the post of the Home Member and the other people who are sitting on the Treasury Benches? Are we all intellectually incompetent? I may not be competent. (Laughter). But surely, there are many other Members on this side of the House who are much more competent than any gentleman sitting on the opposite side. Our people generally talk in a cringing style. I do not like it. Let us be plain. Let us be outspoken. I have already said once that I shall be very glad if the present system of Reforms is taken back altogether. Either give us something that is real or give us nothing. That is all I have to say in support of this motion.

I am very glad that this motion has been brought forward to give me and people like me an opportunity of expressing our thoughts frankly. I

do not want to conceal anything. It is said that there is some revolutionary spirit in the country; I wonder that there is not more of it. We are treated badly economically; we are treated badly in every way possible, and yet a grievance is made that there is a revolutionary spirit and a revolutionary movement in Bengal. What have my friends on the opposite side done

so far as Bengal is concerned? How are they behaving with the people? They are trying to crush our national spirit, to crush the national spirit out of every young man. What they want is that every man should be servile. Does not every young man in India feel it? If they wanted to keep us slaves, they should not have given us an English education; they should have kept us in absolute darkness. Like Hamlet I would have preferred being deprived of memory. It would have been better if I had not learned English. It is because I learned it that I have become a politician. Had I remained an ignorant villager I would not have come to know all this humiliation of my country. On the one hand they want to give us a high education, they want us to travel and to improve our minds, and on the other they want us to be helots. Are these two things reconcilable with each other? Either govern us as despots or as reasonable and honest British statesmen. You cannot have it both ways. You must either give up the one or the other . . .

Mr. K. Ahmed: Why not go to England on a pilgrimage once?

An Honourable Member: What has England done for you?

Mr. D. V. Belvi: What is the remedy for the extinction of this alleged revolutionary spirit? How is that to be eradicated? Not in the way in which my Honourable friend, Sir Alexander Muddiman, wishes to do it, but in another way. What is the real reason for this alleged revolutionary spirit?

"It is the utter economic helplessness of the younger generation, aided by a sense of extreme humiliation and degradation. The Government never earnestly applied itself to the solution of the problem. They did nothing to reduce poverty and make education practical. Every time the Budget was discussed the Indian Members pressed for increased expenditure on education. All their proposals and motions were rejected by the standing official majorities backed by the whole force of non-official Europeans including missionaries. The Government thus deliberately sowed the wind. Is there any wonder that it is now reaping the whirlwind?"

The cause is economic; the remedy must be economic. Make education practical, foster industries, open all Government careers to the sons of the soil, reduce the cost on the military and civil services, let the people determine the fiscal policy of the country and the revolutionary movement will subside. Die it will not, so long as there is foreign domination and foreign exploitation. Even after India has attained Home Rule, it will not die. It has come to stay. India is a part of the world and revolution is in the air all the world over. The effort to kill it by repression and suppression is futile, unwise and stupid."

The Honourable Sir Basil Blackett: Sir, I do not often intervene in a constitutional debate, and I came down to the House with no special intention of intervening, and if I do so now it is mainly in response to something said by my Honourable friend, Mr. Jayakar. He made it a complaint against me that I had not replied to charges and arguments advanced during the debates of yesterday and the day before. The reason why no reply was given was, as the House is well aware, in the first instance, because both sides of the House were anxious to come to a decision on a matter in which a decision had become of very great importance to India. That decision having been finally arrived at, the opportunity has apparently been given me to-day by Mr. Jayakar to reply to one or two of his arguments. The second reason why I did not reply to those arguments yesterday was

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that it seemed to me that the course of the debate was getting away from the issue and moving from the ratio question to the racial question, and my third reason was that the tone of some of the speeches—I refer particularly to Mr. Jammadas Mehta's speech—was such as had better be ignored, and there were no arguments advanced which had not been met previously. They were merely repetitions of arguments which had previously been fully dealt with. The particular argument which Mr. Jayakar referred to is the complaint against Government that the expenditure though it had gone down in rupees had really gone up in terms of gold. Speaking in another place on Saturday I gave an answer to that argument. I should begin by saying that it is obviously not possible for the Government or anybody else to accept the doctrine that with changes in the commodity value of gold and prices, they can always year by year fit their expenditure so that it moves exactly in terms of gold or of prices

Mr. President: Order, order. The Chair permitted the Honourable Member to state his reasons why he did not make a reply yesterday to certain charges levelled against him by Members on the other side of the House but he is not in order in making a reply to those charges on this debate.

The Honourable Sir Basil Blackett: I am quite willing not to give an answer, Sir.

An Honourable Member: Wait till Saturday.

The Honourable Sir Basil Blackett: It will I think be out of order on Saturday. The answer was fully given in another place, and I can well leave it there.

May I, however, pass for one moment to the discussion of the constitutional question which has now been started. I am reminded by this discussion of the answer which a school-boy gave to the question, "What was Magna Charta?" and he said that Magna Charta was a document which directed that the King was not to order taxis without the consent of Parliament. The Executive Council apparently are not to order taxis if this discussion leads to the destruction of the vote for our travelling expenses. The Honourable Home Member on a previous occasion drew a pleasant picture of our getting some exercise by walking up to Simla, and it is no doubt an amusement that we could find some real interest in, but I submit it would not be of interest to India that the Executive Council should be debarred from travelling and be unable to attend to the business for which

Mr. Rangaswami Iyengar (Tanjore *cum* Trichinopoly: Non-Muhammadan Rural): I think your travelling allowances are non-votable.

The Honourable Sir Basil Blackett: This is the tour expenses and not the travelling allowance.

Mr. A. Rangaswami Iyengar: You may walk but your saloon will be paid for without our vote.

The Honourable Sir Basil Blackett: I think not. This is for tour expenses, Rs. 60,000.

Mr. A. Rangaswami Iyengar: Your travelling allowances are non-votable.

The Honourable Sir Basil Blackett: We do not draw travelling allowances. We have tour expenses. They are therefore votable in spite of the Act of Parliament passed two years ago. That is why the Honourable Member has the opportunity for discussing this motion to-day.

"

I should like to say something to this House which I at any rate feel quite deeply. Mr. Jinnah referred yesterday to St. Paul's definition of faith. Some of the speeches made yesterday showed a trace of that charity which believeth all things, which hopeth all things and imputeth all things. We are, I think, very much in need of those three virtues of faith, hope and charity or love.

It is complained that these reforms do not give you what you want, that they are shams. Reference has been made to Canada and to other constitutional parallels or analogies. I think His Excellency the Viceroy, in the speech with which he opened this Assembly, pointed out that in nearly every case responsible government had come through the habit of the Legislatures that were established of always assuming tacitly that they had more responsibilities than the letter of the Statute gave them, and that the result of that assumption was that the reserved powers which existed at the outset gradually fell into desuetude and eventually were abolished. Now I do not think that either this House or the Government will be prepared to say that the condition of affairs under the Reforms is such as to make us all thoroughly comfortable. I do not think Honourable Members always realise that there are very considerable discomforts, mental discomforts, in the present position, not merely for them but for the Government and the Government servants. We are trying to do a difficult thing and it needs faith, hope and love if we are to make an advance towards the difficult goal. The Honourable Members take a delight in denying that they have got any faith, and in refusing to look with hope, and in showing a lack of charity, but we are here all together trying to work towards a difficult result, and I think, if Honourable Members will look back ten years or twenty years and consider the difference between to-day and ten or twenty years ago, they will realise that very considerable advances have been made and are being registered every day. Look at the difference in the matter of the Indianisation of the departments; look at the difference in the matter of the position of the Central Legislature. It is true that complaints are made that the Central Legislature does not give that complete responsible government which is asked for, but I maintain that there has been an enormous change in the extent to which the representatives of the people assembled in this House can and do influence every action of the Government and the policy of the Government. Speaking for myself, I came out here with the hope that I might contribute, on the constitutional side, something in the development of those Parliamentary forms which have been spoken of with derision to-day in the matter of the control of the Legislature over the spending powers of the Government. I think that every one who looks at the matter soberly will realise that there has been a tremendous improvement in the machinery by which this Assembly exercises its control over the finances of Government. That machinery is being improved and perfected year by year and I also add, as I stated I think in a budget speech a year ago, that the finances of the Government of India have, in my opinion, been very greatly improved by the fact that they have had to be submitted to the stern criticism and careful scrutiny of this House. In those circumstances I do think that, instead of all the

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time complaining that we have not reached the final goal, Honourable Members might exercise those virtues, faith, hope and love, and make use of what they have got, with the tacit assumption always that they have more responsibility than the letter of the law gives them, and then I think, without any surrendering, without bowing the knee on either side, without going down on our knees and begging for this, that or the other, we can work together to realise what everybody must recognise is a difficult goal.

Mr. T. C. Goswami (Calcutta Suburbs: Non-Muhammadan Urban): Sir, it gives me great pleasure to support the amendment of my Honourable friend Mr. Jayakar; and if he will permit me to say so, I should regard it as an honour to be able to support and fortify his very excellent speech. There was behind that speech, not merely great culture and great mental powers, but there was sincerity and there was humility,—which made his speech extremely telling. I almost feel that, by speaking after him, I am perhaps detracting from the effect of what I will again call his very powerful speech.

We are, Sir, on the Executive Council, which, I take it, is the quintessence, in every sense of the Government of India; for we have been told by members of Government that the higher posts in the executive are the reward of merit; and if that definition be really correct, or rather if we are to assume the accuracy of that definition, we must also endorse the proposition that the Executive Council contains the quintessence of merit on the Government side. I will not go further into that subject; but I have to make the whole Executive Council responsible for an act which I do not consider honest and which is certainly not lawful,—namely, making certain items which were votable, “non-voted” in the present Budget. I can almost trace the procedure adopted in this Budget to inconvenient questions asked in this House, to inconvenient debates raised in this House during the last four years. For instance, under the head of the Household Expenses of the Governor General, and under other Demands (to which, however, Sir, I do not wish to refer lest you should rule them out as irrelevant)—even under the present Demand No. 28, we have items which used to be votable, but are now put down as non-votable portions of the grant. I can almost trace that back to the agitation in this House against certain items of expenditure which the House thought were not justified. This in my humble opinion is not only not honest, but it is not lawful. Whether the legality of this departure could be tested in a court of law is a matter which, of course, requires further consideration; but it does not require prolonged consideration to say that it is not honest. The same motive was behind another case which comes to my mind. The whole of the Lee Commission grant was under the Government of India Act votable until the Parliament was moved to make it non-votable. I have no hesitation in saying that the British Parliament thereby perpetrated a fraud on the constitution of India. It has been said frequently that moving Parliament to amend the Government of India Act is a very serious business and not easy for the Government of India, but it was apparently not thought a serious business, nor was it in fact difficult to get the law amended by Parliament in order to make the “Lee loot” independent of the vote of the Assembly.

The financial question has been raised, very prominently raised. During the last few days we have heard about the financial exploitation of India. I have been feeling that in concentrating on political advance we

have lost sight of our financial interests. While India has been engaged, and quite rightly engaged, in trying to march farther along the road to freedom, she has allowed those who are in possession of her goods to exploit her even more than they were exploiting her in years past. The revelation with regard to the manipulation of the currency and exchange, for instance, showed that behind the back of the people of India attempts were being made and have been made to rob India. In a little note—little noticed perhaps—which I appended to the report of the External Capital Committee I very humbly raised the question of exploitation through the Imperial Bank of India, through leases, contracts and other things. I have been waiting for opportunities to prove to the hilt exactly the extent to which and the manner in which exploitation through these instruments has been carried on. I assure you, Sir, I will not use this occasion for that purpose; and yet I wish to warn the non-official Members here, that we do not want Swaraj with a mortgaged India. This I have said before, and this I have said from conviction,—from a conviction that there is to-day—and has been for some time—a conspiracy between Government and the European vested interests to take as much out of India as possible before India inevitably gets the political framework of responsible government. The constant refrain with which the Finance Member concluded each of the last few sentences of his speech yesterday—"to the abiding benefit of nobody"—has not been appreciated on this side of the House. The "abiding benefit" of somebody across the seas is the sole purpose for which this Government exists.

Then, the question of dyarchy has been raised. I do not wish to improve on my Honourable friend Mr. Jayakar's exposition of dyarchy. No words are needed to condemn that system, not only from the point of view of the technique of administration but also from the point of view of the honesty with which what was admittedly a transitional system of government has been worked. But there is one thing which I should like to say, and it is this,—that the bait of remission of provincial contribution is a matter which I regard with the utmost unconcern. If I did not use the word "contempt;" Sir, it was only in deference to this House; and I say this deliberately,—deliberately because I suppose I should not be presuming too much if I said that I have some political reputation to lose in the province from which I come. Sir, with all my sense of responsibility I repeat that I treat the remission of provincial contributions with the utmost unconcern; and the reason is this. The reason is that in 1925 there was what was practically a guarantee on the part of the Government of India that as far as possible the remitted contributions would be applied to the transferred departments. Now, I know for a fact, and the Finance Member ought to have ascertained it, that the remitted provincial contributions were not applied to the transferred departments. What is the use of our remitting provincial contributions if they are merely to swell the extravagance of the Provincial Governments? And I have particularly in mind the Government of my own province, Bengal. When I mentioned this subject to the Governor of the province the other day he seemed to be in ignorance of the Resolution of the Legislative Assembly which was passed on the 21st March 1925. Sir, statesmanship was never nurtured on "certified" carpets. I wish again to emphasise that this Assembly should not be led away by this bait of tainted money, and that the remission of provincial contributions is a matter which should not weigh with the Honourable Member in discussing the Finance Bill.

[Mr. T. C. Goswami.]

Now I come to a subject about which, as you know, I feel very strongly. What are we to do with a constitution under which it is possible for the Government to imprison people indefinitely without trial. Only yesterday, the Honourable the Home Member referred to the case of Babu Jiban Lal Chatterjee, a detenu who has been suffering from tuberculosis, a man who is almost on his deathbed. The Home Member said, his case was even then under consideration. Is that an answer

The Honourable Sir Alexander Muddiman: I think the Honourable Member may be fair to me. I said the gentleman in question had been released from jail and was with his relations and we were considering what, if any, further action should be taken.

Mr. T. C. Goswami: Do I understand he is not in custody?

