

17th August 1926

LEGISLATIVE ASSEMBLY DEBATES

(Official Report)

VOLUME VIII

(17th August to 2nd September 1926)

FIFTH SESSION

OF THE

SECOND LEGISLATIVE ASSEMBLY,
1926



Legislative Assembly.

The President :

THE HONOURABLE MR. V. J. PATEL.

Deputy President :

DIWAN BAHADUR T. RANGACHARIAR, M.L.A.

Panel of Chairmen :

MR. K. C. NEOGY, M.L.A.

SIR DARCY LINDSAY, M.L.A.

LALA LAJPAT RAI, M.L.A., AND

MR. ABDUL HAYE, M.L.A.

Secretary :

MR. L. GRAHAM, C.I.E., M.L.A.

Assistants of the Secretary :

MR. W. T. M. WRIGHT, C.I.E., I.C.S.

MR. S. C. GUPTA, BAR-AT-LAW.

MR. K. G. HARPER, I.C.S.

Marshal :

CAPTAIN SURAJ SINGH, BAHADUR, I.O.M.

Committee on Public Petitions :

DIWAN BAHADUR T. RANGACHARIAR, M.L.A., *Chairman.*

DIWAN BAHADUR M. RAMACHANDRA RAO, M.L.A.

COLONEL J. D. CRAWFORD, M.L.A.

MR. JAMNADAS M. MEHTA, M.L.A.

MR. ABDUL HAYE, M.L.A.

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THE

LEGISLATIVE ASSEMBLY DEBATES

(OFFICIAL REPORT OF THE FIFTH SESSION OF THE SECOND
LEGISLATIVE ASSEMBLY.)

VOLUME VIII

SECOND VOLUME OF SESSION 1926.

LEGISLATIVE ASSEMBLY.

Tuesday, 17th August, 1926.

The Assembly met in the Assembly Chamber at Eleven of the Clock, being the first day of the Fifth Session of the Second Legislative Assembly, pursuant to Section 63D(2) of the Government of India Act.

INAUGURATION OF THE SECOND SESSION OF THE SECOND COUNCIL OF STATE AND THE FIFTH SESSION OF THE SECOND LEGISLATIVE ASSEMBLY.

His Excellency the Viceroy with the Presidents of the Council of State and the Legislative Assembly having arrived in procession, His Excellency took his seat on the dais.

H. E. the Viceroy : Gentlemen of the Indian Legislature, it is with much pleasure that I bid you welcome to the labours of another Session. Although the full term of the Assembly is not due to expire till January, it is generally convenient that the Elections should be held at the beginning of the cold weather, and the new Assembly brought into being in time for the January Session. Having regard to these considerations, I propose that dissolution should take place next month to be followed by the General Election in November. I recognise that, in these circumstances, it must have been inconvenient to some Honourable Members to attend this Session. Many of you will have found difficulty in leaving your constituencies at a time which you would naturally wish to devote to electoral activities, and many have had to travel long distances to attend a Session which must necessarily be of short duration.

I thank Honourable Members, therefore, the more for affording me this opportunity of making their acquaintance, and of acknowledging

the work they have done during the past Sessions of both Houses. Apart from the needs of public business, it was a desire to provide myself with such an opportunity that was largely responsible for my decision to hold this Session, for I do not forget that when I next address the Legislature, the ballot-box will have had its say, and though Members of the Council of State are happily at this time exempt from its operation, some of the Members of the Assembly whom I now see before me may have had to bow to its remorseless decree.

I am happy to inform you that the relations of India with the Kingdoms of Nepal and Afghanistan, as with other Powers whose countries adjoin our own, continue to be friendly.

The settlement of the difference between His Majesty's Government and the Government of Turkey about Mosul has removed the outstanding obstacle to a full understanding between the two countries, and has been hailed with satisfaction both by the Muslim community and by general Indian opinion.

