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THIRD SESSION

of the

THIRD LEGISLATIVE ASSEMBLY

1928



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LEGISLATIVE ASSEMBLY.

Saturday, 15th September, 1928.

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

THE PUBLIC SAFETY (REMOVAL FROM INDIA) BILL.

Mr. President : The House will now resume further consideration of the following motion and amendments moved on the 10th September 1928 :

Motion moved by Mr. Crerar :

“ That the Bill to provide for the removal from British India in certain cases of persons not being Indian British subjects or subjects of States in India, be taken into consideration.”

Amendment moved by Mr. Amar Nath Dutt :

“ That the Bill be circulated for purpose of eliciting opinions thereon.”

Further amendment moved by Sir Hari Singh Gour :

“ That the Bill be referred to a Select Committee consisting of Mr. Fazal Ibrahim Rahimtulla, Sir Victor Sassoon, Nawab Sir Zulfiqar Ali Khan, Mr. S. Srinivasa Iyengar, the Honourable the Home Member and the Mover, with instructions to report within three days, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be four.”

Mr. Jehangir K. Munshi (Burma : Non-European) : Sir, I am not a Communist. I hold no brief for the Doctrine of the Communist. I have no sympathy for Communistic propaganda. I do not believe that the Communists will succeed in making the world a better place to live in. So far I am more or less in agreement with some of the views expressed by the Honourable the Home Member. But, Sir, these are my own personal views. I do not claim that my judgment is infallible and I do not think the Honourable the Home Member would claim for a moment that his judgment is infallible. Let us assume that the views which we hold at the present moment are not sound ; is it then right for us to deny to other persons who hold different views the right of freedom of speech, freedom of expression and freedom and liberty of association ? I do not believe in enacting repressive laws unless the very strongest possible case is made out by the Government for restricting liberty which is the birth-right of every subject. British subject or any other subject residing in British India.

Sir, I doubt very much if the Honourable the Home Member has a clear or definite idea in his mind as to what the present day Communism is. If we examine the broad principles of Communism I do not think any objection could be taken to them. After all we have got the essence of the principles of Communism in the present British Constitution. What do we find in England at the present moment ? Death duties to the extent of 40 per cent. are levied. The State takes away forcibly 40 per cent. of a man's estate when he dies.

Mr. T. Gavin Jones (United Provinces : European) : That is not Communism.

Mr. Jehangir K. Munshi : That is Communism ; the State imposes these heavy Death Duties so that one man who in the opinion of the State has too much should be relieved of his extra burden and that it should be utilized for the benefit of the poorer section of society.

Mr. T. Gavin Jones : That is Socialism.

Mr. Jehangir K. Munshi : By whatever name my Honourable friend may call it the principle is there, that the State should provide for the more unfortunate persons of society by taking away from the more fortunate persons something which in the opinion of the State they are overburdened with. Then, Sir, what do we find in the principle of the Super-Tax ? It is nothing else than an attempt on the part of the State to take away from a man a considerable portion of his excessive income so that the surplus may be utilized in bettering the lot of more unfortunate persons. Sir, so far as the broad principles of Communism are concerned, nobody in this House could object to them. The real issue is as to the methods to be adopted for preaching or promoting the spread of these doctrines.

Now, Sir, let us examine the Government measure assuming that it provides for a regular trial by the Courts. So long as violence is neither practised nor preached, I do not think there is the slightest necessity for interfering with any persons whatever views they may hold or may attempt to preach. But the present Bill goes a great deal further. The present Bill, to which the Honourable the Home Member has invited us to commit ourselves, does away with the right of trial and seeks to give the Executive Government the power to remove from British India certain persons who entertain certain views or do certain acts. We have been told by the Government of India with a magnificent gesture that British Indian subjects and subjects of Indian States have been left out of the operation of this Bill. Well, I for one would have preferred to be kept within the operation of the Bill. Suppose British Indian subjects were also kept within the operation of the Bill, what would the Government of India do ? Would the Government of India remove British Indian subjects from India and send them to Australia, Canada or South Africa ? That cannot be done. Necessarily, therefore, British Indian subjects must be left out of the provisions of a Bill like this since it seeks to remove from India certain persons.

The most serious point which strikes me, Sir, is this. If legislation of such a pernicious and sweeping character is sought to be introduced against European British subjects and foreigners, what will be the necessary corollary of such a Bill in the very near future so far as British Indian subjects are concerned ? Sir, I think I am entitled to ask the Honourable the Home Member to tell the House in definite language and in an unequivocal manner as to what the Government of India proposes to do with regard to Indian Communists ? To my mind there are two possible courses. Either the Government of India will make use of that most pernicious piece of legislation, Regulation III of 1818, against Indian Communists, or they must in the very near future introduce legislation of an equally sweeping and pernicious character depriving Indian Communists of the rights which they enjoy at present. If the intention of

the Government is to check Communism in British India it is inconceivable that they should leave out the Indian Communist. It must necessarily follow that in a very short time the Government of India will come before this House with a Bill operating against British Indian Communists, unless, as I have said they have made a mental reservation that they will continue to make use of Regulation III of 1818 against British Indian Communists. Whichever of the two courses the Government of India proposes to adopt, we, Sir, must record our strong protest against either course. It is no use the Government telling the House at the present moment that British Indian Communists are not affected by the present Bill. They are affected and must be affected ; and we cannot possibly shut our eyes to the fact that in the very near future, as a natural result of our committing ourselves to the principle of this Bill, the Government of India will come before this House and ask for summary powers of a similar nature against Indian Communists. I do hope, Sir, that the Honourable the Home Member will tell us definitely what he proposes to do with regard to Indian Communists. I take it, Sir, that the Home Member is not suggesting that whatever Indian Communists may do they will be let off. If we accept the principle of this Bill, if we punish non-Indian Communists, whether they are British or foreign, it must necessarily follow that Indian Communists must also be dealt with ; and the House is entitled to know what the Government of India proposes to do with regard to Indian Communists.

Now, Sir, is there any real necessity whatever for this legislation ? I do not wish to travel over the same grounds again. It has been clearly pointed out by able speakers from the Opposition Benches that we have on the Statute-book at present ample safeguards, if the Government of India really want any safeguards, to meet the present alleged situation. So far as foreigners are concerned, I do not see the slightest necessity for any fresh legislation, as we have at present on the Statute-book, Act III of 1864, the title of which is " An Act to give the Government certain powers with respect to foreigners ". The powers given under this Act are not only as sweeping and wide as the powers sought by the Government of India by the present Bill, but in a sense they are wider, because the Government of India need not specify any reason for dealing with foreigners under the Foreigners' Act. The first four sections of this Act, which are always in force, give the Government of India more than sufficient powers to deal with foreign Communists who enter or reside in British India. It gives them ample powers to remove any foreigners whether they are Communists or not. Now, it is very strange, Sir, that though so many Members from the Government Benches have taken part in this debate nobody has told us definitely as to whether this Foreigners' Act does or does not give the Government of India sufficient powers to deal with foreigners, whether they are Communists or not. We would like at the earliest possible moment in the course of this debate to hear from the Government of India whether the claim made by the Opposition Benches that the Foreigners' Act gives the Government ample power to deal with foreign Communists, is a well-founded claim or not. If it is not well founded, the Government of India should tell the House in what way the Foreigners' Act fails to give the necessary powers to the Government of India to deal with foreign Communists. Then, Sir, by section 5 of the Foreigners' Act further powers are given to the Government of India against foreigners which can be brought into operation by the issue of

[Mr. Jehangir K. Munshi.]

a Notification. There is only one proviso which exempts from the operation of the subsequent sections of this Act—

“any foreign minister duly accredited by his Government, any consul or vice-consul, or any person under the age of fourteen years, or any person in the service of Her Majesty.”

I do not know, Sir, whether the Government of India is feeling nervous that British India will be filled with Communists under the age of fourteen years. I take it, Sir, that the Government of India have no real apprehension from Communists or Bolsheviks under the age of fourteen years. Sir, it seems to me that the inclusion in the present Bill of foreigners and every reference therein to foreigners is entirely superfluous. There is not the slightest necessity for asking for this fresh legislation so far as foreigners are concerned ; and why should we be called upon to put on the Statute-book superfluous and unnecessary legislation ? Unless the Government of India can clearly show how they are handicapped in the use of the powers which they have already got under the Foreigners' Act, it is impossible for this House, Sir, to contemplate giving them unnecessary and superfluous powers to deal with foreign Communists.

Then, Sir, we come to the real and the most important part of the Bill, the British Communists. With regard to British Communists, I do not think the Government of India will contend that they have not got sufficient powers to deal with them under Regulation III of 1818. Regulation III of 1818 applies to everybody ; it applies to British Indian subjects, as well as European British subjects and to all foreigners ; everybody who is in British India can be dealt with by the Government of India under Regulation III of 1818. Sir Bhupendra Nath Mitra yesterday took upon himself a very serious responsibility. He told the House that in his opinion it was inadvisable to use Regulation III against European British Communists on financial grounds. He told the House—I do not know whether he wanted to be taken seriously—that by enacting the present proposed law the Government could get rid of a British Communist by expending £10, but that if British Communists were to be dealt with under Regulation III of 1818 they would have to be kept in prison and fed for a considerable period at the cost of the tax-payer. I do not know, Sir, if Sir Bhupendra Nath Mitra took upon himself the responsibility of advising the Government of India to introduce the present legislation against British Communists, on the ground that although Regulation III of 1818 is sufficient to deal with European British Communists, it is not advisable to make use of it for financial reasons. I do not think, Sir, that Sir Bhupendra Nath Mitra really meant what he said. There must be some other reason for the Government's reluctance to make use of Regulation III against British Communists ; and we have got to find out that reason. The Opposition Benches in this House are not in the confidence of the Government of India ; and all that we can do, Sir, is to indulge in inference or conjecture. If Regulation III of 1818, were to be used against British Communists, it will cause an uproar in the country. I challenge the Honourable the Home Member to deny the assertion that I am making, that if Regulation III of 1818 is used against British Communists, it will cause an uproar in England. What does the Government of India want to do to overcome this difficulty ? The Government of India wants to force on this House the odium of passing this pernicious Bill against British Communists. Why should we be subjected to such

odium ? Why should we be a consenting party to any legislation to keep out British Communists, when the Government of India has already got sufficient powers under Regulation III to restrain them and to confine them in India, whether they are Communists or not ? I do not think for a moment that any British Communist who is placed under restraint or is confined under Regulation III would prefer to remain in confinement in India if the Government of India gave him the option of leaving British India.

I have made it clear, Sir, that at the present moment the Government of India have got ample powers to deal with British as well as foreign Communists, and that there is no necessity whatever for any fresh legislation.

There are three courses open to the Government of India with regard to dealing with British Communists. They can use Regulation III against British Communists or they can ask the British Parliament to pass the necessary Act to prevent British Communists from entering or from remaining in India, or they can ask this House to be a party to this pernicious and unjust legislation against British Communists. If the British Government or the Government of India is really convinced of the serious danger to India from British Communists, legislation of this kind should be introduced in the House of Commons against British Communists. The British Parliament has got full powers to deal with every British subject. Let the British Parliament decide whether it is right or wrong to exclude from India British Communists. Let the House of Commons determine whether it is just or proper to restrict the rights and liberties of British Communists. Why should we be forced to undertake this legislation ? Let us picture for a moment the Home Secretary standing up in the House of Commons and trying to introduce a Bill of this nature. I am afraid, Sir, the General Election will be hastened immediately. The present party in power would crumple up. A British Cabinet Minister would never dream of introducing in the House of Commons legislation of this kind in times of peace against British Communists. What the Government of India wants to be able to say is : " We have committed ourselves to giving certain rights and powers to the people of India. They have representatives in the Assembly who have passed this Bill. It is our duty to respect the sentiments of the Assembly." The Government of India is forcing us to embark on legislation of this kind with a view to tell the people of England that the Legislative Assembly has been a party to this legislation.

In dealing with this Bill we cannot afford to lose sight of one political party in England, the British Independent Labour Party. Some of its members frequently visit India and indulge in speeches and contributions to the Press during their short stay in India. They express a certain kind of sympathy for Indian aspirations, and when they go back they carry on in England a certain kind of propaganda in favour of Indian aspirations. It is an open secret that these members of the Independent Labour Party and their activities are not acceptable to the Government of India. What would happen if we arm the Government of India with such powers ? As human beings they might be tempted to use these powers against members of this particular Party. I do not wish to impute any motives to any member or to any section of the House. I do not doubt that the Government of India believes that there is some need for this legislation, but we as legislators have got to provide safeguards. We have got to save the Government of India from themselves.

[Mr. Jehangir K. Munshi.]

Now, Sir, the present constitution confers the right of legislation on the Indian Legislature, and not on the Government of India. It is the Indian Legislature which has got to consider every question on its merits and decide accordingly. What are we asked to do in the present case? We are asked to delegate our powers of legislation to the Governor General in Council. It was not intended that the Governor General in Council shall make any law, because the constitution provides that we shall make every law. Why should we delegate our powers to the Governor General in Council? That is what we are asked to do. The Home Member has found himself unable to place any facts or materials before the House. The Home Member asks the House to accept his word for it. So far as I am concerned, I am prepared to accept his word. I accept his word when he says that he is in possession of certain materials. I accept his word when he says that he is convinced from those materials that there is a menace or danger to India. But I cannot accept his word, if he tries to assert it, that he cannot be wrong or mistaken in that inference or that opinion. It is for us to test those materials. We cannot blindly accept the opinion of a Member sitting on the Government Benches, however much we may trust him personally. Why should I surrender my judgment to any Member sitting on the Government Benches? That is the crux of the question. We are being asked by the Government of India to surrender our judgment to the Government Benches, to the Governor General in Council, and in a way to abrogate the oath we have taken in this House to faithfully discharge our duties.

The strangest part of this debate has been that two Members of the Opposition, who would be very seriously affected by the so-called menace to India from Communism, have definitely told the Government of India that there is no such menace, and that they do not want this legislation. One is the able Member representing the Bombay Indian Merchants' Chamber in this House, Sir Purshotamdas Thakurdas. He is a capitalist and represents in this House capitalist interest. He is in close touch with the textile industry in Bombay. When a man like him comes before the House and tells us that there is no menace to India from Communism, how can the Government of India expect us to believe them in preference to Sir Purshotamdas Thakurdas?

Then, Sir, the second Member, I am referring to is Mr. Joshi, who represents Labour in this House. Sir Victor Sassoon warned Mr. Joshi that if the Communists obtained a hold on Indian Labour, Mr. Joshi's present power will disappear. But Mr. Joshi has told us that Communists have obtained no footing in India and that the influence which he is at present able to exercise over Indian labour has not been affected by Communism. Now surely, Sir, Mr. Joshi's opinion is valuable as he is in direct touch with Indian Labour. The Home Member is not in touch with Indian Labour, nor are the other Members sitting on the Government Benches. Have we then got to rely on second hand reports? How can the Government ask this House to accept its opinion based on materials which have not been disclosed to the House in preference to Mr. Joshi's opinion based on personal knowledge of facts?

Sir, I do not go to the length to which my Honourable friend Mr. Jayakar went yesterday. If the Government of India were to convince me by placing the necessary materials before the House that there is a

real menace or danger to India from Communism, I would be prepared to arm the Government with powers necessary to deal with the situation, and I would be prepared to trust the Government of India to exercise such powers fairly and honestly.

I am not disposed to mistrust the Government of India. I am prepared to accept their word that they would exercise these extraordinary powers in a spirit of fairness and justice. But before I can do that, I must be convinced that there is a real menace to India and that such menace can only be overcome by legislation of this kind.

The whole difficulty of the situation in this House, Sir, is the excessive amount of distrust prevailing on both sides of the House. The Honourable the Home Member absolutely refuses to trust any Member sitting on the Opposition Benches. My Honourable friend Mr. Jayakar returned the compliment by saying that he cannot place any trust in the Government of India as it is at present constituted. Well, Sir, the position is that the Government of India refuse to trust Mr. Jayakar or the other Members of the Opposition; and the Leaders of the Opposition refuse to place any reliance on the words of the Government of India. I deplore the fact that the Government of India is not prepared to take any Member of this House into its confidence and divulge to him the materials on the strength of which the Government asks for these powers.

Now, Sir, I do not know what sort of menace this can be which has thrown the Government of India into such a state of panic. So far as the province which I have the honour to represent in this House is concerned, I may assure the Honourable the Home Member that it is absolutely news to me, as well as to my Honourable friend U. Tok Kyi, who along with me represents Burma in this Assembly, that there is any such danger or menace from Communism, so far as the province of Burma is concerned. Both of us ought to know something about it, if there was any foundation for such alleged menace.

Sir, in the speech delivered by Sir Denys Bray, one thing struck me as queer. He said that he was filled with indignation at certain statements made by Lala Lajpat Rai. I do not propose to go into the pros and cons of the statement made by Lala Lajpat Rai which filled the Honourable Sir Denys Bray with indignation. When dealing with this particular legislation, we cannot possibly banish from our minds the living instance of a brother Member here—Lala Lajpat Rai—who years ago was dealt with under Regulation III of 1818 and who was deprived of his liberty and kept in one of the prisons of Burma. Is Sir Denys Bray surprised that the heart of that man is filled with bitterness? Does Sir Denys Bray expect that man to show good will towards Government after spending six or seven months of the best part of his life in that wretched condition in a far-off prison in Burma? I want to ask what Sir Denys Bray would feel if the Honourable Pandit Motilal Nehru were to lock him up for a couple of hours in one of the cloak rooms of this House? I cannot imagine the Honourable Pandit doing anything so undignified; but let the House imagine Pandit Motilal Nehru locking up Sir Denys Bray for a couple of hours in the cloak room. I am afraid, Sir, that on the expiry of those two hours, Sir Denys Bray would not only feel indignant, but he would be filled with the murderous hatred characteristic of the red Russian Bolshevik.

[Mr. Jehangir K. Munshi.]

In legislation of this type, the Government should proceed with caution. Even if the Government of India acts with the best of intentions—I do not want to doubt their intention—if the Government should act harshly or unjustly even in a single instance, imagine the bitterness and the rancour with which the heart of that particular man would be filled.

Well, Sir, if the Government of India adheres to the position that they are unable to take even two Leaders of the Opposition into their confidence and place all or at least some of the materials before them, then the Government must blame themselves if this House refuses to surrender its judgment to the Government of India.

Sir, my Honourable friend, Sir Victor Sassoon talked a great deal about China and the destructive effect of Communism in China. Although I have not had the privilege of meeting Chinese Generals as Sir Victor Sassoon had, I have also been to China; and, apart from that I have had numerous opportunities of coming in close contact with the Chinese race for more than fourteen years in Burma. I have had opportunities of knowing a large number of the Chinese people residing in Burma, some of whom have got relations and connections in China and some of whom frequently go to China. I think I am entitled to tell the House that what I have learnt about Communism in China is not borne out by the statement made by Sir Victor Sassoon before this House.

Now, Sir, with your permission I wish to deal with another point. It is not only a point for opposing the Bill in its present form, but it is also a point of order and jurisdiction which I shall raise at the proper stage. The Bill as it is framed seeks to affect persons who do certain things outside British India. Now, with your permission, Sir, I shall read certain parts of this Bill and apply them to section 65 of the Government of India Act. Clause 2 of the Bill reads as follows:

“In this Act the expression ‘person to whom this Act applies’ means any person (not being an Indian British subject or the subject of a State in India) who—

- (a) directly or indirectly advocates the overthrow by force or violence of the Government established by law in British India, or the abolition of all forms of law or organised government, whether in British India or elsewhere, or the assassination of public officials, or the promotion of enmity or hatred between different classes of His Majesty's subjects, or the destruction of property or unlawful interference with the ownership of property;”

Now, Sir, take the case of an Englishman who has never been to India and who is not concerned with India, but who takes an active part in the Communistic propaganda in England, a thing which the Laws and the Constitution of his own country allow him to do. But in doing that he makes himself liable to be dealt with under this Bill. Suppose that Englishman has been confining his Communistic activities to the people of England for five years and that thereafter he comes to India as a tourist and does not take any part in Communistic propaganda in India; even then, according to the provisions of this Bill, as it is framed at present, he comes under the definition of a person liable to be dealt with under this Bill. He is liable to be removed from British India by the Government of India. It is my submission, Sir, that this House has no power to pass such a Bill. We have no power to legislate in respect of persons out of British India. What we are called upon to do now is to legislate even

in respect of persons who reside in England and whose activities are confined only to England.

Mr. President : Where does the Honourable Member find the word "reside"?

Mr. Jehangir K. Munshi : Section 65, clause (1) says that the Indian Legislature has power to make laws for all persons and for all things within British India.

Mr. President : If a Britisher happens to be in British India, is not this Legislature entitled to make laws in respect of him?

Mr. Jehangir K. Munshi : I submit, Sir, that we can make laws only in respect of something that he does in British India and not in respect of something that he does and which he is entitled to do in England. If an Englishman who permanently resides in England and has been carrying on Communistic propaganda in England comes to British India, but does not take any part in the Communistic propaganda in India, then according to the Bill as it is framed at present, he can still be removed from British India for the acts which he did in England though he does absolutely nothing in British India.

Mr. President : Because he is in British India.

Mr. Jehangir K. Munshi : But I submit, Sir, that he commits no offence in India by merely visiting India either in respect of this Bill or otherwise.

Mr. President : That is very far-fetched, Mr. Munshi.

Mr. Jehangir K. Munshi : I submit not, Sir. But, as I have already said I am not raising a point of order at the present moment; I am only drawing the attention of the Government of India to the fact that section 65 of the Government of India Act does not permit this House to legislate in the manner that they are asking us to do, and it is one of the grounds for opposing certain provisions of the Bill. As I have said, I shall raise it as a point of order when the question of passing the Bill comes up before the House.

Now, Sir, whether under section 65 of the Government of India Act this Legislature has or has not the power to pass this Bill, I ask the Government of India: is it fair, is it just, that an Englishman who does no wrong in India and who leaves Indians alone, should be liable to be removed from British India simply because he indulges in certain activities in his own country which are not debarred by the laws of his own country? If an Englishman does something which is perfectly lawful in his own country and if he visits India as a harmless tourist, why should he be liable to deportation? Are we to be a party to legislation of this kind against Englishmen who after all are our fellow-subjects? I object, I strongly object, to be made the odious source or instrument for such permissions legislation against Englishmen.

I do not propose to take up the time of the House any longer; but I do trust that the Honourable the Home Member or any other Member from the Government Benches will categorically and unequivocally answer the following questions:

- (1) Does the Government of India think or does it not think that the Foreigners' Act gives them ample powers to deal with foreign Communists?

[Mr. Jehangir K. Munshi.]

- (2) If the Government has got sufficient powers under the Foreigners' Act to deal with Foreign Communists, what is the necessity for any further legislation ?
- (3) Cannot the Government of India deal with British Communists under Regulation III of 1918 ?
- (4) If it can, what are the reasons for its reluctance to use that Regulation against British Communists ?
- (5) Is it not open to the British Parliament to deal with British Communists by legislation undertaken in the British Parliament ?
- (6) If that is so, why does the Government of India think it better that such legislation should be undertaken by this House and not by the British Parliament ?
- (7) And what is most important is, how and in what manner does the Government of India propose to deal with Indian Communists ?

I wonder, Sir, if after this debate in the House the Honourable the Home Member will consider it necessary and advisable to take at least two Leaders of the Opposition into his confidence and disclose to them some of the facts and materials on which the demand for this legislation is based ? This Bill is full of a number of pernicious principles, and it is impossible for us to agree to any of the pernicious principles underlying the Bill till we are convinced beyond the shadow of a doubt that there is a real and grave menace which would justify legislation of this kind. I therefore, Sir, consider it my duty to refuse to accept the principle of the Bill ; and I feel that the best interests of the country will be served by its circulation.

Mr. S. M. Bharucha (Bombay : Nominated Official) : Sir, I rise to support the Bill moved by the Honourable the Home Member. I support it both on theoretical and on practical grounds. The theory is, Sir, that every right-minded Indian is first and foremost for preservation of law and order. India has suffered in the past enough from anarchy and disorder ; and if the preservation of law and order requires a little repression here and a little repression there among its own nationals, even then India is for that little repression rather than for anarchy and disorder in the name of liberty. Sir, if that is the case in connection with its own nationals, would it be a very great thing if Government were to ask for power to deport undesirable aliens and non-Indians who in the name of freedom and liberty come here and sow the seeds of anarchy and disorder ?

That is the theory, Sir. As for practical grounds, let us look at the peculiar circumstances in which India is situated. There are, Sir, in this huge continent two big systems of religion prevailing, two systems of religion which are sometimes in many respects antagonistic to each other. As long as there is peace in the country Hindus and Muhammadans live together in peace and amity in lakhs of our villages and in thousands of our towns and cities. In villages they are very very poor as everybody knows and there is a tendency to migrate every year and every season to towns and cities in search of a living. There, Sir, too they live in peace and harmony until their passions are aroused. I yield to none in my admiration for the solid virtues of our Indian peasant and our

Indian labourer. I have come into contact with him for the last 30 years in almost every district of the Bombay Presidency and Sind. His patience, his simplicity, his honesty and his contentment are above all praise ; but, Sir, unfortunately he is very much handicapped on account of his illiteracy, credulity, superstition, and, where a question of religion is involved, fanaticism. Sir, there is no nobler task for the Government of India or for the intelligentsia of the country than to ameliorate the condition of these peasants and these labourers ; but the operation of the measures by which alone their condition could be gradually improved and by which, in towns and cities they could earn double the wages they are earning at present, and in villages they might be able to grow two blades of corn where at present there is only one,—I say the operation of these measures must be slow because the measures are primary education, technical schools, co-operative societies, agricultural banks, cottage industries, trades unions. To some of my friends the pace of progress appears to be very slow ; others would like to accelerate it not by enforcing these measures alone but by initiating a war against capital in towns and cities and a war against landlordism in villages. They are taking a leaf out of the book of Communism, a foreign growth altogether, and they do not mind seeking and invoking the help of foreign Communists. Now, Sir, Communism is a noxious plant, absolutely alien to our soil. But unfortunately, if imported in large quantities and after it takes a deep root, it will find a most congenial environment—an environment consisting of, as I have said before, illiteracy and credulity. This noxious plant, if allowed to overrun the country, will be very difficult to eradicate later on ; it will be extremely difficult to save our ancient culture and our fabric of industrial concerns, if it is allowed to be firmly planted. I may take another analogy. This wretched Communism is a very small streamlet in the beginning. Unless it is diverted and dammed at the source, it will gather force and strength as it descends the hills and meets with other torrents and cross-currents—it might gather such volume and become such a terrible flood that it might burst the flood gates of law and order. Then it will be very difficult to stop this flood from engulfing and sweeping away what is nearest and dearest to the hearts of every patriot in India. Unfortunately, Sir, there are a few people in this country who fondly imagine that if in that same flood the present system of government is swept away, they would not mind taking that risk. It is a mistaken belief. Government have very wisely taken their stand on the hill tops of patience, preservation of law and order and promise of self-government by stages. It is the people of India who will really suffer if this flood comes down. It is our big landlords, our merchants, our millowners, our ancient chivalry, our noble houses who will suffer ; just as it happened in Russia, it is these innocent men who will suffer. It will be the duty of the Government then to save the wreckage and rebuild what they can.

At present, in our fair city of Bombay nearly a lakh and a half of people are out of employment. There is an unprecedented mill strike going on there. People are losing wages at the rate of at least a lakh of rupees a day ; at that rate probably they have lost already about a crore and a half. It is not difficult to imagine what the plight of these poor lakh and a half of people must be at present. It is not difficult to imagine that they must be having hardly a decent meal a day. The Government of Bombay held two conferences to bring the millowners and the mill hands together. Unfortunately both the conferences broke down.....

Mr. N. M. Joshi (Nominated : Labour Interests) : May I ask my Honourable friend who used to meet the millowners ?