The Honourable Sir Alexander Muddiman: He is certainly in custody of the District Magistrate but with his relations, not in jail.

Mr. T. C. Goswami: He is in custody but not in jail. I leave it to the House to draw the distinction.

The Honourable Sir Alexander Muddiman: There is a very considerable distinction and the Honourable Member is aware of it.

Mr. T. C. Goswami: There is a very considerable distinction, I am told. But you have allowed this man to go on suffering from a disease which is a fatal disease—a man whose liberty was taken away without trial, who is not a convicted prisoner; you come to this House and say that even now his case is under consideration; you quibble that he is in custody but not in jail. A set of barbarians if they had been put the question “would you treat human life in that way?” would have said “No! Not slow torture!” Savages do hold human life cheap, their own as well as their enemy’s; but then they are direct about it. They say “Yes, it is the law of nature ‘red in tooth and claw’ that we should kill our opponents”, but they make no pretence of righteousness. Sir, respect for human life has been preached in this House when the question of bombs has been discussed. Sir, I should like the other side of the House to show respect for human life, and it is only then that they will deserve that the lives of foreigners in this country shall be held sacred. (*The Honourable Sir Alexander Muddiman:* “Thank you!”)

It is, Sir, almost an irony of fate that the only moral claim which this foreign Government has put forward has been belied by facts; and that claim is that they are capable of maintaining law and order. I have said much on this subject previously, but I wish to add this, that last year during the anarchy in Pabna—a district town in Bengal—it was only with the aid of a flag, whose colour was red, the flag of one of the rebel mobs, that the royal mail was allowed to ply from Issurdy to Pabna, not for one day but for several days. The customary Union Jack had to give way. You may create trouble; you may divide the people, but you cannot for a long time prosper on our divisions. Nature is against it, and it was shown and is being shown even to-day in Bengal, that it does not pay to divide and rule, that the only argument in favour of autocracy, namely, the enforcement of law and order, is a claim which is capable of being belied by facts.

We have recently had our rights under the *habeas corpus* section tested in the High Court of Calcutta. I wish to say nothing about the judgment of Mr. Justice Buckland, but I do wish to point out the utter insecurity of

the subject in this country, an utter want of protection. We are entirely devoid of any protection for our lives and our liberties as against the officials; and therefore, I ask, Sir, why should we co-operate with this Government? What is the consideration? Our lives and our liberties are not sacred under this constitution. Why should we co-operate? It is the recent custom of Government to put up a brazen-faced front as a security against explanation and argument. To be brazen-faced is, not necessarily to be in the right. It is true, as has been said by my Honourable friend, Mr. Jayakar, that the Government of India to-day are more strongly entrenched than they were before. That, Sir, I hope, is a temporary phase. But it does not follow that they are in the right. The struggle between right and wrong has gone on in the Universe for countless years, and the side which is most brazen-faced is not necessarily the side of the right. Otherwise in your own classics you would not have described the most serene and exalted as well as the most intrepid of the Archangels as the "fraudulent imposter foul."

The Assembly then adjourned for Lunch till Twenty-Five Minutes to Three of the Clock.

The Assembly re-assembled after Lunch at Twenty-Five Minutes to Three of the Clock, Mr. President in the Chair.

Mr. President: The House will now resume discussion of the Demand under the head "Executive Council".

Mr. N. C. Kelkar (Bombay Central Division: Non-Muhammadan Rural): I wish to make a few observations on the motion that has been moved from a constitutional point of view. In doing so I must first of all say by way of personal explanation one or two things that have been indirectly commented upon. I admit I was one of the three people who sent in very big cuts, in the sense of leaving a very small margin as far as possible for the establishment; but I would like to give my own reason for this. I do not know the reasons of other people. My reason is this. I have no mathematical genius, but for a moment I wanted to try the game of a mathematician and to investigate mathematical minima for a certain purpose. Now, why was I doing that? I was investigating mathematical minima because I wanted to make it relevant to the Government policy of investigating mathematical minima in giving political concessions, and that I say is the appropriateness of my making that sort of cut. I really wanted to offer this as an example of the depths to which one can go in cutting down the establishment as against the depths to which Government can go in cutting down the concessions that they can give to us. The cut is technically aimed only at the establishment of course. The Executive Council itself has been described as 'untouchable,' for the grant for them is non-votable. We can only reduce the grant, if we may, of the establishment, and supposing we succeed in doing that, what will be the result? I know a case like that happened last year in the Bombay Council. The establishment of the Director of Industries was cut down by the Council, and the poor fellow had to go without an establishment and I do not know what he afterwards did—whether he went to some other job or did something else. But I have no fears about what the Executive Council will do if their establishment is cut; and therefore I do not want to follow that kind of argument. My point is that this cut is really meant not for the establishment but for the Executive Council itself. The significance

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of the cut does not stop even there, because we regard in this matter the Executive Council as the vehicle which may carry our censure to the Home Government and also because the Executive Council is the representative of the Home Government, and the *de facto* Government in this country. They are the men on the spot, and if we want administrative reforms we have got to look to them first because, unless they are in point of spirit a really national Government, we cannot rely upon anybody to put our case before the Home Government as fully as they themselves do sometimes. In fairness to Government I will say this. From a perusal of the official papers, I have come across instances in which they have fought tooth and nail with the Home Government. The location of the reserves is a case in point. The Government of India wanted the reserves to be located in India and the Home Government wanted to keep the reserves in England. The Government of India wanted the reserves to be kept liquid to be commanded at any time. The Home Government said that they would invest them under the pretence that the investments would bring some interest. Even an imperious Viceroy like Lord Curzon, be it said to his credit, resisted strongly the suggestions for Imperial Preference. I do not deny that this Indian Government sometimes in its own interest, and sometimes inspired by the instincts of a national government, really fight with the Home Government. But they do not do it as often and as spiritedly and vigorously as we want them to do. We want to convert them to nationalism. We want the Indian Government to be a really national Government, so that they could fight with the Home Government. The late Mr. Montagu we all know made it a condition that India should be given fiscal autonomy and financial autonomy if the Legislature and the Indian Government agreed. We do want the Indian Government through its Executive Council and the Indian Legislature to agree as far as possible, but they can agree only if this Government will be nationalised in spirit, not otherwise.

Now, speaking from the constitutional point of view, the present constitution was given, as we all know, to India under the stress of difficulties and calamities arising out of the War and partly also out of gratitude to India for what she did for the Home Government during the War. But when the piping times of peace were restored, all that was forgotten and the Government on the spot began to work the constitution in a most grudging and slow fashion. And we realise that we have to fight the ground inch by inch. That is a very painful process but we have got to go through it. Now, what about the responsibility of the Government itself? It is very difficult to find out where the responsibility is. Some time ago I saw a cartoon in *Punch* which purported to describe responsibility among the Cabinet and the picture was drawn of seven big boys each pointing his own thumb at the other and the circle was completed. That represented the total absence of the means to discover the real responsibility. I might refer this House also to the story in the Grecian mythology in which we are told there were three one-eyed sisters. They had a single transferrable common eye between them. Each used the eye for her own mischievous purpose, and when somebody wanted to tax the deity for having done it, she transferred the eye to the other deity and said "I was blind". That represents the state of responsibility. Take the case of a passport. We ask why a certain passport was not given to a person to come back to India. We are told by the Indian Government that the Home Government is in the way. Questions are asked in Parliament and we are told

that it is the Indian Government who must take the initiative, and they say the Bombay Government must make the suggestion. Where do we find responsibility as between the three? There is obviously no means to locate responsibility. Our arms are not so long as to reach the Home Government beyond the seas. We must for the purpose make the best use of the men on the spot, that is, the Executive Council. We can come face to face with them and exercise our power and influence. Real responsibility and power is securely entrenched behind seven fortifications as it were. In the mufassal, for instance, we have got to pull down the fortification of the Provincial Governments. Then there is the Government of India; then there is the Viceroy, who can override his Council and the Legislature in certain matters. Then there is the Council of State which we all know to our cost can upset every decision of ours. Then there is the Secretary of State and his Council, and occasionally the Treasury in England and the British Cabinet. We find that the gold standard currency proposal after the Fowler Commission was negatived not by the Secretary of State but on the advice of the British Treasury, who upset the whole plan. So here at least is one instance in which the Secretary of State was on our side but the British Treasury mischievously intervened and pulled down the proposal. That reminds me again of the proposition of Indian philosophy. The good pure soul is there, but it remains hidden within *Sapta Koshas* or seven sheaths of environment, and before you can make the soul active or reach it, you must break through each of these mischievous 7 *Koshas* or enclosures of environment inch by inch. That is how the game is extremely difficult for the non-official.

My friend Mr. Belvi has already referred to the measure of self-government given to Canada and the other colonies and that given to India. I would say, if you look at the Preambles of the different Acts conferring self-government on the colonies and India you will at once see the difference between the policy underlying those Acts and the spirit also. The Preamble of the Government of India Act of course says that ultimate power rests with the Home Government, and they are to examine the Indian people by a sort of examination every 10 years or thereabouts, and then decide themselves what further measure of progressive responsibility can be given to the Indian people. Not so the Preamble of the Act of the South African Government, where it is laid down in the Preamble that whereas the people of South Africa have come to a unanimous decision about a particular form of Government to be given to them, therefore this Statute is being passed in order to give legal form to that understanding. And if you will read the speech of, I think, Sir Henry Campbell Bannerman, you will find that the Home Government openly admitted that they had pledged themselves not to alter a single word in the understanding recorded by the South African round table conference. And we are asked for a certificate of fitness, and without that certificate of fitness we are not to be given self-government. Now it is admitted, not by British politicians, but by dispassionate thinkers and philosophers, that India at one time possessed a very large degree of civilization. It knew what civilized government meant; it knew what military government meant; it knew what practical administration meant. We can say that the British administration as now run has drawn very largely upon the schemes and plans of practical administration which were actively in use under our old governments. But we have to produce a certificate. The Indian people are still living. We are still living in this Assembly before the eyes of Government, but what is required is a certificate that we have been living in the intermediate stage between that old civilization

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of ours and the present time. It reminds me of the auditor's demand for a certificate that a man who desires to draw his pension is still alive. He may have a certificate that he was living in December last, and he is now alive and asking for his pension; but that is not enough for the auditor; the man must arm himself with a certificate to show that he has continued to live in the intervening time between the months of December and March. That is the sort of certificate of fitness which is being demanded from us, and it is supposed that we cannot provide that kind of certificate. The audit rules must really be changed! But really, Sir, this matter of fitness or unfitness is merely a verbal shibboleth, and much is made of it simply because we are absolutely impotent at this moment to have things our own way. But it would be useful I think to ask Government really to play the game. They call upon us to play the game, and it is for us also in return to call upon them to play the game. And what ought the game to be? You have a legislative body and proclaim to the world that it has an elected majority. What is an elected majority there for? A hundred elected Members come here for what purpose? For the purpose, as has been remarked by a previous speaker, of mere talk. And if we are here merely for talk, of course we can go on talking as much as we like and as often as we like without coming to any particular decision and without serving any useful purpose. In my opinion, Sir, there would be no real purpose in calling so many people to this House if you give them no real responsibility. That man must have been inspired who, in connection with the Reforms, first uttered the word "responsibility." I appreciate that responsibility; I admire the sense of the man who suggested that word as a solution for the Indian political problem. But the question is, what sort of responsibility have we got in the present Assembly or in the local Legislative Councils in the provinces? There is absolutely no responsibility at all. Now what would be responsibility? It would be this. Supposing we took a wrong decision or a decision the Government thought was wrong: then it should be up to the Government to call upon us to prove that we were right. In practical administration how else can we prove that we are in the right unless we are in office ourselves? On the other hand, if we defeat the Government in a matter on which we think they are wrong, what is the position? From these Benches we cry out and say, "Retire, resign." But who is going to resign or retire? They will sit tight in their places; they will draw their pay; they will enjoy all the privileges of office; they will enjoy the full measure of power; and like the insistent housewife in the household they will claim the last word in the debate also. (Laughter.) After all, we know that responsibility can be realized only by going through responsibility not by playing with it from outside. We know the Gladstonian formula about liberty. Gladstone said that man becomes fit for liberty by exercising liberty; not by teaching him from outside what liberty is and how to enjoy it and exercise it, but by actually giving him liberty. In this connection I may note the famous formula suggested by a high political thinker whom I respected. His formula was this. If, he said, you want to prepare a man for efficiently administering an office, you must give him an even higher office. For instance, if you wanted a man to be an efficient Deputy Collector you must make him a Collector. In the office of Collector he may perhaps be a failure to a certain extent, but by the very exercise of the higher responsibility he would at least be a good Deputy Collector. That was the formula which he framed, and I think that there

is a great truth in that formula. If you want people to be really responsible and to exercise responsibility, you must give them responsibility not only in a full measure, but in a fuller measure. That is sometimes necessary.

Now by responsible government we want two things. First of all, Indianization of the services in the higher ranks. But not only that, for we shall never be satisfied even if the whole of the Executive Council to-morrow is Indianized and is full of Indians but remains as irresponsible as it is now. We shall never be satisfied unless we make them responsible to the will of the Legislature, because after all that is the only one function which the Executive Council in my opinion is bound to perform, and that is, to carry out the will of the Legislature. The reconciliation of the will of the Legislature and powers of the Executive Council of course is a difficult problem, and it is being solved in a number of ways in other countries. Now here also we want the same to be done, and that can be achieved only by putting Indians in the highest places as often as possible and ultimately making even the Indians responsible to the will of the Legislature.