In the sphere of Imperial policy, the most pressing of all questions affecting Indians, is the position of their fellow-countrymen in South Africa. When Lord Reading last addressed the Council of State, two months before his departure, he referred to the negotiations which were then in progress between the Government of India and the Government of the Union of South Africa, and which have had the satisfactory outcome already known to you. That result was due to, and could only have been achieved by, various influences operating in close combination. The steadfast policy of the Government of India was guided by the wise and patient diplomacy of Lord Reading, and assisted by the discreet restraint with which the Indian Legislature awaited the issue of developments which outwardly, at times, gave cause for anxiety and misgiving. The tact and dignity with which the Indian Deputation to South Africa stated the Indian cause, drew valued support from the un-official labours of Mr. Andrews, and, last but not least, I know that this Assembly would wish me to acknowledge the broadminded statesmanship of General Hertzog and his colleagues as expressed in their willingness to submit the Indian question in South Africa to discussion in a friendly conference. As has already been announced, the Conference will meet in December at Cape Town, by which means touch can be maintained with the opinion of Indians resident in South Africa, and the Government of India hope in due course to announce a *personnel* of the Indian Delegation which will satisfy the public that the case of India will be worthily presented. The reception accorded by Indian opinion to the decision to hold such a conference augurs well for its success. At the same time, in order to enable representatives of the various political parties in South Africa to appreciate India's point of view, and to strengthen the better understanding created by the visit of our Deputation to the Union, the Government of India extended, and the Union Government have accepted, an invitation to send a representative deputation to this country. This exchange of visits will, I am confident, do much to give to the peoples of the two countries the real desire to appreciate and appraise one another's difficulties, which is the first step to the discovery of means by which conflicting claims may be brought into harmonious relation. For however strong on every ground we conceive our cause to be, we do no service to it if we deny the existence of, or underrate, the difficulties confronting those who are the responsible

spokesmen of South African opinion. Least of all do we assist our purpose if we affect to treat any question such as this, of which the roots lie more deeply bedded in human nature than our philosophy can easily discern, as one susceptible of easy decision by some application of coercive force. Any solution that is to deserve the name, and to stand the test of time, must be based upon mutual accommodation and carry the free assent of both communities.

In October the Imperial Conference will meet to discuss other important questions of general Imperial concern. Every year that passes shows more clearly that the various dominions of the King-Emperor constitute an inter-dependent organism in which no part can exist in lonely isolation. With the expansion of her natural and political resources, we may feel confident that India must take an increasingly important place in the general structure, for she has much both to give to, and receive from, others.

There are several important matters of domestic, financial and industrial concern to which I must especially direct your attention. Our recent rupee loan was a conspicuous success, and we may congratulate ourselves that in the space of two hours we obtained all the money we required on terms which are infinitely better than any we have been able to secure since the outbreak of the great European War. Indeed, they compare very favourably with terms recently obtained for long-term loans by even those Governments whose credit stands highest in the world's money markets. I see no reason to suppose that, when we come to replace our remaining short-term liabilities, we shall find any difficulty in obtaining terms as favourable.

The Report of the Taxation Enquiry Committee is under the careful consideration of Government, and matters are in train for that consultation with the Local Governments which is essential before action can be taken on the Committee's recommendations. In the meantime, in order both to fulfil the promise made to the Legislature and to assist Government in formulating their conclusions, Resolutions will be moved this Session in both Chambers in such terms as to give Honourable Members an opportunity of expressing their views on any portion of the Report in which they may be interested.

The Report of the Royal Commission on Indian Currency and Finance is now in your hands and testifies to the thoroughness with which Mr. Hilton Young and his colleagues have done their work. Whatever judgment may be formed of their conclusions, it will be readily admitted that by the care and knowledge which they have brought to the examination of these matters, they have given us very valuable assistance. As already announced, the Government of India have accepted two of the chief recommendations of the Commission, namely, the ratio of the rupee to gold and the method of establishing that ratio during the period which must elapse before the responsibility for the control of the currency can be transferred to a Central Bank.

In view of the acceptance of these recommendations Government felt that there should be no delay in making a clear statement of its policy, and that as immediate action by Government was necessary, it was their plain duty to bring the matter before the Legislature at the earliest possible date. A Bill will therefore be introduced during this Session, and I feel

confident that so grave and weighty a subject will be examined not in the light of any local interests but with reference to its ultimate reaction upon the economic and commercial prosperity of the whole country.

As Honourable Members will be aware, the Tariff Board is now occupied with an important statutory enquiry into the steel industry, and the Bombay Mill-owners' Association recently applied for an early and comprehensive enquiry into the cotton textile industry. The depression in the latter industry has for some time been a matter of grave concern to the Government. In order therefore to avoid delay, Government decided to appoint a second Board, which commenced its investigations at Bombay at the beginning of July. It is hoped that the reports of both these Boards will be submitted within the next three months, in time for consideration at the next Delhi Session.

In addressing the Legislative Assembly at the beginning of this year Lord Reading outlined the object and duties of the Royal Commission on Agriculture, which will begin its labours two months hence. The personnel of the Commission is now known to you. In its President, Lord Linnithgow, it is fortunate in having a man who combines sound practical experience in farming with a life-long study of its scientific theory. He has as his colleagues a body of men, who by their knowledge of practical agriculture, rural economy, science and engineering, are well fitted to analyse and review the allied questions on which the greater prosperity of the agriculturist depends.