Mr. S. M. Bharucha : Ninety per cent. of these mill hands are willing to go back to work if allowed to do so. But it is the small percentage, a very small percentage I may add, who have perhaps imbibed the doctrine of Communism that buoys them up with false hopes ; and in the meetings of the mill hands in their *chawls* in Bombay and in my district night and day, there is persuasion not to go to work and sometimes intimidation. Mills are picketed and there are even assaults. It is not difficult to imagine, Sir, what the strain on the police force of Bombay must have been for the last five months ; and recently some leaders of the mill strikes declared that they will not be responsible for the safety of the mill property if this strike went on much longer. I ask who will suffer ? If this unfortunate, half-hungry crowd of mill hands broke out in disorder, will not innocent tradesmen, merchants, house-owners and even poor ladies suffer in the first few hours ? Because, Sir, it is only in the first few hours that the real damage is done ? A mob when out of order, when it gets out of hand, is like a mad infuriated bull : it sees nothing but red ; it destroys everything that comes in its headlong career and tears friends and foes alike, till it is killed. Sir, this lurid picture is not at all from my imagination. In my thirty years of service I have had to deal with riots and I know what I am talking about. The Government of India come to this House.....

Maulvi Muhammad Yakub (Rohilkund and Kumaon Divisions : Muhammadan Rural) : But how will the situation improve if this Bill is passed immediately ? Will you kindly let me know ?

Mr. S. M. Bharucha : Kindly listen to me. The Government of India come to this House with a very modest demand. (*Honourable Members* : "A very modest demand !") Well gentlemen have patience to listen ? The Government of India comes to this House with a modest demand that this poison of Communism should not be allowed to be imbibed and implanted in this land where it is absolutely unknown up till now. It is not a question of deporting an undesirable Englishman here or a Red Russian there. It is purely a question of seeing that this poisonous doctrine is not taught to our illiterate dumb millions, this doctrine which makes a lazy man turn covetous eyes on his industrious and well-to-do neighbour's property. That is the way in which, if this Bill is passed, the whole danger will be nipped in the bud ; and if the hands of Government are strengthened by this legislation, it will be open both to Government and to the intelligentsia of this country, as I have said before, to ameliorate the condition of our poor ryots by constructive legislation.

Sir, let us not play with fire, as has been said before. My friend, the Honourable Mr. Ranga Iyer, the other day—I am sorry he is not in his seat to-day—put a very pertinent question. "Where is the fire ? Show the fire". I say there is no smoke without fire. But if I were to point out to him the smokeless chimneys of the Bombay mills, he will say "Oh, well there is no smoke even". I say "Yes ; there is no smoke. Communism is a smokeless powder and it takes time before it explodes ; but when it explodes there is no remedy." So, once more, I say, Sir, let us not play with fire.

Mr. T. Gavin-Jones : Sir, every Honourable Member in this House who has any sense of responsibility or any sense of the realities of the situation, or has the interests of India at heart, must of necessity support the principle of this Bill. It was a matter of surprise to me to hear that this Bill was going to be made a controversial subject.

The situation is a piquant one. On Monday we heard the Honourable the Leader of the Opposition vigorously upholding the control of the British Parliament over the Indian Legislature, while, on the other hand, we heard the Honourable the Law Member equally vigorously supporting the rights of the Indian Legislature, and during the last three days of the debate we have heard Honourable Members opposite vigorously supporting the liberty of any and every European subject coming to this country.

Sir, there is an atmosphere of unreality surrounding all this. Of course, we are duly grateful to Honourable Members opposite for looking after our interests, but we will be a great deal more grateful if they will lend us their assistance when we really want it. Sir, I do not believe that Honourable Members opposite in their heart of hearts really oppose the principle of this Bill. What they do oppose is the Government and all its ways.

Now, Sir, this is a Bill which it is urgently necessary to pass, and I hope they will forgive me if I say that in this instance they are acting in a very unpatriotic manner (Hear, hear from the Congress Party Benches), and I congratulate the Honourable Sir Hari Singh Gour on his well-reasoned and patriotic speech, and I hope that Honourable Members in this House will support his amendment.

Sir, time was when legislation of this character was unnecessary, but since the Russian Revolution, an organization has been created called the "Third International" with ramifications all over the world and with its headquarters in Moscow from whence it is financed, and it is supported by the Russian Government. This organization is carrying on warfare, an insidious warfare, not only against all Governments in the world, but against all existing institutions, economic, social and religious, and it is the duty of every self-respecting citizen who values these institutions to oppose this warfare with every power in his possession.

The Honourable Member, Mr. Srinivasa Iyengar, told us of his visit to Russia, and he endeavoured to point out to us how wonderful Russia is. Now, Sir, I have no doubt that Mr. Srinivasa Iyengar is quite sincere, but he did not tell us how long he was in Russia. Considering the fact that his tour in Europe lasted for only three or four months, he could not have been in Russia for more than one or two weeks. Also the Honourable the Leader of the Opposition told us a great deal about the Labour Party tour which was conducted through Russia. It leaves me cold to hear the reports of all these individuals and parties who are personally conducted by the Government of Russia through Russia. Not very long ago Honourable Members opposite were indignant and asserted that a certain lady, Miss Mayo, was personally conducted by the Government of India on her tour through India. Now, Sir, these Honourable Members who objected to that are hardly the right people to bring forward evidence of this kind in this instance.

[Mr. T. Gavin-Jones.]

Now, Sir, Russia is in a deplorable economic state, and sooner than accept the evidence of people who have been conducted round the country in a short time, I prefer to rely on the cold facts of economic statistics. In a Statistical report published in Canada a copy of which I have here, they say that before the war Russia was their strongest competitor in the markets of the world in wheat, and now Canada is the biggest wheat exporting country in the world. Not only that but Russia has now placed large orders in Canada for wheat. I have also seen reports in all the economic papers which shew that the cost of production of manufactured goods in Russia is very high indeed in spite of the very low standard of living of the workers. Now, Sir, with these economic facts before us in spite of the reports and evidence of personally conducted tours it is evident that the economic condition of Russia must be in a deplorable state.

Honourable Members profess to scoff at the Government for their fear of Red propaganda ; and say that they are in a panic over the Red peril. Now, Sir, we Industrialists who are in close touch with labour and are up against the realities of the situation, not only share the Government's fears, but think that the Government are not firm and prompt enough, and I am glad to say that I have the support of my friend Sir Purshotamdas Thakurdas on this matter.

Now, Sir, regarding my friend Sir Purshotamdas Thakurdas's speech, he is a friend of mine, and I have agreed with him on many things and fought severe battles on his side, and I am sorry to have to criticise him. I have also heard many of his well reasoned and eloquent speeches in this House, but I cannot congratulate him on the effort he made on Wednesday last. What, Sir, is the substance of his speech ? He admits that there is Red propaganda, he admits that it is serious, and he even goes so far as to say that the Government is weak-kneed over the matter. Then he goes on to say : " Why don't you use Regulation III ", and the Honourable the Leader of the Opposition was equally insistent that Regulation III should be used ; in fact many Honourable Members opposite have said the same thing. Now, Sir, Regulation III is a Regulation which none of us like, Europeans or Indians. (*An Honourable Member* : " Then repeal it ".) (*Another Honourable Member* : " Why don't you repeal it ? ") Now, Sir, I have heard most fluent speeches made by my friend Sir Purshotamdas Thakurdas, by the Honourable the Leader of the Opposition and by others as well against Regulation III. Surely it is illogical that they should ask Government to extend the use of that Regulation.....

Mr. D. V. Belvi (Bombay Southern Division : Non-Muhammadan Rural) : Do you mean they should add to it ?

Mr. T. Gavin-Jones : You are asking them to extend the use of it. (*An Honourable Member* : " No ".)

Then, Sir, he goes on to drive a bargain with Government and to say, " If you do away with Regulation III, I am prepared to support the Bill." Now, Sir, if this means anything at all, it means that he approves of the principle of this Bill. Otherwise if Regulation III were removed he could not possibly support the Bill, but he says he will support the Bill

if Regulation III is removed. That is an illogical position which I do not see how he can maintain.

My Honourable friend, Mr. Jayakar, made his usual eloquent speech which I am always delighted to hear, but he really made, so far as I could gather, only two important points. One is that the evidence Government have given that there is Red propaganda in India is not sufficient, and the other is that he does not trust the Government. Now, Sir, very many Honourable Members have repeated that complaint that they do not trust the Government. Sir Hari Singh Gour says that the powers are too wide and wants to amend this Bill in Select Committee so as to restrict the powers of Government. That I can understand, but when the Honourable Member says, "I do not trust Government to do anything at all", then I submit that his position is quite illogical, for this reason. Every Government has to have an executive, you cannot carry on government without it, and you must trust the executive to some extent. You can hem them in with rules and regulations, but you have got to trust them. Now, Sir, the position that the Honourable Member has taken up is this, "I distrust Government entirely." This argument can be brought forward against any legislation that the Government may bring forward and makes government by the Legislature impossible. (Mr. D. V. Belvi : "Any repressive legislation.") What it really amounts to is non-co-operation. If Honourable Members are so distrustful of Government, then it is their duty to remain outside this House and allow those members to legislate who can co-operate and trust Government to carry on. As regards the evidence of Red propaganda that the Honourable Member has asked for, I will try to deal with that later on. My Honourable friend asks for the Bill to be circulated. That is a delaying motion and is an attempt to kill the Bill. I sincerely trust that the House will not follow his advice. It is a policy of wait and see. Sir, that reminds me of a little incident that occurred on the floor of this House in Delhi last year when a brick fell from the roof on to the floor in front of the Commander-in-Chief. The whole House was very excited at the time and said that something must be done immediately to prevent a recurrence of such an accident. I did not then hear any Honourable Member say, "Let us wait and see if another brick will fall." (Laughter.) (Mr. M. R. Jayakar : "We saw the brick fall"). Now, Sir, as regards the challenge to produce evidence of Red propaganda and of the necessity of taking strong measures, the Government are in a difficult position. I am not in the confidence of Government, I am merely a back-bencher. But all Governments have to protect their executive and they have certain information about conspiracies, revolutions and troubles which they cannot divulge. Their position is a very difficult one and we have to accept what evidence they can give. But I should have thought that Honourable Members would have been quite satisfied with the evidence that is given in the Press. As regards the railway strikes, whatever my Honourable friend, Mr. Joshi may say that the basis of the strikes are economic, he cannot deny the fact that these strikes are aggravated, prolonged and embittered by Red revolutionary propaganda. I would like to point out that there is one new thing that has come into these strikes in India which was not there before, and that is the policy of sabotage. That it has occurred on the Railways I think is most regrettable, and we all know it is due to Red propaganda. Then, Sir, I have here a telegram, dated the 8th September,

[Mr. T. Gavin-Jones.]

1928, in the Indian News Agency telegrams from Kharagpur, which shows that Red propaganda is active even when the men have returned to work :

“ Kharagpur, 8th. The situation is quiet, although normal working not yet been resumed. Mahomedan employees of Bengal Nagpur Railway workshop been arrested on charge of being in possession of live bombs.”

So much for the Railways. At Jamshedpur, we all know that the workers there are exceedingly well treated. We know that that industry could not possibly pay their men so well if it had not such a large measure of protection. They are well housed, they are well fed. I have recently heard—I cannot vouch for the truth of it, but I have heard from a reliable source—that 7,000 men have recently returned to work and their real object is to collect sufficient money from their wages to help the other men who remain out on strike and to disorganise the industry. Now, Sir, the steel industry is a very highly organised industry, and it is quite easy for one department to upset the whole organisation. I hear from a creditable source that the Tin-plate Works are likely to be closed down for want of steel plates. That is because men have gone Bolshy and are bent on giving as much trouble as they possibly can. Then I hear from Calcutta that on the banks of the Hooghly there are three mills, one of them a cotton mill and the other two jute mills, all fairly close together, which have had to be closed down due to the activities of Mr. Spratt. Then, Sir, I will bring Honourable Members nearer home, to Cawnpore. In Cawnpore we have an organisation called the “Mazdur Sabha”. It purports to be a trades union organisation and it is registered as such. Its membership is not very large. At one time that organisation received some support from the employers. I come from Cawnpore, I employ labour myself and I know what I am talking about. We endeavour to allow this organisation to grow as a trades union. (Mr. B. Das : “How kind of you.”) We did not oppose this organisation in any way at all (Mr. K. Ahmed : “Why do you not pay higher wages to them ?”) We are only too glad to have sound trades union organisations develop so that we may have some authoritative body to deal with when our men go out on strike. But this organisation has gone Red. It is avowedly a Bolshevik organisation with all the Bolshevik ideals.

Mr. K. Ahmed : Why don't you pay them higher wages and take the bull by the horns ?

Mr. T. Gavin-Jones : I want Government to take the bull by the horns. It holds meetings in the open air under the Red flag and that flag has the Moscow badge (hammer and sickle) on it. Its officers wear brassards with the Moscow badge on their arm and they preach and talk the doctrines and tenets of the Bolsheviks. They have succeeded in bringing out the Elgin Mills on strike, and when they did strike, it was very difficult for the management to find out why they had really struck. All sorts of excuses were brought out, but there was no real definite statement of a valid reason for going out on strike, and that organisation gave the greatest trouble possible, they prevented the men from returning and very nearly succeeded in causing violence. The Elgin Mills men have gone back after much difficulty, and I am told on good authority that they have not yet settled down to work properly. We

heard some months ago that certain agitators had come to Cawnpore and were endeavouring to create disturbance among the mills by bringing the workmen out one mill after another and thereby upsetting the employers. Only the other day, last month, they attempted to bring out the Woollen Mills' workmen, but their membership in that mill is very small, they were not able to have sufficient influence, and very fortunately the men refused to listen to the blandishments of this organisation. But they did their worst spreading leaflets broadcast among these ignorant men. I will read an extract to show the sort of stuff they spread broadcast to the employees. After appealing to the men to join the "Mazdur Sabha", they say :

"The foundation of the labour agitation has taken deep root, and even the Almighty can do no harm to it now. We know that in the world the capitalists are still predominating, but they should bear in mind that better days for the coolies are not very far off now. The Sun of the liberty of the labourers has already dawned upon the Russian territory and its rays are spreading over countries of the world. The Sun can be eclipsed only for a short time, but cannot be effaced for ever."

It is stuff of this kind which is being circulated.....

Sir Purshotamdas Thakurdas (Indian Merchants' Chamber : Indian Commerce) : Perhaps the Honourable Member will be good enough to state how many of the office-bearers of this "Mazdur Sabha" are Britishers or foreigners and how many are Indians? That is the point. The rest is all very interesting, but is hardly to the point.

Mr. T. Gavin-Jones : I cannot tell what British organisation there is. We have no British organisers in Cawnpore.

Sir Purshotamdas Thakurdas : Or non-Indian workers in the "Mazdur Sabha"?

Mr. T. Gavin-Jones : But it is a very clever organisation, and these European organisations send to India trained men, and they carry on their propaganda in a very insidious manner, and we know in Cawnpore, where we are in touch with labour, perfectly well, that by some means or another, from whatever source it may come, our trade union there has been turned into a Red organisation.

Sir Purshotamdas Thakurdas : All Indians. Don't be beating about the bush.

Mr. T. Gavin-Jones : Then they go on to say :

"Even the Government has recognised the existence of the Mazdur Sabha."

Mr. N. M. Joshi : Do you object to that?

Mr. T. Gavin-Jones : It is humorous if it were not so serious that an organisation which has turned Red revolutionary should claim that they have the recognition of Government, and I think that when any organisation becomes openly a Red revolutionary, it is the business of the Government to take some steps in the matter.

Sir Purshotamdas Thakurdas : Take steps against Indians?

Mr. T. Gavin-Jones : We do not want Europeans to come into this country who are trained in Russia to make our difficulties ten times worse.

Sir Purshotamdas Thakurdas : Who wants them? Nobody wants them.

Mr. T. Gavin-Jones : We have got to turn them out.

Sir Purshotamdas Thakurdas : There already are powers. Why do not the Government exercise them ?

Mr. T. Gavin-Jones : We have been told a lot about the innocence of Russia, but I prefer to believe the evidence which my friend Sir Victor Sassoon has given us. He is a business man and he goes to China to see the Government of China on business terms, and he has to be told exactly what the situation is, and I prefer that evidence to the evidence of any tour which is made in Russia. Sir, surely a man is a fool if he sees a flame being put to his house to destroy it and does not put it out immediately. There is an old English proverb, "There is no use shutting the stable door after the horse is gone". I appeal to all Honourable Members to take no risks but to support this Bill.

Mr. K. C. Neogy (Dacca Division : Non-Muhammadan Rural) : Sir, my Honourable friend Mr. Gavin-Jones has been seeing red, and if he had directed his attention towards his left, perhaps he would have said that the Government of India have gone red judging from the array of red chaprasis who support the Government Benches. Sir, my Honourable friend's delusion is really amusing. It is very difficult to take it seriously. I do not know how my Honourable friend's troubles will come to an end as soon as this Bill is passed. There may be a few foreign emissaries of Russia—whether British or not, I do not know—who may come within the purview of this legislation. But how many are they ? Are they really responsible for the unrest that prevails throughout the length and breadth of the country ?

Colonel J. D. Crawford (Bengal : European) : I believe the Honourable Member comes from Bengal. He is aware of the activities of Mr. Spratt in Bengal ?

Mr. K. C. Neogy : I do not know.

Colonel J. D. Crawford : He ought to know.

Mr. K. C. Neogy : I generally proceed on recognised authorities, and I hold in my hand a publication, which will be readily recognised by my Honourable friend Mr. Coatman as his handiwork, and it is known as "India in 1926-27". What do we find here ?

Mr. H. G. Cocke (Bombay : European) : What about 1928-29 ?

Mr. K. C. Neogy : I have yet to know what specific evidence Government have got subsequent to the publication of this book which can justify this measure. Sir, if Honourable Members will turn to pages 288 and 290 of this book, they will find that Mr. Coatman deals with the whole subject very lightly. In the first place, he begins by saying that during this year, Communism has been both more active and more vocal than in the preceding year and then he goes into details. He points out that Communism has failed, or almost failed so far as India is concerned. I want some definite facts from my gallant friend Colonel Crawford subsequent to this period on which we can support this Bill. Sir, Mr. Coatman says :

"Considerable quantities of printed propaganda have been poured into India, its general nature being such as can well be imagined."

I suppose this Bill is not going to put a stop to the current of printed literature coming into this country. Then, Sir, he proceeds to deal with indigenous Communism :

"Indigenous Communism, as represented by the so-called Communist Party of India, seems to have made little appreciable headway."

Next, Sir, he refers to Mr. Allison's movements and says :

" So far as is known, Allison's visit had little, if any, influence on the outbreak or duration of the strike, but the results of his sojourn in Calcutta seem to have been very similar to what was observable in Bombay. In the latter place the leaders of the Workers' and Peasants' Party have made efforts to secure a position of influence in the Bombay Provincial Congress Committee, although so far they have met with but little success."

An Honourable Member : " So far ".

Mr. K. C. Neogy :

" At the end of January Allison was arrested and prosecuted for entering India on a forged passport under the name of Donald Campbell, receiving a sentence of eighteen months' rigorous imprisonment. A second visitor to Bombay appeared in the person of Philip Spratt, whose public speeches and writings have attracted a certain amount of attention, and who appears to have devoted himself to the same objects as engaged the attention of Allison."

But then he says :

" The frankly revolutionary organisation, the parent of which is M. N. Roy, has continued its activities on familiar lines but without striking results."

Now what striking results have since followed ?

Sir Hari Singh Gour (Central Provinces Hindi Division : Non-Muhammadian) : Universal strikes.

Mr. K. C. Neogy : I am coming to that.

Colonel J. D. Crawford : Loss of Indian lives.

An Honourable Member : Is it due to them ?

Mr. K. C. Neogy : You might as well refer to the Kashmir floods. I think that these extracts have gone home. Then, again, Mr. Coatman concludes with these words :

" If one is to be guided by M. N. Roy's latest pamphlet, 'The Future of Indian Politics', he has given up in despair the idea of converting to Communism the upper strata of politically-minded Indians as represented by the Indian National Congress, whom he has roundly denounced as completely 'bourgeois' in their outlook and as interested equally with the British bureaucracy in exploiting the toiling and suffering Indian proletariat. For Indian Labour movements Roy has professed an equally lively contempt, inasmuch as they have been manned so far by self-seeking representatives of the propertied classes."

I hope that this description does not apply to Mr. Joshi.

Mr. N. M. Joshi : No, Sir, I have no property.

Mr. K. C. Neogy : Now, Sir, in so far as Mr. Joshi admits that he is to a certain extent responsible for the strikes in Bombay, and in so far as this Bill is not going to deport Mr. Joshi out of India, how is this going to put an end to the textile strike to which my Honourable friend, Mr. Barucha, made such eloquent reference ? I have something more from a very authoritative source about the utility of the foreign Communist. I never had any confidence in the Britisher as regards his administrative capacity, but I find that he is worthless even as a Communist. Sir, this is what I find stated by no less an authoritative organisation than the Congress of the Communist International in Moscow, and it only reached me last night. May we take it that this is the latest considered opinion on the part of that authoritative body in regard to confidence in the Britisher as a Communist ? It says :

" It was necessary to give up the idea of the European playing a direct part in any Indian revolution or of useful work by any Anglo-Indian Communist Party because Indians mistrusted the whites even if communists. The Communist International must therefore handle the new independent Indian Communist party through natives."

(Hear. hear.)

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Lieut.-Colonel H. A. J. Gidney (Nominated : Anglo-Indians) : Read on further.

Mr. K. C. Neogy : You may if you like, but this is enough for my purpose. (Laughter.) But, as I said, I did not know that the Britisher was so worthless even as a Communist. (Laughter.) And what has this Bill got to do with indigenous Communism ? Can my Honourable and gallant friend tell me that ? Now, Sir, as has been stated by several of my Honourable friends already, we must be prepared for something more lively to come hereafter. The European Communists are to be given a free passage home under this Bill, and when they are out of harm's way, the field will be ready for drastic action against the Indian Communists. I challenge the Honourable the Home Member to deny this. If, as is stated, the Indian Communists are themselves competent to carry on this propaganda and create this mischief, what are you going to do about them ? Some of my Honourable friends have stated, "Look at these strikes, the country-wide unrest". But these have been going on for some time now. What action do Government propose to take now so far as this indigenous Communism is concerned ?

Sir Hari Singh Gour : What action do you advise the Government to take ?

Mr. K. C. Neogy : Well, my Honourable friend has taken his seat on that side of the House, and it is for him to give any advice he chooses to Government, not for me, Sir.

An Honourable Member : Why not ?

Mr. K. C. Neogy : I have not got the responsibility of carrying on the government of this country ; it is for Government to bring forward proposals, and it is for this House to examine them as to whether they are going to sanction them or not. I suppose that is the recognized practice of Governments and Legislatures all over the world.

Now, Sir, I at one time hesitated as to whether I should at all take any part in this debate, because we Bengalis have already become a little too much identified with this whole affair, beginning from Mr. M. N. Roy down to my Honourable friend, Sir Bhupendra Nath Mitra. (Laughter.) But, Sir, certain observations made by the temporary Finance Member yesterday has prompted me to say a few words. I was interested to hear him express in very emphatic terms the high respect in which he holds Subhas Chandra Bose. I thought within myself that this expression of respect was a little too belated because I thought my Honourable friend has been a member of that Government which kept him confined without trial for so many years.

An Honourable Member : And still he did not resign.

Mr. K. C. Neogy : Now, that statement of the Honourable Member's supplies me with a point so far as this Bill is concerned. My Honourable friend has the reputation of being an honest and sincere man, at least that is the reputation which he enjoyed before he came into the Government Cabinet. I do not know whether he has lost those virtues by his association with those wily gentlemen who are his colleagues in the Executive Council, but I will give him the benefit of the doubt. (Laughter.) Now, Sir, what does his confession mean ? This confession of the profound respect in which the Honourable Member holds Subhas

Chandra Bose means, if it means anything, that he is repentant at what the Government did with reference to Subhas Chandra Bose.....

The Honourable Sir Bhupendra Nath Mitra (Finance Member) : Not necessarily.

Mr. K. C. Neogy : I do not know what else he means. Sir, this is an instance which to my mind shows that the Government sometimes act in a hurry and repent at leisure, and that is one of the reasons why I am not prepared to arm this Government with further powers of repression. My Honourable friend referred to railway disasters, and I interrupted him because I thought he was referring to certain instances which were the subject-matter of a judicial inquiry at the present moment. I do not know, but there may be instances, to which my Honourable friend was referring, which are not at the present moment *sub judice*. I will assume that in regard to certain cases of railway disaster it has been definitely proved that the Communists have had a hand in them. Now, Sir, my Honourable friend comes from the same province as I do, and I would remind him of another railway case, the attempted wrecking of a railway train which came to light some years ago in my province, called the Naraingarh train-wrecking case. In that instance several men actually confessed that they had taken part in it, and they were convicted and sentenced to imprisonment. Some time later it came to light that quite a different set of people were responsible for it. The men convicted were then let out. The confessions had been admittedly engineered by the police in order to secure a conviction in that case.

(There was an inaudible interruption by Dr. A. Suhrawardy.)

Well, my Honourable friend Dr. Suhrawardy perhaps knows as much as I do in regard to these matters, and I will ask the Honourable Sir Bhupendra Nath Mitra to get his information in these matters from his new-found supporter from Midnapur. Now, Sir, supposing that the Communists are responsible for these acts, I should say, acts of murder. I have absolutely no sympathy with anybody who has anything to do with such acts of violence. But, Sir, does my Honourable friend realize what his argument amounts to ? If the foreign Communists are really responsible for these acts of violence leading to loss of human life, is he going to send them out of the country, providing them with free passages, and not put them on trial, leaving the Indians to face the music ? Is that the position which the Honourable Member wants to take up ? Sir, I am not a believer in Imperial preference, and I do not know whether my Honourable friend wants to pursue a policy of Imperial preference for the benefit of criminals. If they have anything to do with these acts of violence bring them to the open courts and let them take their trial along with the poor Indians, the poor victims of their propaganda, and take the consequences of their actions. The Honourable Member knows perfectly well that his position in the Cabinet would not be worth a day's purchase if he were to insist on such a procedure. My Honourable friend light-heartedly referred to the financial difficulties in the way of applying Regulation III of 1818 to the European. I challenge him to take up the question of applying this Regulation against Britishers in the Cabinet, and he will find his position very precarious. Sir, my Honourable friend happens to be the first Indian to officiate as the Finance Member, and I expect him to take a more serious view of this matter. Human liberty is not to be weighed in the balance against rupees, annas and pias. What did you do

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in regard to the application of Regulation III to your own countrymen ? Did you contemplate this aspect of the case, the financial aspect, as you light-heartedly put it ? May I remind my Honourable friend of another instance in which his presence in the Cabinet has not prevented the financial interests of India being overlooked. The Honourable the Home Member was referring to the after-war conditions and the necessity for after-war reconstruction. This reminds me of one of the after-war conditions in England—the large proportion of unmarried women. And what did this Government do ? The Government, in the shape of the Lee concessions, has been paying a subsidy on the marriage of British officers, put it in whatever language you like : free passages for the wives of officers, remittance concessions and all that sort of thing. The children of British officers are also entitled to certain financial benefits. The Government of India are practically subsidising the marriage institution of England to a certain extent at the cost of the Indian tax-payer. Where were my Honourable friend's financial scruples at that time ?

I will come to the Honourable the Foreign Secretary for a little while. When my Honourable friend Sir Denys Bray gets up to speak in this House, I promise myself a rich repast, a feast of words, but nothing but words. My Honourable friend would not be the Foreign Secretary, if he were to deviate into anything more substantial than mere words. Sir, I was not therefore surprised when we had the treat of that vacuous verbiage to which we were entertained the other day. My Honourable friend at one time reminded me of another equally famous knight in fiction, who used to tilt against wind-mills. My Honourable friend assumed things which nobody had said, answered arguments which nobody had advanced ; he thought that my Honourable friend Mr. Ranga Iyer had made an insinuation that the Britishers had made an attempt to tamper with our religions, and the social order in this country, and he proceeded to answer that charge with great force.

Sir Denys Bray (Foreign Secretary) : I am sure, Sir, I never referred to my Honourable friend Mr. Ranga Iyer in that connection. The words that filled me with indignation fell, I thought, from the lips of my friend Mr. Lajpat Rai.

Mr. K. C. Neogy : That leaves my argument absolutely unaffected. I did not understand my Honourable friend Lala Lajpat Rai making any such statement. Supposing he had done so, would he have been altogether wrong ? My Honourable friend Mr. Jayakar has already touched on this question, but I am going to take it up once more, this time supported by authority. (*An Honourable Member* : "What is the authority ?") I will mention the authorities. Sir, first of all I shall read out what a Judge of the Agra High Court, Mr. William Edwards wrote on the question of the Christianisation of India :

"Our best safeguard is in the evangelisation of the country ; for, although Christianity does not denationalise, its spread would be gradual and Christian settlements scattered about the country would be as towers of strength for many years to come for they must be loyal as long as the mass of the people remain either idolators or Muhammadans."