Now, with regard to the appointment of Indians to higher offices, we know that so long as no Indian was appointed to any high office, of course the Government pronouncement, the Government proclamation, was that nobody was fit to take that post. But since that policy was inaugurated in Lord Morley's time how many Indians have filled how many of the higher posts, and was there ever a single Indian who was found to be unfit? Did the Government ever proclaim that a particular Indian who enjoyed a high office ever proved unfit? It is admitted, therefore, that all those Indians who were put in high positions did prove themselves fit, and therefore that is a very strong argument for other Indian people also being put in the highest offices as often as possible. Now in this matter we know that men have been found like Lord Sinha who proved themselves not only fit for any high office in the gift of Government (At this Stage an Honourable Member passed between the speaker and the Chair and was called to order by Mr. President) but above any high office that can be offered to him,—and we want people like that. I feel proud when an Indian occupies a high post, a high office, but, Sir, I feel prouder when I see an Indian who rejects a high office. My pride consists in having Indians not only who accept office but in having Indians who are so high in their position that they will spurn office and reject a high office if offered to them. That of course does not mean that every office should be rejected, and that is certainly our point of view—the point of view of the Responsive Co-operationists; while we want some people to take offices, useful offices and serve their electors and the country in the best manner they can, we want other people in the country who must be above taking office: and the combination of people who take office, and take office for the good of the country, and of those people who are above office—is in my opinion an ideal combination. (*The Honourable Sir Alexander Muddiman*: "The best of all possible worlds!") Of course it would be invidious to mention names, but restricting myself only to a few outstanding Indians who have departed, I can certainly refer to Indians like Dadabhai Naoroji, Ranade and Gokhale, who certainly would have done useful work, successful work, as Finance Ministers. But it was not so in their time. But even supposing offices were thrown open in their time, I know that among these people there were some people who might

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have rejected office. Now I myself wanted to read to the House a passage about the formation of Cabinets in England, and my friend, Mr. Belvi, has already done that. I therefore need not do that again, but referring to the long quotation he read to the House I will say only this that even in England it is an admitted fact that the Cabinet is manned by people who have a general position and an ascertained quantity of intellect and influence in the country. It is not experts alone or people with business experience or administrative experience who are there. It is the duty, the legitimate duty of people, who are in touch with public opinion, to occupy high offices where high policies are formed or confirmed. For the rest we naturally depend upon the permanent officials, for whom I have got the highest respect because it is they who really run the administration. But above them of course must come people from the public who have got great intellects, who have great influence and, being in touch with the real public sentiment, will dictate to the permanent officials the policy which should rule the Government.

Now I will take the point, that is about the fitness, the alleged fitness or unfitness, as it may be said, of the Colonies which enjoy self-government or were given self-government and I will just point out what was the actual condition of things in certain colonies at the time, when they were regarded as fit for self-government or were even enjoying self-government. Now it is well known that in England itself the educational qualification has never formed a test of fitness, as also in the British Dominions. That also is the case here. Therefore we need not be asked to stay our hand and to wait indefinitely for a fuller measure of self-government because the Indian people or the electorate is not sufficiently educated. It has been always said that you have not got a good electorate, you have not got an educated electorate, therefore, wait for their education. My answer is that even in England and the Dominions education has never been accepted as a qualification for an electorate. So even if my Indian elector is uneducated, that quite suffices for me if he is ordinarily an intelligent man and knows his business. Now in the year 1845, "only about one in six even of the children at school in England was found able to read the Scriptures with any ease, and even for these the power of reading often left them when they tried a secular book." In 1845 England was of course enjoying full self-government. About the teachers, Henry Craik says in his book on State and Education:

"The teaching of the schools was in the hands of men who had scarcely any training and who had often turned to the work because all other work had turned away from them."

Now about Canada Lord Durham himself says:

"It is impossible to exaggerate the want of education among the inhabitants. No means of instruction have ever been provided for them, and they are almost, and universally, destitute of the qualifications even of reading and writing. A great proportion of the teachers themselves could neither read nor write."

That was the state of things in education in Canada when Canada was found fit for self-government. Now much is said about the existence of different castes in India. But these are not found only in India. Englishmen may now laugh at our castes and urge them as a sign of our unfitness for representative government, but they forget that hardly two centuries ago, as Macaulay says in his History of England, they had so

many sects among them that when a census was taken, the population was reckoned only by sects, in religion and politics. Many of our readers must have read how the King of Brodbringnag laughed at Gulliver's arithmetic when the latter told him that the numbers of the English people in his country were counted by counting the people in different sects.

"Again so late as 1877 in England the numbers of all Churches and Chapels of the various dissenting religious denominations was according to the 38th annual report of the Registrar General issued in that year no less than 122."

Now, with regard to the North American Colonies, I draw attention to this because here it is alleged that we have communal strifes. But there it is said about North America:

"Fire and water are not more heterogeneous than the different colonies in North America."

Now, about Canada, Bourinot says:

"At the present time the records and statutes of the Dominion are always given in two languages, French and English, and the same is true of all motions put by the Speaker. . . . In the Legislature of the province of Quebec, French has almost excluded English. . . . In the Supreme Court of the Dominion, the arguments may be in French and the two Quebec judges give their decisions in their own tongue. . . . In the country in some remote communities English is never spoken and is understood only by the curé or notary."

Mr. D. V. Belvi: That is the case in South Africa also.

Mr. N. C. Kelkar: In South Africa also we know that the business of the law is carried on in two languages. So the multiplicity of languages cannot be a bar to our aspiration for self-government.

Speaking about the United States, Lecky says:

"Twenty-one years before New York fell into the hands of the English it was computed that not less than eighteen languages were spoken in or near the town."

Now, I will read one passage from Lord Bryce:

"Though it is usually assumed in platform speeches that the audience addressed are citizens of the attractive type, everybody knows that in all communities not only in Chicago but even in Liverpool, let us say, or in Lyons or Leipzig, a large proportion of the voters are so indifferent or so ignorant that it is necessary to rouse them, to drill them to bring them up to vote."

Conditions in India are certainly not much worse. We want our electors to be educated, to go to the poll to exercise their vote, and from the last elections we see that a very large proportion of the voters have exercised their vote. Whether they are educated or not is not the question. Now, supposing they send a wrong man to the Council, what happens in regard to responsibility? Sir, after all what is responsibility? Responsibility, I think, is liability to take consequences. That is my meaning of the word. It cannot go beyond that. Responsibility means liability to take the consequences. Now, supposing the voters send a wrong man, a man that they ought not to have sent to the Council, and he gives a wrong vote. After all, what would be the consequence? One in forty, or one in hundred, the consequence could not be very great. But when people could not send their representatives, and even when representatives are sent and the Government has no responsibility, are we not taking the consequences? Have we not got the liability to take the consequences? Who else takes the consequences, if not the Indian people? Who else

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but the Indian ryot and the elector that really takes the consequences when Government is unrepresentative or irresponsible? Government imposes taxes upon them. They pay them. Government does all sorts of mischief with regard to finance. Who bears the consequences? The poor people bear them. The Home Member is not here.

The Honourable Sir Alexander Muddiman: The Home Member is here.

Mr. N. C. Kelkar: I mean the Finance Member is not here. Supposing there are wrong consequences from the financial policy, ultimately who takes the consequences? That is my question. The position is not really affected by one wrong man or undesirable man being sent to the Councils. After all, voters will exercise their best judgment and send the right kind of people. What is wanted now is that Government should transfer responsibility to the people, to the representatives of the people, and until they do that, of course responsibility means only power. There is no other meaning to responsibility, and when Government use the word "responsibility" I attach a very funny meaning to it. If I have to say "I want to eat the whole dinner" I say "I must be responsible for eating the whole dinner." That is the state of things as it is. Therefore, the responsibility of Government is absolutely nothing; they are irresponsible and the representatives of the people also are irresponsible. I cannot see where the responsibility at present really lies.

Nawab Sir Sahibzada Abdul Qayum (North West Frontier Province: Nominated Non-Official): Are these not strong arguments in support of the grant of Reforms to the Frontier Province coming as they do from a leading member of the National Party, Sir?

Mr. N. C. Kelkar: Have I voted against it, Sir?

Nawab Sir Sahibzada Abdul Qayum: No, but I want that it should be noted by the House.

Mr. N. C. Kelkar: Yes, it will be considered on its merits when it comes up before the House.

Nawab Sir Sahibzada Abdul Qayum: You have explained the merits very fully, Sir.

Mr. N. C. Kelkar: Therefore the real position is this. We have lost our own native Government, we have lost our independence and therefore we must be judged to be unfit for anything! Because unless we actually reconquer our Government back, we cannot prove our fitness! That is the position. Here I would just like to read one passage from Parnold Shaw which will throw some light upon the point. It is sometimes urged that India is incapable of self-government as she could not defend herself against foreign invasion. But Mr. George Bernard Shaw has given a crushing reply to this argument in the columns of the *Commonweal*. He says:

"The truth is all nations have been conquered;"

and let this be marked, because this has been said with regard to European nations, not Indian or Eastern nations only. You may brush aside China, you may brush aside Persia, you may brush aside India.

But here Mr. Bernard Shaw speaking with regard to European nations says:

"The truth is all nations have been conquered; and all peoples have submitted to tyrannies which would provoke sheep or spaniels to insurrection. I know nothing in the history of India that cannot be paralleled from the histories of Europe. The Pole, whitest, handsomest, most operatically heroic of Europeans, has eaten dirt in the East, as the equally romantic Irishman has in the West."

I beg pardon if there are any Irishmen here, because we bear them good company, I say in all humility.

"I know nothing in the history of India, that cannot be paralleled from the history of Europe. . . . Germany has given such exhibitions of helpless political disintegration accompanied by every atrocity or internecine warfare as India at her worst can never hope to surpass. If India is incapable of self-government all nations are incapable of it, for the evidence of history is the same everywhere."

Now, the best argument on the side of the Government for not transferring self-government to India is that they are the best Government and they are the *de facto* Government. Yesterday we discussed the ratio and the strongest argument was that it was the *de facto* ratio. So, the strongest argument in favour of this Government also, is that it is the *de facto* Government; but just as I did not accept the ratio because it was the *de facto* ratio, I am not going to accept this Government, because it is the *de facto* Government. I want a change in this Government I want a modification in this Government, and strictly according to the changes in the times.

I will conclude with one remark. It is often said that India must submit to the present rule because she is protected by England. I deny that India is protected by England for the sake of India. I assert that England protects India because it is the brightest gem in her diadem. If she loses India she loses the Empire; therefore she is protecting India for the sake of the Empire. Nobody therefore need ask why India is being protected by England and say "therefore be satisfied with the present form of Government and do not hanker after self-government. England has done so much for you, therefore out of gratitude you must submit to the existing state of things and not ask for self-government."

Now I am going to pay a compliment to the Irish people by quoting one of their best men, Grattan. (*An Honourable Member*: "Bernard Shaw is an Irishman.") I will conclude by what he said about gratitude. He said, gratitude is all right. It is human to be grateful; but he said "no man need be grateful at the sacrifice of his self-respect, no woman need be grateful at the sacrifice of her chastity, and no nation need be grateful at the sacrifice of her political liberty."

Colonel J. D. Crawford (Bengal: European): Sir, I have a technical objection to the motion of my friend, Mr. Jayakar, and that is as to the size of the cut. I feel that there are two objections to a cut of practically the whole of the grant. The first is one that was discussed this morning, namely, the failure to give movers of lesser cuts the opportunity to draw attention to points of policy of lesser value. That was the point you raised, Sir, and I welcomed your suggestion that the House should take this into consideration when considering its future procedure. The second objection is that it forces the use of certification and that I feel is a very real danger, and that the House itself is losing much of its power by forcing the use of certification. If I can judge from the British

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Empire and various self-governing Dominions, I find that in all their constitutions they had safeguards, but never forced those safeguards into use, with the result that that portion of the machinery has rusted and could no longer be used.

To turn to the speech of my friend, Mr. Jayakar, to which I listened with the very greatest of interest, I felt that he complained of dyarchy because it is built up on mistrust of the Indian Ministers. Now, Sir, I do not agree with my Honourable friend on that point. After all we have Indian Members of the Viceroy's Executive Council who I know are just as patriotic as any of the Members that sit on the opposite Bench, and they surely have been trusted. I feel that the idea at the back of the minds of the framers of this constitution was not mistrust of Ministers but mistrust of the capabilities of untried electorates. My feeling is that the first Assembly did more to push Government along the road which the House wanted it to go than any of the subsequent Assemblies have done, and I believe that those men have delivered more goods to the electorates than the politics of the Swarajist Party has ever done or ever will do, and I congratulate my friends, the Responsivist Party, for having recognised that point and for having had the courage to face the issue and to get the Indian electorates to realise what men may do by a reasonable frame of mind. I myself am not enamoured of the present franchise, but I will not take my own opinion on that question but quote from my friend Mr. Belvi's opinion of the elected representatives of this House. Speaking on Sir Hari Singh Gour's Age of Consent Bill on the 2nd September 1925, these are the words of my Honourable friend. To-day he is claiming that he and his friends should sit in the position of Government, and I presume he is speaking entirely politically. But on the occasion on which I propose to quote from his speech he said, "I oppose the motion from the bottom of my heart." On that occasion he really felt what he said. These are the words he himself used regarding the elected representatives of this House:

"Sir, I tell you this in all sincerity to friends. Do not be carried away by the voice of a few people who are in this Assembly. They are heterogeneous people—they are a motley crew and intellectual hybrids, if you will pardon me for the expressions. They have no right whatever to force their views upon people who are not willing to accept them."

When I find that point of view coming from a prominent member of the Swarajist Party as regards the standard of men elected by the existing franchise, I have great doubts whether that franchise has yet proved its ability. It is not to my mind a question of power being given to the Legislature or to the men to-day in the Legislature, but it is a question of the power of the electorate which you have built up to elect suitable men and the very best men that India can produce. I feel that when they failed to return those men to this Assembly, they did not show any true appreciation of the real position. I will show how the reasonable action of my Responsivist friends in this Assembly has had some effect, and will just mention the Civil Aviation grant. They pressed certain points on Government and got Government to accept them.

I have one further point to make before I sit down. My friend, Mr. Goswami, alluded to the Executive Council as those horrible people, exploiters of India.

Mr. T. C. Goswami: I said "the quintessence of merit."

Colonel J. D. Crawford: Here again I will quote from one very distinguished member of his Party on the Civil Service. I quote from a speech of Mr. Ramadas Pantulu in the Council of State on the 16th February, 1927.

An Honourable Member: He was pulling your leg.

Colonel J. D. Crawford: Talking of the conditions under which the Covenanted Civil Service came into existence he said:

"It was constituted at a time when the British people had to protect the people of India from the economic exploitation of foreign merchants, to protect the people from alien oppression, and also to bring out young Englishmen in order to train them for the task of governing India."

That is the truth expressed by a leader of the Swarajist Party. At times we get these unfortunate truths from the mouths of our Honourable friends opposite.