There is another aspect of the economic development of India to which I may refer. Railway construction, which up to 1914 had made rapid progress, was checked in its stride by the upheaval of the Great War and the years immediately succeeding it. During the last five years the most urgent work has been carried on, not without difficulty, but now, as a result of the improved financial position of railways generally, the Railway Board feel able to consider the adoption of a definite scheme of construction for the next five years. They have devoted particular attention to the development of traffic in rural areas with a view to stimulating agriculture, and by a new adjustment of standards of construction to the conditions of each area they hope, in their present programme, to add 6,000 miles of railway which will be at once remunerative and a boon to the country which they serve.

Another and a more important development of railway policy is also being carried out. The Government of India, with the approval of the Secretary of State, have accepted the recommendation of the Royal Commission on Public Services that recruitment in India to the Superior Railway Services should gradually be brought up to 75 per cent. of the total number of vacancies in each year. Rules have recently been published which give effect to this policy in all the principal branches of the Superior Railway Service.

In another direction also the further recruitment of Indians has taken definite shape.

In their last Session the Legislative Assembly accepted in principle the scheme for the establishment in Indian waters of a training ship for deck officers. The estimates of the cost of the scheme have now been prepared in more detail, and a demand for a grant will be placed before the Assembly at this Session to cover the expenditure contemplated during the year.

Honourable Members will have observed that, in pursuance of the proposals made by the Lee Commission affecting the Public Services, a Public Service Commission has now been constituted which will commence its work on the 1st October. The orders passed on the Lee Commission Report involve a very marked increase in the Indianisation of the great Public Services and, with this wide extension of Indianisation, it becomes a matter of vital importance to improve our machinery for recruiting Indians. This will be one of the main functions of the Commission. They will also, it is hoped, assure to the Services, in their capacity as an impartial court of reference, protection in the honest performance of their duties from all influences, whether political, personal or communal, which might affect them. It will be within the recollection of Honourable Members that the Lee Commission made various suggestions of importance in connection with the delegation of powers of control over the Services. It was recognised that so long as Provincial Governments on the transferred side were not free to organise the Superior Services which administer the subjects committed to their charge, their initiative might be to some extent restricted. The Commission therefore proposed that fresh recruitment to the all-India Services working on the transferred side should cease, and that Local Governments should be entrusted with the power of organising new services on a provincial basis, which would gradually take over the duties at present performed by these all-India Services, as the latter gradually disappeared through retirement. Recruitment for the all-India Services referred to was stopped as soon as the recommendations of the Lee Commission were accepted, and recently by Resolutions passed by the Secretary of State in Council, power has been given to Local Governments to organise such new Provincial Services as they may require. The organisation will be no easy task, but the Local Governments will be able to follow their own line of policy and to mould their schemes to suit local requirements, and these powers represent an important step in increasing the control of Ministers over Transferred Subjects.

Hitherto, I have referred only to the all-India Services serving on the transferred side. The Lee Commission also made recommendations of far-reaching importance with regard to the control of the Central Services, which work directly under the Government of India. With a few exceptions, it has been decided that control over these great Central Services should be delegated by the Secretary of State in Council to the Government of India. The necessary rules are at present under preparation, and I hope that within a few months the delegation will be an accomplished fact. With the completion of this task and the settlement of the problem of the Indian Medical Service, the action on the recommendations of the Lee Commission will practically be complete, and a reorganisation of the Services of a very striking character will have been accomplished.

This action is the administrative counterpart of that taken seven years ago by the British Parliament towards enabling India, through the working of popular institutions, to assume greater responsibility for her own destiny. From the purpose then declared, the British people and the British Parliament have never wavered. By the action that they then took they gave statutory recognition to two governing ideas. They recognised the right of India to move towards self-government,

and they recognised the obligation imposed upon the British people acting through Parliament to assist India to make that right a practical reality.