Now, Sir, another authority describes the process of conversion, forced conversion, which was then taking place in India. This is from a pamphlet

written by Mr. Malcolm Lewin, who served in India as the second Judge of the Supreme Court in Madras and Provincial Member of Government :

" The missionary colonels and padre lieutenants.....

(An Honourable Member : " Date ".)

Dates do not at all matter. The whole question is whether the British Government can claim religious neutrality throughout its career in India, as has been stated by the Honourable the Foreign Secretary.

" The missionary colonels and padre lieutenants as these curious militaries were called, were not inactive. Emboldened by the toleration of the sepoys, they grew more violent than ever. They were louder in their denunciations of Hindooism and Islamism."

Then later on it says :

" By and by the proselytizing Colonels, tempted the sepoys to Christianity with bribes, and offered promotions and other rewards to converts. They unblushingly used their influence as officers in this unholy affair. The sepoys protested, and their European officers promised to make every sepoy that forsook his religion a Havildar, every Havildar a Subedar Major,"

and so on.

Let me now turn to an educational authority in the Punjab, Mr. Arnold, Director of Public Instruction :

" We cannot and ought not to look on life with Asiatic eyes. Our tendency is, and must be, to Europeanize. Toleration, sympathy, tact may help to make this process less obnoxious, become less palpable to the natives. But the process goes on and will go on. And with the people which has to yield it, it never can and never will be popular."

But, Sir, I am coming to a greater authority, and that is no less a person than Macaulay, who is hailed as the author of the policy of education which was introduced in this country. It is not a published minute. These officials never commit themselves like that in public documents. I do not know what things my Honourable friend, the Foreign Secretary, writes to his people at home, but this is what Macaulay wrote to his father in 1836. (*Cries of " Oh, oh " from the European Group.*) We are not quarrelling about dates. The policy still continues :

" The effect of this education on Hindus is prodigious. No Hindu who has received an English education ever remains sincerely attached to his religion. Some continue to profess it as a matter of policy, but many profess themselves pure Deists and some embrace Christianity. It is my firm belief that if *our plans* of education are followed up, there will not be a single idolator among the respectable classes in Bengal thirty years hence."

Sir, Hinduism has survived in Bengal, in spite of these benevolent intentions.

Some of these extracts have a striking resemblance to the extracts which were read out by my Honourable friend, the Home Member, as being the aims and object of the Communists. Therefore, Sir, if we have survived Government's benevolent intentions in the past, we are going to survive the onslaughts of Communism also in the future.

Sir, I think I have taken too much time of the House. (*Honourable Members of the European Group : " No, no ; go on, go on."*) But there is just one point with reference to what was said by Sir Victor Sassoon, on which I should like to touch. My Honourable friend seems to think that there is an analogy in the English Act with reference to aliens. Reference was made to the British Act under which aliens can be deported. I have

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tried to study the history of this legislation and what do I find ? For the first time this Alien Restriction Act was passed in 1914 when England was in the throes of war, and this legislation was resorted to as the result of an examination of the subject by the Committee of Imperial Defence. The Minister who was in charge of the Bill in the House of Lords laid certain definite facts before the House. One of them was that there had been an investigation into espionage, and twenty spies had as a matter of fact been arrested within twenty-four hours. That was the justification for that measure at that time. Has any such definite information been placed before us by the Home Member ? That Act was passed with the concurrence of all the Parties. It was due to expire in 1919, when a short Amending Bill was brought forward seeking to extend its life by one year, and in justification of this temporary extension the Minister in charge said :

“ Being in a state of war it is a matter of necessity for His Majesty’s Government to maintain temporarily the powers which were essential during the war.”

And subsequent to that period this legislation has been kept up with the help of annual enactments giving it a lease of life only for a year. It was only in May 1927, that an attempt was made on behalf of Government in the House of Lords to make permanent the provisions of this Act. As far as I can trace its history, this amending Bill has not yet been placed on the Statute-book. The Bill has no doubt been passed in the House of Lords. But, Sir, we find arrayed against this measure in the House of Lords men like Lord Reading, Lord Haldane ; and why ? Not that the interests of any British subject were affected by it, but still as a matter of principle, they could not see their way to become parties to any such measure although it affected only aliens. I suppose, Sir, my Honourable friends who sit opposite have some amount of regard for Lord Reading, and I hope that the regard which they had for that noble gentleman while he was here, has not diminished to any extent by the mere fact that he is no longer here.

Mr. D. V. Belvi : Out of sight, out of mind.

Mr. K. C. Neogy : This is what Lord Haldane said in opposing this amending measure :

“ What I do object is to the introduction into our constitution of a permanent principle which is foreign to it and which has never till now been tolerated except in cases of war or in very dubious circumstances while carrying on war policy temporarily.”

And all this solicitude was expressed, not that the interests of any British subject were involved, but that even undesirable aliens might not be treated in this fashion. Sir, what was the assurance that Lord Desborough, who was in charge of the Bill gave to the House. This is what he said :

“ The check exercisable by Parliament lies in the fact that the Government and the Home Secretary in particular is answerable to Parliament for all the steps which he may take in pursuance of the powers conferred by the Bill. The Bill contains no new provisions, these powers are in existence now and the Bill proposes to continue them and Parliament can criticise, either as a general policy or particular acts.”

Is that the position here ? Is the Honourable the Home Member responsible to this House ?

Sir Victor Sassoon (Bombay Millowners’ Association : Indian Commerce) : Yes.

Mr. K. C. Neogy : My Honourable friend says, " Yes ", but we know to our cost, especially we who come from Bengal know it too well, how in spite of certain definite assurances given by no less a person than Lord Reading, Regulation III was abused.

One word more and I have done. Sir, I find that even the draftsman of this Bill, an honest and an honourable man as I know him to be, has unconsciously given us the benefit of his frank opinion as to what this Bill is really going to be. I would draw the attention of the Honourable Members to the " Short title and extent " which is in clause 1—" This Act may be called the Public Safety (Removal from India) Act ". I agree, this Bill is designed to bring about the removal of public safety from India. It is for this reason that I oppose this Bill.

Mr. D. V. Belvi : Sir, much has been said about this Bill in this House. I agree with my Honourable friend Captain Hira Singh in his view that this is a very short Bill, but to me it appears that the importance of the Bill varies inversely to its size. It is not the length or the shortness of a Bill that should determine the principle of it. We should see what the essence of the Bill is and whether the Bill is warranted under the circumstances spoken to by the Honourable the Home Member. The Honourable the Home Member laid down the other day three important principles and he opined in the case of the Bill which had been introduced in this House by my Honourable friend Sir Hari Singh Gour to make certain amendments in the Indian Divorce Act that the Bill should satisfy three canons. The first was whether it was proved that the present law was insufficient for the purpose, the second was whether there was any demand for new legislation and the third was whether there was sufficient evidence to warrant the introduction of fresh legislation. All these three principles have been very carefully thrashed out in this House by the various speakers in the course of the debate on the present Bill and I do not think I should traverse the same ground over again. It has been abundantly proved by various speakers in this House that none of these tests can possibly be applied to this Bill. It has been shown that the present law is quite good, it is quite enough and it has not been pointed out to us by the Honourable the Home Member that there was ever any offender of the nature of a Communist who was put upon his trial, but the trial failed owing to certain technical difficulties. All the cases to which reference was made

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by the Honourable the Home Member have proved successful. There was the Cawnpore case ; there was the Allahabad case, and there were other cases also. In none of them did the law fail to mete out condign punishment to the offenders. So it is evident that there is no need whatever for fresh legislation. Now we know that under the Criminal Procedure Code, section 108, anyone may be called upon by a competent magistrate to furnish security for good behaviour either for keeping the peace in the country or for not doing a wrongful act. Then there is section 144 of the Criminal Procedure Code under which a Magistrate has simply to say " Whereas it has been made to appear to me ", not " Whereas it appears to me " but " Whereas it has been made to appear to me that your presence in my jurisdiction is likely to give rise to commotion or you are likely to do something which may disturb the public peace ", therefore I issue an injunction to you not to do a particular thing. Then we have sections 124A of the Indian Penal Code and 153A of the Indian Penal Code. I submit that all these laws are enough and more than enough for these purposes and that there is no need

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at all to enact any new law. It was once said by the late Motilal Babu of the *Amrita Bazaar Patrika* that section 144 of the Criminal Procedure Code and section 124A of the Indian Penal Code were the kings of all laws and he said, "Give me these two laws and I will see that there is absolutely nothing wrong done in the whole country." It is said that Archimedes once said, "Give me a proper fulcrum and I shall move the whole world." So when there are these laws in force in the country, where is the need of proceeding to legislate a Bill of this kind? There is no need whatever for it. As for the demand of the country, I should like to know who has demanded that such a piece of legislation should be taken up. It is to find out whether the people want legislation of this kind that a motion has been put forward in this House that the Bill should be circulated for eliciting public opinion. So far as we know, so far as the House knows, there is no body of Indian opinion in this country demanding such fresh legislation. As for the evidence, the Honourable the Home Member has already told us that he has got very good evidence in his possession but that it must all remain in his pocket. So if the evidence is to remain hidden in his archives, if the evidence is to remain in his pocket, he has no right to ask us to give our consent to this legislation. If he cannot trust us who are the elected representatives of the people with the evidence in his possession, why should he come to us for our votes for the legislation he wants to put on the Statute-book? This disposes of the three points laid down by the Honourable the Home Member the other day.

Now I come to another part of this debate. I must take note of what was said in this House by three Honourable Members, my Honourable friends, Sir Victor Sassoon, Mr. Gavin Jones and Dr. Suhrawardy. It was cast in our teeth that we were taking more interest in the preservation of the constitutional rights of the British people than they themselves did. The allegation was that we Indians had no business to poke our nose into the constitutional rights of Britishers, as there were Britishers here able enough to take care of themselves. This reminds me of an historical instance or two which I have learnt from British history. The same argument was put forward on the eve of the American War. It was contended by a large section of the English public that they had a right to tax the Americans for purposes of revenue, and when it was pointed out to them that by pressing such a legislation in the House of Commons they were invading the rights of the British people in America, who were not represented in the House, they said, "No, it does not matter; we are prepared to forge the rights guaranteed to us by the constitution, but we are determined to impose upon America our own laws". In this connection I would invite the attention of the House to what was said on that occasion by no less an authority than Edmund Burke in the House of Commons. I would remind my Honourable friends who are Britishers here to take particular note of what one of their own illustrious countrymen said:

"In order to prove that the Americans have no right to their liberties, we are every day endeavouring to subvert the maxims which preserve the whole spirit of our own. To prove that the Americans ought not to be free, we are obliged to depreciate the value of freedom itself, and we never seem to gain a paltry advantage over them in debate without attacking some of those principles or deriding some of those feelings for which our ancestors had shed their blood."

One of the cardinal principles of the British constitutional law is that no man can be taxed when he is not represented. No taxation without representation. Another cardinal principle of British law is that no man can

be condemned unheard. Here the Britishers present in this House who represent the Britishers outside this House in India say "It does not matter if a Britisher is condemned unheard. A Britisher who comes into this country to interfere with our exploitation of India has no business to be here and we shall deport him without trial." Now, in this connection I may invite the attention of the House to another illustration from the history of England. Hampden was asked to pay the paltry sum of 20s. as ship money. 20s. was not a large amount and Hampden would not have been a poorer man had he paid the money; but he refused to pay it. Why? Because the tax had not been levied on the public by the British Parliament, but by the Royal will, and he objected on principle to pay this small amount. Referring to this important historical instance, Burke says in his immortal speech on American taxation.....

Mr. K. Ahmed (Rajshahi Division : Muhammadan Rural) : That is out of date.

Mr. D. V. Belvi : It is not out of date ; it can never be out of date. You are out of date ; you are not in touch with English history. He says :

"Would 20s. have ruined Mr. Hampden's fortune? No. But the payment of that 20s. on the principle on which it was demanded would have made him a slave."

Britishers should remember these instances. It now suits their purpose to say that they are prepared to deport without a trial even Britishers from India, if Britishers choose to come here to interfere with their exploitation. It is most dangerous. Now, we are told by my Honourable friend, Mr. Suhrawardy, that there is an adage in Bengali which says that a woman who loves a child more than the child's mother is a witch. So, we are all witches on this side of the House, because we care more for the constitutional rights of the British people than the representatives of the British people in this House. But there is another aspect from which this question may be viewed. We are the subjects of the British Crown. We were told the other day by my Honourable friend, Sir James Simpson, that the Britishers in this country must be viewed as adopted sons of India ; if they are the adopted sons of India, then India is surely a foster-daughter of England ; if they are entitled to share in the fortunes of India, we Indians are entitled to a share in the constitutional rights of the British people under charters from time to time. We hope that we shall be able to achieve all the political rights which have been guaranteed to the British people under the British constitution. That inheritance is a common inheritance to Britishers and to British Indians ; and if the Britishers in this country claim a share in India as a part of their patrimony, we claim a share in the political inheritance of the British people. We have as good a right to defend the constitutional rights of the British people as the Britishers in this House.

That disposes of the argument that was advanced by my three Honourable friends to whom I have already referred. I shall now proceed to another aspect of the case which has not hitherto been touched upon. It was touched upon by one speaker, my Honourable friend, Mr. Jayakar, though rather lightly. Let us examine the present political condition of India. Is India in a political condition in which we may safely arm the Executive Government with such powers as are now demanded? What is the position? At present we have got a sort of representative institutions in this country, but we have not yet got a Government or a Cabinet

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which is responsible to the Legislature. There are representative institutions, but these representative institutions are coupled with an irresponsible executive. Is it safe under these circumstances to arm even the Governor General of India with the powers with which it is suggested he should be invested? What is the position of His Excellency the Governor General at present? Is he a constitutional Governor General? Can we say that what he does is done with the consent of the public? Now, in this connection I would invite the attention of the House to an exactly parallel case from Canada. The House knows perhaps that Canada was much in the same position in which India now stands. Before the grant of full Dominion status to it, the position was the same there as it is now in British India. There were representative institutions, but the Cabinet or the Government there was not responsible to the people. Now. I should like to read to the House a short extract from Lord Durham's famous report. This is what he says :

“ A body of holders of office thus constituted ”—

that is, constituted in an irresponsible manner :

“ without reference to the people or their representatives must, in fact, from the very nature of colonial Government, acquire the entire direction of affairs of the province. 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 collision with the other parties in the country, and thrown into more complete dependence upon the official party and its friends. Thus the Governor of Lower Canada has almost always been brought into collision with the Assembly, which his advisers regard as their enemy.”

It can hardly be doubted that all this applies to India. Then he goes on to say :

“ 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 connection, 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.”

The House will see whether every word of this passage does not literally apply to the present political condition of British India. Who are the associates of His Excellency the Governor General of India under the present conditions? These six gentlemen, the Members of the Cabinet. These are the gentlemen who are the advisers of His Excellency, and all his information is derived from these gentlemen, and His Excellency, unless he is a masterful man like Lord Curzon, will have to yield to the pressing solicitations of his Cabinet. The Cabinet is irremovable; it is not responsible to this House. Is it safe for us under the present circumstances to say that the drastic powers with which His Excellency the

Governor General is now sought to be invested will be always exercised by him properly ? The Governor General will not be in an independent position ; he will have to yield to the Members of his Cabinet who may say, ' We shall resign if Your Excellency does not accede to our request ; if you do not accede to our request, then we shall throw up our appointments ' . Naturally therefore he will have to yield to the requests of the Cabinet.

Now, view this case from another standpoint. You know that even little insects such as butterflies or little reptiles that reside on certain trees or flowers take their colour from the trees or the flowers on which they reside. That is the position of the Governor General of India at present. He must take his cue from the Members of his Executive Council. So, I submit, it is not safe to invest the Governor General of India with these powers at present.

Then, Sir, I shall turn to another point. Much was said by my Honourable friend Sir Hari Singh Gour and the Honourable the Foreign Secretary against the Bolsheviks.

Such a lurid picture was presented to the House by the Honourable the Home Member and by the Honourable the Foreign Secretary that I was really frightened out of my wits and I rubbed my eyes and said to myself : " Can all this be true of Soviet Russia ? If all this be true, surely the Russian people as they now exist must be a body of monsters, and if they were to invade India, or if they were allowed to come to the Indian shores, our position will surely be unsafe." On my way to Simla I thought that this question might crop up and I wanted to study what the real position in Russia was in these days. So I managed to purchase from a book-seller in Bombay a book on Russia, published in the present year 1928, and I shall now read to the House certain passages from that book. I may state that this book is written by an Englishman, Mr. W. J. Brown, an Englishman of position, a Secretary of a Trade Union in England, a gentleman who went to Russia purposely to study the conditions in Russia, and he has written his book as the outcome of his observations. I have no doubt that the observations of a gentleman like him will find acceptance with the House. Let us examine the present conditions of Russia from various points. Let us see how labourers are treated there ; let us see how women are treated in Russia ; let us see how religious institutions are treated in Russia ; let us see how prisons are worked in Russia and let us see what the condition of the Russian Army is.

Mr. President : Is the Honourable Member going to say all that ?

Mr. D. V. Belvi : I am not going to read the whole book, Sir. I am going to read short passages bearing on each one of these subjects, because, an attempt was made here to frighten my Muhammadan brethren out of their wits. They were told that Islam will not be safe. We were told that Hinduism will not be safe (*An Honourable Member :* " That is not so very easy ") and it is necessary.....

Mr. President : The Honourable Member can give the substance of those passages, of course.

Mr. D. V. Belvi : I am not going to read the whole book, I assure you, Sir. I believe that much has been said by the other side about Soviet

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Russia and it is absolutely necessary to say something on this side of the House in reply. Now, I shall read a passage :

"The Bolsheviks, by newspaper, by poster, by study circles and so on, do their best to destroy religion. But while this is their policy they permit, and indeed enforce, the fullest liberty to the adherents of all faiths—Christian, Mohammedan, and Jew alike—to practise their faith. The churches are open. Anywhere in Russia you may go to church when you please and the priests can preach what they please, so long as they do not incite the people against the Government."

Then, Sir, I come to another passage :

"The Bolsheviks believe themselves equipped with the knowledge of the laws which govern the evolution of society into happiness. And they devote themselves to the task with all the enthusiasm, and all that strange mixture of humility and high pride, which characterised the early Church.

In this devotion self goes by the board. Half their tremendous fixity of purpose comes from this subordination of self in something bigger. They live under a series of self-denying ordinances which recall Cromwell and the early Christian communities. In the Young Communist Movement neither drinking nor smoking is allowed. No member of the Communist Party proper may receive a higher salary than 225 roubles (₹2 10s.) a month. Lenin got this and no more. Stalin, Rykov—all the Commissars—are paid at this figure. So are the Trade Union officials."

That shows the kind of people they are. They are not such huge monsters as they have been painted here.

Mr. C. Duraiswamy Aiyangar (Madras ceded districts and Chittoor : Non-Muhammadian Rural) : They do not drink ?

Mr. D. V. Belvi : They do not drink, they do not smoke.

Mr. C. Duraiswamy Aiyangar : That is the difficulty.

Mr. Jamnadas M. Mehta (Bombay City : Non-Muhammadian Urban) : A very hard lot.

Mr. D. V. Belvi : It is rather singular that representatives of the British people in this country should come forward to say something to the prejudice of Russia in this connection. This author has instituted a comparison between the British people and the Russians in connection with religion, and I shall read a short passage about it. He says :

"What is the practical faith of the British people ? Under which banner do they serve ? Remember the test is not what men call themselves, not whether they are members of a church or not ; but what governing conception of life is expressed in their conduct.

Could we say that the mass of people in England were devoted to the service of God, regardless of self-interest, family interest, race interest ? It is only necessary to put the question to answer it. Those who genuinely do put the service of God before everything else are regarded as cranks and lunatics, and although not in danger of immediate crucifixion, stand a very good chance of finding themselves in prison."

Then the author proceeds to say :

"Primarily, it is the service of self. If we are poor, the aim is to become better off ; if we are rich, to become more rich ; if we are workmen, to become petty bourgeois ; if we are bourgeois, to rise into Society. By and large we worship the Golden Calf. True, we throw incense on other altars—convention demands it. We pay lip service to various creeds, for this is to be respectable. We make a profession of praying to God on Sundays. But our society is organised on the principle that we prey on our neighbours all the week.

Occasionally we do an unselfish thing—sometimes a noble thing. In a war we can be moved even to die for the country of our birth. But we do not live for it.

In the main, self is the dominant motive and self-sacrifice the exception. We are practical atheists, and the publicans and harlots go into the Kingdom of Heaven before us."

This is a comparison instituted by an Englishman between the sort of religion which prevails in the British Isles and the sort of religion that prevails in Russia, and it is enough for our purposes. It has been said that these Russians are a very bad set of people. Let us see what they do in regard to education. In this connection I shall show.....

Mr. President : Again quotations ?

Mr. D. V. Belvi : Yes, Sir. It is no use talking without quoting chapter and verse because Members on the opposite Benches will not accept anything which comes from this side of the House unless it is supported by authority.

" Before the Revolution education in Russia was at a discount. The nobility and the commercial classes were educated, but the workers, and especially the peasants, were educationally in a profoundly backward state."

Then this gentleman goes on to say :

" There is a big difference between the educational system of Russia and that of Western countries. In England, for example, educational work is mainly a matter for the schools. In Russia there are many other agencies, apart from the schools—elementary, secondary technical schools and universities—through which education is transmitted.

Every factory or institution has to set aside a sum equal to between 1 per cent., and 2 per cent. of the wages bill for social work, and much of this is devoted to education. Every factory has its Red Corner—i.e., a Reading Room with study circles—and its illiteracy classes. Every prison has classes and study circles galore. In every regiment and every ship there are classes in illiteracy and politics (which are compulsory) and voluntary classes of all kinds. Every Workers' Club has anything from one to 20 different kinds of classes. And the Trade Unions spend a large part of their income on educational work. Finally, there are the Communist Party schools and classes everywhere."

So, Russia is not so bad educationally. And, Sir, do you know the amount of money that is spent by Russians annually on education ?

Mr. President : Have you got quotations for that too ?

Mr. D. V. Belvi : Yes, surely, Sir.

Mr. President : Order, order. There is some reasonable limit beyond which I cannot allow the Honourable Member to make quotations.

Mr. D. V. Belvi : Sir, if you are in a hurry to rise, you may do so.

Mr. President : I have already told the Honourable Member that there is some reasonable limit beyond which he cannot be allowed to go on quoting passages after passages.

Mr. D. V. Belvi : I appreciate what you say, Sir. I will only.....

Mr. President : Order, order. I will not allow the Honourable Member to quote any further passages.

Mr. D. V. Belvi : It seems to me, Sir, that the spirit of autocracy is abroad in this Assembly.

Mr. President : Order, order. Will the Honourable Member withdraw those words ?

Mr. D. V. Belvi : I submit, Sir, that this is not a remark made with reference to you.

Mr. President : Order, order. Will the Honourable Member withdraw those words ?

Mr. D. V. Belvi : I will, Sir.

Mr. President : Does he ?

Mr. D. V. Belvi : I will, but may I proceed or not proceed with my speech ; I have yet to say something.

Mr. President : The Honourable Member might go on.

Mr. D. V. Belvi : Russia, Sir, is now condemned because there was a revolution there recently and that revolution unfortunately resulted not only in regicide but in a wholesale disturbance of the public peace and destruction of property. All this is perfectly true, but I submit that India is not on the verge of a revolution, nor is she sitting on the top of a volcano. India is a country which has outlived a number of institutions for many years. Our history rolls back to several centuries before the birth of Jesus Christ. We have been in existence as a civilised country at any rate according to known history for more than five thousand years, and India has never known a revolution in the long course of thousands of years. Our institutions have outlived all attacks made by numbers of various foreigners and their institutions. Sir, India has got a peculiar vitality in herself, and she can not only swallow but digest and assimilate all kinds of opinion and yet remain firm in her indigenous institutions. Now what was the condition of Russia when the revolution occurred ? My opinion is that a revolution is not a thing which is manufactured to order ; there must be historical circumstances warranting a revolution, even in India. I guarantee that even if a thousand Russian Communists were to give lectures every day throughout the year, in different parts of India, they will not be able to bring about a revolution, among us, because the conditions which are necessary for the occurrence of a revolution do not fortunately obtain in India. Now I shall read one passage to show.....

Mr. President : I have already ruled that I will not allow the Honourable Member to quote any more passages.

Mr. D. V. Belvi : I shall give at least a reference to it because I consider that the quotation is very valuable. Members of this House may refer to a passage given on pages 191-192 of a very valuable book, called " The Conventional Lies of our Civilization " written by a German by name Max Nordau. It has been translated into English and this passage gives us a vivid description of the condition of the working people, the condition of the masses of Western Europe about the time this revolution occurred.

Then, Sir, there is one more point, and I shall say a few words and have done with it. Ours is a subordinate Legislature just as is our Government, and is it right—I am not speaking of abstract rights ; from the point of view of abstract principles we may have a right under the law to enact this legislation,—but is it morally right for us members of a subordinate Legislature, Members of a Legislature that has not been given full powers to legislate against people who enjoy now many more political rights than we do ? It has been said by my Honourable young friend, Mr. Munshi, who made his masterly maiden speech to-day that it is only the British Parliament which should legislate in a matter like this. I submit that the view taken by Mr. Munshi is perfectly correct. It is only the British Parliament that can legislate in a matter like this. The powers of the British Parliament are in no way fettered. A writer on the

British constitution says that the only limitation on the powers of the British House of Commons is that it cannot turn a man into a woman and a woman into a man. But the British Parliament has passed no law against Communists hitherto. Is India alone threatened with an invasion by the Communists? Is the rest of the British Empire absolutely safe from their influence? And what provision has been made in England, and what provision has been made in this connection by Ireland, by Canada, by Australia? We have not been enlightened on that point. All that we are told is that India must be safeguarded. It seems to me that the position of the Government of India at present is something like the position of an old and jealous husband who doubts the fidelity of his wife and wants to keep his wife under lock and key, but the wife makes merry with her lovers all the same. That is the position of the Government of India. They want to shut out the possibility of new light reaching us. But I ask, will they be able to stop this torrent of Communistic doctrines reaching us if we pass this legislation? How can they prevent India from coming to know the doctrines of Communism? It is these capitalists—some of whom are sitting opposite to me—who have raised this hue and cry. They say that the recent strikes in India are detrimental to our peace and prosperity. So this is a preliminary to putting down labour in this country. I think this is only the complement of another Bill which is shortly to be put before this House, a Bill to put down strikes and such other things. I submit, Sir, we cannot allow this legislation to pass with our consent. It is open to the Government of India to issue an Ordinance over the head of this Assembly if they please, but they cannot proclaim to the world that they have passed legislation with the consent of the Indian people. We will not allow the Government to say so to the world. They should not ask us to vote for this measure when the measure is bad in every way. On these grounds, Sir, I oppose this Bill *in toto*. I do not believe in the efficacy of circulating this Bill for eliciting public opinion. To circulate it would be a bad thing altogether. I am afraid if this Bill is sent out for eliciting public opinion all the Provincial Governments and all European bodies in the country will opine in favour of it, and next time the Government of India will come to us armed with the opinion of these people and they will say "Look here, here is a large body of opinions in favour of this Bill and therefore the Legislature should accept it." I believe it would be a strategic error to send this Bill for eliciting public opinion. The Bill should be thrown out at its inception. I have no sympathy with any part of the Bill whatever. My Honourable friend Mr. Jayakar, who is a very shrewed lawyer, pointed out the defects in the Bill here and there. My opinion is that the whole of the Bill is bad. It must go in its entirety. Sir, on these grounds I oppose this Bill with all the earnestness I can command.

The Assembly then adjourned for Lunch till a Quarter to Three of the Clock.

The Assembly re-assembled after Lunch at a Quarter to Three of the Clock, Mr. President in the Chair.

[Mr. Narayan Prasad Singh (Darbhanga cum Saran : Non-Muham-madan) made a speech in the Vernacular, a translation of which will appear later as an Appendix to these Debates.]