We on this side are not opposed to the demand for self-government. We believe that responsibility and power must go hand in hand, but what we want to see is that the people to whom the power is handed are men of integrity, honesty and capacity, and when we are sure that the electorates can send those men to the House, then we will be more inclined to march shoulder to shoulder with our friends.

Maulvi Muhammad Yakub (Rohilkund and Kumaon Division: Muhammadan Rural): Sir, I agree with my friend, Colonel Crawford, when he says that cuts in motions like this should not be as extensive and as large as the one which we are discussing. As I stated in discussing the Budget for Railways, I am also of the same opinion as Colonel Crawford is. It is in my opinion detrimental to the interests of the country to force the Governor General to use his power of certification . . .

An Honourable Member: Who is forcing?

Maulvi Muhammad Yakub: These cuts force the Governor General in Council to use his power of certification. These debates are raised only to discuss certain propositions and certain constitutional points and this purpose can be served even if the cut is Rs. 100 or Rs. 200 or Rs. 1,000, so what is the use of making such a big cut as to make the Governor General use his power of certification? But I do not agree with my friend Colonel Crawford when he objects to the rights of the Members of this Assembly as being representatives of the people. I agree that our electorate is not as educated and as capable as it ought to be, but it is not our fault; we have not made these electorates, the electoral colleges were not made by us; they have been made by the Government and we are forced to work upon them. Also, as my friend Mr. Kelkar has recited some passages from Lord Durham's speeches, we find that when responsible government was given to Canada, the electorate in Canada was not more capable or more educated than our electorate is at present. Not only in Canada, but when responsible government was given in England and Parliament was in its infancy, you will find the right of franchise was abused in England in a much worse manner than it is in India. Therefore I do not agree with my friend when he says that the Members of this Assembly do not represent the public of the country and they are not entitled to express views on behalf of the people of India . . .

Colonel J. D. Crawford: Might I suggest to my friend that I was quoting Mr. Belvi?

Maulvi Muhammad Yakub: You have quoted that passage of Mr. Belvi's speech which did not refer to the franchise. I wish you would also quote those passages which Mr. Belvi quoted about the franchise in Canada and elsewhere.

Now, Sir, as regards the real point under discussion, I am confident I am voicing the feelings of a large majority of educated Indian Muslims when I say that we are second to none in our desire for the attainment of speedy self-government in India and that we are ready to work shoulder to shoulder with our sister communities in order to win this cherished goal. Our leaders have expressed it in quite unmistakable terms, that in all political matters we are Indians first and everything else afterwards. But at the same time I want to make it quite clear that our demand for the speedy attainment of Swaraj is supplemented with our equally strong desire for securing and protecting our religious, social and political interests. Being members of a minority community, we cannot take any step forward in haste and we cannot allow ourselves to drift without knowing what would be our position under the sun when the dawn of Swaraj has appeared in this country. The past history and present conditions of the world have clearly demonstrated the natural tendency of majorities to persecute and if possible annihilate minorities. The Plebians were so persecuted by the Patricians under the great Roman Empire.

An Honourable Member: The Plebians were in the majority.

Maulvi Muhammad Yakub: But they were weaker, Sir, as we are in India. And the Jews were so persecuted by the majority of Christians in Europe, also the Protestants, where they were in a minority, were so persecuted in Europe. So this is the natural tendency of the majority to crush the minority if they can. It is for this reason that in all civilized countries special measures for the protection of minorities have been considered necessary. Now, Sir, in the recent treaty of peace with Turkey we find special provisions are made for the protection of minorities. We find it stated:

"Non-Muslim minorities will enjoy full freedom of movement and of emigration, subject only to the measures applied, on the whole or on part of the territory, to all Turkish nationals, and which may be taken by the Turkish Government for national defence, or for the maintenance of public order."

Again in article 39 of the Treaty it is stated:

"Turkish nationals belonging to non-Muslim minorities will enjoy the same civil and political rights as Moslems."

And further on:

"Differences of religion, creed or confession shall not prejudice any Turkish national in matters relating to the enjoyment of civil or political rights, as, for instance, admission to public employment, function and honours, or the exercise of professions and industries."

No restrictions shall be imposed on the free use by any Turkish national of any language in private intercourse, in commerce, religion, in the press, or in publications of any kind or at public meetings."

Then article 40 says :

" Turkish nationals belonging to non-Moslem minorities shall enjoy the same treatment and security in law and in fact as either Turkish nationals. In particular, they shall have an equal right to establish, manage and control at their own expense, any charitable, religious and social institutions, any schools and other establishments for instruction and education, with the right to use their own language and to exercise their own religion freely therein."

Then article 41 says :

" As regards public instruction the Turkish Government will grant in those towns and districts, where a considerable proportion of non-Moslem nationals are resident, adequate facilities for ensuring that in the primary schools the instruction shall be given to the children of such Turkish nationals through the medium of their own language. This provision will not prevent the Turkish Government from making the teaching of the Turkish language obligatory in the said schools."

In towns and districts where there is a considerable proportion of Turkish nationals belonging to non-Moslem minorities, these minorities shall be assured an equitable share in the enjoyment and application of the sums which may be provided out of public funds under the State, municipal or other budgets for educational, religious, or charitable purposes."

Then, Sir, they were not content with these provisions and considering that the Turkish Government might amend or change the provisions, in the end we find article 42 stating :

" The Turkish Government undertakes to take, as regards non-Moslem minorities, in so far as concerns their family law or personal status, measures permitting the settlement of these questions in accordance with the customs of those minorities."

These measures will be elaborated by special Commissions composed of representatives of the Turkish Government and of representatives of each of the minorities concerned in equal number. In the case of divergence the Turkish Government and the Council of the League of Nations will appoint in agreement an umpire chosen from amongst European lawyers "

Then, Sir, further we find that the Turkish Government undertakes to grant full protection to the churches, synagogues, cemeteries and other religious establishments of the above-mentioned minorities :

" All facilities and authorisations will be granted to the pious foundations and to the religious and charitable institutions of the said minorities at present existing in Turkey; the Turkey Government will not refuse for the formation of new religious and charitable institutions any of the necessary facilities which are granted to other private institutions of that nature."

At the end we find that Turkey agrees that :

" in so far as the preceding articles of this section affect non-Moslem nationals of Turkey these provisions constitute obligations of international concern and shall be placed under the guarantee of the League of Nations; they shall not be modified without the assent of the majority of the Council of the League of Nations."

Mr. N. M. Joshi: May I ask the Honourable Member one question? Whether he will be satisfied if these provisions are introduced into the Indian constitution?

Maulvi Muhammad Yakub: Well I will come to that. I will tell the House with what conditions we will be satisfied. (Laughter.) It is not a question of laughter, Sir. Speaking as President of the Bihar Hindu Sabha our Honourable and esteemed friend Lala Lajpat Rai on April 4th, 1925, is reported to have said :

" He could not understand those Hindu leaders who said that they must have Swaraj at any cost. 'What would they gain' asked Lalaji 'by Swaraj if they lost their own identity, if they annihilated themselves as a community? Swaraj would mean nothing to them.' He did not like that the Hindus should destroy themselves in pursuance of their political ambitions."

[Maulvi Muhammad Yakub.]

Now, Sir, if the responsible leader of a majority community, who is in the position to deliver the goods on behalf of his community, when he considers that if some more seats in the Councils are given to Mussulmans he does not want Swaraj, then, Sir, the solicitude

Lala Lajpat Rai: I beg your pardon, I have not said that; the quotation you have read out does not say that. There was not one word in it about seats in Councils.

Maulvi Muhammad Yakub: I will read it again for the benefit of the House:

"He could not understand those Hindu leaders who said they must have Swaraj at any cost. 'What would they gain' asked Lalaji 'by Swaraj if they lost their own identity?'"

Now how were they losing their identity?

"If they annihilate themselves as a community Swaraj would mean nothing to them. He did not like that the Hindus should destroy themselves in pursuance of their political ambitions."

Mr. K. Ahmed: It was never Hindu Swaraj; 'They will not have it!'

Lala Lajpat Rai: I entirely repudiate it; it is entirely false. I do not want Hindu Swaraj, I say it on the floor of this House.

Maulvi Muhammad Yakub: Well, Sir, the whole paragraph shows it. I will quote a few more lines from the presidential address from which I have already quoted. He made this statement in connection with the Lucknow Pact:

"Lalaji referred to the Lucknow Pact of 1916 and said the Muhammadan leaders at that time thought that they were Muhammadans first and Indians afterwards. He did not say whether they were wrong or right but he believed that the Hindu leaders in accepting the Pact made a great political blunder. The Muhammadan leaders believed that separate representation on communal lines was necessary for their protection as a minority community but Hindu leaders by accepting communal representation introduced a poisonous element into the relations between the two communities."

After that he said the words which I just quoted; the meanings now become clear. What was the Lucknow Pact? By the Lucknow Pact a few more seats on the Councils in certain Provinces were given to Mussulmans than they would have got according to their numerical strength; so what Lalaji means is that if Swaraj means the giving of more seats in the Councils or some other rights to Mussulmans he did not like Swaraj of that sort.

Lala Lajpat Rai: I never said that.

Maulvi Muhammad Yakub: Well, whatever it may be, my point is this, that a majority community whose population is nearly four times as large as that of the Mussulmans, which financially is even more progressive than the poor Mussulmans, and in the matter of modern education is also ahead of the Mussulmans—if such a majority community is so anxious about the protection of its rights the poor Mussalman, who are in a minority in numerical strength, in wealth and education, if they are solicitous for the protection of their rights and interests cannot be blamed. So, Sir, what we want is this: we are quite at one that we want speedy Swaraj and responsible government in India, but subject to the protection and subject to the security of our own rights and interests.

Now I do not propose to make a long speech but I want to tell the House what our demands are and perhaps they will satisfy my Honourable friend the representative of the Labour Party.

Mr. N. M. Joshi: I am satisfied with the constitution given in Turkey.

Maulvi Muhammad Yakub: We do not want anything more, but why not place us in the same condition in which the non-Mussalmans are placed in Turkey.

Lala Lajpat Rai: We are prepared to share everything with you.

Maulvi Muhammad Yakub: I am thankful to you. There will be no difficulty then and we will march together on the road to Swaraj!

Now, what are our conditions? The fundamental principles of our demands were fully expressed in a resolution of the All-India Moslem League which was passed at a special session in Lahore held in May, 1924. This was confirmed at the annual session of the League in December of that year and again it was reaffirmed at the next session in 1925 at Aligarh and again in December last here at Delhi we reaffirmed the same resolution which contains our full demands. With your permission, Sir, I would like to give that resolution to you in *extenso*:

"That the All-India Moslem League has repeatedly defined its position with regard to real advance in the future constitution of India in its session in 1924 and 1925 and reaffirms the resolution passed at its session at Aligarh in 1925 to the following effect, namely:

That whereas the speedy attainment of full responsible government is one of the declared objects of the League it is now generally felt and recognised that the conception of Swaraj should be translated into the realm of practical politics; and whereas it is the declared policy of the British Government also to enable the people of India to take a decisive part in the moulding of their own destinies, which is marked by the declaration of August 1917 and the enactment of 1919, which form a definite epoch in the history of India as a herald of the time when India may possess full autonomy and will rank as an equal with the Dominions and with the United Kingdom itself as a member of the British Commonwealth;

The All-India Moslem League is of opinion that the present constitution of India must be amended and urges for this purpose the Government to undertake a revision of the Government of India Act, 1919, and without any delay appoint a commission to formulate after due inquiry and investigation a scheme so as to place the Indian constitution on a sound and permanent basis, with provisions for automatic progress to establish full responsible government for India and thereby secure stability in the government and the willing co-operation of the people."

Now, you will find that this portion of the resolution is identical or nearly identical with the resolution which was proposed by the Honourable Leader of the Swaraj Party in this House in 1925. Next we come to the provisos:

"Provided, however, that for any scheme of future constitution for India, the All-India Moslem League reaffirms and unequivocally declares that the following basic and fundamental principles be secured and guaranteed:

- (1) all legislatures of the country and other political bodies shall be constituted on the definite principle of adequate and effective representation of minorities in every province, without reducing the majority in any province to a minority or even to equality;
- (2) the representation of communal groups shall continue to be by means of separate electorates as at present provided, but it shall be open to any community at any time to abandon this separate electorate in favour of joint electorates."

[Maulvi Muhammad Yakub.]

We do not want this separate electorate for ever. When we find that mutual confidence is gained we can do away with it at any time the people of any particular province want it.

"(3) any territorial redistribution that might at any time be necessary shall not in any way affect the Moslem majority in the Punjab, Bengal and North West Frontier Province;"

—the province of my Honourable friend, Nawab Sir Abdul Qaiyum in which I am as anxious to see the introduction of Reforms as in any other province in the country.

"(4) full religious liberty, that is, liberty of belief, worship, observances, propaganda, association and education shall be guaranteed to all communities;

(5) no Bill or Resolution or any part thereof shall be passed in any Legislature or in any other elected body if three-fourths of the members of any community in that particular body oppose such Bill or Resolution or part thereof on the ground that it would be injurious to the interests of that community or in the alternative such other method is devised as may be found feasible and practicable to deal with such cases."

Mr. K. Ahmed: What about music before mosques?

Maulvi Muhammad Yakub: Sir, I wish my learned friend had not put this question to me; but certainly I think I can say openly in this House that it is not a religious matter. I challenge my Honourable friend to show me from any book of Muslim theology any passage to the effect that music before mosque is forbidden according to the Muslim religion. (Hear, hear.) In fact the theory of the Muslim religion is that you should not interfere with any one offering prayers: no Muslim should interfere when a man of any other community is offering his prayers and no Hindu should interfere and molest a Muslim when he is offering his prayers. But if the interference is intentional

Mr. K. Ahmed: Therefore it is not religious?

Maulvi Muhammad Yakub: It is not religious; I say again, it is not.

Maulvi A. H. Natiq (Central Provinces: Muhammadan): What will you do if others be thinking it to be the first step of their own Swaraj?