Though on the surface these ideas may seem to conflict, they are in truth complementary. We can no more deny the fundamental duty of Parliament thus to assist India and to judge of the progress made, than we can deny the ultimate claim which India makes, and to the satisfaction of which we work. It is certain that, before this claim can be fully realised, many obstacles imposed by history, circumstance and nature will need to be surmounted, and I cannot doubt that the task is one, of which the successful discharge must depend upon a true reconciliation of those rights and responsibilities to which I have made allusion. It would indeed seem certain that when the past achievements of progress have been the happy fruit of joint Indian and British effort, so now, in the solution of present difficulties each race has an indispensable part to take. Within the next three years at the most from now the Statutory Commission will be appointed to conduct an investigation on behalf of the British Parliament into the working and the results of the Constitutional Reforms, in their widest aspect. The purpose of this enquiry will be to ascertain the degree of efficiency, or otherwise, with which the policy of 1919 has proceeded. I am well aware that in various quarters the existing scheme has been criticised, and that there has been, and will be, sharp disagreement as to the character and occasion of further progress. I would permit myself however to hope that, if difference there must be, it shall be such difference as will not make us unwilling to admit the sincerity of those whose views on these subjects differ from our own. For my own part, I trust that I shall always be ready to acknowledge in those whose political views I cannot share, the same honesty of conviction which I claim for myself, and for those whose duty it is to speak for Government. And I should be the last to desire, that in taking their share of a common task for the service of India, any should be required or expected to abandon principles which they revere. For peoples, as for individuals, the qualities which are needed to shoulder responsibilities are qualities which would be strangled by the denial of individuality, and it is no part of the British purpose to seek to force India into a mould unfriendly to the main features of Indian life and character. Events in the interval between now and the Commission's enquiry cannot fail to exert great influence upon the conclusions at which that body will arrive, and in this connexion I cannot refrain from referring to the feeling which still prevails between communities.

This unhappily remains the burning question, and I have anxiously watched for any signs that the responsible members of the two communities are approaching it in that spirit of mutual tolerance which alone can put an end to discord. I am not so sanguine as to think that the temper of whole communities can be changed in a moment ; time is required to lay its healing hand on the wound that is now wasting our civic life.

But meanwhile, we have obligations to law-abiding citizens. Although, indeed, these matters are the primary concern of Provincial Governments, the form in which they are now emerging has in a real sense made them of all-India interest. While it is no part of

the functions of the executive Government to ascertain or determine in any judicial sense the private rights of citizens—for an elaborate system of courts has been provided for that purpose—it is the undoubted duty of the executive authorities to secure that, subject to the rights of others and the preservation of the public peace, the enjoyment of those rights is secured to the individual. That duty the Government of India in co-operation with the Local Governments desire should be performed with fairness and scrupulous impartiality. In ordinary times when no particular cause of friction arises, the enjoyment of private rights connected with the observance of the numerous religious festivals in this country has, under the protection of the British Government, been secured for many generations. In times of communal tension, untenable claims of rights and exaggerated opposition have from time to time caused great anxiety to the authorities, and the maintenance of the public peace has been a difficult task. The antagonism which some members or sections of the communities concerned have recently displayed towards the observances of others appears to some extent to be based, not so much on traditional loyalty to any creed, as on new assertions of abstract rights which it is sought to invest with the sanctity of ancient principles. This tendency has been more marked in the recent troubles than at any previous period in the British administration. It cannot be too clearly emphasised that Government have no intention whatever of allowing any unjust or unreasonable claims, still less any violence or threat of violence, to deter them from their clear duty of maintaining the public peace and, so far as is compatible with the rights of others, the right of the individual citizen to pursue unhampered his lawful avocations.

The present state of affairs is one which must, so long as it lasts, cause the gravest anxiety to all well-wishers of India. The Secretary of State gave clear expression to such a feeling in his recent speech in the House of Lords, a speech which reaffirmed not only his real sympathy with the hopes of the Indian peoples, but also his determination to lead them, by the safest and surest path, towards the goal which they desire to reach.

It is my earnest hope, therefore, that the course of public affairs in the years immediately before us may be such as will justify the hopes of those who have seen in the Reforms, tentative and imperfect as they may be, a generous attempt to equip India with the practical experience which is requisite if she is to undertake successfully an increasing share in her own Government. In the natural sphere, the mountain torrent, swollen with rains, rushing down in spate, wasted and unguided, brings no benefit but only disaster and destruction. The same waters, if their force may be wisely and beneficently directed, are the friend of man, and powerful to give new life to all that may be brought within their range.

In this parable of Indian life lies surely a truth that is not without its application to the world of Indian politics. Men of different temperaments, creatures of different circumstances, will see the same problem with different eyes, and, so seeing it, are prone to misjudge or be impatient with those whose outlook and perspective differ from their own. One thing, however, is very sure. Human nature is designed to be the master, not the slave of circumstance; and problems which baffle us when approached

through the atmosphere of suspicion and mistrust will seem less intractable if that atmosphere may be dispelled. India has abundance of ability, but some of it in the past has been directed along lines that could at the best lead to no useful or durable result.

The attempt to apportion blame for past disappointments, mistakes or misunderstandings is an empty and barren enterprise. We face the future, in which a few years are a puny measure by which to calculate the growth of nations. In that future I do not hesitate to say that the whole of the resources that India can command are needed for one of the greatest constructive tasks which has ever enlisted human energies and hopes.