Mr. Gaya Prasad Singh (Muzaffarpur cum Champaran : Non-Muhammadan) : I hope the Honourable the Home Member is making a note of these points for reply ? (Laughter.)

(The Honourable Mr. J. Crerar nodded assent.)

Mr. Srish Chandra Dutta (Surma Valley cum Shillong : Non-Muhammadan) : Sir, I beg to move :

“ That the following names be added to the Select Committee proposed by Sir Hari Singh Gour :

Mr. Amar Nath Dutt, Maulvi Muhammad Shafee, Kumar Ganganand Sinha, Mr. N. C. Chunder and Mr. Rajivaranjan Prasad Sinha.”

Mr. K. Ahmed : How can these three amendments be jumbled together ?

Mr. Jannadas M. Mehta : Sir, I rise to oppose the motion made by the Honourable the Home Member as well as the motion for Select Committee made by my Honourable friend Sir Hari Singh Gour.

Mr. President : But a Member of your Party moves an amendment to add certain names to the Select Committee.

Mr. Jannadas M. Mehta : So far as his motion for the adding of names to the Select Committee is concerned, I will make up my mind when the time comes for voting. Well, Sir, as has been rightly pointed out by my Honourable friend Mr. Neogy, there is a peculiar appropriateness about the title of the Bill. It is called the Public Safety (Removal from India) Bill. There is very little public safety in this country and whatever little might remain is intended to be removed from this country under the provisions of this Bill. A most panicky picture has been drawn of the condition of things that will prevail if Communism was allowed to make any advance in this country. The Honourable the Home Member and other Honourable Members have like the fat boy in Dickens made our flesh creep with stories of atrocities that will result if this Bill were not passed. Sir, really speaking this is not legislation at all. It is the latest bureaucratic effrontery to crush liberty of thought and speech in this country. My leader the Honourable Pandit Motilal Nehru has shown that this Bill is the result of panic, that there is no warrant for this measure, that it is altogether superfluous even if there was a necessity, that it is sweeping in its provisions and dangerous in its consequences. All this has been so abundantly proved by him and other Honourable Members who have spoken before me that I need not repeat the arguments they have advanced in support of that proposition. But, Sir, the reason why I most strongly oppose this Bill is that this Government cannot be trusted with any extraordinary or extra-legal powers. The use they have made of the powers they have obtained from us or in spite of us, in the past has been so wicked and so heartless that every Honourable Member must consider not twice but thrice, before he thinks of voting for this Bill. Remember, Sir, that this extra-legal legislation, these Regulations and Ordinances, have been used in a most barbarous manner. Youths of this country as honourable, as learned and as able as any Members on the Treasury Benches have been detained or deported without trial for months and years until some of them have gone mad, insane, or have died or become decrepit for life. You have broken many a home as the result of the application of the Bengal Ordinance. You have darkened and desolated many firesides in Bengal as the result of Regulation III of 1818 and the Ordinance of 1924 ; and it is preposterous that you should now come forward and ask this Assembly to invest you

with further powers. We cannot trust you with the liberty of a pariah dog, much less of a human being ; and therefore it is idle for Government to ask us to invest them with any powers of the kind they contemplated in this Bill.

Sir, we know that the letter of Mr. Roy on which so much reliance is placed has been challenged. It has been repeated from various places that this letter is a forgery and I should not wonder if this letter was a forgery, because there is nothing which the Government would not do when they want to serve a particular end. One of their own countrymen has said that India was conquered by breaking all the ten commandments and it cannot be retained by practising the principles of the Sermon on the Mount. The bureaucracy will do anything and everything in order to entrench themselves behind the powers they now seek to obtain. Mr. Churchill, when he was a Liberal Member, said of the Tory Party, Sir, that they would tell any lie, that they would eat any dirt, if only their power is thereby retained ; and the Government in this country is a subordinate branch of that Tory Government. Therefore if you remember what Mr. Churchill as a Liberal thought you cannot trust this Government with any power of the kind that is contemplated. Then, Sir, there is historical evidence that whenever it suits them this Government will forge evidence. British Rule in India began with the forgeries of Clive and it continues by the perjuries of Birkenhead and Winterton. During the intervening period they have practised other forgeries of which I will only mention three. Leaving aside the question of Clive's forgeries, Honourable Members will recall that in the days of the War we heard about a great German corpse factory. It was alleged against the Germans that they were utilising the dead bodies of their enemies for the purpose of extracting fat or some other ingredient with a view to help them in having their war material. This corpse factory story was circulated as propaganda all over the world ; and public opinion in the world was so shocked at the supposed atrocity of Germany in using dead bodies for getting war material that there was a great wave of feeling against Germany. Well, Sir, at the end of the war some years later, the author of this story was visiting America and the journalists of America invited him to a dinner and this gentleman drank more than was good for him and in that state of drunkenness inadvertently gave out that all this story of the corpse factory was his own invention and that there never was such a thing as a corpse factory in Germany ; the American newspapers took down all that he said and next day it was broad-casted all over the world that this corpse factory story was a concocted and perjured statement and that such a thing never existed. Therefore, Sir, we must be very careful before accepting any statement from the creatures of the British Government which is responsible for this corpse factory story.

Reference has already been made to the Zinovieff letter and that is the second instance of forgery. But I will give you one more instance of what false statements have been made by the British Government when it suits the purpose. Honourable Members will remember the incident of the Arcos raid in London last year ; there was the Russian Trade Delegation housed in a particular building in London, and the Home Secretary said that there was a stolen document in that Russian Trade Delegation house—a document that was stolen and obtained by dishonest means and therefore this Arcos building should be raided ; and this building was raided. People were prevented from going out ; they were searched and walls were pulled

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down and every attempt was made to find out that supposed document ; but as a matter of fact the document never existed there, and the Russian Trade Delegation was practically deported from England. It was really the enmity towards Russia which made them invent this story which led to the Arcos raid. I would not therefore be surprised if this story about Mr. Roy's letter is a forgery. I have got fresh evidence that the letter is a forgery. There is a telegram from Moscow dated August the 28th ; it has now been received by mail and circulated to-day by the Free Press of India. It is Mr. Roy's statement and reads as follows :

"Some days ago, the *Times* correspondent from Delhi cabled what purported to be extracts from a letter written by me to the Central Committee of the Communist Party and Workers' and Peasants' Party in India. According to the report, this letter alleged to be written by me was dated sometime in December last year, but was made public by police only a few days ago. In a subsequent message to the *Times*, dated 26th August, it is stated that in this fictitious letter, I mentioned Pandit Jawaharlal Nehru as the 'liaison agent between Moscow and India'. I hereby declare that I did not address any such letter to anybody in India. The statement about my referring to Pandit Jawaharlal Nehru as 'liaison agent' is a downright lie. I challenge the Government of India to produce the original of this mysterious letter with my signature. Obviously this latest 'letter of Roy' has been invented as a pretext for the proposed legislation against Communists. The cable to the *Times*, dated August 24th, gives the purport of the Public Safety (Removal from India) Bill and says the recent publication of M. N. Roy's letter to the Communists in India has directed public attention to this veil. If this letter proves the necessity for new repressive legislation, why has Government been sitting tight on it all this time since December ? The scheme of things is very obvious. The Imperialist Government wants to suppress the young labour movement in India. Some plausible pretext must be there. The 'letter of Roy' is forged with back date because one supposed to be written just in time to help the Government out of difficulty would be too ugly."

Mr. Roy concludes with a hope that the elected Nationalist Members of the Assembly will throw out this repressive measure.

Now, Sir, here is a definite denial and challenge by Mr. Roy himself who says that the statements made about his having written this letter are utterly false.

Mr. K. Ahmed : Is that also signed by Mr. Roy ?

Mr. Jamnadas M. Mehta : This is a telegram, and signatures are not received over the wires. But, Sir, I will assume that, if not Mr. Roy, somebody else wrote this letter. I do not mind even accepting the story that Mr. Roy wrote the letter which has now been circulated. I really do not understand what there is in the letter about which so much capital has been made. Let us take the bull by the horns. What does the letter say ? I will only refer to two or three paragraphs. The first is,—this is what is stated in paragraph 3 on page 1 :

"Our relation is that of comrades agreeing on principles and programme of a revolutionary struggle for freedom."

Now, Sir, Mahatma Gandhi has times without number declared that every patriot Indian, every Nationalist in this country, must be the sworn enemy of the Government as at present constituted. What is the difference between Mahatma Gandhi's statements so many times repeated and the statements I have quoted above ? Mahatma Gandhi has advised us—and we accept it—that every Indian who has the welfare of his country at heart must desire and must attempt to overthrow this Government by peaceful means. (*An Honourable Member :* "Ah ! peaceful !") Yes, certainly, peaceful. The only difference is in the methods, but that we want to overthrow the present system of Government if we can is a cardinal point of policy

with every Indian, and therefore, Mr. Roy, if he wrote this letter, teaches as nothing that we did not know already. Then, Sir, Mr. Roy also advises the Indian Communists to do what ?—I am assuming for the moment that this is Mr. Roy's letter—He says :

“ In India the Communist must place the question of national independence as the pre-condition for the realisation of the minimum demands of the working class.”

So even if there is to be a proletariat rule, the writer of the letter admits that before there can be the rule of the proletariat, there must be the independence of India secured, so that, so far as even the Communists are concerned, they are quite prepared to work with us in the task of achieving India's independence ; we welcome that letter to that extent, because it urges what we have been working for. Then the last thing to which I would draw the attention of the House is contained on page 5 of the letter and that at once rivets our attention as to what the programme of this party is going to be :

“ The main points in the programme of the W. P. P. are: overthrow of Imperialist domination, direct or indirect establishment of a democratic State with full political rights for the workers and peasants ; nationalisation of land (abolition of landlordism, native states and other feudal remains) land tax not exceeding 15 per cent. of the net income; exemption from taxation for poor peasants cultivating ‘ uneconomic ’ holdings; annulment of agricultural indebtedness; control over usury (interest not to exceed 5 per cent.); cheap agricultural credit; nationalisation of the means of transportation and basic industries (mining, iron and steel), 8-hour day and 44-hour week ; minimum wage, guaranteeing a fixed standard of living ; specific improvement of labour and housing conditions; free primary education; insurance against unemployment, sickness, old age, the State and the employers contributing 75 per cent. to the fund; workers' committees in the factories, and peasants' committees in the villages, to enforce the programme; freedom of press, speech and assembly; right to strike and carry arms; freedom of religion and worship, equal political and economic rights for women.”

Now, I ask every Member of this House whether practically the whole programme as laid down in this book is a programme which has not been the programme of the Indian National Congress for many years. What is the difference except a point here or a point there ? 98 per cent. of the programme as laid down here has been accepted by the Congress and by other progressive parties in this country long long ago. This letter is not going to teach them anything. Cheap agricultural credit, 15 per cent. being the taxation on land, exemption of uneconomic holdings from taxation, free primary education, unemployment benefit, freedom of religion, equal political and economic rights for women—these are referred to in the letter. What is there in this which should frighten any honest man and thereby create any necessity for legislation of this kind ? I submit, Sir, the letter teaches very little new to the people of this country. Most of this programme has been before the country except the question of violence, and on that question Mahatma Gandhi and the Indian National Congress have long since made up their minds that all these reforms are to be achieved by non-violence.

Sir Victor Sassoon : Does everybody agree to that ?

Mr. Jamnadas M. Mehta : The Congress has refused to change its creed. My Honourable friend Sir Victor Sassoon, even if he does not read all the proceedings of the Indian National Congress, might know its creed, and that creed is the achievement of Swaraj by non-violence and legitimate means, and I say that the Congress has refused to change that creed, and Government should have had no fear as to the ultimate consequences of this

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letter as the programme of the letter and the programme of the Congress are identical except about non-violence.

Sir Victor Sassoon : Do the Bombay Communists agree with that creed of non-violence ?

Mr. Jamnadas M. Mehta : I am not concerned with the Communist's creed. The writer of this letter advises the Communists to join the Indian National Congress and to make the independence of India a pre-condition of every other item in the programme, so that, for some year, until the creed of the Congress is changed, even the Communists are bound to remain non-violent.

Sir Victor Sassoon : Are they ?

Mr. Jamnadas M. Mehta : Yes. This letter about which so much hullabaloo has been made, this letter which to me is an obsolete letter—what is there in it most of which we have not for years past been advocating ? It only shows that the Government are a Rip Van Winkle who do not know what is going on in the country. The country has been demanding most of these reforms for years and years and there is little in this letter which can add to the programme of the country as represented by the programme of the Indian National Congress.

There are only one or two points more which I wish to take. The provision of clause 2 of the Bill really gives a blank cheque to Government to do what they like with the liberty of any individual who comes to India. It is absolutely a blank cheque, because, what is contemplated is that the Governor General in Council may, by order in writing, declare a man to be the person to whom this Act applies. The moment the Governor General in Council declares that, he becomes such a person. Whether he is or is not is another matter. The dangerous and very sweeping provisions of this clause will thus be patent to Honourable Members.

Clause 2 (c) provides :

“ Is a member of, or is associated with, any society or organisation, whether in British India or elsewhere, which advocates or encourages any such doctrine or activity as is described in clause (a) or clause (b), or which is affiliated to, or connected with, any such society or organisation.”

Now, that is even more dangerous than clause (a) or (b). A foreigner need not be a Communist himself ; he need not have advocated any activity mentioned in clause (a) or (b). But if he is connected with any organisation which organisation is in its turn connected with a Communist body if he is not connected with a Communist body itself but with a body which is connected with a Communist body, that person will come within the clutches of this law. Sir, there may be occasions when a most innocent man may be connected with a body in India which may be connected with a Communist body somewhere in the world, and the connection may be of various kinds. For instance, if a non-Indian living in India is a reporter or a correspondent of a Communist journal—mind you, he may not be a Communist himself, he simply supplies labour and other information from this country to that Communist journal, which may be, say, in Paris,—the mere fact that he supplies labour news from this country to the French journal will be sufficient to bring him within the purview of this law and will make him liable to be deported. An innocent correspondent of a Communist journal in this country is liable to be deported simply because in the language of this clause he is connected with that body. Now,

Sir, I must say that this is even more sweeping than anything that Government have done so far. Not only such a correspondent, but even a clerk in his office will come within the purview of this clause because he is the servant of a person who is connected with a Communist organisation abroad. I think absurdity could not go further. If Government want that the liberties of individuals should be handed over to them in this sweeping manner simply because one individual is connected with another which is connected with a Communist body outside India, I do not think that any individual is safe under this Bill.

Mr. President : These are matters for the Select Committee.

Mr. Jannadas M. Mehta : Yes. I am only pointing out that this is a dangerous clause and we must not allow any such power to Government. There are similar dangerous clauses, but this one has struck me as so sweeping that it is sufficient to stamp this Bill as altogether unacceptable. I agree with the Government that a Bill is necessary for the safety of the public in this country. I could have supported them if they had brought a Bill for the safety of the public. The safety of the public in India has always been in very great danger—from the Government ; not from any outside authority or from any Communist, and if anybody deserves to be deported it is the members of the Government. The public safety of this country suffers most from members of the Government, from members of the Civil Service and from other public servants. (*An Honourable Member :* " And non-official Europeans.") I am leaving the non-official Europeans alone for the time being. I say that the public safety is in danger from civil servants who kick and kill and yet get scot-free, who insult Indians and yet there is no remedy—just as a rickshawalla was kicked and killed in Simla two or three years ago. It is these people who danger the public safety in this country. I really think that what the Bill should have done is that anybody who being a public servant is convicted, I do not want to deport him without a trial—but once a public servant in this country—he must be a non-Indian according to the Bill which I accept—is convicted in a court of law for assault, hurt, grievous hurt, or insult to the people of this country, the moment that crime is brought home to him and he is convicted he ought to be deported under a measure of this kind.

If the Government bring a measure of that kind I will certainly support it most heartily because it is really this kind of people who are bringing public safety into danger in this country.

Mr. M. S. Aney (Berar Representative) : I believe the Honourable Member has got an amendment to that effect.

Mr. Jannadas M. Mehta : If the Bill comes on, I will bring that amendment up and show how these people deserve to be deported. I have only one word more to add and that is that the danger to the European community has not been realised by them. I say your fight for liberty, your traditions of liberty are worth nothing if you deny an equal measure of liberty to every other human being and I find to-day that the European Group who are exploiting this country are blind to the claims of liberty of other people, simply because they fear that these might come in their way. I ask Honourable Members to remember that under this Bill not merely a Spratt or a Bradley will be deported but a man like Mr. Horniman may be deported, Mr. Stokes may be deported, Mrs. Annie Besant may be deported, Mr. C. F. Andrews may be deported. Therefore we should deny

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even a second reading to this Bill and throw it out unceremoniously India does not want to be blackened before the nations of other countries. What would the Egyptians think of us, what would the Chinese think of us, what would the Afghans, Americans, and the French think of us when they hear that the Indian Legislature with an elected majority allowed itself to be stampeded into action whereby foreigners could be deported without trial in times of peace? India is not anxious to earn so bad a name and so black record. We want to be friends with other countries of the world. If this Bill pass, let the world know that it will pass over the heads of the people of this country, over the heads of the elected Members of this country and in the meantime let the world know and let India know that the elected Members of this Assembly as a whole will stand like a wall against it. Sir, I oppose this motion

Mr. K. Ahmed : Sir, this is the eighth time I stand up. I should be allowed to speak before Sir George Rainy's concluding speech is delivered.

Mr. President : Sir George Rainy.

The Honourable Sir George Rainy (Member for Commerce and Railways) : I think this House has reason to congratulate itself on the very high level which the debate has attained. Personally I have listened with the greatest attention to almost all the speeches, and I have been very greatly impressed both by the ability displayed and by the admirable tone which on the whole was maintained. Yesterday, Mr. President, as I was listening to the Honourable Pandit, the Leader of the Opposition, a feeling passed through my mind and I was not sure whether it was justified or not. It seemed to me that not only in his speech but in the speeches of other Members who rose from the Benches opposite there was an unexpected absence—may I say—of acrimony and invective. It seemed to me that Members were putting forward objections to the Government proposals, of which they were most conscientiously convinced—yet only half-heartedly as if they almost wished that they could accept these proposals. I may say that these suspicions which passed through my mind have received the most ample confirmation from the speech of Mr. Jamnadas Mehta to which we have just listened. The picture that presented itself to me was this, Sir, that in some secret conclave of the Opposition Leaders one or other of them might have expressed his regret that this most powerful weapon in the hands of a Swaraj Government could not be accepted from the hands of the present Government. How admirable it would be if the power then existed to deport the European! My Honourable friend has made it clear that we on the official Benches will not be in danger from this particular measure, but from another which he forecasted, the Public Servants Removal from India Bill. But my Honourable friends of the European Group, as I fear, would then be in the gravest peril. I can imagine my Honourable friend, Mr. Jamnadas Mehta, with a glistening eye gazing on the bright vision of the steamer, no doubt reserved for the coastal trade, steaming out from Bombay with the entire European group on board. (Laughter.)

Mr. Jamnadas M. Mehta : And I will bring garlands with me.

The Honourable Sir George Rainy : That bright vision, Sir, had to fade. My Honourable friends opposite evidently felt that they could not consistently with their principles accept this Bill, and that even the

hope of the use to which they might ultimately be able to put it would not justify them in accepting it. No doubt the political sagacity of the Honourable the Leader of the Opposition recalled to him the old proverb, "I fear the Greeks when they come bearing gifts", and he dropped a tear and let the vision pass.

The objections, Sir, that have been raised to this Bill have been of various kinds. I will not weary the House by attempting to go through them in detail, and what I have to say will, as far as I can, be devoted to what seemed to be the most important of them. My Honourable friend, Mr. Jayakar, to whom it is always a pleasure to listen, in that most lucid speech to which we listened yesterday gave two of the arguments which I think weigh with Members on the other side. One of them was, "We cannot trust this Government with special powers because they misuse such powers." The other was, "This Government should not ask for such powers because they never use them when they get them". (Laughter.) Now, Mr. President, either of these arguments.....

Mr. M. R. Jayakar (Bombay City : Non-Muhammadan Urban) : On a point of personal explanation, Sir. What I said was, "Government either abuse them or do not use them at all".

The Honourable Sir George Rainy : But then in that case which is the apprehension that is moving the mind of my Honourable friend ?

Mr. M. R. Jayakar : In the one case these powers are not necessary and are asked for in a state of panic, and in the other case they are mischievously used.

The Honourable Sir George Rainy : But I think my Honourable friend must in the end make a choice. I know that under the Criminal Procedure Code you may have a conviction in the alternative, but in this case I really do not know whether this Government is to be convicted of asking for what is not necessary, or of asking for what we are certain to misuse ! We cannot be guilty of both crimes simultaneously. I think myself that, if I had to choose, the most probable contingency is that the powers, if given, will be very little used, because in the nature of the case the safeguard which Government propose to provide is the second line of defence and not the front line. The question of removing Communist agents from India does not arise unless they have in the first instance succeeded in evading the passport regulations. No doubt experience has shown that this is perfectly possible and will sometimes happen, and it is precisely for that reason that Government have found it necessary to put forward these proposals. But it is not likely at all that such cases will be numerous ; and if in future it is said that Government has made very little use of these powers it may be for the very excellent reason that the necessity for their use did not exist. Now, Sir, it would be useless for me to try to establish the fact, to the satisfaction of the Members opposite, that this Government is fit to be trusted with powers of this kind. They are not to my mind, it is true, anything like so serious or important as several powers which this Government already possesses. Still I quite recognize that they are powers which no Legislature willingly concedes to the Executive Government until the matter has been fully and maturely considered, and until the Legislature is satisfied that the necessity for these powers really exists. One of the lines of argument adopted by some Members on the other side I might perhaps sum up in this way. Their view is that, after all the Bolshevik is nothing like so black as he is painted.

[Sir George Rainy.]

On the whole he is perhaps a very decent person and we have nothing particular to fear from him. Some Honourable Members have been in Russia and they have told us what they themselves saw when they were there. My Honourable friend Mr. Suhrawardy suggested that perhaps what they saw was an example of the Russian genius for stage management, and that reference suggested to my mind a somewhat quaint historic parallel between my Honourable friend Mr. Srinivasa Iyengar and the Czarina, Catherine the Great. As the proceedings of that estimable lady were on some occasions somewhat questionable, I hasten to add that the point of the comparison is not in the character of the persons concerned, but merely in the treatment which they at various times are said to have received from the Russian authorities. No doubt Honourable Members are familiar with the story of how the Czarina announced that she proposed to make a tour of her dominions, and how the permanent officials, the sun-dried bureaucrats, were very much put out about it ; but proving equal to the occasion they organized a series of admirable villages peopled by happy villagers with all the latest comforts of civilization along the whole route through which the lady travelled. Now, while I am quite sure it was the desire of the authorities in Russia to extend a hospitable welcome to my Honourable friends, it is perhaps permissible to doubt whether it would be in their power to make such complete preparations as were made on the earlier occasion to which I have referred. Therefore, if my Honourable friend prefers to believe the evidence of what he himself saw and what he himself heard in Russia, I do not know that we should have any real right to complain of it. Indeed a good deal of what he said did not come to me with any shock of surprise, because it is no part of the case of Government, as I understand it, that the calamities which we apprehend might fall upon India if the Communist influence spread here, that such calamities are happening in Russia to-day. Russia has passed through her purification by blood and fire and has emerged for the moment on the other side, and a Communist Government will not, any more than any other Government, use weapons that are no longer required. If I went to Russia I should expect to find, subject of course to all the local peculiarities which are natural to the country—I should expect to find on a casual view under normal conditions very much the same sort of thing as might be going on in other countries. But although I should be most willing to believe that to my Honourable friend Mr. Srinivasa Iyengar, as was suggested yesterday, a single day is equal to a year, and that in 10 days he could acquire as much information as most of us could acquire in 10 years, still I do feel that as regards the actual internal conditions in Russia it is only those who have spent a considerable time there in close contact with the life of the people who are in a position to give valuable information on the subject. However, as I have said, it is not an essential part of the Government's case that the conditions existing in Russia to-day are in all respects deplorable ; what is an essential part of our case is that the Communist Party, the whole-hearted Communists—I quite agree that they may not be so numerous as they are often represented to be—but the section which constitute the driving power of the party, when they are attempting to carry their campaign to success in a country which has not hitherto been exposed to its influence, adopt methods utterly ruthless and unscrupulous and carry them out relentlessly, inflicting the most appalling calamities on the people of the countries concerned. That, Sir, is an essential part of the Government case. (Applause.)

(At this stage Mr. President vacated the Chair which was taken by Mr. Deputy President, Maulvi Muhammad Yakub.)

Now, Sir, we heard—I think it was on the first day of the debate—we heard from my Honourable friend Sir Victor Sassoon of what he had himself seen and heard in China. Indeed the calamities that the Bolshevik intrigue have inflicted on that country must by this time be well known to everyone. It will not do to say that the Bolshevik is entirely a white sheep and a grossly maligned person, or that there is no particular reason to apprehend that if he succeeded in getting a real grip in India, he would not attempt—and possibly with some measure of success—to carry out a similar programme. There is ample material to show what the declared policy of the Communist Party is and what their recognised methods of carrying out their intentions are. I do not believe that anyone who seriously studies the subject can be left in any serious doubt on that point. On the other hand, I admit, that although there is a very close connection between the headquarters of the Communist Party in Russia and the Russian Government, yet they are not identical; and if Honourable Members who have been in Russia were to tell me that they met members of the Russian Government who did not go anything like the whole length, I should accept it. But what we have to deal with is not the Russian Government; that does not come at all into the question. What we have to deal with is that very powerful and dangerous party, the Communist Party, whose headquarters are in fact situated in Russia.

Now, Mr. President, I will try to deal with what I believe to be the substance of the case presented from the opposite Benches. What I think is most deeply felt by a number of Members is this: "This Bill is of course repressive legislation for it gives exceptional powers to the executive, and it is not the kind of Bill we are very fond of in this House. Still we are ready to hear what Government has to tell us, but we should like to have before us, before we come to a decision, more facts than have yet been produced." I frankly recognise that that is a reasonable attitude, and that Government must, of course, do all in its power to meet the demand. But I should like the House to consider what the inherent difficulties of the position are. As several Members have pointed out, the purposes mentioned in the Bill, the advocacy of which, or combination to effect which involve deportation, these purposes are highly criminal. Now, if Government had full evidence on these points, naturally instead of coming to this House for special powers, what we should do would be to bring a case in the courts and ask the courts to convict. The mere fact that we ask for these special powers necessarily implies that, if we have to wait until we have acquired all the evidence which would justify a conviction, the mischief may be done before the remedy is applied. That is essentially implied in this Bill. But if the position is such that Government are not in a position to produce evidence which would secure conviction in court, for precisely the same reason they are not in possession of the kind of evidence which they could place before this House in detail, in order to ask this House to confirm the view they had taken about it. That is an inherent difficulty in the case. Apart from that, there is a special difficulty which must seriously hamper the speakers on this side in dealing fully with the case as it appears to them. Yesterday, Honourable Members will remember that when my Honourable colleague, Sir Bhupendra Nath Mitra, was speaking, a point of order was raised by, I think, my Honourable friend, Mr. Neogy and some others, on the ground

[Sir George Rainy.]

that reference was being made to matters that were *sub judice* ; a very natural objection to take. But obviously the case we are presenting to the House depends mainly on what has happened during the last eighteen months and more particularly during the last six months. It very seriously increases the difficulty if at every turn when we weep to refer to any particular incident, showing the kind of spirit that has entered into India within the last eighteen months, obviously it is very difficult if we cannot refer to any of them, I do ask the House to consider that. I feel that, as a Member of the Government, speaking in this place, I have to be particularly careful not to say one word that could prejudice the trial of anyone. For that reason I refrain from saying most of what I should like to say. But I would ask the House to consider this. There are a good many facts, well known events that have taken place in India during the last eighteen months, and I think they give the House reason for very serious thought as to whether there is not some new influence at work which it is as well should be checked.