Maulvi Muhammad Yakub: I will say this, Sir: if anybody intentionally with the set purpose of insulting any religion or with the definite purpose of molesting the prayers of any other religion plays music or does anything else whatever it may be, then I consider it criminal and it ought to be stopped and it ought to be punished—disturbances of whatever kind it may be. About this thorny question, the only thing is that we do not want anybody to stand before a mosque simply in order to annoy and disturb those who are at prayer in the mosque. If such a thing is done it is certainly criminal and it ought to be objected to according to every religion. But apart from this, I challenge any Mussalman to show me from any Islamic book if there is anything that says that playing music by non-Muslims before mosques is to be stopped. Certainly in a country like India where people of different religions and different races are living, they are not to be bound by your law. How can you enforce the Islamic law in a country where the Muslims are not the rulers? You go to the Fatehpuri mosque and you find that trams pass the building the whole day long, when prayer is going on. Probably the noise affects our prayers as much as any music does, but of course because it is not done with the

set purpose of interfering with our prayers we do not object to it. But certainly if anybody with the set purpose of insulting Muslims or interfering with or molesting them in their prayers plays music, we will object to it and it would be irreligious, it would be criminal; it would be anything.

Mr. K. Ahmed: What about Shariat and the quotation from the Koran (verses of chapter XVII)?

Maulvi Muhammad Yakub: I challenge my friend to give a single quotation from the Koran to the contrary: I doubt whether he has read the Koran even once in his life. (Laughter.) Well, if he cannot do so, it is an insult to the Koran that the Koran should be called in by a man who has himself never read it in his whole life.

Mr. K. Ahmed: Never mind. It does not matter whether I have read it or not; I am not speaking now.

Maulvi Muhammad Yakub: What shall I cite from the Koran? If there were in the Koran anything which prohibited music by non-Muslim before mosques I would have cited it; but when there is nothing, what shall I cite?

Maulvi A. H. Natiq: But if it is with a view to press you on this point and to gain something more difficult from you, then what will you say?

Maulvi Muhammad Yakub: I do not understand what that means. These are my demands. If they are acceded to, if they are given, I am willing to co-operate. If they refuse them, then of course I regret to say we will have to put it away till such time as the atmosphere is clear and confidence is restored between the two communities.

Raja Ghazanfar Ali Khan (North Punjab: Muhammadan): You do not want a Royal Commission before that?

Maulvi Muhammad Yakub: It is not in my hands, because under the Government of India Act, the Royal Commission must come in 1929, if not earlier. It is useless for me to say whether I want a Royal Commission or not. And in order to take practical shape the resolution does not stop there and we have done something more and it is this:

"And the League hereby appoints a committee of the following gentlemen as the Central Committee in order to formulate a scheme so far as possible in consultation with the committee or committees that may be appointed by other political organizations and to report the same to the Council of the League for the consideration of the League and for submission before the Royal Commission when it is appointed."

Therefore, Sir, as practical men, we want that something substantial must be done. We do not want to come in the way of the progress of the country; we want that we should join our heads; we have appointed a committee and we have thrown out an invitation to the other communities in India and we say to them "Join with us and"

Raja Ghazanfar Ali Khan: When was this committee appointed?

Maulvi Muhammad Yakub: In December last. This committee was appointed in December, 1926, at Delhi, the capital of India.

Raja Ghazanfar Ali Khan: Was any such committee appointed at Lahore two years back by the Muslim League for the same purpose?

Maulvi Muhammad Yakub: A committee was appointed in Lahore also and we sent an invitation on behalf of that committee to the secretary of the Congress; we requested them to appoint a committee of their own and consult with the Mussalmans for the formation of a scheme of constitution; but of course we received a very disappointing reply and there was no response to that invitation. But now that the time for the coming of the Royal Commission was near at hand we thought it would be quite shameful for the people of India if in 1929, when the Royal Commission comes, we are not united among ourselves. One party puts up one scheme and the other party puts up another scheme. It will be really shameful if we do that and it will show our incapacity to have responsible government in this country. Therefore, we thought that this was the proper time. The iron was hot and it was time that men of different communities and different schools of thought should unite and prepare a scheme of constitution for the country which would be acceptable to all the parties concerned. Here is an invitation on the floor of this House. I again extend this invitation to all parties in this House and to members of all communities and I request them, if they are earnest in their desire to have self-government in this country, and not merely to show to the world that we want Swaraj, they should work like responsible men. It is no use saying that the demands of the Mussulmans are exorbitant. That will not do. You must come with open minds and clean slates. Meet in a round table conference and prepare a constitution which would be acceptable to all. Like respectable men we would be in a position to say to the world "Here is our scheme of responsible government on which we are all united". This is the position. I considered it necessary to make clear the position of Mussulmans when there is a Resolution before the House about constitutional reform. I associate myself with the amendment proposed by my friend Mr. Jayakar subject to the conditions laid down in the League Resolution.

Lala Lajpat Rai: When I originally sent my motion for this cut I had no idea that this question—that of Hindu-Muslim differences—would be raised on the floor of the House and I had practically given up any idea of making any speech to-day, because of the atmosphere of unreality and mockery that has been prevailing here for the last few days, both on the debates on the Railway Budget and the General Budget. I do not consider this House to be a really Parliamentary institution or a representative Assembly. The remarks of the Honourable the Finance Member and the remarks of my Honourable friend the Deputy President have, however, forced me to make a few observations on the proposition before you.

Maulvi Muhammad Yakub: I have spoken as a Member of the Assembly and not as Deputy President.

Lala Lajpat Rai: I did not mean to convey any insinuation. I am not in any way hostile to what the Honourable Member said.

4 P.M. On the contrary I congratulate him on the spirit in which he has spoken. So far as the safeguards which the Turkish Government have granted to national non-Muslim Turks are concerned, if he wants those safeguards I think there is not one man on this side who will object to any portion of them being granted and consolidated in any future constitution of India. But I go beyond that. I think, he as a Muhammadan and other Muhammadan leaders are absolutely justified in being everything they can to protect the interests of their community, regardless

of the fact that they are in a majority or in a minority. I ascribe no bad motives to them. They are absolutely justified in doing all that they think proper and necessary to do to safeguard the interests of the Muslim community in this country. At the same time I want to tell him that I want to do the same for my community, that is the Hindu community. I want to make it absolutely clear that I do not want a Hindu Raj in this country, but at the same time I do not want a Muhammadan Raj also. I want an Indian Raj and therefore I am quite prepared to accept any scheme which will lead to the evolution of an as Indian Raj. We have to hang our heads in shame when we are told that all the humiliations we are subjected to, and all the disabilities of which we are victims are mostly if not entirely due to the prevailing Hindu-Muhammadan differences. We cannot remove them immediately by the shaking of a magic wand. We have to settle them by a system of evolution or development. I consider those people who say outside or anywhere that they want a Hindu Raj or a Muhammadan Raj to be nothing but lunatics. There is no possibility of a Hindu Raj or a Muhammadan Raj being re-established in this country. The time for that is gone. No man can think of that possibility in his moments of sanity. We have to live in this country for all time to come. None of us is going to leave the country. Both of us have got to live together. Therefore we must evolve a scheme by which we can live as friends. At the same time I should be failing in my duty and I will not be faithful to the cause of truth if I refrained from saying that in my judgment what I said at the Bihar Conference was absolutely true—that the whole responsibility for this increase of tension between Hindus and Muhammadans falls on the Lucknow Pact and the scheme of communal representation settled by that Pact. I have no hesitation in saying that the Lucknow Pact was arrived at by both parties in absolute good faith. I do not impugn the good faith of those who were parties to it, but it was a short-sighted policy and that short-sighted policy has brought us to the impasse in which we find ourselves to-day. How to change it and how to get out of it, is a different thing. Now, my learned friend has read to you, Sir, certain Resolutions of the All-India Muslim League. There are certain parts of it to which I object, but I do not object at all to the demand that the minority should have adequate protection against the majority. The Hindus and Sikhs in the Punjab, and the Hindus in some other provinces have as much right to expect safeguards as the Mussulmans have in those provinces where they are in a minority.

Maulvi Muhammad Yakub: We are quite ready to give this protection.

Lala Lajpat Rai: It is very kind of you. It is a question of right. It is a question of our future development. Without this we cannot possibly proceed further to the goal which we all desire. So I have absolutely no objection to that part of my Honourable friend's demand. It is a question of the terms in which those safeguards have to be provided. The safeguards must be such as are likely to lead to the goal we have in view. We have to find out such safeguards as will be consistent with our evolution as a nation which will help the process of nation-making and not retard it. The matter can be considered in some other place and by some other method than by an acrimonious discussion on the floor of this House; perhaps by the method suggested by Maulvi Muhammad Yakub. We have discussed that question with Mr. Jinnah and we hope to discuss it again. It is unfortunate that we have not yet arrived at a decision, but we may arrive at it at any time hereafter. But even if we do not, I do not think

[Lala Lajpat Rai.]

that fact should embitter our relations. I am really grateful to Maulvi Muhammad Yakub for bringing up the question of music before mosques. I am at one with him that the man who plays music before a mosque with the intention of disturbing the prayer of the Muhammadans who are engaged at that time in devotion and meditation is not only a lunatic but a criminal, and therefore he ought to be punished. But I must tell my friend that people have played music before mosques in the performance of their religious duties and in connection with religious and other processions from time immemorial, and if there is absolutely no idea in the minds of any one to deliberately disturb the men engaged in prayer, Muhammadans should not attack those processions and those men. Why are the attacks being delivered on processions which are passing at times when no prayer is going on? To come out and attack such processions and those religious people who are going by, is also criminal and must be stopped. I wish the Government would evolve a scheme, or that my friend would help in evolving a scheme which would delete both these possibilities, so as to enable parties to move in peace and tranquility in the performance of their religious rites, or for the matter of that in the pursuance of any other legitimate activity. We have absolutely no desire to disturb or interfere or encroach upon anybody's religious rights or any rights whatsoever. Having said this much, I must say one word with regard to the extracts which my Honourable friend Maulvi Muhammad Yakub read from my speech at the Bihar Conference. That speech was delivered in vernacular, and I never gave out any translation in English. These extracts are in English. But still there is not one word in those paragraphs which have been read by my Honourable friend which I would take back. I was there discussing the question of what price we have to pay for nationhood and what my opinion was of the Lucknow Pact. I am still prepared to repeat every word of what I said there. At any rate I would not take back even one word from what I said about the Pact. I only desired to explain my position in the few observations that I have made.

Now, Sir, on this question of the resolutions passed by the Muslim League, I wish my friend had not brought them exactly in the form in which he has on the floor of this House. Because after all from what he said it is clear they are only provisional and subject to alteration, and there are certain portions of them which would make the whole scheme of representative Legislatures absolutely unworkable. For example, the limitation imposed that whenever three-fourths of the members of a particular community declare that any particular measure of legislation should not be undertaken, it ought to be dropped. I submit that any Legislature would become unworkable if that condition exists. It may be said that that condition was attached to the Lucknow Pact and that it has also been suggested in other places. But how can our purpose be achieved by methods, which will make the practical operation of our Legislatures impossible or extremely difficult. I cannot therefore accept that exact form, though I am perfectly prepared to accept the sentiment which underlies it and generally to join in finding a solution.

Now, Sir, after I have said what I wanted to with regard to this question of communal representation, I want to make a few observations in relation to the general proposition under consideration. The Honourable the Finance Member read to us a sermon on the virtues of hope, faith, love and charity. Well, Sir, I wish I could say that the Government of this country was

inspired by those noble sentiments which my friend the Honourable the Finance Member gave expression to on the floor of this House to-day. So far as faith and hope are concerned, Sir, we should not be here if we had no faith in our future. I may at once say that we have no faith in the British Government as it is constituted at present. I have no faith because I know what human nature is. But we have faith—perhaps not so much in ourselves as otherwise we should not be pleading our cause in these humble tones: we should be doing something else—but I have faith in that eternal Providence which is the dispenser of justice and which eventually sets human affairs right. I feel that we have deserved what we are suffering—we deserve it to-day. But as soon as we have rectified our errors, as soon as the cup is full of the iniquities of the other side—it is perhaps not yet full—that great dispenser of justice will do justice and will enforce justice, even against the will of my friends on the other side. Now I do not want to criticise my Honourable friends on the other side individually. I am prepared to assume that individually every Englishman and every other man on the opposite Benches is inspired by love and charity and justice. We are not criticising individual Englishmen here. We are not attacking those gentlemen on the other side as individual members of the English race. We are criticising, and we are finding fault with, a machine, a soulless machine. I repeat on the floor of this House that the Government of India is an absolutely soulless machine. It is not inspired by any faith or charity. A machine can have no faith nor any feelings of charity. It knows only to grind and it grinds mercilessly. Faith and charity forsooth! When the gentlemen on those Benches, on behalf of the Government of India, justify a living wage of nine or ten rupees a month while they themselves draw from six to eight thousand rupees a month! Faith and love, indeed! When we talk of Indianization, they say that we are not fit to fight for the defence of our country, that we cannot produce candidates for the Railway Department; and yet they deny us deliberately by their policy any facilities by which we may learn to defend the country; facilities even to produce such small people as mechanics. And yet they ask us to judge them with charity and love! That is the old, old habit of the multi-millionaire, who, in possession of all the goods of this world, preaches to the poor labourer in his factories, contentment by faith, and love and charity. "Wait," he says, "and you shall have everything in time". That is the kind of sermon that is being read to us. We know what that sermon means. We know that every inch of ground we want to recover is being fought by vested interests. Whenever a demand is made by this side of the House to take away from, or interfere with, those vested interests they are up in arms. Sir, we are engaged in a struggle. There is absolutely nothing like love, nothing like faith, nothing like charity, in international relations to-day. How can these gentlemen here love us and deal charitably with us, if they cannot deal charitably with their own people in Europe? They cannot deal justly with their own people there. Otherwise there would be no such bloody wars and no such bloody diplomacy and all these crooked pourparlers. There would be no need for all that. Their conduct shows that there is no love, no charity in international affairs. Nations are all soulless entities, and those soulless entities are inspired neither by love nor by charity, but by interests. Sir, it does not please us on this side to call the motives of the other side in question; there is no need of calling anybody's motives in question. What we call into question are their interests and what we plead for are our interests. We put forward our interests and they put

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forward their interests, and wherever these two clash, we differ. There is no question of motives. The question is one of the interests of one side against the interests of the other. Sir, we are very unfortunately situated. We have no armies to back our demands. We have no navies to back our demands. We have no aeroplanes or airships to back our demands. Sir, one of my friends, Colonel Crawford, praised my Party for what they did about civil aviation. Sir, I may frankly tell him that in my judgment they, the members of my Party, were absolutely wrong to presume that they were going to get anything in the shape of tangible assurances from the other side in the matter of civil aviation. The other side is too clever for us. (Laughter.) Absolutely. We are not children in politics, but we are children in diplomacy. We are often taken in by them. Why every statement which they make, every assurance that they give on the floor of this House, is hemmed in by such conditions and is couched in such language as to give them every facility and opportunity to get out of it at the earliest possible opportunity. May I remind the Honourable the Finance Member in this connection of the promise which this side of the House says he made in regard to the appointment of an Indian to the Railway Board. He has said he never made a promise, and this side says he made it. Obviously either they are wrong or he is wrong. But in my opinion both are right. He is correct because he was very careful to choose his language in order to leave a loophole when the question came up for decision. They on their side are convinced that they had extracted a promise from him which was unconditional and which he has failed to fulfil. Sir, it is all a game of words, more befitting a children's club than a Parliament. But perhaps Parliaments in these days are nothing more than children's associations to play with words. Sir, I submit that we are not being fairly dealt with. One of my friends on this side said, just a little while ago, that this House was a sham. Well, Sir, it may not be a sham but it is certainly a mockery, a mockery of a Parliamentary legislature. A Legislature which has no force behind it, which has no sanction behind it to enforce its will; what is this Legislature? It is like a debating club for school-boys where subjects are debated upon and Members are asked to vote upon them, with no effect on actual politics. Sir, we notice day after day that our case is lost by a manipulation of votes. How do we lose? Do we lose by the votes of a majority of the elected representatives of the people? No! The Government is very careful: out of a total of 143 which constitute this House they have got 40 votes in their pockets, and we on this side start with a handicap. I make no insinuation against the nominated Members. Several of them are absolutely honest men (Laughter.) I ascribe no motives to them; but can any Member of the Government deny that when they are making nominations, they choose their people with great care as to who will vote for them. (An Honourable Member: "Can't they do that?") Very well, they have an absolute right from their own point of view; I am not blaming them. I am simply stating the fact here. This Assembly is supposed to be composed of the representatives of the people of this country. Well let us see how many of the members here can claim to be representative through being elected? Those people can only represent who are elected. Persons nominated by the Government represent no one but the Government or at best themselves. Some of them may have a clear conscience. There are nominated Members who have a great regard for their conscience and they come with a certain laudable object to fulfil. Be it as it may, my point is that by virtue of these

nominations, the Government start with 40 sure votes in their pocket. Yesterday's voting showed that they got 68 votes. Deduct 39 or 40, and how many remain? 28 or 29. And yet they have won. If the elected portion of the House were alone taken into account, they won practically by 28 or 29 votes against 65. That is the net result. No really representative Assembly would allow itself to be nullified in this way by the Executive. But the Government here is all-powerful. Look at the list of votable and non-votable items. If we cut out some of these votable items, we make ourselves ridiculous. I will explain in one sentence what I mean. So far as the Executive Council is concerned, the Honourable Members who draw Rs. 6,666 a month and all their allowances, perquisites, etc., are safe. The salaries of a few poor menials or other establishment or their touring expenses, are open to the vote of this House and if we cut them out, what do we do? We injure our own countrymen. The same is the case with the other Departments also. If we refuse their touring expenses, what will the world say?—that we have swallowed the camel, while we strain at the gnat. Out of a Demand for over 5 lakhs, we are required to vote for Rs. 60,000, required for very small and inconsequential expenses. This is not confined to this Demand only, but this is true with regard to most of the other Demands also. So what is this? I am bound to say that this constitution has been designed deliberately to make us look ludicrous in the eyes of the world and also in our own eyes. I know, Sir, that the British have not come to this country for the sake of charity. I grant that the gentlemen on the opposite Benches are here for the purpose of protecting the interests of their country, of their nation, of their people, and I do not resent it. I only want that people who have taken forcible possession of other people's country and who are exploiting them should not talk of love, of charity and of faith. Sir, I know, that there is something in the atmosphere of India which affects the consciences of persons who come here. The other day I was astounded to find a Minister of the Christian religion, a follower of Jesus, saying that Rs. 9 was a good living wage for Madras railway men because the other Indian employers in that Presidency paid the same amount.

The Revd. Dr. E. M. Macphail (Madras: European): May I ask the Honourable Member to repeat his statement, as I could not hear him?

Lala Lajpat Rai: I was saying that there was a follower of Jesus, a minister of the Christian religion, who justified the pay of Rs. 9 and Rs. 10 for the Indian railway servant on the ground of supply and demand. Am I wrong? I submit that it is an irony of fate, that a minister who professes to preach the Christian religion should be defending a wage of Rs. 9 or Rs. 10 on the floor of this House on the doctrine of demand and supply. (*An Honourable Member*: "Universal Christianity.") But, Sir, we are placed in a very unfortunate position, and the question is, how to get out of this? There is no use giving threats. We are not in a position to execute any threats. There is no use of bluffing also, because that will not do. So we must take facts as they are. The facts are that the other side have got the army, they have got the navy, they have got that "monster", law and order, at their backs. They have got everything at their backs to enforce their demands, and we are here put into a position to make ourselves ridiculous. I am of opinion, Sir, in spite of the dictum of the Honourable the Finance Member, that the new constitution has made our position much worse than what it was before. I will explain how. Before this Assembly was constituted, the Government of India

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was wholly responsible to themselves, to the British nation, to the Indian people and to the world at large for all they did. If they did wrong, they did it on their own responsibility. If they did right, they had it to their credit. But now what do they do? They manipulate the votes of the Assembly and get a majority in favour of their schemes; and then they assert that they have the sanction of the mock of a Parliament for their measures. Can anybody justly maintain that out of an elected House of 100 members (the elected representatives of this vast country), 28 or 30 votes represent the opinion of the country and the others do not? Yet the verdict goes forth that this Assembly has rejected 1s. 4d. and accepted 1s. 6d. as the ratio. Why, it was easy for the Government, with the help of the 28 elected votes, to enforce 1s. 6d.? Such is the constitution of this House for which we are asked to be grateful. In my opinion, Sir, the Government would be well advised, if they are absolutely sincere in their desire, to train us for self-government, as they say—of course nobody trains anybody for self-government, and nobody can train anybody for self-government; but taking them at their word,—if they are absolutely sincere in their desire, let them confine us to a few things but let them give us power, real power as regards those few things. We are perfectly prepared to enter into negotiations with them. Let them keep their army, if they mistrust us. Somebody said it was the distrust of the representatives of the people that made the British Government keep us out of the army. No it is the mistrust of the people themselves. A foreign Government cannot trust the people over whom it rules. It is not in the nature of things. The people of this country are equally justified in mistrusting their foreign rulers. But, now, that the latter realize that we have become a little self-conscious, that we want to assert our rights, and that the Government of the country cannot be carried on without giving us a share, they want to placate us. Well, then, let us enter into negotiations and make a bargain. I can understand their wishing to take such precautions in making the bargain as to ensure that their vested interests may not be in jeopardy. They want to secure that at least for some time to come, they may be absolutely safe. I for one would be prepared to enter into negotiations with the object of arriving at such a bargain. It was with that object that the Assembly in 1924 and my Honourable friend, Pandit Motilal Nehru, proposed a round table conference. The object at the bottom was really to enter into such negotiations, and even the object of the second Resolution passed in September, 1925, was exactly the same, but the Government would have nothing to do with it. The Government are quite safe, as these fools, Hindus and Muhammadans, are always fighting with each other and cutting each other's throats. That gives an opportunity to the gentlemen opposite to say that they are the people to decide at what rate and by what stages we should proceed to self-government. I do not think that self-government will come even after 100 or 200 years at this pace, and under this constitution. But, Sir, sometimes desperate men take desperate measures, and I want to join in the warning given by Mr. Jayakar, without the least possible intention of using any threat or making any bluff that the time may come, if this thing goes on, when the Indian people, not only youths, not only misguided youths who are at present held responsible for certain deeds, but even grown-up people, men with a stake in the country, may be simply forced to desperate measures in a condition of absolute despair. Sir, I will frankly admit that we are

not in a position to enforce our demands at present. We are practically at the mercy of the Government. But, we may not be at their mercy always. There is a Providence, a power, which fashions the destinies of human beings, and that Providence might will otherwise. A time might come when they may need our help, when their own Empire and their own country may be in danger. It is not impossible. Let them not be intoxicated by the power of their existing army and navy. Let them trust us a little, at least a little, if not altogether. Let them take us into their confidence. As friends we shall be their strength; as enemies we shall be a curse and a source of weakness. Therefore I beg of them in all humility, in all earnestness, to take these things seriously into their consideration: I do not plead, Sir, that the Statutory Commission should come at once, this year or the next year. The time for that demand is gone. We made our appeals and requests in that behalf in the past. They have all gone in vain. There is absolutely no use in making those requests again. All the same we cannot let this opportunity go by without recording our emphatic protest against the system of government which prevails in this country, which we consider is as irresponsible, as arbitrary, as autocratic, as cruel, as a machine and which has in no way improved the relations of the rulers and the ruled in this country. I therefore beg of my friends to take it very seriously. On this side of the House we are open to negotiation. We know our interests; we are not fools. We know we have no power; we know what our resources are. We know that at present, we have really none. We recognise that and we are prepared to enter into negotiations for the purpose of making a settlement which may be binding at least for a number of years between Hindus and Muhammadans on the one hand and between the rulers and the ruled on the other for the future government of this country, a settlement which may be based on terms of mutual respect and mutual confidence. Then and then only we shall be in a position to appeal to each other in the name of faith and love and hope and charity.

Mr. M. Ruthnaswamy (Nominated: Indian Christians): Mr. President, if the object of Mr. Jayakar in moving his motion was to advance the view that the time for the revision of the present constitution had arrived, I wish he had worded it in a form which would be more acceptable to people who sympathise with the views which he has expressed but would not be able to vote with him on account of the form of his amendment. If he had put down a token motion and appealed to the House to vote for his motion, I for one would have had the greatest pleasure in walking into his lobby. The generously worded speech and the large measure of political progress which he demanded in that speech, make it look as if it were a repetition of the national demand which has been made on the floor of this House on more than one occasion. Apart from the view that a national demand cannot bear repetition, for a great nation and repeated demands go ill together, it may be doubted whether this House is the proper forum for the demand of greater political advance. If this House were a Convention or a constituent Assembly and not a subordinate Parliament that it is under the present constitution, these demands for greater political advance would be certainly in place. Moreover, Sir, it may also be doubted whether the conditions, social and general, that would justify a more rapid political progress are in existence at the present moment in this country. National unity, national sanctions, not only in the form of physical force that would enforce our demands, a national civil service, which would

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execute the behests of the Legislature, all these things seem to be conditions precedent to any demand for that large measure of self-government which has been advanced on the floor of this House this evening.

Mr. C. S. Ranga Iyer: Does the Honourable Member want a parallel Government?

Mr. M. Ruthnaswamy: It is not for me to advise Honourable Members opposite as to the methods that they should adopt outside the House. They are well able to take care of themselves as regards the methods they would use for the political progress of this country. The history of self-government, not only all over the world, but especially in Europe and in England, is strewn with the ruins of premature constitutionalism, of a constitutionalism which was imposed on the country before the condition precedent of national unity had been achieved. Even the history of England furnishes us with that example of premature constitutionalism which played havoc with the progress and even imperilled the national unity of England towards the end of the middle ages. And when I speak of the force of a national sanction that would maintain whatever measure of Swaraj will be obtained for the country, I speak not only of physical force but of the force of public opinion which must be behind every demand that is put forward in the name of the nation. I cannot help thinking that the public opinion that exists in this country at present is an urban opinion and not the opinion that would be backed by the vast mass of villagers which form really the bulk of the population of this country. (*Some Honourable Members:* "Question?") Now, my insistence upon these conditions precedent for the grant of a large measure of self-government must not be construed as if I was in perfect sympathy and in love with the present constitution as it exists. Defects there are in the present constitution, as they have been pointed out by more than one speaker. In the Provincial Governments, although a certain measure of responsible self-government has been granted, I do not think that even within the limits of that responsible self-government, the self-government is thorough or the responsibility complete. For, without a Civil Service over which the Ministers have control and without a purse over which they have full control, I cannot believe that full provincial self-government or even provincial self-government to the extent to which it has been granted has been realised in the provinces. And when I turn to the Central Government also, I find one great defect in it. Although my experience of the Central Legislature is only of short duration, I have been depressed by the atmosphere of unreality in which we seem to be working in this House. (*Honourable Members on the Swarajist Benches:* "Hear, hear.") Resolution after Resolution is carried by the representatives of the people, Government cheerfully anticipating the decision and the House as cheerfully repeating its decisions. Now, this atmosphere of unreality cannot long continue. It is demoralising both to the Legislature and to the Executive. A great Australian Governor, Sir George Bowen, once remarked that to grant representative institutions and to deny responsible government is like lighting a fire and stopping the chimney.

The irresponsibility of the popular representatives of this House is to be attributed to the fact that they are not faced by the contingency of having to carry on the government of the country if the Government refused to abide by the decisions of the popular majority. If Pandit Motilal Nehru or Sir Purshotamdas Thakurdas were an alternative to Sir

Alexander Muddiman or Sir Basil Blackett I think that many of the extreme decisions to which the popular majority of this House has arrived at would not have been reached. While, Sir, I believe that the defects of the present constitution are great and serious, I do not at the same time demand that our political progress should outrun our social progress, our social organisation, especially that organisation of national unity which is absolutely necessary to secure whatever political progress we may achieve. It is quite possible that in the atmosphere of pale blue funk in which most modern Governments find themselves, the British Government may grant us a large measure of Swaraj, may grant us complete Swaraj, provided the agitation were universal and persistent. But have you got the machinery, the national army that is necessary to guard that Swaraj against all comers? Until these conditions precedent are realised, I think the demand for that large measure of self-Government which has been put forward to-day must be considered to be out of due time.