Mr. President, some speakers have asked the question : why do you want these powers, why not intern these men under Regulation III ? I am told that in the western States of America, there was a time when every gentleman had a revolver in his pocket, it came out at the shortest notice ; and I think some Honourable Members conceive the Government of India to be in a similar position so that, whenever they feel like it, out comes Regulation III. I assure Honourable Members that we do not take our responsibilities so lightheartedly as that, and if the same end can effectively be achieved in the way of preventing the mischief which we apprehend, then unquestionably the Government of India would always choose the milder means. Now, in the case of Communists who are Indians, the milder means provided by this Bill are not available. Supposing—I should very much regret to see it—supposing the necessity arose, we are not at liberty to banish Indian Communists from the country. But in the case of those who are natives of other countries and who have come to India merely temporarily, that alternative does exist and it is in order to enable the Government of India to deal with the situation in the mildest manner possible that this Bill has been put forward. After all, I gather—and at any rate my Honourable friend Mr. Jamnadas M. Mehta would agree with me—that none of us Europeans have a vested right to remain in this country at all. (Hear, hear.) Indeed he indicated that he would under certain circumstances support measures leading to our removal. Therefore I do not think that this Assembly would incur a responsibility anything like so heavy as it has assumed on other occasions, if it gave its support to the Government Bill.

Mr. President, this debate has now lasted for several days and I think the energies of some of us are beginning to flag. Certainly it is not for me to weary the House by talking endlessly on this subject. I will therefore bring my remarks to a close. All I should wish to do is to ask the House, as they have carried on this discussion in a spirit of temperance, tolerance and sober judgment, so they should give their votes when the time comes with a due sense of responsibility for all the issues which they have to face. (Applause.)

Mr. Fazal Ibrahim Rahimtulla (Bombay Central Division : Muhammadan Rural) : Sir, I have listened with admiration to the speech of my Honourable colleague Mr. Jayakar, which was delivered on the floor

of this House the other day. But, Sir, I failed to understand why he is asking this House to adopt the amendment for circulation. I think that a man coming from Bombay is sufficiently aware of the dangers which this movement is doing in India. Sir, the object of circulation, as I understand it, is to invite public opinion and the opinions of the Government. I do not know whether my Honourable friend Mr. Jayakar has taken care to enquire the opinion of the Government of the province from which he comes.

Mr. N. M. Joshi : He is not in the confidence of the Government of Bombay.

Mr. Fasal Ibrahim Rahimtulla : He need not be in the confidence of the Government, but he is supposed to enquire what the matter is when a Bill of so important a nature is put forward by the Government. The Government of Bombay has been unequivocally telling us and it is known to everyone here that the Communist movement in Bombay is doing great harm. I suppose my Honourable friend Mr. Joshi had heard the speech of Sir Purshotamdas Thakurdas who has gone out of his way to tell the Government that they were weak, and that they ought to have taken action long before to-day. I suppose he was not sleeping then. He opposes the Bill on some other ground and I shall come to that. But I do not understand the attitude, Sir, of those who want circulation. What is the object of circulation and what is the advantage? We have sufficient opinion created in India and I would like to have an opinion on the floor of this House. Is anybody here in favour of Communism? That is the whole point. (*Members of the Congress Party :* "That is not the point.") Is there Communism, and how to deal with that Communism is the question. If you say, there is Communism and if you understand the object of those who are dealing with Communism, then I can understand it is necessary that we should adopt such methods as are necessary to get rid of it.

Mr. B. Das (Orissa Division : Non-Muhammadan) : But there is no Communism.

Mr. Fasal Ibrahim Rahimtullah : I am glad to hear that from you, Mr. Das. But I would like to draw the attention of the House to what is Communism. Communism is a special movement within Socialism with the same ultimate goal, namely, the abolition of social stratification by the destruction of private ownership; and according to Marx how is it attainable? It is attainable only by means of revolution. Why don't you say so clearly instead of driving India to revolution? Say it clearly and we will understand it. As I understand it, Sir, it is no use hiding the main issue. According to the Russians the strength of the Communist movement outside Russia varies differently in different countries, being greatest wherever economic distress is most acutely felt. And here I agree with my Honourable friend Mr. Joshi that Government is to be blamed for it.

(At this stage Mr. Deputy President vacated the Chair, which was resumed by Mr. President.)

It seems to me that the continuance of the intensive propaganda of the Third International despite very prejudicial effects on the political relations between the Soviet States and other Governments is mainly attributable to the growing sense of the Russian Communists and to their belief that the Russian experiment depends for its lasting success

[Mr. Fazal Ibrahim Rahimtulla.]

upon the accomplishment of the World Revolution. Are you prepared to admit this or not ?

Lala Lajpat Rai (Jullundur Division : Non-Muhammadan) : We are.

Mr. Fazal Ibrahim Rahimtulla : I am glad to hear you say so. My friend Lala Lajpat Rai made out two or three points. First he says that he does not understand why the English people are supporting this Bill because Englishmen are concerned. Secondly, he says that the strikes are due to money coming from Lancashire. The third point he made was that he does not want to isolate India from other foreign countries. Sir, as regards the first point, the very fact that the European Group is favouring this Bill shows that they do not wish to destroy Government and they do not wish to ruin India. As regards the second point, Lala Lajpat will clearly bear me out on this, that British people are here only for their trade interests.

Lala Lajpat Rai : Quite right. Well, if Lancashire is financing these trade strikes, no European would come forward to support this Bill. (*An Honourable Member* : "Why not ?") They will not, because it touches their pockets. With regard to the third point, I found, Sir, that the Swarajist Members, with whom I am in full agreement, when the other day Sir George Rainy moved the Textile Bill,—Mr. Jamnadas Mehta said we want the Cloth Bill. The effect of that would have been to spoil our relations with Japan.

Mr. B. Das : Why ?

Mr. Fazal Ibrahim Rahimtulla : Because that would kill the trade of Japan. Sir, our whole object is to see that India is prosperous, no matter what the relations with other countries may be. The primary object of this House, which is constituted with a majority of elected Indian Members, is to see that India is prosperous and not to ruin India for the purpose of not spoiling our relations with foreign powers. As regards my friend, Mr. Joshi, he has told this House—and I agree with

4 P.M. him entirely—that he would like to see any money, coming from any source, being treated by any individual as untouchable. Perfectly true. But, Sir, he did not tell us the object why the money was sent. That is the whole point, not the money.....

Mr. N. M. Joshi : To support the strikers.

Mr. Fazal Ibrahim Rahimtulla : For what reason ?

Mr. N. M. Joshi : To feed the strikers in this country.

Mr. Fazal Ibrahim Rahimtulla : The whole object to my mind is the motive of those people who sent him the money. That is the point.

(At this stage Mr. N. M. Joshi made an interruption which was inaudible at the Reporter's table.)

Mr. Fazal Ibrahim Rahimtulla : We know it very well from your movements in the Bombay Presidency.

Mr. N. M. Joshi : Is not the police sufficient in Bombay to watch my movements ?

Mr. Fasal Ibrahim Rahimtulla : Because your movements are not necessary to watch. You are nobody in Bombay nowadays and you know it.....

Mr. President : The Honourable Member would be well advised not to take notice of interruptions.

Mr. Fasal Ibrahim Rahimtulla : I am glad of your advice, Sir, and I shall try to follow it ; but when people interrupt I have got to reply to them. I think, Sir, the best speech that was made in this House on the subject was the speech of Sir Purshotamdas Thakurdas for whom I have got the greatest respect and his speech was that he was not against the Communist movement. He says that Government ought to have taken action earlier and immediately. The only difficulty he has is that he does not understand why Government did not take action under Regulation III. I think, Sir, the Government ought to have replied to that. But I find my friend, Mr. Munshi, has dealt with that subject in a very clear and cut and dried manner. His point was and he has told us that Government did not wish to apply Regulation III because there would be a great uproar in England. Suppose that argument is true. Then, do you mean to say that the Government should not find out any other means by which to get rid of this Communist movement in India and that they should merely look on and see, if they find that the British people are getting into uproar in England over the application of Regulation III to the British subjects ? That is why they have brought this measure before this House. My friend, Mr. Jayakar has all along told us—and I think very rightly too—that looking to the past experiences he cannot trust the Government. But what is his duty here ? His duty is clearly to go before the Select Committee, to accept the principle and find out such safeguards as he thinks necessary so that the question of trust will not exist in the future. The whole principle of the Bill, as I understand it, is to get rid of the Communist movement in India. That is the principle.....

Mr. M. B. Jayakar : The principle of the Bill is deportation by summary methods and without trial.

Mr. Fasal Ibrahim Rahimtulla : Will you suggest some other methods ?

Mr. M. B. Jayakar : If the very essence of the Bill is trial by summary methods, then there is hardly anything to be done in the Select Committee by way of devising a procedure of safeguards.

Mr. Fasal Ibrahim Rahimtulla : But you told us before this House that you were willing to give these powers to the responsible Government when it came into existence.

Mr. N. M. Joshi : How can you make this Government responsible by Select Committee ?

Mr. Fasal Ibrahim Rahimtulla : What I want to reply to Mr. Joshi, though, Sir, you have told me not to mind interruptions—I do not know whether I should disregard this one.....

Mr. President : I would ask the Honourable Member to accept my advice.

Mr. Fazal Ibrahim Rahimtulla : Very well, Sir, I shall do so. One remark Mr. Munshi made, Sir, to which I take great exception. He told us : " Why does not Parliament legislate for India ? " I hope, Sir, he will not ask this House to adopt this pernicious principle that the Houses of Parliament should legislate for India. We know how to take care of ourselves and also of the British subjects residing in India. We are not here only legislating for British subjects but, we are also mentioning aliens. The whole point is, are you going to accept the principle or not ? (*Cries of " No. "*) If you are not going to do that, then you say you are in favour of the Communist movement in India. My friend, Mr. Jayakar, comes from Bombay and I shall read to him a small paragraph from the *Indian National Herald* of the 25th April 1927—a speech delivered by Mr. Spratt. And what does he say ? He says :

" It was wrong to argue, that the country was not prepared for non-violent civil disobedience. Although revolution was not synonymous with bloodshed, yet a strictly non-violent atmosphere was a far off cry. Every revolution in history was attended with bloodshed. The very idea that some blood would have to be shed ought not to deter India from launching the programme of civil disobedience.

In the end Mr. Spratt hoped that the right lead would soon be forthcoming, and India would witness one of the biggest revolutions recorded in history."

Mr. M. B. Jayakar : Does the Honourable Member know that Mr. Spratt was tried in the Bombay High Court and found not guilty by an English Judge ?

Mr. Fazal Ibrahim Rahimtulla : Yes, but on some other grounds, and not because he was a Communist. Sir, the whole point that I want to make out is this, that there has been sufficient evidence available in India about the existence and spread of the Communist movement in this country, and especially in Bombay it is quite evident that the strikes are due to the Communist movement. I do not for a moment agree with all the clauses that are in the Bill. I only say that we accept the principle, and that we should get rid of the Communist movement in India.

Then, Sir, as regards our fear that the Government will misuse the law, we can go to the Select Committee, fight it out there, and provide the necessary safeguards for the purpose. If we cannot find an agreement with the Government as to the safeguards which we should like to provide, it would still be open to us to throw out the Bill at the third reading, and at that time I shall be with the other side of the House (pointing to the Congress Party Benches), for the very reason that Government have failed to co-operate with the House. I personally, Sir, do not know whether a reference should be made to the letter which my father has written in this connection. My father has clearly pointed out that the Communist movement cannot be got rid of by this Bill. (Hear, hear from the Congress Party Benches.) This is only a beginning. The root cause is the policy of the Government. (*An Honourable Member :* " Exactly so.") Take the ratio question. That has ruined the cultivators. That has also brought about the strikes in Bombay and elsewhere. (Hear, hear from the Congress Party Benches.) Now, if Government come forward with a Bill of this character and wish to mend their ways, and if they want the co-operation of this side of the House, we should not refuse it, and this is the only reason, Sir, that I have for supporting the principle of this Bill. Government have now come

forward, they have opened their eyes to see the folly of their past actions. (*An Honourable Member* : " They have not seen their folly yet ".) Government have now come forward with this measure, and it is up to us to accept its principle. That is the main reason why I am supporting this measure, and I hope, Sir, that the House will agree to send it to a Select Committee.

Mian Muhammad Shah Nawaz (West Central Punjab : Muhammadan) : Sir, I thank you for giving me an opportunity to speak on the Public Safety Bill. The object of this Bill is to ensure the safety of the public. While all civilised countries have long since taken measures to check the anarchical activities of the Communist International, the Government of India, who are in charge of teeming millions of the people of this country, cannot shut their eyes to the dangerous propaganda that is carried on by the Red agents and their foreign emissaries from overseas. Sir, having regard to the political and economic conditions of this country, the Red agents and their friends have made India their special butt, with a view to arouse a spirit of defiance of authority and lawlessness, with the ultimate object of overthrowing the existing political Government of the land and the present structure of society by rapids of anti-political and physical force revolution, which, in my opinion, is the negation of all true political life, and is meant to crush everything even all that is good in time-honoured institutions.

Sir, much has been talked in this House about Communism. But I am sure there are still some Honourable Members in this House who would like to know the exact scope and the extent of the principles of Communism.

I will only refer to the Russian constitution to show what is meant by this Communism. Its cardinal points are laid down within the fore corners of the Russian Constitution and do not require much elucidation. I will read to you, Sir, the Articles in the Russian Constitution dealing with the subject now under discussion. Sir, I invite the attention of the House to page 220 of the book called " The Select Constitution of the World ", Chapter II, Article 3. (Russian Constitution.)

It runs thus :

" With the fundamental aim of suppressing all exploitation of man by man, of abolishing for ever the division of society "

—mark these words—

" of abolishing for ever the division of society into classes, of ruthlessly suppressing all exploiters, of bringing about the Socialist organisation of society, and of establishing the triumph of socialism in all countries, the Third all-Russian Congress of Soviets further decrees :

(a) In order to establish the socialisation of land, private ownership of land is abolished; all land is declared national property, and is handed over to the workers, without compensation, on the basis of an equitable division, carrying with it the right of use only."

That is to say, no one else but the cultivators only have the right to occupy land and landlordism and the right to hold property in private ownership is abolished for ever.

Mr. M. S. Aney : Is it bad ?

Mian Muhammad Shah Nawaz : Quite bad, certainly bad ; there is no doubt that it is thoroughly bad.

Sir Hari Singh Gaur : It would be a fine thing if they took possession of your house.

Mian Muhammad Shah Nawaz : Clause (c) of Article 3 says :

"As a first step towards the complete transfer to the Workers' and Peasants' Soviet Republic of all factories, workshops, mines, railways and other means of production and transport, and in order to ensure the supremacy of the workers over the exploiters, the Congress ratifies the Soviet law on workers' control of industry and that on the Supreme Economic Council."

Clause (g) says :

"In order to secure the supremacy of the labouring masses, and to guard against any possibility of the exploiters regaining power"

—mark these words—

"The Congress decrees the arming of the workers, the formation of a Socialist Red Army of workers and peasants, and the complete disarmament of the propertied classes."

That is to say, the workers and peasants are to be armed while the propertied men, the landlords, are to be disarmed, and forcibly dispossessed of their landed property.

Now, Sir, it has been said in this House that the Russian constitution has nothing to do with religion. I will read to you an Article from their constitution itself to show that the Russian Constitution is in favour of anti-religious propaganda. This is Article 13 :

"To ensure for the workers genuine liberty of conscience, the Church is separated from the State and the school from the Church ; and freedom of religious and anti religious propaganda is assured to every citizen."

That is to say, this Russian Constitution brings into conflict different forms of religion. Recently we passed a law to the effect that malicious attacks on the founder of a religion are punishable, and here, this constitution, on the face of it, allows anti-religious propaganda to be carried on. We know the serious consequences that will follow if we were to assure anti-religious propaganda to every citizen. There will be riotings everywhere.

Mr. C. Duraiswamy Aiyangar : May I ask my Honourable friend whether a Communist who interferes with religion comes within the section as defined in clause 2 of this Bill ?

Mian Muhammad Shah Nawaz : Yes, it will create hatred between class and class.

Mr. C. Duraiswamy Aiyangar : Kindly read clause 2.

Mian Muhammad Shah Nawaz : I am not bound to do so. See it for yourself.

Mr. C. Duraiswamy Aiyangar : Thank you.

Mian Muhammad Shah Nawaz : Well, Sir, I submit that the activities of these Communists are increasing. Only last month the Congress of International Communist youths, called the Kim, met, of course, in Moscow to discuss the situation. This session of the Conference was opened by Gorkik and he drew the attention of all the members who had assembled there to the importance of recruiting young men for the purpose of spreading the Communist propaganda throughout the length and breadth of this world. Gorkik stated that new sections of the Congress were opened in 12 countries, including Australia, Palestine,

South Africa and India. He also referred to the Peasants' and Workers' Society in Bengal. He further pointed out that the Congress was sending out pioneer units in twelve countries to spread Communism even among school children. Look at the activities of the Communists, how far they go. The first resolution at this Congress was tabled by Kusmin. He said that India was the country for the activities of the Communists. He advocated the concentration of revolutionary efforts in India, among the masses, where there is so much misery. The masses, he declared, should be taught to revolt against the British Government. "Our task", he went on to say "was to withdraw the masses from the Indian nationalist bourgeoisie and to win them for our movement". Surely, the Indian nationalist politicians are included in bourgeoisie. He further declared that the general strikes in India are half revolutionary symptoms of an intensifying crisis, and he went on to say that these half revolutionary methods will be transformed into wholly revolutionary. These strikes will paralyse the existing administration, the pending revolution that will strike at the root of the whole economic, social and political structure of the society. The danger, therefore, from Communism is a real one. We also know that in point of fact there are some Indians who are receiving money from Moscow. Mr. Jhabvala, a resident of Bombay, admitted—I read it in to-day's newspapers—that he had received Rs. 14,000 from Moscow for the purpose of helping the strikers. (Mr. D. V. Belvi : "14,001.") Again it is said that Russia is for peace. Russia is not for peace. I warn the House, and I say this most emphatically, that Russia is preparing herself for another war. You have only to read the article contributed by Mr. Herbert Sweeney to the *Times of India*. Will you permit me, Sir, to cite the following passage from this article :

"Every man or woman is being trained as a soldier in Russia. This means that in another war the Soviet will have no non-combatants. Millions are being spent in training young men and young women in the various phases of terrible modern warfare. In military strength she is second only to France. Russia is breeding a nation whose inhabitants regardless of sex will be a warrior nation who will be taking an increasing interest in poisonous gas warfare and military aviation. All things are being controlled by the Government from the birth of children up to the time of the burial of the dead."

Well, Sir, these are the hard facts of the situation. Are we going to have Communism in India or not ? I think that gentlemen living far from the Punjab and the North-West Frontier Province do not realise the situation. Those who are living in Bombay, Madras, Central Provinces and Bengal have not much to suffer. I know full well that if there is an attack on India from Russia or Central Asia, the Punjabis will have to fight every inch of the ground and to me it will be sweet and glorious to die for my Motherland. Gentlemen coming from Bombay and other provinces do not realise that the Punjabis have to bear the brunt of the Russian invasion if it were ever to come. We feel that our hands should be strengthened rather than weakened by internal disturbances.

It has been said that there is no evidence that Communism is spreading in India. The Honourable the Home Member has given you some evidence that Communists are present in this country. He has given you evidence to show that these Communists are carrying on a propaganda of lawlessness. I will supplement that evidence and give you certain facts. Much has been said about Philip Spratt. The House may like to know who this Spratt is. He came to India ostensibly on behalf of the Labour Research

[Mian Muhammad Shah Nawaz.]

Department, London, which, according to Earl Winterton's statement in the House of Commons this year, is under the direct control of the Red International Labour Union. The activities of the Bengal workers and peasants led by Philip Spratt resulted in the prolongation of the East Indian Railway strike at Lillooah which in turn led to the terrible train disaster at Belur where many Indian citizens lost their lives on account of this wanton crime. The activities of Communists like Singaraslu and Mukund Lal brought about the strike on the South Indian Railway and the resultant loss of life and property may be directly attributed to the influence of these Communists. Sir, when you take all these facts together, they afford a conclusive proof in favour of the motion that the Bill may be referred to the Select Committee.

Now, Sir, several objections have been raised against the provisions of this Bill and to the best of my ability I shall endeavour to deal with them. The first objection was raised by the Leader of the Nationalist Party and the Honourable Mr. Jayakar. I have listened carefully to the arguments of Mr. Jayakar because he really makes good speeches and it is a pleasure and a privilege to hear him. But with all due deference to him I do not agree with him when he mistrusts the Government in so far as this legislation is concerned. I do not agree with Lala Lajpat Rai when he says that this legislation is dishonest. We know full well that we have three Indian gentlemen, three distinguished gentlemen of great ability who are Members of the Cabinet of His Excellency the Governor General; and I take it for granted that they were consulted, and that they have assented to the principles and details of the Bill which is now before the House. Of course several years ago there used to be only one Indian Member on the Viceroy's Executive Council, but now there are three out of a total number of seven, and we must, in the circumstances of the case, trust the honesty of the Government to proceed with this Bill. Sir, I beg to submit that it is the curse of this country that we cannot trust each other. (Hear, hear.) Hindus do not trust the Mussalmans, the Mussalmans do not trust the Hindus.

An Honourable Member : Yes.

Mian Muhammad Shah Nawaz : Do they? Do the Mussalmans accept the Constitution recently framed at Lucknow to which my learned friend, Mr. Jayakar, and the Honourable Lala Lajpat Rai have signified their assent? Surely, the majority of Muhammadans have not accepted it. (*An Honourable Member :* "Question.") They can not accept any Constitution which does not safeguard their interests. I say on the floor of this House that the vast majority of Muhammadans have nothing to do with it.

Mr. M. S. Aney : On a point of order, is all this relevant, Sir, to the Bill before us?

Mian Muhammad Shah Nawaz : It is perfectly relevant if you have eyes to see and heads to understand. Well, Sir, this constitution, as I say, has given rise to grave misgivings. Yes, the Indians do not trust the Government, and the Government do not wish to take certain people into their confidence.

An Honourable Member : Do Government trust us?

Mian Muhammad Shah Nawaz : They do not trust you, because you desire to obstruct administrative measures and wreck also the reforms. (Hear, hear.)

An Honourable Member : Do they trust you ?

Mian Muhammad Shah Nawaz : They do not trust you because you are men of obstructionist tactics. I will not listen, Sir, to those persons who make personal remarks. They exhibit bad breeding. Well, Sir, I repeat that it is the curse of this country that Communities do not trust each other. Indians do not trust the Government, and the Government do not want to take into confidence people whose business it is in this House to obstruct.....

Mr. U. Tok Kyi (Burma : Non-European) : On a point of order, Sir. Is the Honourable Member entitled to use the phrase "bad breeding" in relation to Members of this House ?

Mr. President : The Honourable Member against whom that language was used invited it. It is, of course, improper.

Mian Muhammad Shah Nawaz : Well, Sir, I say that trust begets trust and mistrust begets mistrust. I do not mean ill to the opposition. I am giving you the simple facts, that Hindus do not trust the Mussalmans and that Mussalmans do not trust the Hindus, and that the constitution framed by the Conference at Lucknow and based on the Nehru Report which was signed by my learned friends, Lala Lajpat Rai and Mr. Jayakar is not acceptable to the Mussalmans as it does not protect the rights and interests of the minorities. (*An Honourable Member :* "Question.") Well, Sir, my friend, Mr. Jayakar, ignores one fact, one simple fact, that this Bill does not apply to Indians, British subjects and the subjects of States in India.

Now, Sir, the European Group of the Assembly representing a section of Britishers in this House, unanimously say that this legislation will not do them harm. I therefore think that it was rather unkind on the part of Lala Lajpat Rai and Mr. Jayakar to say that the Government is guilty of dishonesty to proceed with this extremely important measure of legislation which affects only the foreigners. After all, Sir, we know that action can only be taken under the Bill by the Governor General in Council. You may take it that the Governor General will consult other Members of his Cabinet. Any way, an amendment can be made to this effect. The procedure laid down in the Bill is hedged with great precautions and it can fairly be assumed that the Government of India will take the greatest possible care in the application of the provisions of this Bill and they will be applied only to those persons who are "Comrades" of the Union of Soviet Russia and those who are working for the Moscow cause "of red ruin and the breaking up of law." I can trust the Government, and I am perfectly certain that the Governor General in Council will see that the Government is not brought into conflict with friendly countries, and Members of the British Empire outside India. Another objection raised by the Opposition is that it vests large powers in the Governor General in Council for the deportation of Red agents and other foreign emissaries without a trial in a competent court. I agree that ordinarily an offender should be tried in a court of justice. But, as in the present case, the Government has to face a choice

[Mian Muhammad Shah Nawaz.]

between two evils and is compelled to arm themselves with additional powers in order to deal effectively with certain agents and enemies of law and order whose business is to incite the masses to violent revolt, which in my humble opinion will bring ruin on this country. As you know, Sir, the object of the Bill is to send back such agents to the place whence they came from. In short it is a preventive measure. The third objection raised by some members of the Opposition is that the present legislation is entirely unnecessary because offences described therein are punishable under the existing law. With all respect to the opinion of those Members who say so—including Mr. Jayakar—I am of opinion that some of the acts described in the Bill are not covered by any existing legislation. I admit that some of them are. For instance, the offences against the State and His Majesty's Government are undoubtedly punishable under the Penal Code or under some Regulation. But the present Bill deals also with a Communist who preaches that there is no ownership in private property and invites the masses to achieve this object by violent revolt. I submit that such an offence is not covered by any previous enactment of law that I know of. Further, the Bill prohibits general strikes and mass demonstrations with a view to foment industrial and agrarian dispute, involving a penalty of deportation. I submit that such an offence is not covered by any existing law. I will not quarrel with my friends who say that the Bill has a far-reaching effect. Probably it has. But there are some offences provided for in the Bill which undoubtedly are unknown to the existing law. Again it is said that this legislation is not urgent. I have given you the facts. The Communists of Russia want to Sovietise the whole world. This fact cannot be denied. They want to destroy ownership in property; they want to abolish class distinctions or the division of society into classes. They are aiming at the destruction of the social, economic and political structure of society. I have shown that Russians are prepared for a war. If these facts are taken together, I think the case for the urgency of the Bill is made out.

Sir, I feel that nationalism will be undermined if we will permit this demon of Communism to grow and shake the fabric of society. I honestly feel that this monster of Communism should be nipped in the bud in the interest of the peaceful progress and industrial development, etc., of this vast land of ours. I feel Sir, that we must stop the activities of the Communists as soon as possible, because if we do not stop them, they will retard the national progress of the country and inculcate a spirit of defiance of authority and lawlessness, which, I submit, is the negation of true democratic life and action. I feel, Sir, that action was long overdue and although the seed has been sown we must shut our doors against further contamination. I feel, Sir, that the general strikes in the country on a very large scale are ruining the industries. I am not against strikes when the object is to get higher wages. But the general strikes with a view to paralyse the industries, with a view to paralyse the administration of the country, are certainly harmful to our best interests. I believe, Sir, that the decision of the Government to proceed with this Bill will be received with a sense of relief by the public, and by every right-minded Indian citizen, and I do hope, Sir, that the sense of responsibility of the majority of the Members of this House will permit the Bill to go before the Select Committee and will eventually lead to its passage. Sir, I support the motion of my friend Sir Hari Singh Gour.

Mr. H. G. Cocks : I move that the question be now put. (Several other Honourable Members also moved that the question be put.)

Mr. K. Ahmed : Sir, reference has been made by my Honourable friend Mr. Jamnadas Mehta to the allegation that Mr. M. N. Roy did not write that letter and that there was no signature to support it as genuine. But the Honourable the Home Member has said this :

" I know that the British Communist Party addressed a reproach to Mr. M. N. Roy on the assumption that he had given ground to Government to take action on a matter of this kind. The answer was that the letter was not written by Mr. M. N. Roy; there may be some measure of literal inaccuracy, but it is true that the letter was written."

Now, Sir, certain answer has been given by my Honourable friend Mr. Jamnadas Mehta who alleged to have received a telegram supposed to have been signed by Mr. M. N. Roy. But, Sir, the question is that of the facsimile of his writing and not, Sir, the signature, the real signature, which my friends are contesting for the last three days, on which a deplorable battle has been fought for the last three days without any end. But, Sir, might I not ask Mr. Jamnadas Mehta this, has he got the hand writing and signature in the telegraphic communication that repudiates the signature in the letter and writing on its body ? How can the argument lie therefore in the mouth of Mr. Jamnadas Mehta to say that he does not accept the letter that was written and circulated ? Since some reference has been made, why should not Mr. M. N. Roy come forward, why does he not write a letter in his own hand now and say that he did not write the body of the letter ?

Yesterday I questioned the genuineness of the letter when I interrupted my Honourable friend, Mr. Jamnadas Mehta, who said that it was not his signature. But what about the remaining part of the letter, the body of the letter ? Was it not in M. N. Roy's handwriting ? Government know of the existence of certain original letters written by M. N. Roy, which are in the possession of the Home Department, and the Government, after comparing the handwriting, found that this letter was written by M. N. Roy. There is a doubt still in the minds of the Opposition party that it was not written by Roy. There have been certain letters circulated, preaching the propaganda of the Bolshevists and Communists in this country. There is no doubt about it, and this is not the only one ground upon which the Government had reason to introduce this Bill. Mr. Jamnadas Mehta probably wants to give liberty and freedom to these Bolshevists and Communists coming to this country, because purses and purses of money have been given out in this country. Mr. Joshi admits that he got money, but do they render any account of how much money they get and how much they spent ? Will the Swaraj Party tell me from the beginning of 1919 up till now how much money they have collected in the way of subscriptions from the country and from the Bolshevists also ?

A Bill of this description is an every day essential in this country. It is absolutely necessary that the poor people in this country, the dumb millions, should be protected. My Honourable friend, Sir Hari Singh Gpur, was saying the other day that there have been wreckages of trains, derailments, and only a few miles from Calcutta, somewhere near Belur. So many passengers were killed and injured ; an attempt was made the day before yesterday to wreck a train somewhere in Madras. Two or three months ago in the south of India people have been arrested. That matter is *sub judice*, so I shall not go into it at all.

[Mr. K. Ahmed.]

Some people have, in connection with the Trade Union and labour, been prosecuted and they have been coming and going from Calcutta to Madras to find lawyers. There has been an organisation in the town of Calcutta, and I have been approached and asked by the people (Cheers) to go and raise subscriptions. Haven't I experience for the last fifteen years? Have I not seen how they have been carrying on for the last twenty years, how much money they have collected? Have they rendered an account?

Mr. President : Order, order, I will ask the Honourable Member to be relevant.

Mr. K. Ahmed : Now, Sir, let us consider about the liberty and freedom that Mr. Mehta wants to give to these foreigners and asks the Communists to come with their purses and distribute money, no account of which is rendered. Then he brought in certain cases of forgeries and so on. Perhaps he has forgotten history. Does he not know that just at the time when the East India Company came into the possession of a portion of Bengal and at the time when Clive had not come, there were forgers in India like Omichand and Nankumar? This is recorded in history. Who started the game? Why do you find fault with the Government in such petty matters? There is ample evidence that the Communists are trying to get a stronghold in this country. Have you not read the Statement of Objects and Reasons attached to the Bill? The Honourable the Home Member has placed ample materials before the House to come to the conclusion that the Communists are very active in India. What does the Statement of Objects and Reasons say :

"Evidence has accumulated recently of the subversive intentions and activities of the Communist International generally, and in particular of the efforts it is directing against India. The general policy of the Communist movement is to rouse a spirit of discontent and lawlessness in the masses, whether industrial or agricultural, with the ultimate object of destroying by violence both the Government established by law and the present economic organisation of society and substituting what they describe as the dictatorship of the proletariat. For the promotion of this movement, in India, as in other countries, the Communists depend largely on the work of propagandists who are despatched to the country for the purpose of forming organisations intended to promote and spread Communistic ideas and doctrines, and of creating general unrest among the masses. It is not reasonable that these agents of Communism, if they happen to obtain entrance into India, should be allowed to stay in India with the object of undermining the whole structure of the life of the community. The Bill therefore is designed to provide a power of removing such persons provided that they are not Indian British subjects or subjects of a State in India."

Mr. Jammadas M. Mehta : Where is the evidence?

Mr. K. Ahmed : You find it in the Statement of Objects and Reasons. That is what has induced the Government to take action in this matter. My Honourable friend seems to forget the fact that Mr. M. N. Roy's letter was circulated to all the people. You have heard from the Honourable the Home Member and also from Sir Hari Singh Gour as well as from other Honourable Members that the Communist activities are spreading fast in this country and yet if you have any misgiving about this fact, I do not know whether there is any sense in the doubt. (Laughter.) No sensible man would raise any objection to this Bill. (Laughter.)

Now, Sir, I have heard a great deal about the philosophy of Mr. Belvi and another Member on the opposite side. They are all great lovers of

politics to-day, but they seem to have forgotten their love of society and their love of orthodoxy. Nobody can believe when my Honourable friends say that in their love of politics, they should abandon all their love for social life and that they should discard all their orthodox habits. Now, Sir, they say that for the sake of politics, they want people from Moscow to come here. They want people from foreign countries to take part in this Communistic activity. Is not, Sir, their heart stronger than their head to-day? Sir, I heard this morning, when my Honourable friend Mr. Gavin-Jones was speaking, a fight was going on between Indian capitalists and millowners and European capitalists and millowners: my Honourable friends, Mr. Birla and Sir Purshotamdas Thakurdas on the one side, and Mr. Gavin-Jones and Sir Victor Sassoon on the other. I suspected them very much. Why is it that these Indian capitalists have been fighting against the European capitalists? I ask my Honourable friend Mr. Gavin-Jones to pay adequately to the poor labourer. (Hear, hear.) I ask him to pay higher wages to his labourers but he did not respond. I put the same question to Mr. Birla and Sir Purshotamdas Thakurdas. (Laughter.) Have they paid more salaries or do they agree to pay higher wages to their labourers? I ask my Honourable friend Mr. Haji whether he would agree to pay to the Indian lascars and the seamen employed by the Scindia Steam Navigation Company higher wages than the British India Steam Navigation Company pay to their labourers?

Well, Sir, what difference does it make to the masses, to the Indian seamen and the Indian lascars, whether they receive their wages from the hands of the British India Steam Navigation Company or from the hands of the Scindia Steam Navigation Company? What we want to know is whether they will be able to maintain themselves and pay our labour at a higher rate of wages than what they receive from the European Company. Don't we know the story of the Bengal National Bank? Don't we know that the Indian capitalists combine among themselves in a conspiracy? Mr. Haji is either Manager or Secretary of the Scindia Steam Navigation Company. He is therefore an interested person; but he should have been more interested in labour being a public man at the same time. He has an axe of self interest to grind. However, that is not the subject of the present debate.

Well, Sir, I come to Mr. Bharucha. I suppose he is a nominated Member. I congratulate him on his maiden speech delivered to-day in this Assembly. I take him to be a fine speaker, but unfortunately to my interjections I did not get a single answer from him when I said: "Why don't you go to these millowners and insist that the strikers should be paid at a higher rate than they are paid at present". I hold that there is every justification for the opposite Benches to come to the rescue of these poor people and compel the millowners to pay them more. I challenge the Government to say why they should not compel these millowners to pay their men better. My friend the Honourable Mr. McWatters making a speech two days ago said that for the past four or five years the Government had been passing legislation to ameliorate the condition of labour, and what else could the Government do? I ask the Government to bring forward as much legislation as is necessary in this Assembly for the purpose of improving the condition of the masses. Because, Sir, the Government now realise that the difference in the voting, whether the Bill is sent for circulation or referred to a Select Committee, will be probably

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one, two or three votes, not more. I ask the Government to understand that the opinion of the country is against you. If you are not careful, if you do not give a sufficient amount of satisfaction to those who ask for it on behalf of the masses, then they will run amok against you. Sir, Mr. Bharucha would not satisfy me on this point. Of course he was not in a position to do so.

I turn now to Mr. Maunshi. In a maiden speech the Honourable Member from Burma told us that under the Government of India Act, the Government is not entitled to launch a Bill of this description here. But the Indian Legislature has power under Section 65 to make laws for all persons, for all courts, for all places and for all things within British India. And he wanted to say that because there is a Parliament in England, this Bill should have been brought in there and passed; he does not realise his position, Sir. He comes from a great distance no doubt. But does he want to degrade the status and position of this House? We are in no way inferior (Hear, hear and Cheers.) to the House of Commons, because there is nothing to prevent us from putting a law on the Statute-book; of course there is a provision in the Rules and Standing Orders that where the law prevents, you cannot do so. As for instance if the legislation would be against the British Statute.

Mr. President, I had great pleasure in listening to the speeches of distinguished Members of this Assembly; many of them are leaders. This Bill provides for the removal from British India of persons not being Indian British subjects or subjects of States in India. No Indian is hurt; only their friends or those who bring money. Are you going to tell us that for the sake of your bargain the masses should suffer? Certainly not.

Sir, from the notice of amendments given in to-day's agenda by my friend, Pandit Hirday Nath Kunzru, Mr. Jarnadas Mehta, Mr. M. K. Acharya, Mr. Joshi, Pandit Thakurdas Bhargava and my friend Mr. K. C. Neogy probably, it appears they approve of it going to Select Committee; otherwise why should they have given notice of such amendments?

Mr. K. C. Neogy: I never gave any such notice.

Mr. K. Ahmed: Here it is; all of them want to refer it to Select Committee.

Mr. K. C. Neogy: Not I.

Mr. K. Ahmed: Here it is: Mr. K. C. Neogy wants it to be referred to a Select Committee consisting of such and such Members; they will be quite satisfied if the Bill is referred to Select Committee.....

Mr. K. C. Neogy: That is another Bill. (Laughter.)

Mr. K. Ahmed: Now, Sir, this shows that my friends are willing to refer it to Select Committee; of course they may console themselves by clapping their hands now; but so many leaders and deputy leaders have given notice of this amendment. There is Mr. Srinivasa Iyengar. He did not venture to withdraw his name when his name was mentioned for Select Committee; he is agreeable now to serve on the Committee. I understand the object of his Party, Sir, in adding to the numbers from

their own men on the Committee is not to make any progress with the Bill but to paralyse it. If that is the object, Sir, I am sorry for the treatment you are trying to give. When you have got a losing case, I am sorry that you should take advantage of the situation. Sir, it is not fair. Against the wishes of the people you have stood here and you are taking advantage of the Government and of the dumb millions.

If that is not the motive, then why have you got more persons put in there from your Party than is necessary ? I submit, Sir, that that amendment should not be moved because it will jumble it up with the other main proposition and amendments, that is to say, circulation and Select Committee and the Bill itself.

Now, Sir, this Bill provides for the removal of those persons,—nothing to do with the people of India or the Indian States.

Why should not these people be turned out of this country ? Why S.P.M. should my friends on the opposite side welcome them here ? Because they want bags of money from Moscow ? These Communists, Sir, supply funds, they send money, to help labour in this country and to preach Communist doctrines to Mr. Joshi. (Laughter.) Has my friend Mr. Joshi asked his strike committee to render an account of the money they have received from Moscow recently ? Now, Sir, the object of the Communists is to rouse a spirit of discontent and lawlessness in the masses.

Mr. President : I think this ought to be enough. May I suggest to the Honourable Member to bring his remarks to a close ?

Mr. K. Ahmed : Yes, Sir. Now, Sir, my friend Sir Hari Singh Gour has already quoted from books how dangerous it would be to allow the Communist agents to come and carry on their propaganda in this country. Then the Honourable the Home Member alluded to the Moplah outrages in Malabar. The House knows that Hindus were converted forcibly, and that Hindu temples were desecrated. (*An Honourable Member :* "Do you know it for a fact ?") That is what the Honourable the Home Member said then. We are also aware of the numerous revolutionary movements which have occurred in the country during the last few years. Now, Sir, I ask my friends on the opposite Benches, has Swaraj come out of all these revolutionary movements ? Would it come within a day or within a month or within a year by such means ? Well, Sir, promises were made that Swaraj would come within a year, and all those promises have proved utterly false. These promises have disappointed the people of this country.

Then, Sir, my friend Sir Victor Sassoon made a reference to China and the arrival of Bolshevik agents there, and he said that those agents were turned out of the country. I also gathered from the speech of my Honourable friend Nawab Sir Sahibzada Adbul Qaiyum that near about his place, on the borders of the Frontier, he found ample evidence about the existence of Communist agents and of their activities. He has got first hand information and the House must be very grateful to him for supplying that information to us. He said that these Communists are an awful lot, and if they are allowed to come to this country they will shoot, kill and cripple the people, they will destroy all and cut off the leaves of the trees, and eat them up like locusts ; they will plunder the country, and remove idols from the temples and so forth. All that is clear from the reports that we have heard about these Communists. What is the use of denying all that ? Then, Sir, My Honourable friend

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Sir Denys Bray rightly said in the course of his beautiful speech that it is absolutely necessary to protect Islam and Hinduism and to improve the condition of all, the middle classes as well as the labouring classes. No doubt, Sir, religion will be at stake, big buildings will be destroyed, money will be taken away, there will be destruction of the existing social structure and the historical beauty of the country will be lost. The whole fabric.....

Mr. President : Perhaps the Honourable Member has not understood me. There are other Honourable Members to follow, and I have decided to finish this debate to-night.

Mr. K. Ahmed : Yes, Sir, I will finish just now.

Mr. Birla has made a statement that 22 per cent. profit was made in connection with certain business the other day in the Indian coastal shipping trade by the European companies. Well, Sir, I do not know how far they will be out of pocket if the capitalists from Bombay, Ahmedabad, Calcutta, Cawnpore and other places come forward with the biggest capital and are able to start a business like this. That is the reason of the quarrel between these two capitalists.

Mr. President : Thank you.

(The Honourable Member was standing while Mr. President also was standing, and there were cries of "Order, order" from the House.)

Mr. K. Ahmed : Now, Sir, I will bring my remarks to a close.

Mr. President : One minute more, Mr. Kabeer-ud-Din Ahmed.

Mr. K. Ahmed : I will take Honourable Members of this Assembly for a minute to Bengal. What has been done there within the course of last month ? There, Sir, the great benefactors of the masses have been doing this. 97 per cent. of the population of Bengal are tenants and peasants, and, Sir, there was a Bengal Tenancy Bill in the Bengal Legislative Council passed only last week. Sir, almost all the amendments of the Bill which have been passed are in favour of the landlords and the rumour is they have taken a lakh of rupees from the Zamindars. They ground the country thus, and that is the position of our so-called friends and benefactors of the masses. Is there any Bengal M. L. A. here in this Assembly who can tell me that the fact is not correct ? (*An Honourable Member :* "Absolutely correct".)

I shall now bring my remarks to a close. I submit, Sir, that the Bill should be referred to a Select Committee and not circulated. There may be some connection between the Safety Bill under discussion and the *Muslim Outlook's* glacier which burst with a shattering roar on Shyveek Distributory, Karrakoran Valley, on the border of Tibet and Kashmere. The glacier is blocking this tributary of the Indus. Millions and millions of gallons of water are supposed to have been pent up, 30 ft. deep and 9 miles broad. This will not burst and the Bill will run its smooth course. I urge, Sir, that the Bill should be referred to a Select Committee and passed.

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

Mr. M. K. Acharya (South Arcot cum Chingleput : Non-Muhammadan Rural) : Sir, I am very thankful to you for permitting me to say a few words before recording my vote. I may perhaps begin by moving the amendment that stands in my name.....

Mr. President : The Honourable Member has not given notice of any amendment.

Mr. M. K. Acharya : There is one here in my name, Sir.

Mr. President : The Honourable Member wants to move a substantive motion that the Bill be referred to a Select Committee consisting of so-and-so. He is not entitled to do so. It is only the Member in charge of a Bill who can do it.

Mr. M. K. Acharya : Then, Sir, I will content myself with making my position clear. I am unfortunately unable to subscribe wholly to the contentions put forth whether on this side or on that. Of course, I have listened, as the House doubtless has listened, to some very excellent speeches. We have had the genial showers, interspersed with thunder and lightning as usual, of my genial friend Mr. Ranga Iyer. We have had the heavy down-pour of Lala Lajpat Rai ; we have had the very fast airy flights from Moscow to Madras of Mr. Srinivasa Iyengar ; and we have had also from the opposite side the fiery indignant blaze of Sir Denys Bray. Despite the flood and fire, thunder and lightning and airy flights of these Honourable gentlemen, I did try my best to remain on solid earth, and tried rather hard to find out exactly on what side the more weighty arguments lay. I was very glad to hear the great champions of liberty and freedom coming out at least this week. I thought the Goddess of Liberty had gone to sleep last Saturday. I am glad she has woke up this week. The champions of liberty have been loud in claiming that not a single hair on the head of a single man of any country whatsoever shall be touched. They have been loud in championing the liberties of the people of other countries. How I wish, Sir, that a tithe of this same zeal for liberty, for freedom, had been evinced in dealing with the many unfortunate men like myself who have conscientious scruples and want to follow their religious tenets in their own way ! How I wish that these great champions of liberty would permit their own countrymen the liberty to perform their own religious rites as they understand them ! Lala Lajpat Rai was in great horror of this penal law. Against whom ? Against a few foreigners ! But he has no objection to invite this bureaucratic Government—I believe he said this dishonest Government—to invite them to pass a penal law not against foreigners, but against his own unhappy countrymen who think that their religion enjoins on them to marry their girls before a certain age. To that penal law against their own countrymen these champions of liberty have no objection ; while to this penal law against foreigners, to the Bill under discussion, which seeks to exclude from India a few foreigners of doubtful character, they have great objection ! I am sorry they are so palpably inconsistent. When they enthusiastically advocate a penal law against their own countrymen, and at the same time come out with strong denunciations against a measure which seeks to interfere with the freedom and liberty of a few foreigners—when these great intellectual giants do this, I must confess I am confused. I do not think they are serious. I do not believe that they are serious when they say that freedom of conscience, freedom of action, freedom of speech, freedom of association must be granted to all foreigners but not to poor, unfortunate Indians, especially if these happen to belong to the orthodox section. Sir, this faked-up championship of foreign liberties does not appeal to me. It does not touch my heart.

On the other hand, I have got my difficulties with the other side. As I said, I am going to remain on solid earth ; I am not going to dally with

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heighty-flighty idealistic principles. My chief difficulty with the other side—of course, it has been said many times,—is that the Government have been accustomed to use these special powers in a manner which has lost them our confidence. They have abused their powers in the past; and therefore we are naturally unwilling to entrust them with new powers. A very singular incident happened to myself just as I got out of the train at Simla a few days ago, and went up to the place which had been arranged for me by a friend of mine. At that time some policeman in ordinary clothes or whoever else he was, was dogging my heels. My friend noticed it, and said that somebody was dogging my heels. I stopped in half a dozen places to see whether the man was really dogging me. The man halted every time too, and truly was coming behind me. I wondered whether some female champions of freedom—for I was told they were very busy at Simla to catch men, mean trying to catch votes for Mr. Sarda's Bill—whether these over-zealous ladies were trying to find out where I was going to stay; or whether really some C. I. D. man was dogging my heels. He was, if a C. I. D. agent, probably looking out for some bearded man who was in the bad books of the C. I. D. and perhaps he took me to be the man he had been looking for. I hope he found out his mistake at last and went away. But if this had happened to me at Delhi or Calcutta or some other place where I was changing trains I do not know what would have happened to me, I might probably have been arrested. I might have had a blank order of internment or deportation served on me by the C. I. D. man mistaking me all the time for somebody else. This shows how badly these powers have been used in the past. The Honourable the Home Member knows nothing of these matters; it is all the work of underlings; but unfortunately Government has to take the responsibility and justify everything done. There is one other tragic instance I may relate. It relates to a Bengali called Kiran Chunder Mukerjee. He had been externed for five years and was released only on the 1st of September. I met him on the 1st accidentally at Waltair, on the railway platform, as he was getting into the same train by which I was travelling. He was introduced to me by somebody as a Bengali externee. I asked him what he had been guilty of; but he could not tell me. He said he was never told what exactly he was guilty of. I asked him, "Did you know the late Mr. Das?" He said he knew him only by name. I asked him whether he knew Subhas Chunder Bose. He said "Only by name." I asked him, "Do you know Bepin Chandra Pal?" The answer again was "Only by name." I asked him whether he had been engaged in any political work before he was externed. He said "No." Then I asked for and he gave me his address: it was "Satyasram"—in some place in Bengal. I looked at it and exclaimed: "I see now; verily you are a dangerous man, if you are in charge of a Satyasram; for Satya—truth—is very dangerous in this world of ours. Nothing more dangerous than that! How often have I come to grief for speaking the bare truth and for acting according to the dictates of truth." Now, my conclusion, Sir, is that he was probably externed from Bengal for five years having been mistaken for some other man who was perhaps the real culprit. All the same this poor man had to rot for five years. Judging from past experiences, therefore, we are right in saying that we cannot give these extraordinary powers to the Government; and on this one ground I would reject the Bill summarily.

But there is one small difficulty which I would point out in this connection. Suppose, Sir, you were living, or rather our millionaire friend Mr. Birla were living in a big mansion with many doors and windows opening outside. He employs half a dozen watchmen to guard the house at night. One day the watchmen come and say, let us suppose, "We fear there are mischief-mongers busy about here. We want some more weapons. We want one more gun and some more ammunition to guard the house properly." Let us suppose that Mr. Birla says, "No. You must guard the house with the weapons you have got". Then the watchmen say, "We shall do our best; but if anything wrong happens, we shall not be responsible." Then what in all probability they will do is—if they are not very honest folk—if they are as dishonest as this Government is said to be—perhaps this: they will themselves leave a door half open that night, and let in the thieves; and next morning they will come before Mr. Birla and say, "We told you yesterday, but you did not allow us any extra ammunition." Now let us apply this analogy to this Government demand;—let them be as wicked as you like; yet they are the present *de facto* guardians of the safety of this land. I have no particularly kind words to say about them; but all the same, they are the *de facto* Government; and until my friend, Mr. Jamnadas Mehta, becomes the Commerce Member of the Government of India, and my friend Mr. Srinivasa Iyengar becomes the Law Member, or Lala Lajpat Rai the Home Member, or my friend Mr. Joshi becomes the Industries and Labour Member,—until then these gentlemen happen to be the *de facto* Government who have to be held responsible, whether they like it or not, for the safety and the peace of this land.

An Honourable Member : To whom ?

Mr. M. K. Acharya : To us ! They are not yet responsible ; well, that is our quarrel. But that apart, I repeat, they are the *de facto* Government ; and until they are replaced—and I would be very glad when they are replaced, the sooner the better it would be of course—but until they are driven out, they are the guardians of this land. And so this difficulty comes up. Supposing they say "We apprehend danger from the Communists, we want some special powers"; and we throw out their demand. Then what will happen ? If they be really very dishonest people, as they are declared to be, they themselves will allow some Bolsheviks to come in, and great trouble will then arise, and great loss of property and life ; then if we ask them what be the cause of all this trouble, they will say : "We told you in Simla last September that trouble was brewing ; and we asked you to give us special powers ; but you said there was no such fear of trouble and you declined to give us any powers to prevent what we foresaw, what can we do ? Now there is the trouble." In other words, they will throw the whole blame on us. This, Sir, is the only consideration which makes me pause for a moment before I say emphatically. "We shall have nothing to do with this Bill". I would like to throw the whole responsibility on the Government. If I were asked, I would let them have this Bill for only one year ; tell them that they must come up again at the end of the year to give an account of how this law has been worked. Then if we found that they had not worked this Bill properly, we should decline to renew it. It is said that Government may use Regulation III of 1818 against these foreign Communists. It is strange that this suggestion comes from the people who have been persistently asking for the repeal of Regulation III. We have been and still are strongly opposed to using Regulation III against this man or

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that man, Indian or non-Indian. We should not ask Government to use it against any one at all ; if we do so ask, that would give the Government a handle to say, " Well, you yourself asked us to use the weapon !"

My view strongly is that that Regulation III must go immediately,—and this Bill must be passed for only one year. Meantime Government should take steps to bring a comprehensive Bill to deal with all exceptional cases. I hold that Regulation III is no proper piece of legislation ; it is ' a lawless law,' and no legislation enacted by any free legislature. I repeat, this Bill must be passed for only one year and must further be hedged in by proper safeguards.

But these are matters which should be considered by the Select Committee ; whether this should be passed for one year ; whether before dealing with any man, the man's case should not be put up before two or three Judges or two or three Members of this House, and whether only upon their recommendation should not the man be declared to be a dangerous man,—things of that kind are for the Select Committee ; and I myself have given notice of amendments of this kind. These are matters however which ought to go to the Select Committee. Of course if we are really and unconditionally strongly against this measure, we must throw it out ; but if we think the Bill can be allowed for a year or so with certain amendments, it should be sent to the Select Committee. Either of these two courses I can understand ; but I cannot understand the amendment seeking to circulate the Bill for public opinion. Public opinion cannot tell us whether there is any Bolshevik plot being hatched against India or not. It can only say that some phrase or clause is too wide or inconsistent here or some impractical there and so on. But the Members of the Select Committee must be able to find out these things. Again, if Government are willing to take any non-official Members into their confidence, then from the papers which Government must show to them, they may be able to say whether there is really good reason to believe that there are any Communist plots actually being hatched against India. But if this House and the Government cannot come to any such understanding, I fail to perceive how public opinion will make us any the wiser on the need for this Bill. The Select Committee ought to be able to decide how this Bill should be mended in its details. Then we shall be able to say whether the Bill should be rejected ; and then we may finally say that this is either wanted or not wanted. Therefore, Sir, I am in this peculiar position. I am unable to agree completely with all that has been said on this side or with all that has been said on the other side. In that very unhappy position I thank you for permitting me to point out the difficulty in which I am placed. I hope that my good friends,—the good friends who have been trying to bring pressure to bear upon me—will, consistently with their principles of freedom of conscience and liberty of thought, allow me the freedom of voting as my humble judgment tells me with regard to this question.

Pandit Madan Mohan Malaviya (Allahabad and Jhansi Divisions . Non-Muhammadan Rural) : Sir, I am entirely opposed to Communistic doctrines. I consider that the principles of Communism are opposed to truth : they are opposed to justice : they are opposed to religion. I consider that they will not succeed in the end, though they may win a momentary triumph, because they are opposed to the laws of nature.

Until Communists can discover some method by which they will distribute talent equally among all mankind : until they can find out some method by which they can invest every man with the same capacity for hard work, industry and skill which others possess, Communism is an absurdity. It may flourish for a time, but it is bound to die in the course of time. I recognize the evil that Communism will import into this country and I would use every legitimate endeavour to keep it out of the country. I think the sense of this House also, or at least of the bulk of the Assembly, has made it abundantly clear that they do not want to encourage Communist ideas to spread or Communist principles to be carried out in this country. I would be opposed to Communist principles being preached in this country at any time ; but I am much more opposed to their being introduced at this juncture when we are on the eve of a great change. A Commission has been appointed in order to report to Parliament what changes shall be introduced. The Peoples' Party in the country have on their own side agreed to a constitution which, in spite of the evil prognostications and to some extent the misrepresentations of Mr. Shah Nawaz, has been accepted by the bulk of Muslim public opinion and by the bulk of the Hindu community. If my friend had said that there are some Mussalman gentlemen who have not accepted the constitution adopted at Lucknow, I would have had no quarrel with him. But he cannot overlook facts, the hard facts, that a number of very respectable and representative Mussalman gentlemen took part in the Conference at Lucknow and put their seals to the resolutions arrived at there.

(At this stage numerous interruptions were made by Mr. Shah Nawaz and other Members.)

Mr. President : Order. order.