If I pass from the attitude of the popular majority to that of the Government of India, I cannot congratulate the Government on exhibiting a more satisfactory attitude. The attitude of the Government of India to the people entrusted to their care has been described in various phrases. At one time it was popular to describe British rule as a trusteeship. At another time the attitude of English statesmen towards India was described as a change in the angle of vision. Yet another time, and this came from the popular side, a demand was made for a change of heart amongst our rulers. The attitude that was described by the word "trusteeship" is not one that completely describes the attitude of the people entrusted with the business of governing a foreign race. Trusteeship, as I understand it, has more to do with the development of the property entrusted to the trustee than the education of the ward, and from that standpoint of trusteeship I dare say at the bar of history the British Government will stand justified and that the verdict of history will be in its favour. As for the view that all that is required in the British attitude towards India is a change in the angle of vision, I am afraid that this change may be only a physical change. You may change the angle of vision and the result may be that you may look squint-eyed at all the facts presented to you. As for the appeal for a change of heart I hardly think that such an appeal should be addressed to a Government, because a Government is a corporation, and as all men know, a corporation is a thing which has neither a body to kick nor a soul to save. I rather prefer to describe the right attitude of the British Government towards India by asking for a change in the whole philosophy of its attitude towards the people. The British must look upon the people of India as people who have been put in their charge for their political education, and here, Sir, if I may strike a personal note, it seems to me that the art of the teacher has much to teach the governors and rulers of the world. The true teacher is not one who tries to find out how little his pupil knows, but tries to draw out the best in the pupil's mind, and looks on his pupil as an elder brother would look on a younger and who has had the opportunities which the younger brother has not had, and tries his best to share those advantages which he possesses, honestly and completely, with him. If the British rulers would only change their own political philosophy and look upon themselves not as the defenders of a fortress of privileges and rights but as people who are set in their places to train the people of India on the path towards complete self-government, then I think we should secure that change in the relationship of the two peoples which is so necessary for the progress and prosperity and liberty of

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this country. I would ask the British not to act as their Governments acted in England towards the people who were clamouring for liberties and rights, as the constitutional history of that country teaches us. The Government of the day, the aristocracy as it was, in the eighteenth century, looked upon itself as the defenders of a fortress of privileges and rights, and they would grant greater liberties and rights only at the point of an extremely popular and universal agitation. That is the attitude with which I cannot help thinking the Government of India has viewed every demand for greater extension of political rights and privileges. That attitude was all very well in a country where the governed and the governor belonged to one race and to one community. It is utterly dangerous in a country like this where the people governed and the governors are separated from each other by profound differences of race, religion and origin. The British rulers must anticipate progress, must do those things which are necessary for the securing and safeguarding of whatever political progress may be asked for by the people. While the representatives of the people are busy with building the superstructure of a free and progressive India, the British on the other hand must busy themselves with strengthening the foundations for that liberty and self-government which I hope will be secured to India in the near future. I shall mention two ways in which the British might improve their attitude towards the people. Take the question of nationalising the army of India. This project of nationalising the army of India should have been begun long before a national demand for it was made. It should have been done almost immediately after the assumption of the responsibility for the Government of India by the Crown. But, unfortunately, the British were obsessed by the memory of the Sepoy Mutiny, forgetting that the Sepoy Mutiny was only a military mutiny and was not a national insurrection, forgetting also that the Sepoy Mutiny was due largely to the blunders made by a Government which pampered the so-called Bengal Army of those days and brought its troubles solely and surely upon itself. In regard to this question of organising a national citizen army the Government should be much more sincere and also much more thorough than it has been in the methods it uses for the military education of the people. They should not say to themselves, how little shall we give consistently with our security in this country, but how much should we give consistently with the true political and military education of the people. So, also, Sir, in regard to the project for the organisation of a national navy. It is not enough for the Government to provide so much money for the building of a national navy. It must advertise the establishment of the opportunities for the building up of a national navy. It must look out for people, for the youth who would be able to take advantage of these opportunities that are being offered. I think, Sir, it is only by altering its attitude towards the military, the naval and the general political education of the people that that atmosphere of peace and confidence which is necessary for all political advance can be ensured.

This debate, Sir, has been raised with a view to declaring the mind of this House on the question whether the time has not arrived for a revision of the constitution. I personally think the time has arrived, if only to remove those outstanding and permanent defects in the working of the constitution of the Central Government and of the Provincial Governments which I pointed out a little while ago. The request has been put forward that the Statutory Commission, which ought to arrive, according to the

Act, in 1929, might arrive two or three years earlier. In this connection I should like to deal with a very mischievous suggestion that has been put forward in certain English papers in this country. The idea was that the Statutory Commission should be composed of people who would, as far as possible, be not Indians and who would, at any rate sit in judgment upon the political capacity of the people of India for self-government. Now I submit, Sir, that is exactly the attitude with which the Statutory Commission should not come to this country. (Hear, hear.) It is not to see how far the people of India, as they are at present, are fit for a larger measure of self-government, but to devise ways and means for fitting and training the people of India so that they can be entrusted with full responsible government as early as possible. The Statutory Commission, whenever it comes, ought to be imbued with this idea of devising ways and means for the political education of the people—a national organisation of the army and navy—the organisation of national unity, the organisation of all those conditions which are precedent to any large advance in self-government. The Statutory Commission must be imbued with the object of devising methods of training Indians for full responsible government in as short a time as possible, and certainly not to see how far or how little Indians have politically advanced in the years between the inauguration of the Reforms and now. Sir, I will close my speech by reminding the Government Benches of a saying of one of their heroes, the famous Robert Clive, who laid the foundations of British rule in this country. He said, speaking of the situation of his time: "To go back is impossible, to stand still is dangerous." I trust, therefore, that, by the co-operation of a far-seeing and anticipating Government with the representatives of a people who are wise enough to realise the limitations imposed upon every demand for greater political advance by the circumstances of their country the imperfect political unification that exists and the imperfect national and social organisation that confronts us, the difficulties of the political problem will be overcome, so that the Government and the people, united by a common purpose, may advance towards that goal which I think is the common end of all those who are charged with the Government of India, namely, the realization of full responsible self-government. (Applause).

Mr. President: The Honourable Sir Alexander Muddiman.

Pandit Madan Mohan Malaviya (Allahabad and Jhansi Divisions: Non-Muhammadan Rural): I hope, Sir, that does not close the debate?

Mr. President: The Chair is in the hands of the Honourable Members. I understand it was agreed that this debate should close to-day. If the Honourable Members, however, desire to continue it to-morrow, the remedy is in their own hands. The Chair called upon the Home Member to speak, and therefore the Honourable Members perhaps thought the debate was closed. That was not so. The Home Member had no right of reply in such matters and was called upon to take part in the debate in the ordinary way.

The Honourable Sir Alexander Muddiman: Sir, I understood I was speaking when the other speakers were exhausted. My only reason for speaking so late in the debate is that it is convenient for the Member dealing with the grant under discussion by the House to have an opportunity of answering the points that are brought forward. As pointed out I have no right of reply and I waited till a late period in the debate in order to reply to some of the many points that have been raised in this rather

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desultory and disconnected debate. I feel some difficulty in doing so for it has been a debate that has spread over a great deal of ground. I also feel some difficulty in doing so, for when my Honourable friend Mr. Belvi was enumerating the various forms of disqualification which he apparently regards as necessary part of a Parliamentary, I confess I found I only possess one. I do not possess the glibness of speech which he advocated, but I do possess the power of being able to untie the red tape of a file (Laughter.) Well, Sir, as I say, this is a debate that has ranged over a large variety of subjects and the only common denominator which I find in, I think, all the speeches, possibly not all, but all but one, is the desire for some further constitutional advance. It would have been easier probably for the Government speaker on a subject like this to have had to deal, as it has been my fate in the past on several occasions to have to deal, with a Resolution. I can understand, however, there is some delicacy in putting forward a Resolution where there are somewhat indefinite views as to the object to be sought. I think for purposes of this debate I can divide the speakers into several heads. There are the speakers of whom my Honourable friend Mr. Belvi may be taken as the prototype, the speakers who are "whole-hoggers". They say "All or nothing; take back the Reforms or give us complete representative government". They do not regard facts, have no regard to occasions, have no regard to circumstances, but make this demand in that rather impulsive way. And the worst of it is I do feel that my Honourable friend Mr. Belvi, when he says that he is speaking in absolute sincerity does believe it would be possible for any Government to give a people self-government by a stroke of the pen. That is the fatal and pathetic delusion which is at the basis of much of the difficulty in dealing with this question of constitutional reform.

5 P.M.

I affirm here and now that it is not possible for any Government to give any people self-government; that must come from the people themselves. It is absolutely impossible for the British Government by a stroke of the pen to create a national Government which will function. I take it it is the wish of this House that any Government that is set up is to be a Government that is to function. You do not desire. I presume, to be plunged into anarchy.

Mr. T. C. Goswami: This is anarchy.

The Honourable Sir Alexander Muddiman: I will turn to my Honourable friend later. I know he is fond of that view. I do not take that view myself nor are there many Members in this House who do. My point is this. I quite recognise that Mr. Belvi and many others like him believe that it is possible by a stroke of the pen to grant what he so much desires. If I could only convince him of my belief that it is an impossibility we might be getting nearer the actual facts. Mr. Belvi, if I may say so, Sir, is a very straightforward and honest exponent of the whole-hogger school. He does not indulge in recriminations. He does not say that we are taking this or that we are taking that. There are others who are also whole-hoggers but who are not so reticent in these matters. I have come to think it is impossible to escape a debate where the word "robber" will not be used at least once or twice. I miss the great breezy frankness of my Honourable friend Mr. Abhyankar who used to take part in these debates with the addition, as a rule, of the word "dacoit". Sir, we have heard of "stinging serpents" and "robbers". Those are words that are

always brought into these debates. What their exact object is I do not know. Whether it is to sting me into anger or not, the word "robber" may be employed in this House with impunity for I am beginning to regard it as almost a regular epithet which will be applied to myself and my colleagues. Also when I am invited to regard the miserable pittance which remains to me after deduction of income-tax and house rent as in any sense something I am ashamed of, I am also left unmoved; my withers are unwrung. If I were a Director of a Tramway Company I would probably make a great deal more money than I do in the Government of India. And when people speak of our having no sympathies with those who work I can tell this House that I myself come from a very poor family, that I have worked all my life and shall probably have to work all the rest of my life.

Sir, I pass over those speeches where perhaps an exuberance of expression has injured the thought that they doubtless contained, and I turn to another class of speaker; and here again I must generalise. I will take, if he will permit me to do so in all courtesy, my Honourable friend Mr. Jayakar as the representative of that class. Now, Sir, Mr. Jayakar is a very able and a very moderate speaker and I listened to his remarks with the greatest interest. He was, if I may say so—doubtless owing to the fact that he was not a Member of the House at the time—a little misinformed as to the actual facts of the discussion in September, 1925. It took place as a matter of fact on an amendment moved by my Honourable friend the Pandit in connection with a Resolution on an inquiry of which I happened to be the Chairman—after the inquiry, not before. My Honourable friend the Pandit moved an amendment which quite frankly gave the Government some difficulty in understanding what exactly was meant; for though it was on the paper various people in various parts of the House put different interpretations on it. One of the difficulties I found then and I still find to-day in dealing with this question of constitutional reform is whether this House really contemplates that prior to any constitutional inquiry of any kind a declaration should be made by His Majesty's Government in Parliament as to the exact course to be followed by that inquiry. What the House apparently desires—or some Members of the House desire—is that the policy should be formulated by His Majesty's Government and any inquiry held afterwards to see how it can be carried out. Now that is not what the Government of India Act contemplates. It is not what has ever been done by the British Government in dealing with constitutional advance in this country, and I cannot conceive it as likely to be done in response to any request from this House or any other person or body. It would be placing the inquiry in this position, that after having decided the principles you would then have an inquiry to devise the procedure. It may be that that is a possible method of procedure. I can only say it is not a method which has any precedent in the dealings of Parliament with India or is likely to form such precedent as far as my judgment goes.

Now, Sir, Mr. Jayakar referred to the Indian National Congress resolution at Gauhati, and he said I should pick holes in a speech here or a speech there. Well, I have no desire to make any cheap scores in that kind of way, and I will present my Honourable friend with the conclusions of the Indian National Congress without any comment, leaving them to the House which is as well aware of their contents, as I am and possibly even better. Then Mr. Jayakar went on to talk about dyarchy and he

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quoted the opinion of a lady friend of his. I was interested to hear that opinion very much, but I do not really consider the opinion of his lady friend very destructive to dyarchy. She must have been a very attractive lady friend to have made him think it was! (Laughter.) And now, Sir, one of the objections that my Honourable friend took to dyarchy was that while giving to the popular half a share in government it involved them in a joint and undivided responsibility. I do not know how the orders of the Bombay Government are issued, but if they are issued in accordance with the directions of the Act and rules it must be evident to the world at large which are the acts of the Ministers and which are the acts of the reserved half of the Government.

Now, Sir, he further went on to instance as an example of the way in which Government have been working these Reforms that amendments had been made in the Government of India Act. Sir, I do not contend for a moment, I do not propose to contend, that they were not restrictions on the power of this House. They were restrictions on the power of this House and I am not arguing they were not. They were restrictions which in the judgment of Parliament were necessary. I am not here to defend what Parliament did nor is it necessary for me to do so.

Sir Hari Singh Gour: Did you protest against them?

The Honourable Sir Alexander Muddiman: I recommended them, Sir!

An Honourable Member: Why did you do so?

The Honourable Sir Alexander Muddiman: One of the great dangers which this House has to guard against and it is a danger which all Houses and all authorities are exposed to is that excess exercise of authority brings its own reward. My Honourable friends opposite will tell me that my excess authority is bringing its own reward. Now, Sir, I did not quite follow some of my Honourable friend's remarks. I did not hear him very clearly when he spoke of himself as a Mahratta going on a pilgrimage. We know a little in Bengal about these Mahratta pilgrimages. I hope he does not contemplate such a pilgrimage as that. I am sure from his very disarming speech the slight threat contained at the end of it did not foreshadow Mahratta pilgrimage of that nature!