Pandit Madan Mohan Malaviya : Sir, I hope to live to see the great bulk of the Muslim population of this country support the conclusions of the All-Parties Conference. But I will leave it at that here ; we shall discuss it at some other time. I have no quarrel with any Member who says that there is a body of Mussalman opinion which has not subscribed to those conclusions. But for my friend Mr. Shah Nawaz to say that the entire Mussalman opinion is opposed to it is not correct, as he will readily admit. Now, Sir, I submit that when the Nehru Committee has submitted a report and has prepared a constitution which, after the deliberations at the Lucknow Conference, has been accepted by the bulk of the Indian public opinion : when we are preparing to carry on a great nation-wide agitation to see that that Committee's report and that Conference's resolutions are accepted *in toto* by the Parliament of England : when we expect two years' hence to see the transference of power, not the overthrow of the Government, from persons now ruling in this country to the representatives of the people elected by them ; when we are preparing to carry on an agitation all over the land to see that every man and woman expresses his or her adherence to those resolutions and makes his or her contribution to the result we desire ; when we want all that, I do not want that the difficult path of our work should be impeded by new obstacles created by men who come from outside to preach Communist doctrines in India. The time has come when every iota of our energy, when every particle of our thought has to be devoted to establish to the satisfaction of every reasonable man that India shall not be happy if it does not get full responsible Government in 1930. We have got that great task before

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us. To some it may sound a wild proposition. I hope to live to see it realised. For that reason I am most anxious that no outsiders, no foreigners, possessed by those Communistic ideas should come into this country and stand in the way of our work. Particularly for that reason I want that every legitimate effort should be made to keep out these men. We also know that our country is in a very unfortunate position. Industrially it is in the most regrettable position and the fault of it does not lie upon the people or upon the Bolsheviks or Communists who have come here. We have heard of Communists coming only during the last two years ; we have heard how one of them was imprisoned because he travelled under a false passport and how two of them were unable to make any impression. We can afford to let them stand alone, we can afford to leave them alone ; but we have to provide against these doctrines being preached among our people by our own men. What is the best way to do it ? The Government say they want to shut out a few Britishers from coming into India. You have read the answer which the Moscow Conference has given. My friend Mr. Neogy read a portion of the report of that Conference and somebody demanded that he should read the rest. I will read the rest. The Communists have said :

“ It was necessary to give up the idea of the European playing a direct part in any Indian Revolution or of any useful work by an Anglo-Indian Communist Party, because Indians mistrusted whites even if Communists. The Communist International must therefore handle the new independent Indian Communist Party through natives.”

And they go on to say :

“ The agents had apparently hitherto not realised that India is not an industrial but primarily an agricultural country. Therefore it was possible to overthrow British dominion only by stirring up the Indian countryside ; Indian revolution must be an agrarian revolution and one of the most immediate tasks is the ‘ mobilisation of the Indian peasants ’.”

That is the work which they have cut out for themselves. We may ignore the factory men that they might approach ; what is the number of factory men ? That does not count when compared to the vast mass of the agricultural community. The Communists will direct their efforts, as they say, if they can do so, if we shall not be able to put our heads together and to adopt the right means to stop those efforts, they will work among Indian agriculturists through Indian brains, Indian tongues and Indian hands. That is the problem that is before us ; but let me say that the revolution that you are so much afraid of will be brought about not by the cleverness or the capacity of these Communists but by the failure of the Indian Government to rise to the occasion, to do what the occasion demands. A great writer has said that ‘ a revolution is ultimately never the fault of the people, but of the injustice and incapacity of the government ’, and I say that if a revolution takes place in peaceful India, which follows the ancient religions which teach us not to shed a drop of blood where it can be prevented, if a revolution does take place in India, it will be the fault of the British Government, of the injustice and incapacity of the British Government. How have these Communists been able to find any place in India to work in ? What is it that gave rise to these strikes ? Can anybody having any regard for truth say that these strikes were started by these Communists ? Can anybody forget the action of this Government in passing that cursed Act by which the 18d.

ratio was established in India ? Can anybody forget the amount of misery that it has inflicted upon the people ? You talk of strikes. Did not Sir Basil Blackett appearing before the Currency Commission predict that there would be strikes in India if you depreciated the rupee, as they intended to do ? Did not Sir Purshotamdas Thakurdas predict that there would be strikes in India, if you gave a 12½ per cent. advantage to the foreigners to compete with Indian industrialists ? Did not other people predict that that would be one of the results ? Whom can you blame for the present situation when you yourself gave an advantage of 12½ per cent. to foreigners to compete with the industrialists in this country ? You are surprised that there should be strikes ? It is very, very sad—it is incomprehensible—that you should really be so. The agriculturists are losing 30 to 40 crores every year as the result of that cursed legislation. Let anybody deny that if he dare to and if the agriculturists are put in that horrible position in which the value of all their silver possessions has been so unjustly lowered, so ruthlessly cut down, who is to blame if there is unrest among them, the Communists or the Government of India ? It is the Government of India who will be responsible before God and man for any revolution that will be brought about in this country. You talk about the strikes, about the unrest that has been going on. There have been some strikes, but they have not been as many as might have been expected. I do not love strikes, I hate them, I do not want any of these industrial matters to be fought out on that basis. I want them to be settled by arbitration and mutual fairness. Whenever there has been an opportunity for me to do so, I have always endeavoured to help to settle such disputes amicably. But I submit that it is wrong and unjust, it is unreasonable and unsound to say that these strikes have been the result, the appreciable result, of Communistic teachings. It is you, the Government, who created the situation and then they came in. They were out for it and seized the opportunity and tried to bamboozle some of our workers. I grant that they have helped to delay the settlement. I did not meet any of them—the British Communists—when I visited Bombay, although I was asked to do so because I wanted the trouble to be settled between our own industrialists and labourers. I admit that the presence of some of these Communists has had the result of prolonging the agony of the strikes. But the main reason is patent to any man who cares to see with his eyes. The main reason is that you passed legislation by which it has become impossible for the industrialist in this country to compete with the foreigner. What is the result ? So many Bombay mills have been closed down for so many months, and yet the mills that are working in India do not find a market for their goods. Ask Sir Victor Sassoon to deny that, ask Mr. Birla to deny that. They will not, they can not. The stocks are there, but there are no purchasers to be found. And how has that happened ? The Bombay mills are so large in number, I think they number 120 ? No, 86, and these 86 mills have been closed for about 5 months, and yet the few other mills that have been working have been unable to find purchasers. What is that due to ? It is due to the fact that the agriculturists constitute 80 per cent. of the purchasers. They have been deprived of the power to do so, they have been robbed of their money by you, and left starving and poor. That is the result of the legislation adopted by this Government by the miserable majority of 3. It was not right that Government should have created such a situation.

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It is due to that that Communism will grow in India. Communistic doctrines have been in circulation for a long time. I am not given to swearing, but you can take my word for it that I have not the faintest sympathy with these doctrines. I do not like their spread in this country. But they will spread, they have spread and are spreading. They will spread even if this legislation is passed. The Government will not be able to stop their spreading. The only thing that will stop the spreading of Communistic doctrines in this country is the doing of justice to the people of India. Deal with the people of India as you deal with your fellowmen, of your own race. You have failed to do justice to Indians. You have had a long innings, you have been tried and found wanting. Transfer the power which you enjoy to the hands which can reasonably, naturally and rightly be expected to promote the interests both of the labourer and the capitalist. What is the evidence that we can give to support this demand? Look at the Nehru report. What does it say? It provides that the interest of the labourer and the peasant shall be duly safeguarded, that there shall be legislation to promote their interests, to see that they should get proper wages, that their welfare should be properly looked after. That is one of the cardinal points in the constitution adopted by us. The same clause says that the fixity and permanence of tenure shall be secured to them. At the same time there is a fourth clause which says that the rights and titles to private property are hereby guaranteed. That is the constitution which we have framed to safeguard and to promote the interests of all classes of the people. But the Government have failed to bring about happy relations between labourers and capitalists. They have failed to improve the condition of the agriculturists to the extent they should have done. I have told you what my attitude is towards Communism. But there is one aspect of Communism which is part of my religion and that is that I desire from the bottom of my heart to see the condition of the agriculturists improved. I think the condition of the agriculturists in the greater part of the country is a matter for shame to the Government which has ruled over this country for such a long time. I think the conditions of the labourers also should be much improved in most places in India. I have visited several industrial centres in India, I have visited several places where a large number of workers is daily working in mills or factories, and I regret to say that the condition of the workers is in many places pitiable and requires much improving. The Indian millowners are not such a bad lot as they have been represented to be. They are human, they are patriotic, some of them are shortsighted, but all of them are not. In several places much has been done to improve the condition of labour. I have seen the Tatas' works at Jamshedpur and I have also seen several other mills which I will not mention here. I have seen what good arrangements have been made in those mills for the welfare of the labourers. I do not say that I am quite satisfied with them. I want something more to be done. I want that every labourer should have the chance, should have the opportunity to rise to the full height of the stature which God has implanted in him. He should have his proper share of the amenities of life. That is the right way to improve the lot of labourers in this country. We have framed a constitution, we have pointed out the way in which we desire to improve the lot of our labourers and peasants. Let the Government tread along the path emphasised by us with a view satisfac-

torily to improve the lot of the poor people and thereby stop the growth of Communism in this country. This plant of Communism which you say has already been implanted in this country cannot be stopped by the proposed legislation. No, Sir, it cannot be. I therefore ask the Government to consider what is the right course for it to adopt. We are willing to help the Government in checking the spread of Communism. So far as this side of the House is concerned, I say that it has sufficiently indicated that it does not want to encourage the spread of Communism or Communist doctrines in this country. The great objection to this Bill is, in the first place, that it is unnecessary and, in the second place, that it is objectionable. It is open to grave objection in the first place because its scope is very wide, more extensive than it should be, and in the second place because it violates the very first principle of justice, of the right of a man to defend himself, in that it refuses to a man the fundamental liberty of defending himself against any action that may be brought against him. Those are the two most important objections to the Bill, which require to be considered. My Honourable friend Sir Bhupendra Nath Mitra was wrong when he said that he pleaded for the principle of the Bill and so also was my Honourable friend Mr. Fazal Ibrahim Rahimtullah. They both forget that the principle of the Bill is not that the Bolsheviks or the Communists shall be kept out of India. That is its object. The principle of the Bill is that a man shall be told to remove himself from the country by a mere executive order, without trial, without being given an opportunity to defend himself against the charges brought against him. That is what has entered like steel in the hearts of those who sit on this side of the House. We are not friends of Communists, we are friends of liberty. We are defenders of the rights of all human beings. We plead that if any of our fellowmen is considered dangerous to this country and if the Government think that he should leave the country, let him at least have an opportunity to have his say on the matter. I do not say you are wicked. You are human. You are liable to err as all of us are. You have erred in the past and that is the justification why some of us, your critics, say that you should not be entrusted with this further extraordinary power. We recognise that so long as you are governing the country you must have some power to deal with a menacing situation. We are willing to give you the power to send such a man out of the country in a judicial way. But what is the power you want? You want power to ask a man who belongs to a Communist body to leave the country by a mere executive order, without giving him an opportunity of saying a word in his defence. You want that power and we are unwilling to give you that power. Why should you insist that you should have the power to proceed against a man in the manner suggested in your Bill? Why will you not let that man have notice of the charges brought against him and give him an opportunity to defend himself? What will you lose by allowing him such an opportunity? According to your own statement, there has been Communist propaganda going on in this country for the last two years. You have waited so long. You have not taken action against the Communists. Why can you not brook a little further delay in asking the man to remove himself from this country? What evil consequences would follow if you allow an opportunity to the man whom you want to quit the country, to put in his defence before a court of law? I have told you that they would not have had this Bombay strike if it

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were not for the very ugly legislation which you passed. I have told you that but for that the Communists would probably not have had any chance of coming and creating trouble in Bombay. But you want those men to be deported without giving them an opportunity to be heard. This is what we object to.

The Honourable Sir George Rainy who always makes the most conciliatory of speeches tried his best to put the best aspect he could upon your proposals ; and I do not think it was his fault that he failed to do so. Sir George Rainy urged that Communist doctrines are dangerous. I agree. I grant it. We are at once with him there. He urged that the Government should be entrusted with power to keep out Communists or to send them out. I agree. But when he came to deal with the most vital issue of all, he said, " You want Government to place the evidence that it has before you ; Government cannot do so ". He said that if the evidence were sufficient to justify a prosecution the Government would resort to prosecution. That is quite right. But he said there may be cases where though the evidence is not sufficient to justify prosecution in a court of law, yet the Government may be morally satisfied that the man is an undesirable man and should be removed. Well, is there no legal way in which you can deal with such a man ? In 1908 the Government passed a special legislation ; we did not like it, but, it passed it as special legislation. That was Act XIV of 1908. In that Act it was provided that in certain cases which were mentioned in the Schedule, there should be a trial before three Judges of the High Court, constituting a special tribunal. Can you not sufficiently trust three Judges of the High Court to put your case before them and to give the accused an opportunity to be defended before them by his lawyer ? You took that course in 1908. This is 1928. During these 20 years have you grown wiser, or do you want to show that you have grown worse ? Why can you not resort to the procedure provided in that Act ? Why should not an opportunity be given to these men, the advocates of Communist ideas, to defend themselves ? We are not partisans of these men. We are not men who wish to encourage them, but we want to deal fairly by them as we should hope to be dealt with fairly by others. We are all human. You are human, we are human, they are human. We are likely to err sometimes. Therefore we want to give every accused person an opportunity to have himself defended. I want to know from the Honourable the Home Member, and I want to know from other Honourable Members on the Government Benches, what earthly objection they can have to the course I suggest ? Is it that it will cause delay ? The proceedings will be short. There will not be three trials but one trial. Is it that you do not want the proceedings to be made public ? Well, you can have the proceedings *in camera* if you like. You can put all these matters before a Select Committee when the principle of the Bill has been agreed to ; but so long as we do not agree to the principle of the Bill, it is not right to ask us to support the motion for a Select Committee. A Select Committee is a Select Committee. This is the second reading stage in which the principle of the measure must be discussed and settled. That principle at present is that a man shall not be given an opportunity to defend himself and that he shall be deported without a trial. That is the principle of the Bill. Can anybody deny that it is so ? That is the principle of the Bill and you want this House to commit itself to that principle. Never can I commit myself to

that principle. We have protested against the exercise of exceptional powers by the executive time and again. We recognise that there may be occasions, as my Honourable friend Pandit Motilal Nehru said, there may be occasions such as in a time of war or in other exceptional circumstances, when exceptional powers may be given to the executive Government for a short time. We admit that there may be such occasions, but we are not satisfied that this is such an occasion. We are not satisfied why is it necessary that the Government should not give these men a hearing, why should it not place these men before three High Court Judges and have the evidence against them sifted by them.

Much has been made of the letter of Mr. M. N. Roy. I cannot take it upon myself to say whether that was a genuine letter or not. But there is that telegram which was read out by Mr. Jamnadas Mehta to-day which has to be taken into account. In the face of that telegram it is not safe to say that Mr. Roy was the writer of that letter. He may or may not be. I do not say any more about it. My point is this : the Honourable the Home Member said that there were initials in the body of the letter and those initials were found to correspond with those which were in the handwriting of M. N. Roy. Do we not know of cases in which Judges have held that to convict a man upon a mere similarity of handwriting is a most dangerous procedure ? Do we not remember that notorious case in France in which a man was wrongly convicted on the ground of similarity of handwriting and was eventually acquitted ? Do we not remember the Parnell letters and all that sort of thing ? I submit that it is unsafe to convict a man merely on a comparison of some initials made on a piece of paper. I have said before that we are at one with the Government in desiring, and willing to give Government every assistance, legitimate and lawful assistance, to shut out the kind of Communist activities indicated in clause 2 (a) of the Bill. I am not for penalising every expression of opinion, even in favour of Communism. The principle of Communism is very wide. You have had in your own history the Peasants' Revolt. You remember the cry then raised—"When Adam delved and Eve span, who was then a gentleman ?"

You have had these principles taught, inculcated and discussed in every country. Where there is suffering, where there is a great deal of oppression, these principles are bound to rise up in the hearts of people. Your wisdom lies in not fighting against them like fighting against a dead wall. You have to see what the justice of the situation demands and to meet the claims of the people, and thereby to prevent these obnoxious growths from spreading. My remarks are confined to what section 2 (a) of the Bill says :

"Whoever directly or indirectly advocates the overthrow by force or violence of the government established by law in British India, or the abolition of all forms of law or organized government, whether in British India or elsewhere, or the assassination of public officials."

To this extent I am with the Government—that we should arm the Government with a reasonable power to shut out such men. The rest of the clause about the promotion of enmity or hatred between different classes of His Majesty's subjects ought to be deleted, and provision should be made to give a man an opportunity for defence.

I have said, Sir, that the proposed legislation was unnecessary. Let me explain. As my friend, Mr. Jayakar, and other speakers have pointed out, we have got the existing Penal Code to help you. Not only that. But there are the passport regulations to which the Honourable Sir George

[Pandit Madan Mohan Malaviya.]

Rainy referred. You can shut a man out by your passport regulations, and I suppose you do so whenever you can. It is only when you fail to do so, and when such a man comes into India, that you want power to deal with him. You have that power. Give him notice and an opportunity to defend himself and to put his case before three Judges ; and if the verdict goes against him, ask him to leave. You do not want to have a special law for that. The ordinary law permits you to try the man, to put him on his trial. If a case is proved against him, you may instead of keeping him in jail tell him that by the leave of the court, he has the option of leaving this country, and let him go out clean. The existing law does give you an opportunity of dealing with him in this manner.

Then I said the extent of the Bill is too wide. I have heard in this debate less said about the evils which are apprehended from the preaching of the doctrine of Communism, and of advocating the overthrow by force or violence of the government established by law in India, and more about the evil influence that these Communists have produced upon labourers. My friend, Mr. Gavin-Jones, talked of the unrest which he noticed in Cawnpore and of what he saw in Calcutta, Lillooah and other places. I submit that it is a wrong thing to connect the two in this manner. You surely do not want to shut out by this legislation discussions which are calculated to improve the conditions of labour. You have gone too far in the Bill. As it stands now it will prevent a great deal of agitation which is meant and directed to improve the welfare of the labouring classes or the agriculturists. The clause 2 (b) should certainly not find a place in this Bill. I cannot see any reason why it should. You have to deal with industrial and agrarian disputes by proper measures, by the right kind and type of measure ; a measure which would bring in arbitration and a spirit of fairness on both sides to help both capitalists and labourers. Sir, I deplore industrial strikes in this country. Unfortunately we have been made an infant nation in industry. Other people who are well established can well afford to compete with us and break us down. At this juncture to foment trouble or to create disputes between the labourers and capitalists would mean a great disservice to the country. There must be proper measures adopted to prevent this, and I submit that when the Government will think of adopting proper measures and will find time to do so, these strikes will become a thing of the past, and certainly even men from outside will not be able to do us much harm. I submit, therefore, that the Government should review their position. In the first place, this measure is extremely objectionable because its principle is obnoxious, and therefore if they cannot see their way to agree to the principle we have pleaded for, they ought to withdraw the measure. If they feel that there is necessity for a special measure to enable them to deal more swiftly and shortly with the kind of cases contemplated in 2 (a), let them draft a proper Bill with proper safeguards, limited to its proper scope, and bring it before the Assembly. If they say the matter cannot brook delay, and if they want to proceed with this Bill just now, let them agree to modify the principle of the Bill, here and now, and let them agree that an accused person shall be given an opportunity to have his case heard by a special Tribunal of three High Court Judges with the right to be defended by a lawyer. I venture to say that the House will agree to this principle. I make this offer to the Government. I am certain that if the Government will agree to the principle that there should be opportunity

for defence given to a man, however humble he may be,—you give an opportunity for defence to a murderer, you give an opportunity for defence to a man who has set fire to a large *mohalla*, you give an opportunity for defence to every kind of criminal—why should you not give it to the persons you have in view? If you will agree to this, the strongest objection to this measure will vanish. Why should you refuse an opportunity to a man to defend himself and to prove that he has not directly or indirectly advocated the overthrow by force of the government established in India? He is after all a political criminal. Why will you not give him an opportunity to defend himself? I ask the Government to answer. If they can make up their minds even now to agree to the principle that there shall be provision made in this Bill for defence, that will remove one of the great difficulties in our path, and if they will also agree to limit its scope, certainly our way to support the Bill will be clear. When I talked to my friend Sir Victor Sassoon and expressed my willingness to agree to the proposal that the Bill should go to a Select Committee, I mentioned to him some of the vital points I have stated now, and I particularly said that I could not agree to the Executive Government being given power to remove a man without giving him an opportunity to defend himself. I was told that in the Select Committee the question of a review being provided for might be considered. As I said then, I repeat it now. If you have a man condemned by an executive order, and then give him a chance of having his case reviewed, you have prejudiced his case, and you have not given him a fair chance to defend himself. Give him a chance in the first instance. You will then take greater care to see that you do not touch a wrong man. If you will take care to catch the right man, you will probably be able to succeed in every one of the cases that you will put forward, so that the danger of Communism will be shut out, and the injustice of dealing with a fellow-man without giving him an opportunity to defend himself will also be shut out.

The Honourable Mr. J. Ozerar (Home Member) : Mr. President, this has been a very prolonged and exhaustive debate, and I have listened with the utmost interest to the speeches which have been made. But the debate has been so prolonged and so exhaustive that it is impossible for me at this late hour of the day to attempt to deal with it in any great detail. If I attempted to do so I should trespass too much upon the indulgence of the House. I therefore propose to limit myself to the most

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important of the points which have emerged during the course of the debate. In spite of the very close examination which has been given, both to the justification which I alleged for this Bill and to its provisions, and in spite also of the great eloquence of denunciation which has been expended upon it, I still contend that the essentials of my main position have not yet been controverted. Indeed, I frankly admit that in the speeches of many Honourable Members opposite, including the eloquent speech which we have just heard from Pandit Madan Mohan Malaviya, a great deal of the ground on which I base my case has been substantially admitted. (Applause.)

Now, Sir, I venture to recapitulate very briefly what the fundamental basis of my case is. It is this. There is in being a very powerful propagandist organisation which proposes to itself certain aims and objects which are not only incompatible with, but destructive to, the continuance of the social organisation of India on its present, or on any healthy and salutary, basis. I say that organisation is in being. It has devised

[Mr. J. Crerar.]

certain methods and expedients which I have already explained to the House and which I do not propose to recapitulate again in detail. Thirdly, that organisation and its agencies are at work in India preparing, practising and propagating the doctrines and pursuing the activities which are directed towards the end which I have explained. That position, I say, Sir, has not in any particular been shaken by the arguments of Honourable Members opposite, and so long as that position remains unshaken, I venture to say that the House should reflect very carefully before, on considerations of what in relation to the main proposition are comparatively subsidiary matters, they refuse to give their assent to this measure. Well, Sir, my contention is that if the conditions to which I referred more fully in my opening speech do exist—and I contend that they do—the next question is, what measures should be taken to deal with them. Perhaps, the first question is whether any measure should be taken to deal with them, but I venture to say that the answer to the question must very obviously be in the affirmative. The question then is, what kind of measure should be taken to deal with these dangers and their graver potentialities. I have been told that the existing law should be employed. I have received suggestions—I might almost say encouragement—from Honourable Members opposite to resort to measures which have been for many years past exposed to vehement denunciation from Honourable Members sitting on those Benches. However that may be, my main answer to that argument is simply this, that those laws which are already on the Statute-book are inadequate to assist us in carrying out the object which is proposed in this Bill. The object proposed in the Bill is to remove from the Indian polity and society certain dangerous and disturbing elements and not retain them in its midst. And that is the most essential, the most important, and the most cogent argument in favour of this particular measure. (Cheers.)

Pandit Madan Mohan Malaviya : Cannot they be removed after conviction ?

The Honourable Mr. J. Crerar : It has been argued that powers of summary removal do not exist in the legislation of other States or countries, and indeed, I think the Honourable and learned Leader of the Opposition in his exposition to the House of the powers exercisable by the Secretary of State in England conveyed the impression—at least it conveyed to me the impression—that the Secretary of State in England has powers only to deport—I admit, of course, that it is only power to deport aliens. I understood the Honourable and learned Pandit to contend that the Secretary of State had only powers to deport in certain cases in which the persons concerned had been convicted either by an English or by a foreign court. Now, the Honourable and learned Pandit correctly recited two of the categories of persons against whom the Secretary of State can take action. He omitted a third category and it is this. The Secretary of State may make an expulsion order, firstly, and secondly, as correctly expounded by the Honourable and learned Pandit, but thirdly, if he deems it to be conducive to the public good to make a deportation order against an alien, the order may be made subject to any condition. As regards this particular category of persons against

whom the Secretary of State is empowered to take action, the following has been held by a court of law, the Court of King's Bench :—

“ As regards (3), in acting under the article, the Secretary of State is not a judicial but is an executive officer and is therefore not bound to hold an inquiry or give the person against whom he proposes to make a deportation order the opportunity of being heard. The matter is one for the judgment and discretion of the Secretary of State and not for the decision of the tribunals. It is however desirable that the order should state that the Home Secretary deems it to be conducive to the public good to make the order.”

That, I think, puts a different interpretation upon the law, but I freely admit that it is by no means conclusive as far as my own contention is concerned. It no doubt relates to aliens, and the Bill whose consideration I have moved for undoubtedly deals with other categories of persons. The point I wish to establish is that the English law does provide for powers of a much more summary character than have so far been represented to this House. I may also add another parallel which is likely to be of value, namely, that by the law of the Australian Commonwealth similar powers are given to the executive to expel persons, who need not be aliens, engaged in activities of the same general character as those laid down in the present Bill.

It has further been objected that all the ingredients of the present Bill are already contained in the criminal law and that therefore the present Bill is superfluous. That entirely misses the whole point of my proposal. The object of this Bill is mainly of a preventive character. It is to prevent certain activities and to take measures against the evil results which those activities might produce. Now, the Indian Penal Code is a punitive measure. It can only be put in force after the crime has been committed. I want not only to prevent the commission of crimes but to raise obstacles against the activities which are likely to lead to the commission of crimes on a large scale and to general disorder. Secondly, I urge that that objection really indicates a misconception of the purposes and objects of the Bill. I regret very much that one Honourable Member charged us with dishonesty in promoting this measure. My reply to that is this. If Government after forming the appreciation of the position and of the condition of affairs which they have laid before the House as a justification for this measure had taken no action and had not sought the powers they now seek from this House, then they might more truly have been charged with dishonesty. The Honourable Pandit Madan Mohan Malaviya, in the speech which I have already described, and I have no doubt the House will agree with me in this, as an extremely able and eloquent one, seemed to me in a very candid and lucid way to admit most of the premises on which the justification for this Bill is based. Indeed I should have supposed that the arguments which the Honourable Pandit urged with his usual vehemence and warmth led him to support the motion for the reference of this Bill to a Select Committee. The distinction which he drew was in my opinion, if I may venture to say so, not a sound one. In order to establish the position that he was not in favour of a reference to the Select Committee he alleged that the real principle of this Bill was the absence of trial. Now, Sir, that is not so. The principle of this Bill is deportation for being engaged in certain classes of activities. That is the principle.

Pandit Madan Mohan Malaviya : That is the object of the Bill.

The Honourable Mr. J. Orerar : I shall be perfectly ready to consider in Select Committee some of the objections which have been raised against

[Mr. J. Crerar.]

the Bill if a motion for reference to the Select Committee is passed by the House.

Well, Sir, I do not propose to detain the House at any length. I have only one or two comments to make on the general position.

Pandit Madan Mohan Malaviya : Do I understand the Honourable the Home Member to say that he agrees to the principle of giving accused persons an opportunity of being tried ? If the House does not agree to that, how can the Select Committee accept that principle ? It would be beyond its power.

The Honourable Mr. J. Crerar : I do not want to leave any misconception in the matter. What I said was that I was prepared to consider some of the objections that have been raised to the Bill in the Select Committee and I hope I may be able to accept proposals which are within the scope and objects of the Bill and which are compatible with its efficacy.

Pandit Madan Mohan Malaviya : I am sure that the Honourable Member will see that a vague statement like that cannot solve this problem which is before the House. Does the Honourable Member speaking on behalf of the Government agree that the Bill shall embody provisions to ensure the right of defence before a proper tribunal to the person who may be accused ? That is the question I ask.

The Honourable Mr. J. Crerar : No, Sir, I am not prepared to admit that. The Honourable Member spoke of a trial by a tribunal of three High Court Judges. Sir, a trial of that kind would not be compatible with the object and purposes of this Bill, (Hear, hear) and I do not want to lay myself open to any charge of misconception on that point. I was about to observe that the Honourable and learned gentleman from Bombay, Mr. Jayakar, said that he would be prepared to grant these powers to a Swaraj Government. There is no doubt a very important reservation made in that statement ; but there are also inherent in it two or three important admissions. The first is that there is a justification for a measure of this kind, and the second is that the character of the expedients proposed in this Bill are such as, in the hypothesis stated, the Honourable Member would be prepared to concede. (Applause.) That is two-thirds at any rate of my case, Sir. (Applause.)

In conclusion, Mr. President.....

Sir Purshotamdas Thakurdas : I do not want to interrupt the Honourable Member, but I should like the Honourable Member to make clear the intentions of Government regarding Indians engaged in the spread of Communism. That is one of the points which were raised by me.