Now certain remarks were made about the duty of fighting the foreigner and generally of making his life uncomfortable. Well, Sir, it is undoubtedly one way of doing it; but is it a wise way? I put it to the House. (An Honourable Member: "Yes.") My Honourable friend says "Yes", but I submit with all deference to this House that if you have got to live by the ford, make friends with the crocodile. (Laughter.) That, Sir, was a maxim which was taught to me very early in my service by an old boatman in Bengal—if you live by the ford make friends with the crocodile.

Mr. A. Rangaswami Iyengar: Never trust the crocodile. (Laughter.)

The Honourable Sir Alexander Muddiman: As to who is the ford and who the crocodile I shall leave it to my Honourable friends to judge. (Laughter.)

Mr. S. Srinivasa Iyengar: Then make friends with us.

The Honourable Sir Alexander Muddiman: It is always my desire to make friends with everybody.

And now, Sir, I will come to Mr. Kelkar. Mr. Kelkar says "Fight the Government. All Governments want fighting; every non-official must fight the Government". That was his proposition. Well, Sir, as at present constituted it is a very pleasant proposition; but when he himself is a member of the Government I doubt whether he will approve of it and I doubt whether that is really the spirit in which Members of the Legislature should approach the Government. It is undoubtedly the duty of every Legislature to persuade the Government to act in the way it desires, but is it always well to fight the Government? Is not this continual stress on the idea that power is to be torn by some process possibly of

Mr. M. A. Jinnah (Bombay City: Muhammadan Urban): Language.

The Honourable Sir Alexander Muddiman: Of violence of language, as my friend rightly says, or by some other means it should be extracted from their hands rather doubtful? You can snare a hare in many ways; you may snare her by kindness and you may snare her by other means; but it seems to me that you can get more out of the Government by treating them kindly than by treating them unkindly.

Lala Lajpat Rai: Neither by kindness nor by violence.

The Honourable Sir Alexander Muddiman: Mr. Kelkar then made a point and it is a point I do not deny in the slightest. It is this: that in a Government of this kind responsibility rests on the executive in the ultimate resort. He also made the point which is quite a fair one in a way though it does not go quite so far as he has put it: there is a danger of the Executive using the Legislature as a shelter for their misdeeds; but with a Legislature of this intelligence, and this temper is there any real danger of that? No.

I did not quite follow the idea that you should make a man a Collector in order to fit him for the responsibilities of a Deputy Collector; that was a hard saying of my Honourable friend; but I take it that what he meant was this—and there again there is considerable truth in the remark—that where you confer an excess of responsibility on a man you may make him responsible in small matters if not in large. That is, if you make him, say, your land steward, he may be very careful in receiving your rents, but he may not turn out to be a very good land steward. There is something in that and I myself agree that men develop and popular Governments may develop by conferring responsibility even in excess. You do get, and you may get some responsibility as a result of it; but it is a process which must be carried out with considerable care. If you make a man a Commander-in-Chief in the hope of his becoming a good sergeant, I do not think you would probably defeat Napoleon.

Again, Sir, my Honourable friend put forward a proposition which has merits, great merits. He said that the will of the Legislature has to be carried out by the Executive. But that proposition is one which

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is only true where the constitution is such that the Legislature and the Executive are in harmony; they are in harmony in ordinary Parliamentary institutions owing to the fact that under those constitutions if you turn out my Honourable friend Sir Charles Innes and myself, you have got to sit in our places; the King's government has got to go on; and the real answer to the fact that this present constitution of ours . . .

Mr. A. Rangaswami Iyengar: That is no answer.

The Honourable Sir Alexander Muddiman: My Honourable friend might wait till I have tried to give it. When I was interrupted I was about to say that the real answer to the criticisms which are directed at this constitution, and rightly directed at it, namely, the existence of residuary powers is justifiable by the fact that there must be some authority, to bring the Executive and the Legis'tature into conformity. No constitution and no country can be run where the Legislature is in permanent conflict with the Executive; something has got to break somewhere, and that is the justification and the real justification for the existence of these residuary powers.

And that brings me on to the further point which is that the more you force on a Government constituted as we are, the exercise of these residuary powers conferred on that Government, the more you weaken yourselves and the more you weaken us. You will come to regard that as a normal course in order to exercise your control over the Government; you will say "Let us force the exercise of these residuary powers." Well, Sir, it is quite open to you to do so; but the whole point of that is that you make the exercise of residuary power a thing which you yourselves regard as a very small matter, and what is worse, you deprave the Government which exercises them. That is a most dangerous proposition. My Honourable friend, Colonel Crawford, put it very well. He indicated that in other constitutions progress is possible by the atrophy—I think that was the word he used and if he did not use it it would have been a very good word to use—by the atrophy of the residuary power.

My Honourable friend, Mr. Kelkar, was greatly impressed by the fact that votes in this House were really not very important—I think I am quoting him correctly. Let me inform him that I have known an occasion and that not very long ago, when a question of three votes was of very considerable importance. I want to take him up seriously on that. His point was no doubt that here you have forty officials who vote in accordance with the instructions of Government or may vote in accordance with the instructions of Government. That, Sir, is part of the constitution as was devised and it is a part of the constitution which was devised for a purpose. I should have said twenty-six officials—not forty. Those votes were intended to give a certain amount of makeweight in this new constitution. They were deliberately inserted there and it is idle to talk of these votes being arbitrarily exercised. Everybody in this House who exercises any powers does so in virtue of an Act of Parliament, and the sooner the House brings its mind to accept that position the better. You and I, elected, nominated, appointed, selected are all here by virtue of an Act of Parliament.

Now, my Honourable friend, Mr. Kelkar, 'had one other argument that I ought to deal with. He said that we should not rely on gratitude, and specially that it was not a reasonable argument to put forward. I am not going to put it forward, Sir; I rely on a much greater argument—that is the argument of self-interest; and as long as the interests of India and the interests of Great Britain are identical—or even closely coincide—there is not much chance of any serious breach between them. My Honourable friend will probably argue that they do not coincide. I will make him a present of it.

I turn now to my Honourable friend, Maulvi Muhammad Yakub, and that brings me to a very interesting side of this debate which has given it a sense of reality which I personally welcome very much. There is no question which is more before the minds of anybody who is really concerned with the interest of this country than the tension between the two great communities, and Maulvi Muhammad Yakub appeared to me to speak in a way that shows his real desire to live in peace with his neighbours; and in this connection, though there was much in the speech of Lala Lajpat Rai which he could hardly expect me to admire, I did admire the way he endeavoured to speak out on this question which is troubling us all so much, which is a danger to Government, which is a danger to the public peace in this country and which is a question that you yourselves must solve for yourselves. (*An Honourable Member*: "If you will allow us.") I do not know who the interrupter was. If the suggestion is that we are not doing everything we possibly can to deal with this situation I do believe there is no man in this House who is prepared to repeat it.

Mr. K. Ahmed: Lala Lajpat Rai refused to preside at the leaders' conference.

The Honourable Sir Alexander Muddiman: The Honourable Member has interrupted me on a point which I am not going to take up. My Honourable friend Maulvi Muhammad Yakub made some reflections on the electorates which he said were not framed by the people. I am in entire agreement with him that the question of the electorates is one of the most important questions that this country will have to consider, and if he will devise some electorate to bring in a better class of Members than we get in this House, able as they are no doubt, (*Laughter*) I should be very grateful to him.

Mr. M. A. Jinnah: What will the Honourable Member do then?

The Honourable Sir Alexander Muddiman: The Honourable Member will do his best to take steps to get those electorates set up.

I have dealt as far as I can with the individual points that struck me in the course of this long debate. This is, as I say, a rather awkward method of raising a question of this importance. This debate could have been, and I am surprised that it was not, raised in a debate on a definite Resolution. Indeed there was one on the paper for some time in both places and for some reason or other which the Members of the House know better than I do, it did not come to fruition. I am left to deal, as I say, with the general proposition that some advance in reforms is desirable. We all think that some change in the constitution is desirable.

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The question will be how and when it can be made. That is a question which on the grant under consideration I do not feel myself justified in elaborating. The general charge against the Executive Council apart from this question of constitutional reform has been the usual one. "We have left undone those things which we ought to have done and we have done those things which we ought not to have done and there is no health in us." That is a phrase which men of my faith repeat every week. As long as the Opposition in this House takes the line it has taken up to date the Government of India will not need to repeat it corporately, for the opposition will perform that duty. I suggest that I have met as far as I can the points that were raised in this debate. The issue—I will not be so irrelevant as to speak on the actual issue before us because no other Member mentioned it—is whether our tour expenses should be granted. I crave the mercy of the House that they be granted.

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

Mr. President: The question is that the question be put.

The motion was adopted.

Mr. President: The question is: "That the Demand under the head 'Executive Council' be reduced by Rs. 59,999."

The Assembly divided:

AYES—65.

Abdul Matin Chaudhury, Maulvi.
 Acharya, Mr. M. K.
 Aiyangar, Mr. C. Duraiswamy.
 Aney, Mr. M. S.
 Ayyangar, Mr. K. V. Rangaswami.
 Ayyangar, Mr. M. S. Sesha.
 Belvi, Mr. D. V.
 Bhargava, Pandit Thakur Das.
 Birla, Mr. Ghanshyam Das.
 Chaman Lal, Mr.
 Chetty, Mr. R. K. Shanmukham.
 Chunder, Mr. Nirmal Chunder.
 Das, Mr. B.
 Das, Pandit Nilakantha.
 Dutt, Mr. Amar Nath.
 Dutta, Mr. Srish Chandra.
 Ghazanfar Ali Khan, Raja.
 Goswami, Mr. T. C.
 Gour, Sir Hari Singh.
 Gulab Singh, Sardar.
 Haji, Mr. Sarabhai Nemchand.
 Hyder, Dr. L. K.
 Ismail Khan, Mr.
 Iyengar, Mr. A. Rangaswami.
 Iyengar, Mr. S. Srinivasa.
 Jayakar, Mr. M. R.
 Jinnah, Mr. M. A.
 Jogiah, Mr. Varahagiri Venkata
 Joshi, Mr. N. M.
 Kartar Singh, Sardar.
 Kelkar, Mr. N. O.
 Khin Maung, U.
 Kidwai, Mr. Rafi Ahmad.
 Kunzru, Pandit Hirday Nath.

Lahiri Chaudhury, Mr. Dharendra
 Kanta.
 Lajpat Rai, Lala.
 Malaviya, Pandit Madan Mohan.
 Mehta, Mr. Jamnadas M.
 Misra, Mr. Dwarka Prasad.
 Moonje, Dr. B. S.
 Mukhtar Singh, Mr.
 Murtuza Saheb Bahadur, Maulvi
 Sayyid.
 Nayidu, Mr. B. P.
 Natiq, Maulvi A. H.
 Nehru, Pandit Motilal.
 Neogy, Mr. K. C.
 Phookun, Srijut Tarun Ram.
 Prakasam, Mr. T.
 Purshotamdas Thakurdas, Sir.
 Ranga Iyer, Mr. C. S.
 Rao, Mr. G. Sarvotham.
 Roy, Mr. Bhabendra Chandra.
 Sarfaraz Hussain Khan, Khan
 Bahadur.
 Shafec, Maulvi Muhammad.
 Shervani, Mr. T. A. K.
 Singh, Mr. Gaya Prasad.
 Singh, Mr. Narayan Prasad.
 Singh, Mr. Ram Narayan.
 Sinha, Kumar Ganganand.
 Sinha, Mr. Ambika Prasad.
 Sinha, Mr. Siddheswar.
 Tok Kyi, U.
 Vishindas, Mr. Harchandrai.
 Yakub, Maulvi Muhammad.
 Yusuf Imam, Mr.

NOES—56.

Abdul Aziz, Khan Bahadur Mian.
 Abdul Qaiyum, Nawab Sir Sahibzada.
 Ahmed, Mr. K.
 Akram Hussain Bahadur, Prince
 A. M. M.
 Allison, Mr. F. W.
 Anwar-ul-Azim, Mr.
 Ashrafuddin Ahmad, Khan Bahadur
 Nawabzada Sayid.
 Ayyangar, Mr. V. K. A. Aravamudha.
 Ayyangar, Rao Bahadur Narasimha
 Gopalaswami.
 Bhole, Mr. J. W.
 Blackett, The Honourable Sir Basil.
 Chalmers, Mr. T. A.
 Coatman, Mr. J.
 Cocke, Mr. H. G.
 Crawford, Colonel J. D.
 Dalal, Sir Bomanji.
 Donovan, Mr. J. T.
 Dunnett, Mr. J. M.
 E'jaz Rasul Khan, Raja Muhammad.
 Gavin-Jones, Mr. T.
 Ghuznavi, Mr. A. H.
 Gidney, Lieut.-Colonel H. A. J.
 Graham, Mr. L.
 Greenfield, Mr. H. C.
 Haigh, Mr. P. B.
 Hazlett, Mr. J.
 Howell, Mr. E. B.
 Innes, The Honourable Sir Charles.
 Jowahir Singh, Sardar Bahadur
 Sardar.

Kabul Singh Bahadur, Risaldar-Major
 and Honorary Captain.
 Keane, Mr. M.
 Lamb, Mr. W. S.
 Lindsay, Sir Darcy.
 Macphail, The Rev. Dr. E. M.
 Mitra, The Honourable Sir Bhupendra
 Nath.
 Mohammad Ismail Khan, Haji
 Chandhury.
 Moore, Mr. Arthur.
 Muddiman, The Honourable Sir
 Alexander.
 Muhammad Nawaz Khan, Lieut.-
 Sardar.
 Nasir-ud-din Ahmad, Khan Bahadur.
 Paddison, Sir George.
 Parsons, Mr. A. A. L.
 Rajah, Rao Bahadur, M. C.
 Rau, Mr. H. Shankar.
 Roy, Mr. K. O.
 Roy, Sir Ganen.
 Ruthnaswamy, Mr. M.
 Sassoon, Sir Victor.
 Singh, Rai Bahadur S. N.
 Singh, Raja Raghunandan Prasad.
 Subrawardy, Dr. A.
 Sykes, Mr. E. F.
 Tonkinson, Mr. H.
 Willson, Sir Walter.
 Young, Mr. G. M.
 Zulfikar Ali Khan, Nawab Sir.

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 10th March, 1927.