The Honourable Mr. J. Crerar : With regard to the point raised by Sir Purshotamdas Thakurdas, I can only say this that Government are observing the position very closely and that they will take such action as they consider necessary.

An Honourable Member : That is right. The cat is out of the bag.

The Honourable Mr. J. Crerar : In conclusion, I have only this to say to the House. The Government in this country is made responsible for more things than I think any Government in any other country. It is made responsible for every evil that occurs, it is expected to do a great

deal more not merely in the generally accepted spheres of Government administration but in almost every department of the life of the people, than Governments in other countries are expected to do. But the position which I have attempted to place before the House is one in which it is manifest that Government, even if these powers be granted to them, cannot be successful alone : it is eminently a case in which, if we are to be successful in expelling from India and keeping out from India these dangerous and destructive elements, there ought to be collaboration and co-operation by every citizen of the country, and I strongly urge by this Legislature also. (Loud Applause.)

Mr. C. Duraiswamy Aiyangar : May I ask the Honourable Member one simple question ? In his opening speech he made much about the first item in the programme of the Communists, being a demolition of religion and culture, and as he made much of it, may I ask the Honourable the Home Member whether in this Bill which he has placed before this House or in the Statement of Objects and Reasons there is a single provision made against those Communists who may come here and make the first item in their programme the demolition of religion and culture ? Are you going to leave them alone until they begin the assassination of public officials, or will you deport them the moment they begin the work of destruction of our religion and culture, Hindu and Islamic ?

The Honourable Mr. J. O'rerar : I understand the Honourable Member to suggest that the Bill is not sufficiently comprehensive. If that is his view, I should be perfectly prepared to consider any suggestions in the Select Committee. (Loud Applause. Ironical cheers from some Members on non-official Benches.)

Mr. President : The original motion was :

" That the Bill to provide for the removal from British India in certain cases of persons not being Indian British subjects or subjects of States in India be taken into consideration."

Since which the following two amendments have been moved :

1. " That the Bill be referred to a Select Committee consisting of Mr. Fazal Ibrahim Rahimtulla, Sir Victor Sassoon, Nawab Sir Zulfiqar Ali Khan, Mr. S. Srinivasa Iyengar, the Honourable the Home Member and the Mover, with instructions to report within three days, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be four."

2. " That the Bill be circulated for the purpose of eliciting opinions thereon."

The question is :

" That that last amendment be made."

The Assembly divided :

(While the Division was proceeding.)

Mr. President : Order, order. Does the Honourable Member from Burma wish to vote ?

U. Hla Tun Pru (Burma : Non-European) : No, Sir.

Mr. President : No Honourable Member should go near and harass him.

(After a few more minutes.)

Mr. President : Order, order. The Honourable Member from Burma should be left alone.

AYES—59.

Abdoola Haroon, Haji.
 Abdul Matin Chaudhury, Maulvi.
 Aiyangar, Mr. C. Duraiswamy.
 Aney, Mr. M. S.
 Ayyangar, Mr. K. V. Rangaswami.
 Ayyangar, Mr. M. S. Sesha.
 Badi-uz-Zaman, Maulvi.
 Belvi, Mr. D. V.
 Bhargava, Pandit Thakur Das.
 Birla, Mr. Ganshyam Das.
 Chetty, Mr. R. K. Shanmukham.
 Chunder, Mr. Nirmal Chunder.
 Das, Mr. B.
 Das, Pandit Nilakantha.
 Dutt, Mr. Amar Nath.
 Dutta, Mr. Srish Chandra.
 Farookhi, Mr. Abdul Latif Saheb.
 Gulab Singh, Sardar.
 Haji, Mr. Sarabhai Nemchand.
 Ismail Khan, Mr.
 Iswar Saran, Munshi.
 Iyengar, Mr. S. Srinivasa.
 Jayakar, Mr. M. R.
 Jogiah, Mr. Varahagiri Venkata.
 Joshi, Mr. N. M.
 Kartar Singh, Sardar.
 Kidwai, Mr. Rafi Ahmad.
 Kunzru, Pandit Hirday Nath.
 Lahiri Chaudhury, Mr. Dharendra Kanta.

Lajpat Bai, Lala.
 Lalchand Navalrai, Mr.
 Malaviya, Pandit Madan Mohan.
 Mehta, Mr. Jamnadas M.
 Misra, Mr. Dwarka Prasad.
 Mitra, Mr. Satyendra Chandra.
 Moonje, Dr. B. S.
 Munshi, Mr. J. K.
 Murtuza Saheb Bahadur, Maulvi Sayyid.
 Naidu, Mr. B. P.
 Nehru, Pandit Motilal.
 Neogy, Mr. K. C.
 Pandya, Mr. Vidya Sagar.
 Phookun, Sriput Tarun Ram.
 Purshotamdas Thakurdas, Sir.
 Ranga Iyer, Mr. C. S.
 Roy, Mr. Bhabendra Chandra.
 Sarda, Rai Sahib Harbilas.
 Shafee, Maulvi Mohammad.
 Shervani, Mr. T. A. K.
 Siddiqui, Mr. Abdul Qadir.
 Singh, Kumar Rananjaya.
 Singh, Mr. Gaya Prasad.
 Singh, Mr. Narayan Prasad.
 Singh, Mr. Ram Narayan.
 Sinha, Kumar Ganganand.
 Sinha, Mr. Rajivaranjan Prasad.
 Sinha, Mr. Siddheswar.
 Tok Kyi, U.
 Yusuf Imam, Mr.

NOES—63.

Abdul Aziz, Khan Bahadur Mian.
 Abdul Qaiyum, Nawab Sir Sahibzada.
 Acharya, Mr. M. K.
 Ahmad, Khan Bahadur Nasir-ud-din.
 Ahmed, Mr. K.
 Alexander, Mr. William.
 Anwar-ul-Azim, Mr.
 Ashrafuddin Ahmed, Khan Bahadur
 Nawabzada Saiyid.
 Bajpai, Mr. G. S.
 Bharucha, Mr. S. M.
 Bhuto, Mr. W. W. Illahibaksh.
 Bower, Mr E. H. M.
 Bray, Sir Denys.
 Chalmers, Mr. T. A.
 Chatterjee, The Revd. J. C.
 Coatman, Mr. J.
 Cocke, Mr H. G.
 Crawford, Colonel J. D.
 Crerar, The Honourable Mr. J.
 Dakhan, Mr. W. M. P. Ghulam Kadir
 Khan.
 Gavin-Jones, Mr. T.
 Ghazanfar Ali Khan, Mr.
 Ghuznavi, Mr. A. H.
 Gidney, Lieut.-Colonel H. A. J.
 Gour, Sir Hari Singh.
 Graham, Mr. L.
 Hezlett, Mr. J.

Hira Singh, Brar, Sardar Bahadur,
 Honorary Captain.
 Jowahir Singh, Sardar Bahadur Sardar.
 Kikabhai Premchand, Mr.
 King, Mr. C. M.
 Lamb, Mr. W. S.
 McWatters, The Honourable Mr. A. C.
 Mitra, The Honourable Sir Bhupendra
 Nath.
 Mohammad Ismail Khan, Haji Chaud-
 hury.
 Moore, Mr. Arthur.
 Muhammad Nawaz Khan, Sardar.
 Mukherjee, Mr. S. C.
 Parsons, Mr. A. A. L.
 Rafique, Mr. Muhammad.
 Raghavayya Pantulu Garu, Diwan
 Bahadur T.
 Rahimtulla, Mr. Fazal Ibrahim.
 Rainy, The Honourable Sir George.
 Rajah, Rao Bahadur M. C.
 Rajan Bakhsh Shah, Khan Bahadur
 Makhdum Syed.
 Rau, Mr. H. Shankar.
 Rogers, Mr. P. G.
 Roy, Mr. K. C.
 Roy, Mr. S. N.
 Roy, Rai Bahadur Tarit Bhuesan.
 Sassoon, Sir Victor.
 Shah Nawaz, Mian Mohammad.

Shamaldhari Lall, Mr.
Shillidy, Mr. J. A.
Simpson, Sir James.
Singh, Rai Bahadur S. N.
Stewart, Mr. J. A.
Suhrawardy, Dr. A.

Webb, Mr. M.
Yakub, Maulvi Muhammad.
Yamin Khan, Mr. Muhammad.
Young, Mr. G. M.
Zulfiqar Ali Khan, Nawab Sir.

The motion was negatived.

Mr. President : The first amendment was :

“ That the Bill be referred to a Select Committee consisting of Mr. Fazal Ibrahim Rahimtulla, Sir Victor Sassoon, Nawab Sir Zulfiqar Ali Khan, Mr. S. Srinivasa Iyengar, the Honourable the Home Member and the Mover, with instructions to report within three days, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be four.”

Since which the following amendment has been moved :

“ That the name of Mr. Amar Nath Dutt be added to the Committee.”

The question I have to put is that that amendment be made.

The Assembly divided :

AYES—33.

Abdul Matin Chaudhury, Maulvi.
Acharya, Mr. M. K.
Aiyangar, Mr. C. Duraiswamy.
Coeke, Mr. H. G.
Crawford, Colonel J. D.
Das, Mr. B.
Das, Pandit Nilakantha.
Dutt, Mr. Amar Nath.
Dutta, Mr. Srish Chandra.
Farookhi, Mr. Abdul Latif Saheb.
Haji, Mr. Sarabhai Nemchand.
Hla Tun Pru, U.
Iswar Saran, Munshi.
Iyengar, Mr. S. Srinivasa.
Jogiah, Mr. Varahagiri Venkata.
Joshi, Mr. N. M.
Lahiri Chaudhury, Mr. Dhirendra Kanta.

Lamb, Mr. W. S.
Mehta, Mr. Jamnadas M.
Mittra, Mr. Satyendra Chandra.
Munshi, Mr. J. K.
Murtuza Saheb Bahadur, Maulvi Sayyid.
Neogy, Mr. K. C.
Pandya, Mr. Vidya Sagar.
Rafique, Mr. Muhammad.
Rahimtulla, Mr. Fazal Ibrahim.
Roy, Mr. Bhabendra Chandra.
Roy, Mr. K. C.
Roy, Rai Bahadur Tarit Bhusan.
Sassoon, Sir Victor.
Shervani, Mr. T. A. K.
Sinha, Mr. Siddheswar.
Tok Kyi, U.

NOES—3.

Ghuznavi, Mr. A. H.
Suhrawardy, Dr. A.

Yamin Khan, Mr. Muhammad.

The motion was adopted.

Mr. President : The question I have to put is :

“ That the name of Maulvi Muhammad Shafee be added to the names of the Select Committee proposed by Sir Hari Singh Gour.”

Maulvi Muhammad Shafee : I beg to withdraw my name from the Select Committee.

Mr. President : Is it not now too late for the Honourable Member to withdraw his name ?

[Mr. President.]

The question is :

“ That the name of Maulvi Muhammad Shafee be added to the names of the Select Committee proposed by Sir Hari Singh Gour.”

The Assembly divided :

AYES—27.

Abdul Matin Chaudhury, Maulvi.
Aiyangar, Mr. C. Duraiswamy.
Ayyangar, Mr. M. S. Sesha.
Badi-uz-Zaman, Maulvi.
Das, Mr. B.
Das, Pandit Nilakantha.
Dutt, Mr. Amar Nath.
Dutta, Mr. Srish Chandra.
Farookhi, Mr. Abdul Latif Saheb.
Haji, Mr. Sarabhai Nemchand.
Iswar Saran, Munshi.
Iyengar, Mr. S. Srinivasa.
Jogiah, Mr. Varahagiri Venkata.
Kartar Singh, Sardar.

Mehta, Mr. Jamnadas M.
Misra, Mr. Dwarka Prasad.
Mitra, Mr. Satyendra Chandra.
Muhammad Nawaz Khan, Sardar.
Murtuza Saheb Bahadur, Maulvi Sayyid.
Naidu, Mr. B. P.
Rafique, Mr. Muhammad.
Shervani, Mr. T. A. K.
Siddiqi, Mr. Abdul Qadir.
Sinha, Kumar Ganganand.
Sinha, Mr. Siddheswar.
Tok Kyi, U.
Yusuf Imam, Mr.

NOES—55.

Abdul Aziz, Khan Bahadur Mian.
Abdul Qaiyum, Nawab Sir Sahibzada.
Ahmad, Khan Bahadur Nasir-ud-din.
Ahmed, Mr. K.
Alexander, Mr. William.
Anwar-ul-Azim, Mr.
Ashrafuddin Ahmed, Khan Bahadur
Nawabzada Sayid.
Bajpai, Mr. G. S.
Bharucha, Mr. S. M.
Bhuto, Mr. W. W. Illahibaksh.
Bower, Mr. E. H. M.
Chalmers, Mr. T. A.
Chatterjee, The Revd. J. C.
Coatman, Mr. J.
Cocke, Mr. H. G.
Crawford, Colonel J. D.
Crerar, The Honourable Mr. J.
Dakhan, Mr. W. M. P. Ghulam Kadir
Khan.
Gavin-Jones, Mr. T.
Ghazanfar Ali Khan, Mr.
Ghuznavi, Mr. A. H.
Gidney, Lieut.-Colonel H. A. J.
Gour, Sir Hari Singh.
Graham, Mr. L.
Hezlett, Mr. J.
Hira Singh, Brar, Sardar Bahadur,
Honorary Captain.
Hla Tun Fru, U.
Jowahir Singh, Sardar Bahadur Sardar.

Kikabhai Premchand, Mr.
King, Mr. C. M.
Lamb, Mr. W. S.
McWatters, The Honourable Mr. A. C.
Mitra, The Honourable Sir Bhupendra
Nath.
Mohammad Ismail Khan, Haji Chaud-
hury.
Mukherjee, Mr. S. C.
Parsons, Mr. A. A. L.
Raghavayya Pantulu Garu, Diwan
Bahadur T.
Rainy, The Honourable Sir George.
Rajah, Rao Bahadur M. C.
Rau, Mr. H. Shankar.
Rogers, Mr. P. G.
Roy, Mr. S. N.
Roy, Rai Bahadur Tarit Bhusan.
Sassoon, Sir Victor.
Shah Nawaz, Mian Mohammad.
Shamaldhari Lall, Mr.
Shillidy, Mr. J. A.
Simpson, Sir James.
Singh, Rai Bahadur S. N.
Stewart, Mr. J. A.
Suhrawardy, Dr. A.
Webb, Mr. M.
Yamin Khan, Mr. Muhammad.
Young, Mr. G. M.
Zulfiqar Ali Khan, Nawab Sir.

The motion was negatived.

Mr. S. Srinivasa Iyengar (Madras City : Non-Muhammadan Urban) :
Mr. President, I beg to withdraw my name from the proposed Select Committee. As the Government does not agree to the names of members of my party, as it is unrepresentative, I must respectfully decline to serve on an unrepresentative committee.

Mr. Amar Nath Dutt (Burdwan Division : Non-Muhammadan Rural) : I also beg, Sir, to decline to serve on a Committee where they will not take men from our party.

Mr. President : The Chair is not concerned with the reasons why Honourable Members do not wish to serve on the Select Committee ; but it is very inconvenient to the Chair as well as to the House if Honourable Members allow their names to be put on the Select Committee and then withdraw at the last moment.

Mr. S. Srinivasa Iyengar : I am sorry, Sir ; but the circumstances of this case are very peculiar.

Mr. Jamnadas M. Mehta : Have not Honourable Members the right to resign ?

Mr. President : The procedure adopted by them is very inconvenient to the Chair and the House. They should not have agreed to serve on the Committee.

Mr. S. Srinivasa Iyengar : I am sorry, Sir.

Mr. Amar Nath Dutt : I am really very sorry, Sir, that we have put the Chair in such a position ; but at the same time I may be permitted to observe that I never thought the Treasury Benches would be so unchivalrous as not to take men from our Party.

Mr. President : Kumar Ganganand Sinha, may I put your name ?

Kumar Ganganand Sinha (Bhagalpur, Purnea and the Sonthal Parganas : Non-Muhammadan) : No, Sir.

Mr. President : Mr. Nirmal Chunder Chunder.

Mr. Nirmal Chunder Chunder (Calcutta : Non-Muhammadan Urban) : No, Sir.

Mr. President : Mr. Rajivaranjan Prasad Sinha. Does the Honourable Member wish to serve ?

Mr. Rajivaranjan Prasad Sinha (Patna cum Shahabad : Non-Muhammadan) : I was never asked to serve on the Select Committee. I do not know how my name appears there.

Mr. President : The Chair regrets that Honourable Members put down names on the list of Select Committees without consulting the Honourable Members concerned. What explanation has Mr. Srish Chandra Dutta to give for including the name of this Honourable gentleman without consulting him ?

Mr. K. Ahmed : Because he is a Swarajist, Sir.

Mr. Srish Chandra Dutta : I was given to understand, Sir, that he would be willing to serve on the Select Committee because other members of the Party were also there.

Mr. Rajivaranjan Prasad Sinha : I do not belong to any party group in the House.

Mr. President : Did the Honourable Member consult the Member concerned whether he would serve on the Select Committee ?

Mr. Srish Chandra Dutta : I did not consult him directly, Sir.

Mr. C. Duraiswami Aiyangar : On a point of order, Sir. I wish to ask whether there is any rule or Standing Order which compels us to consult previously the Members whom we put on the Select Committee.

Mr. President : There have been several rulings from the Chair that no Honourable Members should be included in the list of the Select Committee who have not agreed to serve on the Select Committee.

The question I have to put is :

“ That the Bill be referred to a Select Committee consisting of Mr. Fazal Ibrahim Rahimtulla, Sir Victor Sassoon, Nawab Sir Zulfiqar Ali Khan, the Honourable the Home Member and the Mover with instructions to report within three days, and that the number of persons whose presence shall be necessary to constitute a meeting of the Committee shall be four.”

The Assembly divided :

AYES—62.

Abdul Aziz, Khan Bahadur Mian.
 Abdul Qaiyum, Nawab Sir Sahibzada.
 Ahmad, Khan Bahadur Nasir-ud-din.
 Ahmed, Mr. K.
 Alexander, Mr. William.
 Anwar-ul-Azim, Mr.
 Ashrafuddin Ahmed, Khan Bahadur
 Nawabzada Sayid.
 Bajpai, Mr. G. S.
 Bharucha, Mr. S. M.
 Bhuto, Mr. W. W. Illahibaksh.
 Bower, Mr. E. H. M.
 Bray, Sir Denys.
 Chalmers, Mr. T. A.
 Chatterjee, The Revd. J. C.
 Coatman, Mr. J.
 Cocke, Mr. H. G.
 Crawford, Colonel J. D.
 Cramer, The Honourable Mr. J.
 Dakhan, Mr. W. M. P. Ghulam Kadir
 Khan.
 Gavin-Jones, Mr. T.
 Ghazanfar Ali Khan, Mr.
 Ghuznavi, Mr. A. H.
 Gidney, Lieut.-Colonel H. A. J.
 Gour, Sir Hari Singh.
 Graham, Mr. L.
 Hezlett, Mr. J.
 Hira Singh, Brar, Sardar Bahadur,
 Honorary Captain.
 Hla Tun Pru, U.
 Jowahir Singh, Sardar Bahadur Sardar.

Kikabhai Premchand, Mr.
 King, Mr. C. M.
 Lamb, Mr. W. S.
 McWatters, The Honourable Mr. A. C.
 Mitra, The Honourable Sir Bhupendra
 Nath.
 Mohammad Ismail Khan, Haji Chaud-
 hury.
 Muhammad Nawaz Khan, Sardar.
 Mukherjee, Mr. S. C.
 Parsons, Mr. A. A. L.
 Rafique, Mr. Muhammad.
 Raghavayya Pantulu Garu, Diwan
 Bahadur T.
 Rahimtulla, Mr. Fazal Ibrahim.
 Rainy, The Honourable Sir George.
 Rajah, Rao Bahadur M. C.
 Rajan Baksh Shah, Khan Bahadur
 Makhdum Syed.
 Rau, Mr. H. Shankar.
 Rogers, Mr. P. G.
 Roy, Mr. K. C.
 Roy, Mr. S. N.
 Roy, Rai Bahadur Tarit Bhusan.
 Sassoon, Sir Victor.
 Shah Nawaz, Mian Mohammad.
 Shamaldhari Lall, Mr.
 Shillidy, Mr. J. A.
 Simpson, Sir James.
 Singh, Rai Bahadur S. N.
 Stewart, Mr. J. A.
 Suhrawardy, Dr. A.
 Webb, Mr. M.
 Yakub, Maulvi Muhammad.
 Yamin Khan, Mr. Muhammad.
 Young, Mr. G. M.
 Zulfiqar Ali Khan, Nawab Sir.

NOES—59.

Abdoola Haroon, Haji.
 Abdul Matin Chaudhury, Maulvi.
 Aiyangar, Mr. C. Duraiswamy.
 Aney, Mr. M. S.
 Ayyangar, Mr. K. V. Rangaswami.
 Ayyangar, Mr. M. S. Senha.
 Badi-uz Zaman, Maulvi.
 Belvi, Mr. D. V.
 Bhargava, Pandit Thakur Das.
 Birla, Mr. Ghanashyam Das.
 Chetty, Mr. B. K. Shanmukham.
 Chunder, Mr. Nirmal Chunder.
 Das, Mr. B.
 Pandit Nilakantha.
 Dutta, Mr. Amar Nath.
 Dutta, Mr. Srish Chandra.
 Farookhi, Mr. Abdul Latif Saheb.
 Gulab Singh, Sardar.
 Haji, Mr. Sarabhai Nemchand.
 Iemail Khan, Mr.
 Iewar Saran, Munshi.
 Iyengar, Mr. S. Srinivasa.
 Jayakar, Mr. M. R.
 Jogiah, Mr. Varahagiri Venkata.
 Joshi, Mr. N. M.
 Kartar Singh, Sardar.
 Kidwai, Mr. Rafi Ahmad.
 Kunzru, Pandit Hirday Nath.
 Lahiri Chaudhury, Mr. Dharendra Kanta.
 Lajpat Rai, Lala.

Lalchand Navalrai, Mr.
 Malaviya, Pandit Madan Mohan.
 Mehta, Mr. Jamnadas M.
 Misra, Mr. Dwarka Prasad.
 Mitra, Mr. Satyendra Chandra.
 Moonje, Dr. B. S.
 Munshi, Mr. J. K.
 Murtuza Saheb Bahadur, Maulvi Sayyid.
 Naidu, Mr. B. P.
 Nehru, Pandit Motilal.
 Neogy, Mr. K. C.
 Pandya, Mr. Vidya Sagar.
 Phookun, Srijut Tarun Ram.
 Purnshotamdas Thakurdas, Sir.
 Ranga Iyer, Mr. C. S.
 Roy, Mr. Bhabendra Chandra.
 Sarda, Rai Sahib Harbilas.
 Shafee, Maulvi Mohammad.
 Shervani, Mr. T. A. K.
 Siddiqi, Mr. Abdul Qadir.
 Singh, Kumar Rananjaya.
 Singh, Mr. Gaya Prasad.
 Singh, Mr. Narayan Prasad.
 Singh, Mr. Ram Narayan.
 Sinha, Kumar Ganganand.
 Sinha, Mr. Rajivaranjan Prasad.
 Sinha, Mr. Siddheswar.
 Tok Kyi, U.
 Yusuf Imam, Mr.

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Monday, the 17th September, 1928.

APPENDIX*.

Mr. Narayan Prasad Singh (*Durbhanga cum Saran : Non-Muham-madan*) : Honourable President, so far as I understand, the title of the Bill is a misnomer—it may be due to the intoxication of power on the part of those who introduced it or it may have been intentionally done for misleading the public. To speak the truth, if it were called the Bureaucracy Safety Bill instead of the Public Safety Bill the name would have been more suitable and more significant. What good it will bring to the people of India, I fail to understand. One thing it will undoubtedly do—it will arm the bureaucracy with a dangerous weapon which will render it impossible for Indians even to dream of liberty in the near and distant future. Even a fool knows that your Safety Bill was forged not to give safety to the people of India but to strengthen every link of that chain of slavery which you have been putting round our necks during the last two centuries or so. It is a truism that when a patient has tried the most skillful physician in vain, he will grow all but desperate and in that state will not hesitate in consulting the most foolish quack fully knowing that even if the worst comes there can be only relief but no aggravation. Our condition at present is just as desperate if not worse. The malady of slavery has been upon us for long—too long perhaps and all sorts of patents, pills and mixtures have been tried—constitutional, unconstitutional, co-operation, non-co-operation— all have been administered by well-known doctors, but alas ! without success. Now in our utter helplessness we are ready to take the most extreme remedy, provided it can afford us some relief. Communism which has done so much good to Russia—as I have been told—may soothe our pain—this hope at least emboldens me to welcome it. You can no longer befool us into cutting our throats so that the road before you may lie clear. For close upon two hundred years we have knocked at your gate with folded hands entreating you and worshipping you in a tone sometimes tender and warm, sometimes harsh and angry. At length, we are disillusioned. It is useless for you to try to cage us up now—Indians have grown earnest—they are perhaps in deadly earnest to fly in the sky of liberty. You may kill them with your machine guns—if that please you, but you can not decoy them again into the net of the Safety Bill. It is possible to deceive some people for some time, but not all the people all the time.

From the Government side I regret that from Sir Hari Singh Gour even appeals have been made to our sense of sanity and sobriety in the name of our Hindu religion and Hindu culture as if these latter and even the throne of God would be pulled down to earth if the cursed Bolshevik is once allowed to cross the threshold of India.

Honoured Sir, is Communism likely to break the head of Hindu religion and Hindu society ? Is it likely to remove the Slavery which is both internal and external, physical and moral ? If there be so great a force, so great a potency in it, I for one would accord it a cordial reception. Does not the Hindu Religion belong to the time of the Vedas which taught that worship is a matter of the soul (atma) ? Does it not belong to the time of Manu who taught that slavery of whatever kind is miserable ? Are we not twenty two crores of Hindus belying ourselves

* Vide p. 821 of L. A. Debates, dated the 15th September, 1928.

sadly and offering the grossest insult to the memory of the Vedic Rishis who taught soul (atma) worship and soul (atma) force and to the memory of Manu who tried to impress upon men the miseries of slavery ? They have no right to call it Hindu religion and Hindu civilisation. The principles underlying the Bill were born of a spirit of slavery to England. I do not understand, I confess, what clash there may be between Communism and Hinduism as preached by the Vedas and Upanishads. Then, as to our Muslim friends. Are not the seven crores of Muhammadans insulting the religion of Hazrat Rasul whose greatest achievement was in the delivery of the Arab from irreligion and ignorance ? And last, but not the least, does it not sound a little bit curious that the very followers of Christ who spend lakhs in obliterating from the face of India all other religious sects, should pose as the greatest friends of both Hindus and Muhammadans, anxious to preserve these ancient religions of the East ? I am almost driven to believe that anything is good that would put an end to this slave civilisation and this slave Government. Since the sweet nectar of the Mahatma could not remove the disease, we may be ultimately forced to have recourse to the bitter recipe of Lenin. Just now I was not a little aggrieved, nay, disappointed, to hear from Sreeman Srinivasa Iyengar that Leninism has not as yet killed religion which separates brother from brother, man from man and community from community. My only complaint against Lenin is that he has not as yet killed religion so that men may live in peace.

Sir, I confess, I am as much hostile to any Government from beyond the seven seas as to a god who is believed to be controlling this His Visible creation from beyond the seven skies. What unfortunate country is there in the world except India in which the political domination comes from the other hemisphere and the spiritual control is exerted from the other world—both unseen and unknown ? I would rather have a Government which is not only my own but which is also suited to the spirit of the orient, so that for the service of humanity I too, one day, may aspire to form a part of it, handle it and regulate it. Even in religion as in politics, I would not accept a god who is not my own and whom I can not feel as a part of my soul (atma). I am the enemy of both—a god thrust upon me from the outside and a constitution hung round my neck by force, which I would fain shake off.

Honoured President, I do not know what Communism is, I have had as yet no opportunity of cultivating acquaintance with its literature—my thoughts are based upon the pure world-old doctrines of the Hindus. This cry comes not from a heart enriched, or should I say, impoverished, by contact with western people or their culture, but from a heart which believes that the individual soul (atma) is no part of, but the same as, the all permeating Brahma which neither man nor spirit nor God has the right to restrain, which knows no fear and which may be throttled not even by your Creator, if Creator there be, separate from and alien to it.